



## **Minutes of the Cabinet**

**12 November 2019**

**-: Present :-**

Councillor Steve Darling (Chairman)

Councillors Long, Morey, Carter, Stockman, Law and Cowell

(Also in attendance: Councillors Brooks, Bye, David Thomas and Loxton)

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### **47. Minutes**

The Minutes of the meeting of the Cabinet held on 15 October 2019 were confirmed as a correct record and signed by the Chairman.

### **48. Communications**

The Leader of the Council, Councillor Steve Darling, referred to a meeting held last week of the Greater South West Team, this involved Chief Executives, Leaders and representatives from the Local Enterprise Partnership (LEP) from Devon, Cornwall, Somerset, Dorset and Torbay, where they agreed to proceed with a Greater South West Document to put to the Government to help drive our economy in the South West and unlock additional funding opportunities. He welcomed all party involvement in supporting this document when it comes forward for approval over the next few months.

The Cabinet Member for Children's Services, Councillor Law, outlined the success of the Children Looked After Awards ceremony held last Friday and how proud she was of these children. Some of the children had said it was the best event of their lives. The event also involved local businesses who provided prizes and praised the children for the way they behaved and thanked everyone involved. Torquay United Football Club and Torbay Steam Railway have also given our looked after children and families free tickets to show the appreciation of all their good work.

The Cabinet Member for Adults and Public Health, Councillor Stockman, referred to a recent meeting with Adel Jones, Director of Transformation and Partnerships - Torbay and South Devon NHS Foundation Trust, where praise was given to both the Trust and Torbay Council for agreeing the risk share and the commitment to working together to reduce the money spent on adult social care.

### **49. Urgent Items**

The Cabinet considered the item in Minute 50.1, and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special

circumstances i.e. the matter having arising since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

## **50. Matters for Consideration**

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions) are set out in the Record of Decisions appended to these Minutes.

### **50.1 Notice of Motion - Action to Reduce the Impact of Fireworks**

### **50.2 Early Years Sufficiency Annual Report**

### **50.3 Children's Services - Improvement Plan and Monitoring Visit**

Members received and noted the submitted report which set out the revised Children's Improvement Plan and Ofsted Monitoring Letter. These documents had been considered in detail at the meeting of the Overview and Scrutiny Board on 29 October 2019 and their feedback was included in the covering report.

The Cabinet Member for Children's Services highlighted the ongoing work being carried out by the Service including changes to the relationship with Plymouth City Council, which had been announced since the Board meeting. Following a review with colleagues from Plymouth City Council and the Department for Education of the joint arrangements with Plymouth it was decided that both Councils need their own dedicated Director of Children's Services to make the improvements that are necessary for our respective services at pace. This means that by mutual agreement the arrangements with Plymouth will end in Mid-January 2020 and the Council will seek to recruit a full time Director of Children's Services. In the meantime, the Employment Committee has recommended that Nancy Meehan be appointed as the Interim Director of Children's Services which will be agreed formally at the Council meeting on 9 January 2020.

The Cabinet acknowledged the need to learn from other Authorities' good practice and welcomed Nancy Meehan, Deputy Director of Children's Services and her Team, who have a proven track record of improving Children's Services in other areas such as Tower Hamlets.

Members acknowledged that whilst the letter highlighted some areas in need of improvement, it complimented the Council-wide improvement programme, appointment of a new chair of the Children's Improvement Board and recognised the corporate and political leadership in driving improvements forward to focus more on the needs of our children. The Chief Finance Officer advised that the proposed budget for 2020/2021 would include investment in Children's Services which it was hoped would, alongside the improvement actions, set the Service on a stable basis.

### **50.4 Revised Children's Services Medium Term Financial Plan**

This item was deferred to 26 November 2019.

**50.5 Housing Strategy**

This item was withdrawn.

Chairman

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## Record of Decision

### Notice of Motion - Action to Reduce the Impact of Fireworks

#### Decision Taker

Cabinet on 12 November 2019

#### Decision

- (i) to request that organisers of all public firework displays within Torbay advertise them in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (ii) to support public awareness about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (iii) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90 decibels for those sold to the public for private displays; and
- (iv) to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.

#### Reason for the Decision

To support the Motion in respect of action to reduce the impact of fireworks.

#### Implementation

This decision will come into force and may be implemented on Monday, 25 November 2019 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

The Cabinet considered a motion in relation to local radio cuts, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Cowell seconded a motion, as set out below which was agreed unanimously by the Cabinet:

Fireworks are used by people throughout the year to mark different events. Whilst they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. Vulnerable people can become confused and disorientated by the noise. They can be a source of fear and distress for many animals (including pets, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries, sometimes very serious ones, as they attempt to run away or hide from the noise.

#### Cabinet resolves:

- (i) to request that organisers of all public firework displays within Torbay advertise them in advance of the event, allowing residents to take precautions for their animals and vulnerable people;

- (ii) to support public awareness about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (iii) to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90 decibels for those sold to the public for private displays; and
- (iv) to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public

**Alternative Options considered and rejected at the time of the decision**

None

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

15 November 2019

Signed: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

Date: 15 November 2019

## Record of Decision

### Early Years Sufficiency Annual Report

#### Decision Taker

Cabinet on 12 November 2019

#### Decision

- (i) that the Torbay Childcare Sufficiency Report (September 2019) set out at Appendix 1 to the submitted report be approved and published; and
- (ii) that Cabinet receive an update on the progress of implementing the actions in the Torbay Childcare Sufficiency Report at a meeting in May 2020.

#### Reason for the Decision

The Childcare Sufficiency Report 2019 provides an overview of the local childcare market, changes in the supply and demand for places and the actions necessary to ensure these are sufficient, accessible child care places in Torbay. The report has been updated to reflect the changes to Torbay wards which came into effect in May 2019.

The Childcare Sufficiency Report 2019 takes into account significant changes in Government Policy including the Free Early Education Entitlement (FEEE) for disadvantaged two year olds, the universal entitlement (15 hours) for 3 & 4 year olds and the extended entitlement (30 hours) for working parents of three and four year olds which is now in its third year of operation.

The report contains an updated 2018 action plan which identifies progress made, in addition to the new 2019 action plan detailing the actions that will be taken to ensure childcare capacity continues to develop in line with demand.

Following its approval, the Childcare Sufficiency Report 2019 will be published on the Council's website as well as providing the evidence base for the ongoing dialogue with providers, partners and stakeholders on the development of future capacity.

#### Implementation

This decision will come into force and may be implemented on Monday, 24 November 2019 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

The Childcare Act 2006 places a duty on local authorities to secure, so far as is reasonably practicable, sufficient childcare for working parents, or parents who are studying or training for employment, for children aged 0 – 14 years (or up to 18 years for disabled children).

As part of these duties, Torbay Council is required to report annually to Elected Members on the local arrangements to ensure those duties are met and a report is available and accessible for parents.

The full report demonstrates that there are sufficient childcare places to meet the requirements for funded children in Torbay with enough spare capacity to accommodate children aged under 2 who may be accessing a place which their parents pay for. The report identifies that Torbay does therefore have sufficient capacity to accommodate all children who need a place, although parents may not always be able to access their first choice of provider.

Councillor Law proposed and Councillor Steve Darling seconded a motion which was agreed unanimously by the Cabinet as set out above.

**Alternative Options considered and rejected at the time of the decision**

None

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

15 November 2019

Signed: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

Date: 15 November 2019