

Friday, 29 April 2022

## **CABINET**

A meeting of **Cabinet** will be held on

**Tuesday, 10 May 2022**

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

Councillor Steve Darling (Chairman)

Councillor Carter

Councillor Long

Councillor Cowell

Councillor Morey

Councillor Law

Councillor Stockman

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**Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk) - [www.torbay.gov.uk](http://www.torbay.gov.uk)

# CABINET AGENDA

1. **Apologies**  
To receive apologies for absence.
2. **Minutes** (Pages 4 - 6)  
To confirm as a correct record the Minutes of the meeting of the Cabinet held on 12 April 2022.
3. **Disclosure of Interests**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda.  
  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda.  
  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
4. **Communications**  
To receive any communications or announcements from the Leader of the Council.
5. **Urgent Items**  
To consider any other items the Chairman decides are urgent.
6. **Matters for Consideration**
7. **Temporary Accommodation Sufficiency Implementation** (To Follow)  
To consider a report on the above.
8. **Loan for Affordable Housing** (To Follow)  
To consider a report on the above.

### **Meeting Attendance**

Torbay Council has taken the decision to continue operating in a Covid-19 secure manner in order to protect staff and visitors entering Council buildings and to help reduce the spread of Covid-19 in Torbay. This includes social distancing and other protective measures (e.g. wearing a face covering whilst moving around the building (unless exempt), the face covering can be removed once seated and using hand sanitiser). Our public meetings will continue to operate with social distancing measures in place and as such there are limited numbers that can access our meeting rooms. If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

If you wish to attend a public meeting, please contact us to confirm arrangements for your attendance.

### **Live Streaming and Hybrid Arrangements**

To encourage more people to engage in our public meetings the Council is trialling live streaming our Cabinet meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

We are trialling hybrid meeting arrangements to enable officers and Councillors who are not members of the Cabinet to either attend the meeting in person or to attend the meeting remotely via Zoom. Anyone attending the meeting remotely must use their raise hand function when they wish to speak and to declare any interests at the appropriate time. As this is a trial if anyone attending the meeting remotely loses connection the meeting will continue and they will have the option to follow the meeting via the YouTube live stream.

**Minutes of the Cabinet**

**12 April 2022**

**-: Present :-**

Councillor Steve Darling (Chairman)

Councillors Carter, Law, Long and Morey

(Also in attendance: Councillors Bye, Douglas-Dunbar, Foster, Chris Lewis and David Thomas)

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**325. Apologies**

Apologies for absence were received from Councillors Cowell and Stockman.

**326. Minutes**

The Minutes of the meeting of the Cabinet held on 22 March 2022 were confirmed as a correct record and signed by the Chairman.

**327. Communications**

The Cabinet Member for Children's Services, Councillor Law, advised Members of the Easter Holidays Activities and Food (HAF) Programme, known locally as Healthy Holiday's, which started on 11 April 2022 and runs for two weeks across Torbay at various locations. The scheme was open to all young people who were eligible for income-based free meals and offers a minimum of four hours of activities for four days over the Easter Holidays and includes a hot meal. Members were encouraged to promote the scheme with their residents to raise awareness. More details can be found on the website at [www.torbay.gov.uk/children-and-families/childcare/easter-holidays/](http://www.torbay.gov.uk/children-and-families/childcare/easter-holidays/). Alongside this scheme the Council had also given families who were eligible for income-based free meals £30 food vouchers to help them during the Easter Holidays.

**328. Matter for Consideration**

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

**329. Written Statement of Action following SEND Inspection**

Chairman

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## Record of Decisions

### Written Statement of Action following SEND Inspection

#### Decision Taker

Cabinet on 12 April 2022

#### Decision

That Cabinet give delegated authority to the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, to sign off the final version of the Written Statement of Action in response to Torbay's SEND local area inspection, prior to submission on 14 April 2022.

#### Reason for the Decision

The inspection found significant weaknesses and, as a result, the inspectors requested that a Written Statement of Action be developed by the local area for formal submission to the DfE for approval.

#### Implementation

The decision in respect of the Written Statement of Action following the SEND Inspection will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Public's and Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 4 April 2022.

#### Information

The provision of services to support children and young people with SEND (Special Educational Needs and Disabilities) is a statutory duty for the local area (local authorities and Clinical Commissioning Group (CCG)). Provision of such services is a cornerstone of enabling the local community to thrive, and to support children and young people in having high aspirations. For cared for and care experienced children with SEND, such services play an integral role in the Council delivering its duties as a corporate parent. As a statutory service, it is regularly inspected by Ofsted and the Care Quality Commission (CQC). If local areas are not providing suitable and sufficient support for children and young people with SEND and their families, the local area is required to submit a Written Statement of Action showing how they intend to address any weaknesses.

Torbay Local Area was inspected in November 2021. The inspection found significant weaknesses and, as a result, requested that a Written Statement of Action be developed by the local area for formal submission to the Department for Education for approval by 14 April 2022. This was a joint co-designed response between partners such as Children's Services, health, schools, Family Voice Torbay, community and voluntary sector as well as having direct input from families, children and young people to help embed different ways of working and changes in culture required to make the required improvements.

The Written Statement of Action will be submitted to the Department of Education, who will then respond within 10 working days to say whether the Statement is 'fit for purpose' or if it requires further adjustment. Roughly half of all Statements require further adjustments, usually in respect of the timescales for implementation. Once the final Statement has been agreed it will

be made public. Given the importance of improving the provision and approach to children and young people with SEND, we are already implementing some of the actions within the Statement.

At the meeting Councillor Law proposed and Councillor Morey seconded a motion, that was agreed unanimously by the Cabinet, as set out above.

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

The requirement to respond to weaknesses in a SEND review is statutory and the local area is obligated to submit a Written Statement of Action, therefore no other options were considered.

### **Is this a Key Decision?**

No

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

No

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

None.

### **Published**

13 April 2022