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To: The Chair and Members
of the Cabinet

County Hall
Topsham Road
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Devon
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Date: 28 February 2023

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CABINET

Wednesday, 8th March, 2023

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite (Clinton / Fortescue) - County Hall to consider the following matters.

Donna Manson
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 10 February 2023 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

NIL

KEY DECISIONS

7 Budget Monitoring - Month 10 (Pages 1 - 6)

Report of the Director of Finance and Public Value (DF/23/39) on the budget monitoring position at month 10, attached.

Electoral Divisions(s): All Divisions

8 Seaton to Colyford Multi-Use Path - Approval to construct (Pages 7 - 38)

Report of the Director of Climate Change, Environment and Transport (CET/23/9) seeking approval to proceed to tender and construction on the Seaton to Colyford Multi-Use Trail, attached.

In progressing this particular scheme / proposal, an Impact Assessment has been prepared which is attached and also available on the Council's website at [Seaton to Colyford Multi-Use Trail - February 2023 - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/impact/seaton-to-colyford-multi-use-trail-february-2023-impact-assessment).

Electoral Divisions(s): Seaton & Colyton

9 Flood Risk Management Action Plan 2023/2024 (Pages 39 - 90)

Report of the Director of Climate Change, Environment and Transport (CET/23/10) seeking approval for the budget allocations to support the Annual Flood Risk Management Action Plan for 2023/24 and also to highlight the achievements made by the Flood and Coastal Risk Management team in delivering the 2022/23 Action Plan, attached.

To support the development of the Local Flood Risk Management Strategy a full Impact Assessment has been completed, is attached and is also available to view on the Council's website at: <https://www.devon.gov.uk/impact/flood-risk-management-strategy/>.

Electoral Divisions(s): All Divisions

10 Education Travel Review: Approval to arrangements for subsequent academic year

Report of the Director of Children and Young People's Futures on the Education Travel Policy Review. This Report will follow.

Electoral Divisions(s): All Divisions

MATTERS REFERRED

11 Health and Adult Care Scrutiny Committee - Community Pharmacy Spotlight Review (Pages 91 - 106)

At its meeting on 20 January 2023, the Health and Adult Care Scrutiny Committee had considered the Community Pharmacy Spotlight Review (minute *90 refers) and had RESOLVED (a) that the recommendations contained within the Report of the Spotlight Review be endorsed and commended to the Cabinet; and (b) that the Report also be shared with the Integrated Care Board.

Recommendation

(a) that Cabinet welcome the Community Pharmacy Spotlight Review Report and thank the Health and Adult Care Scrutiny Committee for undertaking the review.

(b) that the recommendations be accepted and the Council are committed to working collaboratively with NHS Devon, who take over responsibility for commissioning local pharmaceutical service from NHS England on the 1st April 2023.

Electoral Divisions(s): All Divisions

12 Health and Adult Care Scrutiny Committee - Replacement Day Care Service (Pages 107 - 116)

At its meeting on 20th January 2023, the Health and Adult Care Scrutiny Committee considered a Report relating to Replacement Day Care Service which had followed a series of visits by Members to day care services to gain a better understanding on how these were working and key issues affecting services from a frontline perspective. The Health and Adult Care Scrutiny Committee had RESOLVED (a) that Cabinet receive and consider the Report, and as Adult Social Care transformation takes place, ensure that opportunities in the community are maximised to support people's independence and enable them to do the things that matter to them; and (b) that the learning from the visits be shared to inform the Committees future work programme.

Recommendation

(a) that the Health and Adult Care Scrutiny Committee be thanked for its continued work in this area and its constructive challenge and contribution.

(b) that the recommendations within the report be accepted that support the Council to deliver its promoting independence approach, including to ensure where services are provided they are the right services, delivered in the right way by the right people and enable the best outcomes for individuals, families and communities.

Electoral Divisions(s): All Divisions

13 **Corporate Infrastructure & Regulatory Services Scrutiny Committee -
Modernisation of the Corporate Finance System Spotlight Review (Pages 117 -
130)**

Report of the Members of the Modernisation of the Corporate Finance System Spotlight Review, attached.

Due to the timescales of the contract, this Report needs to be brought direct to the Cabinet, but recommendations as outlined below have been agreed by the Corporate Infrastructure & Regulatory Services Scrutiny Committee.

1. The Spotlight Review supports the aims and vision of the Future Finance Project and requests Cabinet maintain corporate prioritisation of the project until at least December 2024.
2. That the Cabinet ensures there is sufficient staffing and resources for the delivery of the project and is prepared, if required, to increase the number of officers supporting the project to ensure smooth delivery.
3. The service considers the creation of a local archive of financial data in case of a potential breach or malfunction as part of Disaster Recovery and Business Continuity planning as FINEST gets closer to the end of its life, as per the recommendation from Moore Insight.
4. That a Standing Overview Group (SOG) of the Corporate Infrastructure and Regulatory Services Scrutiny Committee is held around 3 months after the awarding of the contract to review the Future Finance Project and these recommendations.

Recommendations

(a) that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their comprehensive report on the Modernisation of the Corporate Finance System;

(b) that the views of scrutiny supporting the aims and vision of the Future Finance Project be welcomed; and

(c) that the recommendations of the Spotlight Review be accepted, specifically that:

- (i) corporate prioritisation of this project is recognised;
- (ii) necessary resources for delivery of the project will be ensured;
- (iii) in addition to a cloud based archive of financial data, that Service Management consider the creation of a local archive of financial data in case of a potential breach or malfunction as part of Disaster Recovery and Business Continuity Planning as Finest gets closer to the end of its life, as per the recommendation from Moore Insight; and
- (iv) a further progress review of the project is carried out approximately 3 months after contract award by a Standing Overview Group of CIRS scrutiny.

Electoral Divisions(s): All Divisions

14 South Hams Highways and Traffic Orders Committee - A3121 in Ermington - Request for reduction in speed limit to 30mph

The South Hams Highways and Traffic Orders Committee at its meeting on 3 February 2023 considered the matter of the A3121 in Ermington (request for reduction in speed limit to 30mph), as had been requested by Councillor Thomas under Standing Order 23 (minute 29 refers). The Committee had RESOLVED *‘That Cabinet be requested to consider a departure from policy, to revoke the existing 40mph Traffic Regulation Order (TRO) on the A3121 in Ermington, thus lowering the majority of the stretch to 30mph by virtue of an existing system of street lighting, with the remaining stretch (currently TRO 40mph) requiring a new 30mph TRO’.*

Recommendation

That the matter be deferred pending a site visit with the Cabinet Member for Highway Management to meet the Local Member and officers including the Police and Road Safety Team.

Electoral Divisions(s): South Brent & Yealmpton

15 Notice(s) of Motion (Pages 131 - 136)

The following Notices of Motion submitted to the County Council by the following Councillors have been referred to the Cabinet in accordance with Standing Order 8(2) for consideration, to refer it to another Committee or make a recommendation back to the Council:

- (a) Protect the Right to Free Camp on Dartmoor (Councillor Wrigley)
- (b) Forced Installation of Pre Payment Meters (Councillor Atkinson)
- (c) Special Education Needs (SEND) Budgets and Deficits (Councillor Atkinson)
- (d) Dartmoor National Park (Councillor Barnes)

Electoral Divisions(s): All Divisions

STANDING ITEMS

16 Question(s) from Members of the Public

17 Minutes

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein (i.e. any unstarred minutes):

- a Standing Advisory Council for Religious Education - 9 February 2023
(Pages 137 - 140)
- b Farms Estate Committee - 20 February 2023 (Pages 141 - 148)
- c Devon Authorities Strategic Waste Committee - 22 February 2023 (Pages 149 - 154)

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:

18 Delegated Action/Urgent Matters

The Register of Decisions taken by Members under the urgency provisions or delegated powers is available on the website in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decisions taken and associated information can be found [here](#).

19 Forward Plan (Pages 155 - 170)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

The [Forward Plan is available on the Council's website](#).

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

NIL

Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.

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BUDGET MONITORING 2022/23 **Report of the Director of Finance and Public Value**

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation:

- a) That the month 10 budget monitoring forecast is noted;**
- b) That action being taken to safeguard the financial sustainability of the authority is supported; and**
- c) The savings and additional income resulting from the Financial Sustainability Programme are noted.**

1. Introduction

- 1.1. This report summarises the financial position of the Authority at month 10 of the financial year (data as at the end of January 2023), and the latest outturn forecasts.
- 1.2. At month 10 it is forecasted that budgets will end the financial year overspending by £3.6 million, which is an improvement of £3.4 million from month 8.
- 1.3. This reported position comprises an underlying outturn forecast of £30.1 million but this is reduced by £26.5 million of Financial Sustainability Programme (FSP) savings and additional income. An inflationary pressure risk continues to be present but at this point in the financial year it is not expected to have a significant impact on the in year position. The Dedicated Schools Grant forecast is not included in these figures.
- 1.4. The Cost of Living Crisis and geopolitical situation has created huge financial pressures nationally. The County Council is affected by this situation and immediate action has been taken to safeguard the financial sustainability of the Authority for the current financial year. Work continues across the Authority to implement in year cost containment measures. At month 10 £26.5 million of in year savings and additional income is expected to be delivered.
- 1.5. There is a forecasted deficit on the Dedicated Schools Grant this year of £41.1 million relating to Special Educational Needs and Disabilities (SEND). This is an increase in the overspend of £564,000 compared to the month 8 position. The outcome of the discussions with the Department for Education as part of the Safety Valve Intervention is still awaited.

2. Revenue Expenditure

- 2.1. The following table details the forecast outturn position by service area at month 10. The underlying outturn forecasts, column (d), detail the forecast outturn position before the impact of the Financial Sustainability Programme (FSP) is taken into account. The impact of the proposed FSP savings is shown in column (e) and the final month 10 forecast outturn overspend or underspend in column (f).

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Month 10 Budget Monitoring forecast outturn							
	Original Budget	Adjusted Budget	Forecast Outturn before FSP savings	Underlying outturn forecast	FSP savings	Forecast outturn Overspend/ (Underspend)	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
	£000	£000	£000	£000	£000	£000	Percentage
Integrated Adult Social Care	312,928	327,387	335,173	7,786	(3,731)	4,055	1.2%
Children and Young People's Futures	176,148	209,936	232,970	23,034	(3,547)	19,487	9.3%
Climate Change, Environment & Transport	79,700	88,454	87,051	(1,403)	(4,391)	(5,794)	-6.6%
Corporate Services	41,719	43,468	43,069	(399)	(1,714)	(2,113)	-4.9%
Public Health, Communities & Prosperity	18,867	19,900	19,828	(72)	(895)	(967)	-4.9%
Total Service Position	629,362	689,145	718,091	28,946	(14,278)	14,668	2.1%
Non Servicespecific budgets	(69,297)	(129,080)	(127,938)	1,142	(12,226)	(11,084)	-8.6%
Total	560,065	560,065	590,153	30,088	(26,504)	3,584	0.6%

2.2. Integrated Adult Social Care is forecasting an overspend of £4.1 million

2.3. The underlying forecast position for Integrated Adult Social Care services at month 10 is an overspend of £7.8 million, a deterioration of £765,000 from the month 8 position. The forecast overspend continues to be driven by risk around delivery of planned savings which form part of this year's budget and a worsening position in Older People service budgets, particularly within residential and nursing care and personal care.

2.4. The reported position assumes that of the £18.2 million budgeted savings and additional income, £12.3 million will be achieved by year end, including £8 million one off additional income agreed with health partners. As at month 10, £12 million has been delivered with a further £350,000 due to be delivered before the end of March.

2.5. Additional in year savings of £4.3 million have been identified as part of the FSP.

2.6. Children and Young People's Futures is forecasting an overspend of £19.5 million and an overspend of £41.1 million on Special Education Needs and Disabilities (SEND).

2.7. The underlying forecast position for Children and Young People's Futures services at month 10 is an overspend of £23 million, an increase of £1 million against the position reported at month 8, and an increase of £2 million compared to month 6.

2.8. The month 10 position assumes that of the £11.7 million of planned budget savings £3.8 million is deliverable (the £7.9 million of savings considered undeliverable contributes to the forecast overspend).

2.9. The rest of the overspend forecast continues to be driven by volume and cost pressures relating to placements for children in care and cost pressures within School Transport.

2.10. Additional in year savings and alternative funding sources of £3.5 million have now been identified as part of the FSP and are expected to be delivered.

2.11. Children's Social Care is now forecasting to overspend by £12.3 million by year end, an increase of £805,000 versus month 8. The forecast includes a placements budget overspend of £12.7 million, which is primarily driven by costs of disabled children's

placements and independent residential care services, particularly around supported accommodation.

- 2.12. Education Learning, School Transport and Inclusion Services are forecasting to overspend by £7.3 million, an increase of £219,000 compared to month 8. The pressure in the main is driven by the school transport service. £5.6 million relates to non-delivery of planned budget savings, whilst £2.8 million is driven by inflation impact on the costs of contracts that are relinquished and retendered.
- 2.13. Dedicated Schools Grant (DSG) is forecasting an outturn overspend of £41.1 million, which is an increase of £564,000 from the position reported at month 8. This is primarily attributable to price and volume pressures being experienced within the independent special school setting. Management plan savings of £10 million were included within this year's budget, of which £5.4 million is now expected to be delivered.
- 2.14. At the end of 2021/22 the DSG reported a cumulative deficit of £86.5 million which was carried forward as a deficit reserve. When combined with the current year forecast the deficit is expected to be £127.7 million by the end of 2022/23.
- 2.15. In 2020 the government introduced a statutory override that meant Local Authority DSG overspends must be carried forward as a deficit reserve in our accounts. The statutory override was due to expire at the end of March 2023, but Government has now confirmed an extension to the DSG statutory override for a further 3 years up to March 2026.
- 2.16. The Council continues to await the outcome of the Safety Valve Intervention programme with the Department for Education.
- 2.17. **Other items**
- 2.18. The remaining Directorates are forecasting an underspend of £8.9 million at month 10, comprising an underlying forecast position of £1.9 million underspend and additional savings identified in the FSP totalling £7 million.
- 2.19. Non Service items, which include capital financing charges and business rates pooling gain are forecasting an underspend of £11.1 million. The underlying position is a forecast pressure of £1.1 million and £12.2 million of savings identified by the FSP (although most are of a non recurrent nature).

3. Financial Sustainability Programme

- 3.1. An organisation wide Financial Sustainability Programme was developed in June 2022 to examine areas of expenditure and to develop proposals that directly address the in year financial challenges.
- 3.2. This work has been carried out by a cross organisational Tactical Leadership Team comprising senior officers from every service of the Council, who examined options for service transformation, modernisation, remodelling of delivery, and ceasing or postponement of activity where possible.
- 3.3. The month 10 position reflects £26.5 million of savings identified through the FSP. A high level summary by type of saving is included overleaf:

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<p>Delaying / Pausing</p> <p>Examples include:</p> <ul style="list-style-type: none"> • £1m Delay on corporate IT & Digital Infrastructure projects • £0.4m Deferral of the LDO for SkyPark • £0.6m Delay Adult Care Management System 	£3.6m
<p>Additional Income</p> <p>Examples include:</p> <ul style="list-style-type: none"> • £1.3m of increased interest earned • £0.3m through increased fees • £1.4m windfall dividends 	£5m
<p>Reducing Spend</p> <p>Examples include:</p> <ul style="list-style-type: none"> • £1.2m Changes to Vehicle & Equipment Laos Pool budget • £1m reduction on the central insurance provision • £1m Belwin contribution • £1.7m Reconfiguration of short term services • £0.13m Reduction in the member locality budgets 	£8.0m
<p>Stopping</p> <p>Examples include:</p> <ul style="list-style-type: none"> • £0.3m Not spending some of the agreed carried forward funds • £0.1m Cease removal of vegetation from Bridges • £0.07m Ceasing mobile phone contracts 	£1.8m
<p>Targeted Funding</p> <p>Examples include:</p> <ul style="list-style-type: none"> • £5.9m grant funding • £1m Children’s Centre’s utilising Public Health reserve 	£8.1m
Total	£26.5m

4. Capital

- 4.1. The latest approved 2022/23 capital programme for the Authority totals £227.0 million. This figure incorporates amounts brought forward from 2021/22, other prior year approvals and approved in year changes.
- 4.2. The total year end forecast for capital expenditure is £159.6 million of which £137.1 million is externally funded. Total slippage is forecast to be £67.4 million, which means that overall, 70 percent of the budgeted capital programme for 2022/23 is forecasted to be delivered.
- 4.3. Wherever possible slippage is offset by the accelerated delivery of other approved schemes within the capital programme. The main areas of net slippage can be attributed to scheme variations and programme delays in Planning, Transportation and Environment, which reflects the complexity of the major schemes within this service area.
- 4.4. Material and labour price increases continue to be experienced which are impacting the delivery costs and tender prices being returned for capital works. This is being carefully monitored and managed within existing resources.

5. Debt Over 3 Months Old

5.1. The latest corporate aged debt position has risen to £5.0 million, 2.02% of the rolling 12 month value of all invoices, against the annual target of 1.9%. Much of the increase from month 8 is due to a limited number of high value invoices that are still outstanding. Work is underway to reduce the level of debts where possible.

6. Conclusion

6.1. The month 10 revenue outturn forecast has improved from month 8 due to further savings, containment of expenditure, and utilisation of one off grant funding. However, the forecast across Integrated Adult Social Care and Children and Young People's Futures has continued to deteriorate.

6.2. The commencement of the DSG management plan and the positive discussions had to date with the DFE are welcome, however the forecasted overspend continues to grow and urgent action must be taken to bring the level of expenditure in line with the management plan.

6.3. Earlier confirmation that the DSG statutory override is to be extended is welcome, but it must be recognised this does not resolve any of the challenges that we face in bringing our expenditure within the funding allocation we receive.

6.4. In the final months of the financial year we must continue to identify savings, additional income and cost containment measures to ensure that the revenue outturn is as close to a balanced position as possible, whilst driving forward implementation of plans for the delivery of the 2023/24 budget and simultaneously addressing the challenges being experienced within the DSG.

Angie Sinclair, Director of Finance and Public Value

Electoral Divisions: All

Cabinet Member: Councillor Phil Twiss

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Alex Hosking

Tel No: (01392) 382786 Room: 197

Date Published: 1st March 2023

CET/23/9
Cabinet
8 March 2023

Seaton to Colyford Multi-Use Trail

Report of the Head of Climate Change, Environment and Transport

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

1) Recommendation

That the Cabinet be asked to:

- (a) approve the preferred scheme, as shown in Appendix 1, to proceed to tender and construction at an estimated cost of £1,234,376;
- (b) approve delegated powers for the Director of Climate Change, Environment and Transport, in consultation with the Cabinet Member for Highway Management and the local member, to make minor amendments to the scheme details.

2) Background / Introduction

The Seaton to Colyford Multi-Use Trail proposes to link the communities of Seaton and Colyford with a safe, direct and attractive path which is accessible for all. The route between the settlements is designated as part of the National Cycle Network (NCN) Route 2, which includes the Exe Estuary Trail and connects the East Devon market and coastal towns of Exmouth, Budleigh Salterton, Sidmouth, Seaton and Axminster through to the Dorset border and onwards to Portsmouth. Whilst the majority of the existing NCN2 between Seaton and Colyford consists of high-quality off-road provision, there is a missing gap in the middle which currently diverts users onto a section of road, unsuitable for families and less confident cyclists. This scheme proposes to complete this section of the route with a parallel and off-road shared use path, consistent with the standard of route running north of Seaton. In doing so this would deliver approximately 3km of high-quality, safe and attractive cycle route suitable for all ages between the communities of Seaton and Colyford, improving access to the Seaton Wetlands and beyond on low traffic lanes to Axminster.

A planning application for improvements to this section of the Seaton to Colyford Multi-Use Trail was approved in September 2011. Compulsory Purchase Orders for the required land were successfully secured in 2021 and the council is now in a position to construct the link during the summer of 2023.

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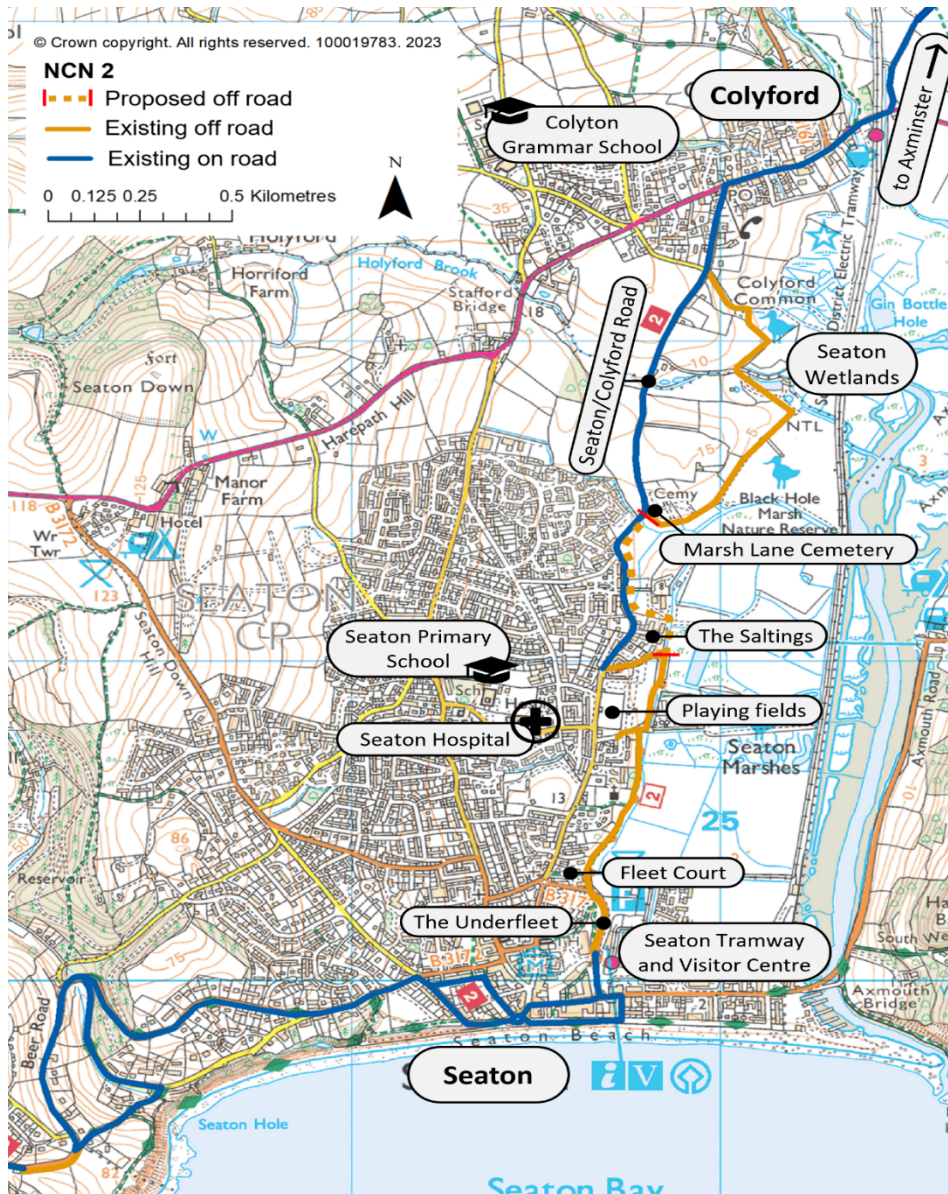


Figure 1: Existing and proposed NCN 2 between Seaton and Colyford amenities

3) Proposal

Proposed Route (Appendix 1)

Improvements to the southern section of the route from The Underfleet / Tramway Station / Visitor Centre to Seaton/Colyford Road south of The Saltings have already been delivered. In the other direction, users travelling south from Colyford can access Seaton Wetlands for 1.2km until they reach Seaton/Colyford Road at Marsh Lane Cemetery. However, there is a need to complete the missing off-road link with a safe, accessible, attractive and direct route.

Where the existing track turns west to meet Seaton/Colyford Road a new shared-use path is proposed to instead maintain the off-road provision. A new length of approximately 625m of path would continue north along the rear of residential properties located on The Saltings. After this the new route would then turn eastwards and run

parallel with Seaton/Colyford Road before connecting to the existing off-road provision at Marsh Lane Cemetery and to the Wetlands routes beyond. The path would be 2.5 – 3m wide and surfaced with tarmac. The route can be seen in Appendix 1.

This new section of path would therefore bypass the on-road section. Connecting two existing sections of off-road provision for walkers, wheelers and cyclists would result in a complete and high-quality sustainable travel link of approximately 3km between Seaton and Colyford and release the full potential of the route for people of all abilities.

The specific route proposed for the Seaton to Colyford Multi-Use Trail is supported in the Devon and Torbay Local Transport Plan 3, 2011-2026. Devon County Council's Cycling and Multi-Use Trail Network Strategy prioritises the Seaton to Colyford Multi-Use Trail, as does its 2021 update. The route also aligns with the vision of the future for Seaton, as set out in the adopted East Devon Local Plan 2013 - 2031. These include enhancing 'green tourism', 'sustainable transport links' and opening up access to the Axe wetlands and Jurassic Coast 'key environmental assets that will be integral to the future success of the town.'

Benefits

A complete route will encourage sustainable travel between residences and businesses in Colyford and the education, employment and tourist attractions in Seaton (such as the Seaton Tramway, Seaton town centre and Seaton Primary School). In addition to providing benefits for local utility trips, the completed route would also offer wider benefits for sustainable leisure travel and bring additional visitor spending to the area, owing to the location's stunning natural environment which has both international and national recognition for its geological, wildlife habitat and landscape quality value (World Heritage Site, three European Special Areas of Conservation, East Devon Area of Outstanding Natural Beauty and numerous wildlife designations). Development of the NCN in Devon has a successful track record of delivering economic benefits, seen for example in the creation of jobs and tangible improvements to the local economy along the Exe Estuary Trail and the Tarka Trail.

Delivery of the scheme will enable the existing route to reach its full potential; the Propensity to Cycle Toolkit suggests that significant improvements to walking and cycling infrastructure in the Seaton/Colyford area could increase numbers of commuting cyclists 6-fold. Improving key sections of NCN2 will also encourage use of the route for longer journeys as more confident walkers and cyclists can continue from Colyford on quiet lanes to link to a mainline rail station, local secondary school and further employment and retail in Axminster (approximately an additional 8.5km/5 miles, see Figure 2).

Improving this final section of the Seaton to Colyford Multi-Use Path will also promote inclusivity and accessibility. The new length of trail will be suitable for wheelchair users and families using pushchairs and would allow people to access and enjoy the Devon countryside from Seaton, boosting health and wellbeing in an environmentally friendly way. The connecting section of NCN2 immediately north provides access to the Seaton and Black Hole Marsh Nature Reserves offering shallow gradients, which would be attractive to young people, older people and people with disabilities. The scheme would

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generate public health benefits by encouraging the growing culture of walking and cycling in Devon.

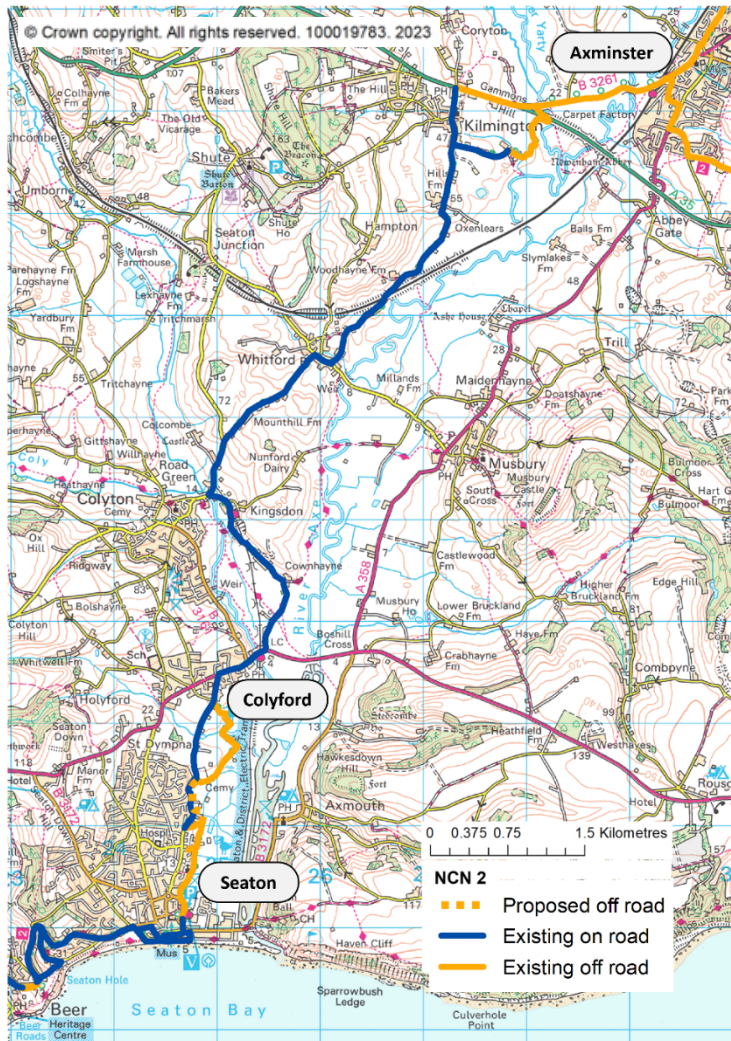


Figure 2: Existing and proposed NCN2 route between Seaton and Axminster

4) Options / Alternatives

Alternative routes have been explored however none of these were viable for the following reasons:

Eastern Route: A longer route continuing north from The Saltings and travelling east was not considered compliant with the criteria set out in National Guidance Local Transport Note (LTN) 1/20 surrounding directness and safety, due to its remoteness from Seaton/Colyford Road. This alternative would also require construction on unsuitable areas of land, with the alignment crossing flood zones 2 and 3 and a County Wildlife Site and Coastal preservation area by the East Devon Local Plan (2016-2031). This alternative also does not have planning permission.

Shared Use Provision along Seaton/Colyford Road: This was discounted due to the following reasons:

- Additional distance required (155m);
- Crossings of side roads, and potentially of Seaton/Colyford Road, increasing the risk to users;
- Limited widths within the Seaton/Colyford Road highway boundary which are insufficient for a shared use path and might involve realignment of the main road and therefore acquisitions from further landowners;
- Unsuitable existing gradients on other land; and
- Loss of coherence of route through the change in environment;
- Incursion of path within the visibility splay potentially impacting road safety for drivers.

Existing route along Seaton/Colyford Road: To keep the status quo would not offer a suitable environment to attract new cyclists or pedestrians due to the traffic volumes and speeds combined with the narrow carriageway.

5) Consultations / Representations / Technical Data

The Council approved a full planning application, with conditions, for the Seaton to Colyford Multi-Use Trail in September 2011. The scheme has been advertised through the processes involved in gaining planning permission and consultation responses regarding the scheme have largely been positive. A consultation on the preliminary design was held during February 2011, with exhibitions held at three separate locations – Seaton, Colyford and Axminster. Approximately 450 visitors attended the public exhibitions over the three days.

East Devon District Council support the application and consider that the multi-use path will provide a stimulus for further tourism growth alongside the regeneration programme in Seaton and fitting well alongside the recent extension to the nature reserves in this part of the lower Axe valley.

6) Strategic Plan

Proposals are well-aligned with a range of Strategic Plan priorities and actions. The scheme seeks to promote and create more opportunities for active travel, encouraging sustainable lifestyles for all ages and abilities. The table below summarises how the proposals would impact achievement of relevant Strategic Plan actions according to a seven-point scale, whereby -3 represents a large negative impact and +3 represents a large positive impact.

Strategic Plan Priority	Strategic Plan Action	Alignment
Responding to the climate emergency	Support a green recovery from COVID-19	+2 (Moderate positive)
	Prioritise sustainable travel and transport	+3 (Large positive)
	Encourage sustainable lifestyles	+3 (Large positive)

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Investing in Devon's economic recovery	Maintain and, where necessary, improve our highway network and improve sustainable transport options	+2 (Moderate positive)
Improving health and wellbeing	Give people greater opportunities for walking and cycling to increase their physical activity	+3 (Large positive)
Helping communities to be safe, connected and resilient	Enable a range of transport options, including public transport	+2 (Moderate positive)

7) Financial Considerations

£1.8 million was allocated from the 'Investing in Devon' fund for various sections of the Stop Line Way, including the Seaton to Colyford Trail. £548,711 was spent in previous years on the Seaton to Colyford section, of which £503,537 was funded from Investing in Devon and £45,174 from internal borrowing. Internal borrowing of £37,048 remains in the 2022/23 capital programme. Estimated costs for 2022/23 and 2023/24 total £685,665 therefore the balance of £648,617 will be funded from the Local Transport Plan (LTP) annual funding. This is allocated in the Transport Capital Programme.

A bid has been submitted to the Active Travel Fund Tranche 4 for this scheme. If successful, this will reduce the total LTP required. It is expected that Active Travel England will confirm funding allocations for successful schemes by the end of this financial year.

Costs (£)	2022/23	2023/24	Total
Land	0	82,500	82,500
Works	25,000	498,665	523,665
Design	63,000	0	63,000
Supervision		16,500	16,500
Total	88,000	597,665	685,665

Table 1: Scheme Costs

8) Legal Considerations

Planning permission has been granted for the section of the route to be improved.

Following the issuing of a successful Compulsory Purchase Order in 2021, notices of entry were issued in October 2022. These notices ensure that access to the required land is permitted while ongoing negotiations finalise agreements with the relevant landowners. These notices enable the land to be entered to complete surveys and advance works, and also to complete construction of the route.

9) Environmental Impact Considerations (Including Climate Change)

The Seaton to Colyford Multi-Use Trail Scheme falls partly within a flood zone, an area of great landscape value and nature conservation zone. Conditions are placed in the planning permissions in order to mitigate impacts of the project on these zones, including landscaping requirements, inspections and mitigation planting. East Devon

District Council has been directly involved in the detailed engineering design process so as to ensure mitigation can be correctly carried out to a high standard to compensate for any potential loss of habitat or grassland. To mitigate the effect the route has on the area of great landscape value, the route largely follows field boundaries and existing vegetation for the purposes of screening. Additional hedge tree planting will also be carried out to further screen the route. In relation to flood impacts, all culverts would be approved by the Environment Agency and the track is to be constructed at ground level to ensure no reduction in the functioning flood plain.

If the scheme is constructed during summer 2023, vegetation clearance will be undertaken in Spring 2023 with mitigation planting expected in October of the same year.

The scheme is expected to reduce carbon emissions through encouraging greater levels of commuting and other short trips by active travel rather than by motorised vehicle. Emission reductions will also result from leisure trips using the route that would otherwise involve a car journey elsewhere. There are clear benefits enabling local people to access green infrastructure, the new multi-use-trail would further open up access to Seaton Wetlands for a wider range of groups who may not be able to physically access current active travel facilities. More people, particularly younger age groups, will have greater access to employment/training opportunities without incurring the costs of driving or public transport.

10) Equality Considerations

In progressing this particular scheme / proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Members and also is available on the Council's website at [Seaton to Colyford Multi-Use Trail - February 2023 - Impact Assessment \(devon.gov.uk\)](#)

Members will need to consider the Impact Assessment for the purposes of this item.

11) Risk Management Considerations

This proposal has been assessed and all necessary safeguards or action have been to safeguard the Council's position.

The scheme is subject to the normal engineering risks. A quantified risk assessment has been undertaken and these risk costs have been included in the scheme estimate.

12) Summary

Improving the National Cycle Network Route 2 between Seaton and Colyford is set out as a priority in the Council's Multi-Use Trail Network Strategy. The improvements outlined in this report were granted planning permission in 2011 and their construction will complete the high-quality, safe and sustainable route, fulfilling this ambition. Providing an alternative to the on-road provision will increase perception of safety as vulnerable road users will be able to enjoy a continuous trail segregated from the road with access to the Seaton Wetlands and other local tourist attractions. Improving the Seaton to Colyford Multi-Use Path will therefore promote inclusive access for walking, wheeling and cycling to East Devon's outstanding countryside, boosting the local economy in a low carbon way. The proposed scheme aligns well with the aims set out in

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the council's Strategic Plan and responds to the climate emergency through prioritising and encouraging sustainable, healthy lifestyles and supporting a green recovery from COVID-19.

Meg Booth

Director of Climate Change, Environment and Transport

Electoral Divisions: Honiton St Michael's and Seaton Coastal

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of background papers

Nil

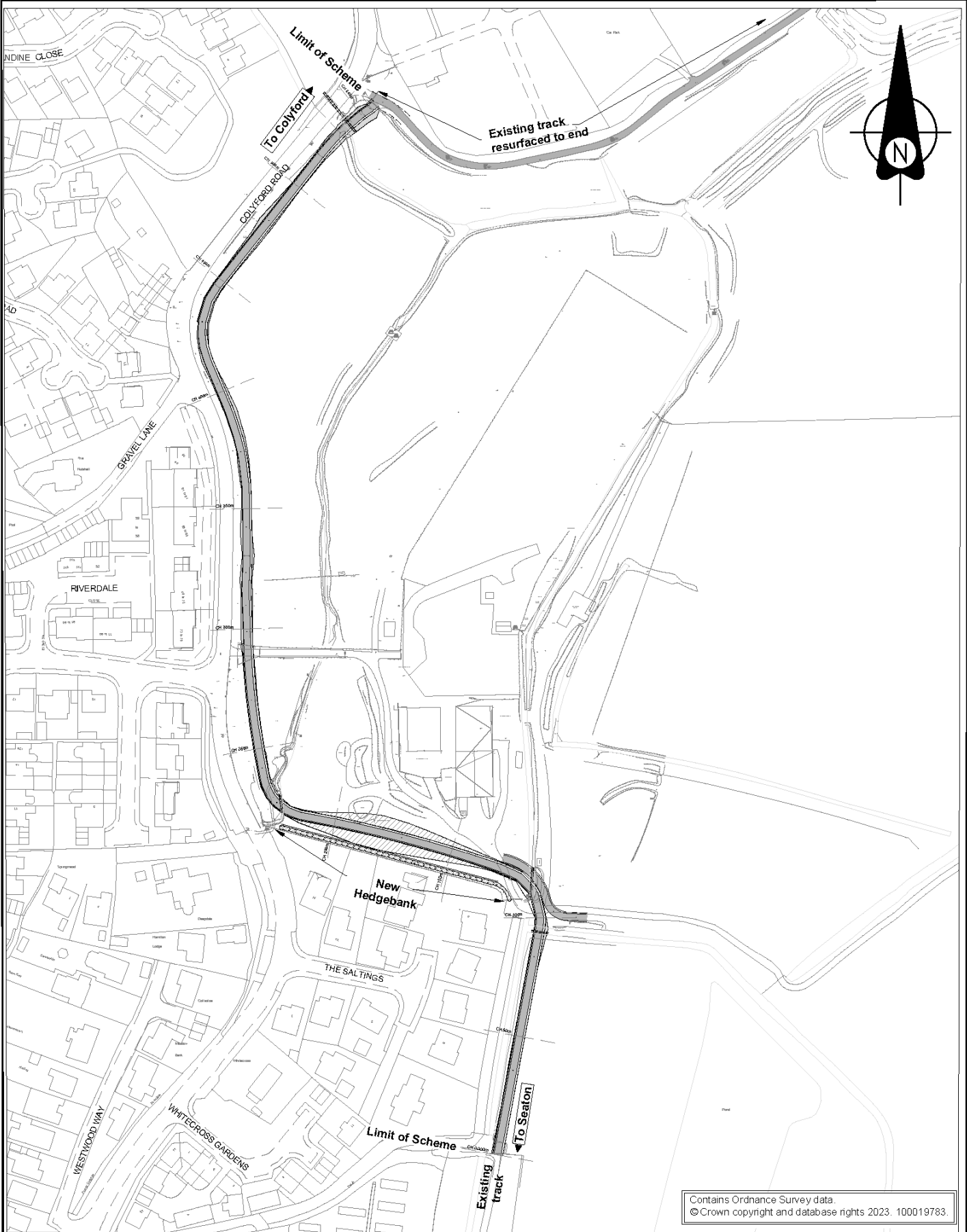
Contact for enquiries:

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Seaton to Colyford Multi-Use Trail – Final



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	<p>Engineering Design Group</p>	<p>Cabinet</p>	<p>date</p> <p>Jan 2023</p>	<p>scale</p> <p>1:2000</p>
		<p>job/title/proposal</p> <p>SEATON TO COLYFORD MULTI-USE PATH SCHEME PLAN</p> <p>Page 15</p>	<p>number</p> <p>C08055/635</p>	

Impact Assessment



Assessment of: Seaton to Colyford Multi-Use Trail

Service: Climate Change, Environment and Transport

Head of Service: Jamie Hulland

Version / date of sign off by Head of Service: 22/02/2023

Assessment carried out by (job title): Lucy Martin (Transport Planning Officer)

1. Description of project / service / activity / policy under review

Devon County Council is committed to promoting walking and cycling by investing in new routes for leisure and commuter trips. The 2021 census data showed only 2% of people living in Seaton currently commute by bicycle.

The Seaton to Colyford Multi-Use Trail proposes to link the communities of Seaton and Colyford with a safe, direct and attractive path which is accessible for all. The route between the settlements is designated as part of the National Cycle Network (NCN) Route 2, which includes the Exe Estuary Trail and connects the East Devon market and coastal towns of Exmouth, Budleigh Salterton, Sidmouth, Seaton and Axminster through to the Dorset border and onwards to Portsmouth. Whilst the majority of the existing NCN2 between Seaton and Colyford consists of high-quality off-road provision, there is a missing gap in the middle which currently diverts users onto a section of road, unsuitable for families and less confident cyclists. This scheme proposes to complete this section of the route with a parallel and off-road shared use path, consistent with the standard of

route running north of Seaton. In doing so this would deliver approximately 2 miles of high-quality, safe and attractive cycle route suitable for all ages between the communities of Seaton and Colyford, improving access to the Seaton Wetlands and beyond on low traffic lanes to Axminster.

The route is supported in the Devon and Torbay Local Transport Plan 3, 2011-2026 and in the Cycling and Multi-Use Trail Network Strategy April 2015. The route objectives also align with the vision of the future for Seaton, as set out in the adopted East Devon Local Plan 2013 - 2031.

A planning application for improvements to this section of the Seaton to Colyford Multi-Use Trail was approved in September 2011.

2. Reason for change / review

Reason for update

The council is now in a position to be able to construct the route in the summer of 2023, following successfully securing the required land through the Compulsory Purchase Order process in 2021 and subject to Cabinet approval in March 2023.

The CPO process has fairly demonstrated that there is no alternative route, and no suitable existing interim route. The character of the most direct road route, Seaton/Colyford Road, is not suitable for cyclists or pedestrians. The traffic volume and speed combined with the narrow carriageway (minimum width of approximately 5 metres) and limited infrastructure for non-motorised users leads to concerns regarding their safety.

Reason for scheme

The Seaton and Black Hole Marsh Nature Reserves offer a number of benefits for this kind of project, in particular the shallow gradients are of special value to the young, the elderly and the less able. The Seaton to Colyford multi-use path would promote inclusivity and accessibility, being suitable for wheelchair users and families using pushchairs, and would allow people to enjoy the Devon countryside in an environmentally friendly and sustainable way.

The route will help to encourage sustainable tourism, bringing additional visitor spending to the area. Development of the National Cycle Network in Devon has a successful track record of this, seen for example in the creation of jobs and tangible improvements to the local economy along the Exe Estuary Trail and the Tarka Trail.

Removing this remaining gap in the walking and cycling network between Seaton and Colyford will bring further benefit to the existing route and enable it to reach its full potential.

3. Aims / objectives, limitations and options going forwards (summary)

Aims/Objectives

Scheme Objectives

The Seaton to Colyford Multi-Use Trail intends to:

- Provide a multi-use trail between Seaton and Colyford addressing the missing off-road link of the National Cycle Network Route 2.

The wider objectives of the Seaton to Colyford Multi-Use Trail are to:

- Reduce transport related greenhouse gas emissions to tackle the Climate Emergency by increasing the number of non-motorised journeys between Seaton and Colyford, and longer journeys on the wider NCN2, including north to the town of Axminster.
- Improve the safety of non-motorised users travelling between Seaton and Colyford.
- Improve access to employment, education, and services, and thus deliver economic benefits such as increased spending in local shops and boosting local tourism.
- Contribute to Devon County Council's strategy to develop a high-quality multi-use network of trails and paths that provide access to all and promote healthy active lifestyles in Devon.
- Connect local populations to areas of nature and improving wellbeing.

4. People affected and their diversity profile

The people potentially affected by the Seaton to Colyford Multi-Use Trail are principally those living or working in the immediate vicinity. This area sits in the East Devon District and the diversity profile for each of these areas is presented below with Devon and England overall used as comparators.

Age

As shown below in Table 1, the population of East Devon were somewhat older than the national average at the 2021 Census, with the proportions aged 0-16 and 20-64 below the national average, and the proportions age 65+ being above the national average.

Geography	% Age 0-15	% Age 16-64	% Age 65+
East Devon	15.5	54.5	30
Devon	15.6	57.7	26.8
England	18.6	63	18.4

Table 1 Age (Census 2021)

Younger people (aged 0-10) tend to be more reliant on walking and cycling than those aged 21-59 and older people (aged 60+). Under 20s make 40% of their journeys by foot or by cycle, compared to 33% for those aged 21-59, and 31% for those 65+ (National Travel Survey, 2020).

Data from the National Travel Survey in 2020 highlighted that young children aged 5 to 10 years old have the highest rates of cycle access (88%), while only 25% of those aged 60+ owns or has access to a bicycle.

Ethnicity

East Devon, as with Devon as a whole, is lower in ethnic diversity than the national average with 97% of the population classing themselves as white compared to an average across the whole of England of 81%. (Table 2). The population of ethnic minorities (excluding white minorities) in East Devon are predominantly from mixed/multiple ethnic groups (1.1%) and Asian/Asian British (1.0%).

Geography	Total	% White	% Mixed/multiple ethnic groups	% Asian/Asian British	% Black/African/Caribbean/Black British	% Other Ethnic Group
East Devon	150,823	97	1.1	1.0	0.2	0.3
Devon	811,642	96	1.4	1.5	0.3	0.5
England	56,490,048	81	3	10	4	2

Table 2 Ethnicity (Census 2021)

The 2019 National Travel Survey indicated that White people tend to make 2% of trips by cycle and Asian or Black people cycle for 1% of trips. However, Asian and Black people and people from mixed/other ethnic groups make a greater proportion of trips on foot, a greater proportion of trips by 'active travel' (i.e. walking and cycling combined) than White people¹.

¹ [Travel by distance, trips, type of transport and purpose - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](https://ethnicity-facts-figures.service.gov.uk/travel-by-distance-trips-type-of-transport-and-purpose)

Health and disability

The proportions of people describing themselves as being in bad health or being limited in their day-to-day activities by disability within East Devon were overall slightly lower than the Devon and England averages (Table 3).

Geography	% Activities limited a little by disability	% Activities limited a lot by disability	% Very good and good health	% Fair Health	% Very bad and bad health
East Devon	10.8	6.3	84.7	11.3	4
Devon	11.1	6.9	83.4	12	4.6
England	10.2	7.5	81.7	13	5.3

Table 3 Health and Disability (Census 2021)

Disabled people and people with long-term illnesses tend to make fewer trips by all modes than non-disabled people. The disparity is particularly stark amongst those whose condition(s)/illness(es) reduce their ability to carry out day-to-day activities 'a lot', these people make an average of just 594 trips annually, compared to 1,014 among non-disabled people. Additionally, whilst the proportion of trips made by walking is similar amongst both disabled people and non-disabled people, the proportion of trips by cycle is considerably lower for disabled people (1.1%) than non-disabled people (2.0%). Access to nature also has positive impacts on those who live with long-term disabilities and can improve health promotion and wellbeing.²

² [Zhang G, Poulsen DV, Lygum VL, Corazon SS, Gramkow MC, Stigsdotter UK. Health-Promoting Nature Access for People with Mobility Impairments: A Systematic Review. Int J Environ Res Public Health. 2017 Jun 29;14\(7\):703. doi: 10.3390/ijerph14070703. PMID: 28661433; PMCID: PMC5551141.](#)

Gender

Table 4 shows that there were slightly more females than males recorded as resident in East Devon at the 2021 Census, whereas there were slightly more males than females recorded in Devon and England.

Geography	Male %	Female %
East Devon	48.1	51.9
Devon	51.5	48.5
England	51	49

Table 4 Sex (Census 2021)

According to the 2019 National Travel Survey, on average, females make slightly more trips in total than males, at 990 per person per year versus 915 per person per year. Females make a greater proportion of trips on foot, but a lower proportion by cycle – with males taking on average 24 trips by cycle per year compared to 8 trips for women³. The National Travel Survey 2019 did not explore the breakdown of trips by different gender identities.

Socio-economic status

East Devon ranks 238th (out of 317) on the Local Authority Indices of Multiple Deprivation Rank⁴ comparing all local authorities across England. This means the district is less deprived than its neighbouring districts in the county, as seen in Table 5 below.

District	Local Authority Indices of Multiple Deprivation Rank (out of 317)
East Devon	238

³ [2018 National Travel Survey Factsheets \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁴ [English indices of deprivation 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Mid Devon	162
Exeter	193

Table 5 Indices of Multiple Deprivation Rank by Local Authority Area

The index encompasses a wide range of aspects of an individual’s living conditions, including income, education, employment and health to produce a relative measure of deprivation, which is ranked by local authority, with 1 being the most deprived and 317 being the least deprived. It is important to recognise that relative deprivation varies within Local Authority Areas, for example areas of Seaton fall into national IMD decile 5 (where 1 is most deprived and 10 is least deprived), and are ranked as the 8th and 9th most deprived within East Devon (out of 81).

The proportion of trips made on foot decline from an average of 37% among people in the lowest income quintile, to 34% among those in the highest income quintile. The proportion of trips made by cycle is approximately the same (2%) for all income quintiles.

Landowners and Residents

Sections of the route required third party land and a comprehensive CPO process is underway.

In the short term, during construction work, it is anticipated that some negative impact on nearby residents and landowners may be experienced. This would be managed and monitored as far as possible.

5. Stakeholders, their interest and potential impacts

Stakeholders within the transport industry include:

- Sustrans – a cycling and walking charity, and custodians of the National Cycle Network. The provision of a new multi-use trail is considered to align with the charity’s aim of “creating streets that make walking, wheeling and cycling safer for everyone”.
- Shared cycle operators, who may seek to introduce shared cycle schemes in the Seaton area if the proposed multi-use trail increases cycling levels.

Political stakeholders include:

- Devon County Council – the local transport authority and project manager for the proposed multi-use trail. The delivery of the Seaton to Colyford Multi-Use Trail would be aligned with various objectives of the Council’s Strategic Plan including responding to the climate emergency through prioritising and encouraging sustainable lifestyles and supporting a green recovery from COVID-19.
- East Devon District Council – the local planning authority for the scheme area. The delivery of the proposed multi-use trail would positively impact the leisure and active travel provision for residents, which could also help reduce the impact of development on the local road network and aligns with the East Devon Local Plan.

6. Research used to inform this assessment

Demographic data for the geographies affected by the proposal has been sourced from the 2021 Census using the Nomis website⁵, whilst data on the demographics of users of individual modes of transport was sourced from the 2019 National Travel Survey⁶. Deprivation data was taken from the English Indices of Multiple Deprivation (2019)⁷.

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7. Description of consultation process and outcomes

The Council as Planning Authority approved a full planning application, with conditions, for the Seaton to Colyford Multi-Use Trail in September 2011. The scheme has been advertised through the processes involved in gaining planning permission and consultation responses regarding the scheme have largely been positive. A consultation on the preliminary design was held during February 2011, with exhibitions held at three separate locations – Seaton, Colyford and Axminster. Approximately 450 visitors attended the public exhibitions over the three days.

East Devon District Council support the application and consider that the multi-use path will provide support and stimulus for further tourism growth alongside the regeneration programme in Seaton and fit well alongside the recent extension to the nature reserves in this part of the lower Axe Valley.

⁵ [Nomis - Official Labour Market Statistics \(nomisweb.co.uk\)](https://www.nomisweb.co.uk/)

⁶ [National Travel Survey: 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/national-travel-survey-2019)

⁷ [English indices of deprivation 2019 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/english-indices-of-deprivation-2019)

8. Equality analysis

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)
 - Fair
 - Necessary
 - Reasonable, and

- Those affected have been adequately consulted.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>All residents (include generic equality provisions)</p>	<p>Construction works to deliver the multi-use trail may generate noise and cause some traffic disruption, negatively impacting local residents and businesses.</p> <p>Proposals have resulted in the loss of private land for specific landowners.</p>	<p>All residents will benefit from the improved multi-use trail leisure facilities including linking to employment, education and services. This should enable them to better meet their needs and participate more fully in society, advancing equality and improving their health and wellbeing.</p> <p>The multi-use trail will be designed according to latest standards and guidance, such as Local Transport Note 1/20: Cycle Infrastructure Design⁸. This will ensure the infrastructure best meets the needs of all residents and will reduce as far as practicable the potential for disadvantage.</p> <p>The potential impacts on all users will be considered further when a final detailed design is developed for the proposed multi-use trail. This will include impacts and mitigation, such as encouraging modal shift to tackle the climate emergency and minimising impacts during construction.</p> <p>This has been resolved through the CPO process.</p>

⁸ [Cycle infrastructure design \(LTN 1/20\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/424242/cycle_infrastructure_design_ltn_1_20.pdf)

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Age</p>	<p>Older people (aged 60+) make a lower proportion of trips by walking and cycling than those aged less than 60, meaning older people may receive a smaller share of the proposals' benefits than their proportion of the overall population.</p>	<p>Younger people (aged 20 and under) make a large proportion (36%) of trips by active travel, so younger people will likely particularly benefit from the proposals.</p> <p>However, the design of individual proposals will be in accordance with the latest standards and guidance, such as Local Transport Note 1/20: Cycle Infrastructure Design. Therefore, it will cater for users of all ages and confidence levels; for instance, it will cater for younger/older/ inexperienced people walking, wheeling and cycling who may be less confident. The segregated, high quality multi-use trail will aim to provide access and promote healthy lifestyles for all ages, especially important considering Devon's ageing population. This should help enable people of all ages to better meet their needs and participate more fully in society, advancing equality and benefitting everyone.</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>Disabled people make a lower proportion of trips by cycle than non-disabled people, meaning disabled people may receive a smaller share of the proposals' benefits than their proportion of the overall population.</p>	<p>The infrastructure will be designed according to latest standards and guidance, such as Local Transport Note 1/20: Cycle Infrastructure Design, and the needs of disabled people will be considered throughout the development of each of the proposals. For example, segregation between different user types will be provided where appropriate and practicable, enabling deaf and blind people to use the infrastructure as easily and safely as possible. This will help to remove barriers disabled people may face when using existing infrastructure, thus improving access to opportunities and encouraging participation.</p> <p>The infrastructure will be suitable for walking, wheeling and cycling, including inclusive cycles, e.g. handcycles, bicycles, tricycles and recumbent tricycling to maximise accessibility for all.</p>
<p>Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief</p>	<p>It is not considered that there is the potential for any adverse impacts on the basis of culture and ethnicity.</p>	<p>Black and Asian people, people from mixed/multiple ethnic groups and people of other ethnicities make a greater proportion of trips by walking and cycling than White people; however generally participate less in cycling. The multi-use trail infrastructure is designed to enable access for all and aims to attract a more diverse range of people participating in active travel.</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)</p>	<p>Women make a smaller proportion of trips by cycle than men, meaning women may receive a smaller share of the benefits of the multi-use trail as cyclists than their proportion of the overall population.</p>	<p>The infrastructure will be designed according to latest standards and guidance, such as Local Transport Note 1/20: Cycle Infrastructure Design. This may help eliminate some of the barriers to cycling women currently experience, such as safety concerns, and thus enable them to cycle more frequently, redressing the current gender imbalance in cycling levels. Consequently, this should enable women to better meet their needs and participate more fully in society, advancing equality.</p>
<p>Sexual orientation and marriage/civil partnership</p>	<p>It is not considered that there is the potential for any adverse impacts on the basis of sexual orientation and marriage/civil partnership.</p>	<p>The multi-use trail infrastructure will create a safe and attractive environment to enable access for all and attract a more diverse range of people participating in active travel.</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<p>It is not considered that there is the potential for any adverse impacts. on the basis of other socio-economic factors.</p>	<p>People in lower income groups in general make a greater proportion of trips by walking and cycling than those in higher income groups, so people in lower income groups may particularly benefit from the proposals. This should enable them to better meet their needs and participate more fully in society, advancing equality.</p> <p>This trail will connect into the existing multi-use network, as well as improving connectivity between settlements. This will help people better connect with their communities and engage with social activities. In alignment with Devon County Council's equality policy, this will help foster better relations between diverse groups in Devon.</p>

9. Human rights considerations:

It is not considered that there are any relevant human rights considerations

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

The proposals support a low cost means of leisure activity and sustainable transport that is easily accessible. The proposed multi-use trail will likely improve the ease with which people can access opportunities, education and leisure destinations enabling them to become more empowered while also supporting local businesses.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

This proposal should encourage greater levels of many types of activity (i.e. walking, wheeling and cycling), improving public health and wellbeing by increasing accessibility to leisure trail facilities and removing barriers to active travel. Furthermore, by providing some segregated facilities, these proposals will reduce the need for vulnerable users (to share road space with motor vehicles, increasing their safety levels).

In what way can you help people to be connected, and involved in community activities?

The multi-use trail extension will provide a new community shared asset and will likely improve the ease with which people can visit friends, family and access community activities, enabling them to become more connected with others.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

Devon County Council's Environmental Review Process	
Planning Permission	X
Environmental Impact Assessment	
Strategic Environmental Assessment	

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:		
Conserve and enhance wildlife:		
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:		
Conserve and enhance Devon's cultural and historic heritage:		
Minimise greenhouse gas emissions:		
Minimise pollution (including air, land, water, light and noise):		
Contribute to reducing water consumption:		
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		
Other (please state below):		

12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:		
Impact on employment levels:		Other multi use trails, e.g. Wray Valley Trail have generated new tourism opportunities, e.g. cafes, cycle repair shops which can boost local employment opportunities.
Impact on local business:		Increased use of the trail will increase footfall and visitor numbers to Seaton, benefitting local business

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13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

The proposals should deliver social, environmental and economic benefits, by enabling people to more easily access education, employment and services, using sustainable modes of transport. Therefore, they would be expected to reduce transport-related greenhouse gas emissions, improve employment levels, and increase revenues for local businesses.

14. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

As mentioned above, the proposals should enable people to participate more fully in society, by removing transport-related barriers to various opportunities. Consequently, the social wellbeing of the area should be improved, and the modal shift from car to cycling (and walking) should improve environmental wellbeing. Similarly, the proposal should provide a boost to the local economy through uplift in visitor numbers to Colyford and Seaton.

15. How will impacts and actions be monitored?

The impact of the Seaton to Colyford Multi-Use Trail will be monitored through cycle counts.

CET/23/10
Cabinet
8 March 2023

Flood Risk Management Action Plan 2023/24

Report of the Director of Climate Change, Environment and Transport

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

1) Recommendation

That the Cabinet be asked to:

- (a) approve the budget allocations made to support delivery of the Annual Flood Risk Management Action Plan for 2023/24 as set out in Appendix A;
- (b) delegate the approval of any significant changes to the Revenue and Capital allocations to the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Public Health, Communities and Equality.

2) Introduction

The purpose of this report is to seek approval from Cabinet for the budget allocations being made to support the Annual Flood Risk Management Action Plan for 2023/24 and to highlight the achievements made by the Flood and Coastal Risk Management team in delivering the 2022/23 Action Plan. The report will detail the increasing risk of flooding due to climate change and the need to continue our efforts in protecting the vulnerable communities in Devon. It will also show how the team has secured significant external funding now and into the future to support the delivery of essential flood improvements.

3) Flood Risk Action Plan and Recent Achievements

The Flood and Coastal Risk Management team have had another challenging but successful year in maintaining the high standard of service we strive to deliver. Over the past 10 years the team has more than doubled in size due to new legislation and a significant externally funded project.

To continue our aim of reducing the number of properties at risk from flooding we have developed a robust Annual Flood Risk Management Action Plan for 2023/24. Budget allocations have been made to support the ongoing development and delivery of our current high priority areas as well as adequate resources to fulfil our duties as a Lead Local Flood Authority (LLFA). Full details of the Action Plan are provided in Appendix A.

The ongoing projects that have either been completed or are well underway through 2022/23 are reducing the risk of flooding to 111 homes and businesses in some of our flood affected areas. A total investment of £500k, which includes £240k of DCC Capital funding and a further £260k secured through external funding, has enabled the delivery of these essential flood improvements. This would appear lower than recent years due to the scale

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of projects being finalised and the number of studies that have commenced. Further details of all ongoing and delivered projects are included in Appendix B.

We are still in the early years of Defra's 6-year programme for 2021-27 and have been using this opportunity to investigate the risk of flooding in our vulnerable locations to inform future investment later in the programme. In accordance with the high priority areas identified in the Local Flood Risk Management Strategy for Devon the team have been focussing on gaining a greater understanding of the risk in those areas. A total of 17 detailed flood studies are underway which will aim to evidence future investment and reduce the risk of flooding to many homes and businesses across the county. A further 17 Initial Assessments are also being progressed to gain an early understanding of the risk for those communities considered below the high priority areas and whether they need to be escalated. Details of the location for all of these studies and assessments can be found in the update report in Appendix B.

Over the past 12 months we have experienced a contrasting weather pattern with a very dry summer causing drought conditions, to a very wet winter that has caused some localised flooding of properties. All flooding is devastating to those affected and we take all incidents very seriously, however the number of properties across the county was thankfully low compared to other years. In June 2022 there were 13 properties reported to have suffered internal flooding in Kingsbridge following an intense rainfall event and surface runoff. This required us to produce and publish a [Section 19 Flood Investigation Report](#), which is available to read on our website. In January of this year a significant event to the north of Mid Devon at Oakford Bridge and Exebridge affected in excess of 20 properties with internal flooding. A Section 19 Report is being produced however it is understood that the main River Exe was the source of the flood water.

As the Lead Local Flood Authority, we are a statutory consultee to the Local Planning Authorities on the surface water management for new major development. It is our duty to review the proposals for sustainable drainage (SuDS) and provide advice to the planning officers so that they can determine the suitability and inform the planning decision process. Clear guidance has been developed by DCC, in line with national standards and best practice to ensure a consistent message is provided to all applicants. Over the past 12 months the team of 2 officers have reviewed over 550 applications and have achieved a 99% return rate within the required timescale of 21 days. High volume of applications has caused the minimal delay.

We also have a duty to review proposals for works on an ordinary watercourse and provide a decision to the applicant within 2 months of submission. Many applications require us to consult further with the likes of Fisheries at the Environment Agency to ensure compliance. With the more recent focus on the delivery of natural flood management (NFM) measures we have noticed an increase in the number of applications being received over the year. In the last 12 months we have received over 160 applications, approximately 30 more than the previous year, which was also 30 more than the year before that. The team have also been assisting Somerset Council with their Land Drainage Consenting due to the demise of their Flood Risk team. Despite this we have continued to deliver with a 100% return within the required timescale.

4) Options / Alternatives

All activities carried out by the Flood and Coastal Risk Management team are either as a statutory requirement or with a risk-based approach. The current Local Flood Risk Management Strategy, published in 2021, clearly defines the highest priorities within the Devon County Council area. The team are investigating those areas to inform the decisions required to progress any improvement options that may be necessary. All proposed flood improvements will undergo a thorough optioneering phase to agree the most cost beneficial, deliverable, and affordable scheme to be progressed, subject to securing the necessary funding.

With the continued incidents of flooding being recorded across Devon and the noticeable increase in risk due to climate change the continued delivery of flood improvements for our vulnerable communities is essential. The options to 'do nothing' or 'do minimum' have not been considered in the process.

The Annual Flood Risk Management Action Plan for 2023/24, as set out in Appendix A, identifies those areas to be invested in over the next 12 months. All projects will be at different stages in their development from initial assessment through to scheme delivery and construction.

All options will consider the most sustainable and efficient methods of delivery and operation. Opportunities for carbon reduction will also be promoted to help the County Council and Defra achieve the targets for net zero.

5) Consultations / Representations / Technical Data

The highest priority 'at-risk' locations within Devon have been reported in the Local Flood Risk Management Strategy and are being investigated further during the current Defra funding period. In developing the Local Strategy, a full public consultation was carried out to give people the opportunity for expressing their views on the way in which DCC propose to manage the flood risk in our area.

It is essential when delivering flood improvements that all relevant stakeholders, including partnering authorities and organisations, local representatives and groups, parish or town councils and members of the public/homeowners are consulted with at the earliest opportunity. The knowledge, views and experiences of others will help determine the most viable and preferred option and will lead to a more joined up and collaborative approach.

All projects require full cost benefit justification to secure the necessary funding, so the scale of any flood improvements must be proportionate to the risk and within affordable limits. Relaying this message early in the process will help to manage expectations through development of any achievable flood improvements. The level of consultation will be determined by the scale of works and the area set to benefit. For direct property flood resilience there may only be the need to consult with the individual property owners, however for a wider community scheme that will benefit multiple properties and impact on local infrastructure then a larger consultation process will be required with the community, local stakeholders, and partners.

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By collaborating with partners and informed members of the community this will help maximise multiple benefits and funding opportunities. This in turn will lead to a more holistic scheme that will not only reduce flood risk but will also enhance and protect the natural and historic environment.

6) Strategic Plan

As the Lead Local Flood Authority DCC have a duty to develop, publish and maintain a Local Flood Risk Management Strategy. This must align to the vision of the National Flood & Coastal Erosion Risk Management Strategy published by the Environment Agency.

In 2015 we published our first Local Strategy and in accordance with the requirements to review every 6 years we published our second and current Local Strategy in 2021. Improvements were made to the original strategy by including a list of priority catchments that would be investigated during the strategy period 2021-2027. This has defined our priority workload and investment considerations for the team and its available budgets.

The strategic planning has enabled us to communicate and align with Defra's 6-year Flood & Coastal Erosion Risk Management Programme to maximise the opportunity for drawing down Grant in Aid funding. This is an important function and one we are very strong in achieving, having already pulled in over £4.0million in recent years and have a further £10.0million allocated for future projects, subject to funding justification.

7) Financial Considerations

The Flood and Coastal Risk Management team at DCC have developed strong relationships and best practice for securing external funding through Defra's Flood Defence Grant in Aid (FDGiA) and Local Levy, managed by the South West Regional Flood & Coastal Committee. For every £1 invested by DCC a further £3 of external funding is being allocated and secured through robust cost benefit justification. The current projects being developed for the next 5-year period will require over £10.0million of investment, including £2.7million from DCC, split £1.0million Revenue and £1.7million Capital and will look to draw down in the region of £6.5million FDGiA and £1.0million Local Levy. The continued support by DCC is critical to reducing the risk of flooding to the numerous 'at risk' communities across the county.

We are still in the first half of the current 6-year programme and continue to progress with the detailed assessments and early development of project proposals. Careful project programming ensures that schemes are being progressed at different delivery stages throughout the next financial year. As such, a number of studies are continuing to progress with financial support from the DCC Flood Risk Management Revenue budget. These will develop into deliverable Capital projects for future years once a preferred option has been determined and a full cost benefit justification has been completed to secure the required external funding. The table below highlights the Revenue budget required for this purpose and also shows the level of Capital expenditure with external funding that is proposed for scheme delivery. Full details of the projects being progressed can be found in the Annual Action Plan attached in Appendix A.

The financial headlines for 2023/24 are:

Item	FCRM Revenue £'000	FCRM Capital £'000	External £'000	Total £'000
FCRM Resources etc.	465			
Local Improvements, NFM, Maintenance & Contingency	122			
Studies & Investigations	275			
Capital Projects		478.5	730	
Total Budget	862	478.5	730	2,070.5

The above revenue allocations are estimates that may be subject to change as other priorities and opportunities arise. The expenditure will be over-programmed by up to 15% to account for the uncertainties with scheme development and delivery, including design challenges, resource availability, landowner agreements, notice periods and embargos, alignment of other funding sources, the weather and increased costs of materials due to the global economy. This will be monitored throughout the year to ensure the available budget is not exceeded.

The 2023/24 capital Flood Prevention budget (funded from capital receipts) is £349,000. It is anticipated that the balance will be funded by a carry forward request from the 2022/23 budget, but this will be subject to Cabinet approval in June 2023.

8) Legal Considerations

The lawful implications/consequences of the proposals/recommendations/proposed course of action have been considered and taken into account in the preparation of this report/formulation of the recommendations set out above and will be adhered to accordingly.

Devon County Council is the Lead Local Flood Authority for their area, as defined in the Flood and Water Management Act 2010 and is duty bound by the roles and responsibilities set out in the Act, as well as having specific powers determined in the Land Drainage Act 1991.

All activities carried out by DCC in connection with our role as the LLFA will be in accordance with current legislation. Powers of consenting and enforcement will be used as required to ensure watercourses are maintained and flood risk minimised. All legal requirements when carrying out flood improvements will be adhered to, such as entry onto third party land or working on the public highway.

9) Environmental Impact Considerations (Including Climate Change)

A full Strategic Environmental Assessment was carried out to support the production of the current Local Flood Risk Management Strategy, published in 2021. This will be referred to when carrying out flood improvements to ensure any impact on the environment is minimised and/or mitigated against. For major capital flood schemes a bespoke Environmental Assessment will be prepared to ensure due consideration is given to any potential impacts there may be on the environment and also to identify any enhancements that can be achieved.

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The effects of climate change are proving to have a significant impact on flood risk with more intense and prolonged periods of rainfall. All schemes being delivered by DCC and those being reviewed through our statutory role for major development proposals will be required to mitigate the increased risk and to take account of current government guidance and predictions within any detailed calculations. Wherever possible we will look to secure a betterment to current conditions.

All activities by the Flood and Coastal Risk Management Team will consider the reduction of carbon emissions in order to support the County Council's target to achieve a 'net zero' by 2030. Where practical, the schemes will include natural flood risk management techniques, in accordance with best practice. These have the opportunity for a net gain in biodiversity and carbon reductions.

10) Equality Considerations

Where relevant, in coming to a decision the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding

in relation to the protected characteristics (age, disability, gender reassignment, marriage and civil partnership (for employment), pregnancy and maternity, race/ethnicity, religion or belief, sex and sexual orientation).

A decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

To support the development of the Local Flood Risk Management Strategy a full Impact Assessment was completed and is also available to view on the Council's website at: <https://www.devon.gov.uk/impact/flood-risk-management-strategy/>

Members will need to consider the Impact Assessment for the purposes of this item.

All flood risk management activity will be assessed and prioritised based on risk. The delivery of flood improvements will be dependent on their affordability, cost benefit justification and approval of funding.

11) Risk Management Considerations

The risk of flooding to properties and businesses in Devon is considered to be high and is noticeably increasing due to the effects of climate change. Due to the rural topography of Devon one of the most significant risks is from uncontrolled surface runoff. As a result of this it is recognised as a high risk in the corporate risk register.

Over the past couple of years, we have lost 5 permanent members of the team and although we have been successful in recruiting suitable replacements it is becoming

increasingly difficult. This is apparent with other Risk Management Authorities, not only in Devon but also other parts of the country. To maintain the level of resource is therefore a risk that needs to be managed appropriately.

All flood risk management schemes are considered with a risk-based approach to ensure those communities with the greatest need are given the highest priority. The Local Flood Risk Management Strategy for Devon highlights the areas that are considered to be our highest priority and are supported through our current and future actions.

The funding mechanism for flood risk management is complex and is generally aligned to the number of properties benefitting but does not cover all costs associated with delivering the flood improvements. The system encourages partnership working and expects contributions from partners to support the Grant in Aid available from Defra, subject to cost benefit justification. There are risks associated with generating the necessary partnership contributions and does heavily rely on DCC's commitment for making communities more resilient to flooding and the funding associated with that.

Delivery of flood improvements often requires negotiations with third party landowners for entry and potential construction on their land, which can be a lengthy process. There may also be the need for obtaining planning permission or listed building consent. Both of these are outside of our control and are risks that could affect the delivery programme.

The Annual Action Plan at Appendix A sets out the investment programme for 2023/24 and the proposals identified will be carried out in line with current legislation, best practice and guidance to minimise the risk and safeguard the Council's position.

12) Summary / Conclusions / Reasons for Recommendations

The flooding of people's homes and businesses continues to be a very high risk to many communities in Devon and with the increased frequency of intense rainfall, due to climate change, it is noticeably getting worse. The continued support and commitment from Devon County Council is therefore essential to help those that are vulnerable, making them safe in their homes and protecting their livelihoods.

The Flood and Coastal Risk Management team is well structured to deliver the statutory requirements of a Lead Local Flood Authority and leads the way in delivering vital flood improvements where they are most needed. The Action Plan for 2023/24 continues to build on the work of previous years by progressing with the detailed assessments and studies for the priority catchments set out in the Local Flood Risk Management Strategy, leading to the design and delivery of an optimistic programme of works.

Meg Booth

Director of Climate Change, Environment and Transport

Electoral Divisions: All

Cabinet Member for Public Health, Communities and Equality: Councillor Roger Croad

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Local Government Act 1972: List of background papers

Background Paper

Date

File Reference

National Flood & Coastal Erosion Risk Management Strategy	July 2020
Local Flood Risk Management Strategy for Devon	March 2021
Annual Flood Risk Management Action Plan	Appendix A
Flood Risk Equality Impact Assessment	January 2021

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Flood Risk Management Action Plan 2023 24 - Final

Appendix A to CET/23/10

Devon County Council Flood Risk Management Action Plan for 2023/24						
Projects/Works/Schemes	Lead Authority	Study, Design or Works	2023/24 DCC FRM Revenue £	2023/24 DCC FRM Capital £	Other External Funding £	Details of Proposal
Devon LLFA						
Flood & Coastal Risk Management Team	DCC	-	465,000			Resources required to deliver the Flood Risk Management functions as the Lead Local Flood Authority and Statutory Consultee for SuDS.
Local Flood Improvements	DCC & Others	W	40,000			To support local area issues that require immediate attention and to gain a better understanding and reduce flood risk. An opportunity to work with other Risk Management Authorities in delivering flood improvement works.
Community Resilience and support	DCC	S/W	23,000			To support the ongoing operations of the Devon Community Resilience Forum and to aid communities for the delivery and provision of Flood Resilience Measures and Emergency Planning.

Devon LLFA continued						
Natural Flood Management & Nature Based Solutions	DCC & Others	S/W	45,000			To develop best practice and progress opportunities for delivering natural flood risk management techniques in partnership with other RMAs and key stakeholders, including the Devon Wildlife Trust's Northern Devon Nature Based Solutions.
Maintenance of Flood Improvements	DCC	W	14,000			Maintenance of flood defence assets, resilience measures and monitoring equipment.
Sub Total			£587,000			
PROJECTS						
Devonwide						
Initial Assessments	DCC	S	20,000			
Property Flood Resilience	DCC	W		50,000	100,000	Allocation of funds for flood resilience measures through the Property Level Resilience Grant Scheme. Supported with additional £50k Flood Defence Grant in Aid and £20k Local Levy, subject to approval.
East Devon						
Sidmouth Surface Water Improvements (Phase 2)	DCC	W		30,000	125,000	Delivery of surface water drainage improvements in the town centre.
Colaton Raleigh	DCC	S		30,000	130,000	Delivery of PFR measures within a combined rural PFR project.
Budleigh Salterton	DCC	S	20,000			Assessment of flood risk from surface water and ordinary watercourses and consider options for potential improvements and funding opportunities.

East Devon continued						
Exmouth	DCC	S	40,000			Assessment of flood risk from surface water and ordinary watercourses and consider options for potential improvements and funding opportunities.
Seaton	DCC	S	30,000			Assessment of flood risk from surface water and ordinary watercourses and consider options for potential improvements and funding opportunities.
Exeter						
Exeter Surface Water Improvements (Phase 3)	DCC	D	40,000			Continue investigations for Phase 3 of the surface water management improvements for the Northbrook and Larkbeare catchment areas.
Mid Devon						
Tiverton	DCC	S	30,000			Assessment of flood risk from surface water and ordinary watercourses and consider options for potential improvements and funding opportunities.
North Devon						
Barnstaple - West	DCC	W		125,000	275,000	Delivery of PFR improvement scheme.
Barnstaple - East	DCC	S	25,000	25,000		Assessment of flood risk from surface water and ordinary watercourses leading to delivery of local flood improvements.
Ilfracombe	DCC	S	25,000			Review of Surface Water Management Plan and potential options.

South Hams						
Beeson	DCC	W		75,000		Final completion of scheme delivery.
Kingsbridge	EA	S	10,000			Continue flood investigation study in partnership with EA & SWW.
Totnes	DCC	S	25,000			Assessment of flood risk from surface water and ordinary watercourses and consider options for potential improvements and funding opportunities.
Modbury	DCC	W		3,500		Scheme completion and monitoring of performance.
Teignbridge						
Broadhempston	DCC	D/W		60,000	100,000	Detailed design and delivery of PFR focussed flood improvements.
Dawlish	DCC	S	10,000			Assessment of flood risk from surface water and ordinary watercourses and consider options for potential improvements and funding opportunities.
Teignmouth	DCC	S		80,000		Review of Surface Water Management Plan and potential options.
Sub Total			£275,000	£478,500	£730,000	
Total Budget Allocation			£862,000	£478,500	£730,000	£2,070,500.00

The above budget allocations are estimates that are subject to change or maybe deferred as other priorities and opportunities arise. The revenue expenditure will be over-programmed by up to 15% to allow for delays, efficiencies, rounding, reprioritising and contingency. This will be monitored throughout the year to ensure the available budget is not exceeded and will defer projects as required.

Incoming Budgets						
PT&E Flood Revenue Budget			859,000			To fulfil requirements as the LLFA as defined under the Flood and Water Management Act.
Miscellaneous Income			3,000			Estimated fees for consents and recharges etc.
PT&E Flood Capital Budget 2023/24				349,000		Capital funding for Flood Risk Management included in the capital programme.
PT&E Flood Capital Budget pre 2023/24				129,500		Subject to 2022/23 carry forward approval, from Cabinet in June 2023.
FDGiA / Local Levy					730,000	Defra Flood Defence Grant in Aid and Local Levy.
Total Budget			£862,000	£478,500	£730,000	£2,070,500.00

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Appendix B to CET/23/10

Flood and Coastal Risk Management – Project Update for 2022/23

1.0 Introduction

This report provides an update on the flood improvement projects being delivered or progressed by the Flood and Coastal Risk Management team for the period of 2022/23.

2.0 Projects Update

2.1 Property Flood Resilience (PFR)

DCC are continuing to provide the opportunity for individual homeowners to make their properties more resilient to flooding by offering up to £5,000 towards Property Flood Resilience measures. The current uptake and progression of these projects is noticeably reducing, which we believe is due to the increased costs of providing PFR. Our £5,000 limit was set as an average amount based on national estimates of £3k- £7k per property, however recent estimates we have received have been in excess of £10k per property. It is accepted that we were offering a contribution towards the measures, however the property owners' percentage of the costs are now becoming unaffordable to most.

We are programmed to spend between £100k and £120k this financial year to better protect more than 20 individual properties with DCC contributing up to £50k and the remainder from Local levy and Defra's Flood Defence Grant in Aid. Based on current estimates we will need to consider increasing the level of funding per property being offered and either reduce the number of properties being protected or increase the budget required for delivering this initiative. This will be reviewed in the Business Case for Defra funding.

Details of the scheme can be obtained from the DCC FRM website at the following link: <https://www.devon.gov.uk/floodriskmanagement/flood-resilience/property-flood-resilience-funding-scheme/>

2.2 Harbertonford PFR – DCC are continuing to deliver this scheme on behalf of the Environment Agency to provide property resilience to 3 properties. Due to the delays in manufacture and PFR delivery generally across the country we are still progressing these works to completion.

2.3 Axminster PFR – Despite the issues being experienced with PFR delivery the project at Axminster is progressing very well. Residents affected by the flooding in October 2021 have been very responsive to our support in delivering a PFR project in the area and have taken up the opportunity to be involved.

The consultant ARCADIS, who were appointed through the Environment Agency's PFR Framework, are continuing to manage the delivery of the PFR measures. A total of 11 properties will be better protected through this project. The first 9 properties not requiring listed building consents will be delivered initially to avoid unnecessary delays. The 2 properties requiring listed building consent will be progressed in parallel and delivered as soon as the bespoke measures are approved.

With the increasing costs of materials and manpower for the delivery of PFR measures the cost of the works are estimated to be just under £110k which is close to £10k per property as an average, inclusive of delivery and management fees.

2.4 Stokeinteignhead – As previously reported the drainage improvements have been completed and the PFR installation were continued over the past 12 months. Whilst it was envisaged that the installation phase of the PFR in Stoke would be completed last financial year, delays were experienced in obtaining Listed Building Consent and Planning Permission from the LPA. This was compounded by supply chain issues due to global factors beyond the control of the contractor, however the scheme is now complete with the remaining 20 installs having taken place in 2022/23.

2.5 Barnstaple West – The Property Flood Resilience project for Barnstaple has been well received by the residents of Sticklepath Terrace and Clifton Street area with 47 property owners having registered for inclusion in the project.

We have appointed a contractor under Lot 1 of the EA's PFR Framework for obtaining surveys to the 47 properties. Once these have been completed and surveys received, we will then be in a position to prepare and instigate a tender through Lot 2 for the manufacture and installation of the PFR measures. Delivery is likely to be mainly, if not all, in 2023/24.

2.6 Beeson – In June 2016 at least 4 properties in the village suffered internal flooding. The main source of flooding was as a result of the excessive flows in the watercourse unable to be conveyed in the channel and through existing culverts. This was worsened by the additional surface runoff from the steep catchment above.

The detailed design of proposed flood improvements, which includes culvert enlargement, property flood resilience and natural flood management in the upper catchment are being finalised and a road closure notice has been submitted for the month of March 2023. Site compound areas are an issue and therefore likely to be within the road closure area. The project will likely straddle into the next financial year but should be completed within April 2023.

2.7 Broadhempston – After further engagement with the community there was very little appetite for involvement in the project and only 6 property owners have come forward for consideration of PFR. With such low numbers it has the potential for not being a viable project or practical in terms of justification and administration. The decision has therefore been made to package Broadhempston with Colaton Raleigh, below, under a new Rural PFR scheme, so that those who are interested in protecting their properties can be included.

2.8 Colaton Raleigh – Following a public engagement exercise with the residents of Colaton Raleigh a total of 16 property owners have come forward for inclusion. At least 11 of these properties were flooded in November 2012. To improve scheme justification and to improve efficiencies we have decided to package these works with Broadhempston under a new Rural PFR scheme for delivery likely to be now in 2023/24. Current delays in the PFR market will dictate the delivery start dates.

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2.9 Ongoing Studies – Flood studies in the following locations are continuing to be developed. High level options will be considered for any further investment in detailed investigations and/or development.

Seaton	Sidmouth
Budleigh Salterton	Barnstaple East
Exmouth	Teignmouth
Newton Abbot	Tiverton
Crediton	Totnes
Bideford	Exeter
Kingsbridge	Ilfracombe
Okehampton	Dartmouth
Dawlish	

With regards to **Seaton**, we have had a public engagement event involving a local flood action group, Parish Council representatives, District and County Councillors, South West Water and East Devon District Council. The meeting was well received, and relevant actions are now being considered or progressed.

2.10 Initial Assessments – Our programme of initial assessments is continuing to be progressed in the following locations:

Bampton, Shillingford	Lynmouth
Kennford, Kenn	Westwood, Broadclyst
Salcombe	Lee
Bovey Tracey	North Tawton
Uffculme	Kerswell, Dulford
Rockbeare	Woodbury
Newton Poppleford	Kingskerswell
Ashburton	Newton St Cyres
Beer	

3.0 Flood and Coastal Resilience Innovation Programme – Managing Big Problems in Small Places

3.1 Background

In 2020 the government announced a £200 million budget for innovative flood risk management projects with £150 million of this budget to be allocated to the Flood and Coastal Resilience Innovation Programme. DCC's Flood & Coastal Risk Management team took the opportunity to bid for one of the 25 partnership projects across England and were successful in receiving an allocation of over £7 million to deliver the project detailed below, which will run from April 2021 to March 2027.

3.2 Project Information

Devon's 'Managing Big Problems in Small Places: Rapid Response 'type' Catchments' project focuses on rapidly responding catchments in predominantly rural areas. The project takes a multi-partner submission approach which aims to build upon many pre-existing initiatives across Risk Management Authorities, infrastructure operators, and academic institutions. Throughout the project, communities identified at risk have been selected to

engage with proposed pilot activities which aim to develop and deliver flood resilience interventions in collaboration with the project partners.

The project is formed of four Work Packages, delivering catchment-based flood resilience, providing Property Flood Resilience (PFR) to Small and Medium-sized Enterprises (SME) properties and local infrastructure buildings, informing spatial planning and developing a South West Flood Resilience Hub which will provide communities with resources to enhance their education and develop empowerment so that they can make informed decisions around resilience in their catchment.

One of the key requirements was to show a true partnership approach in delivering flood risk management activities. In preparation of the bid a large number of partnering authorities and organisations were drawn together to support the DCC proposal.

3.3 Delivery Partners: Blackdown Hills AONB, Dartmoor National Park Authority, Devon Communities Together, Devon County Council, Devon Wildlife Trust, Environment Agency, Exmoor National Park Authority, Food, Farming and Countryside Commission, National Trust, North Devon Biosphere Foundation, North Devon Council, Plymouth Council, South West Water, Teignbridge District Council, Torbay Council, Torridge District Council, University of Exeter, University of Plymouth, Westcountry Rivers Trust.

3.4 Project Benefits

'Managing Big Problems in Small Places: Rapid Response 'type' Catchments' aims to deliver many resilience and learning benefits which include:

- Improved flood resilience within communities
- Individual residential, community infrastructure and commercial properties are better protected from and/or adapted to flooding which will improve recovery time
- Developing an evidence base, learning, and sharing of that learning, about how to implement flood resilience, response, and adaptation within different kinds of communities in Rapid Response 'type' Catchments
- Planning policy and guidance incorporate flood resilience and adaptation considerations at a local, regional, and national level
- Communities, business owners, and farmers/landowners have a sense of ownership of the resilience, response, and adaptation measures implemented in their location
- Improved visibility, coherence, and alignment of adaptation and flood resilience information in an accessible format.

The project seeks to build community flood resilience through community-based actions which aim to identify a range of replicable low-cost resilience actions that can be delivered by local authorities or/and local communities of different sizes/settings where traditional flood defences are shown not to be appropriate or cost beneficial. The project will develop financial models that ensure local resilience measures remain self-sustaining, maintainable and effective in the long term.

The project delivers on innovation to achieve the core ambition to build community flood resilience in Rapid Response 'type' Catchments in Devon. This is achieved through the combinations of three aspects of resilience: Place making, Protect and Respond. In turn, these aspects lead into the development of the South West Flood Resilience Hub.

Impact Assessment



Assessment of: Devon Local Flood Risk Management Strategy

Service: Planning, Transportation and Environment

Head of Service: Dave Black

Version / date of sign off by Head of Service: 18 January 2021

Assessment carried out by (job title): Jessica Bishop, Senior Flood and Coastal Erosion Risk Officer

1. Description of project / service / activity / policy under review

Devon County Council is the Lead Local Flood Authority (LLFA) for the Devon County area. Under flood risk management legislation, LLFAs have various responsibilities for local flood risk management, including maintaining a local flood risk management strategy. Initially produced in 2014, this local strategy is now up for review.

Devon's local flood risk management strategy outlines Devon County Council's roles and responsibilities as LLFA, as well as those of other Risk Management Authorities and how we should work together. In addition, the local strategy sets out priority communities and an annual investment plan for flood risk management measures.

The local strategy touches on all flood risk management authorities in Devon but concentrates on how Devon County Council will continue to

implement their responsibilities and duties.

2. Reason for change / review

Under the Flood and Water Management Act 2010, the local strategy requires reviewing every 6 years. The previous edition for 2014-2020 will be reviewed and updated in line with the [National Flood and Coastal Erosion Risk Management Strategy](#).

3. Aims / objectives, limitations and options going forwards (summary)

Aims and objectives

The high level vision of Devon's Local Flood Risk Management Strategy is *'To be a leading authority in the management and reduction of flood risk in the County of Devon'*. This will be achieved through the following 8 objectives:

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1. We will reduce flood risk to properties and significant infrastructure, and enhance the local economy - Measured by the number of communities, properties and significant infrastructure with reduced flood risk as a result of intervention by Risk Management Authorities.
2. We will co-ordinate Risk Management Authorities and encourage collaborative working - By the successful delivery of Devon's Flood Risk Management Action Plan collaborated through the Devon Flood and Water Management Group
3. We will protect and enhance the natural environment, landscape and heritage assets, providing opportunities for carbon storage, energy generation and access and recreation where appropriate - By following DCC internal environmental review processes and measuring environmental net-gain and change in the condition of heritage assets as a result of intervention by Risk Management Authorities
4. We will prioritise high risk communities - Through our prioritisation criteria to identify at risk communities
5. We will influence the planning process through our role as statutory consultee - Measured by the volume of planning applications assessed
6. We will set out a clear strategy - Evidenced by the production of this document
7. We will ensure the latest climate change predictions are incorporated into flood schemes and development proposals - By following the latest UK Climate Projections
8. We will improve resilience through community engagement and education - Measured by the number of communities positively engaged and with emergency plans

Limitations of the local strategy

How Devon County Council fulfils its duties as LLFA can have a significant impact on people at risk of flooding. The devastating impacts of flooding or the worry of being at risk can have huge impact on people's lives and wellbeing. Unfortunately, we cannot help everybody at once or always find a quick solution, therefore risk across the County must be assessed and communities prioritised.

The rural nature of Devon means that the usual risk based approach, focusing on larger and more populated areas for investment in flood risk management is not always appropriate as this can lead to prioritising densely urban areas where the count of properties flooded is high, rather than rural areas where a small number of properties may have been affected on several occasions. The large number of agricultural businesses in the area could also be potentially overlooked in favour of protected businesses in urban areas.

For Devon's local strategy, the threshold to identify a 'significant' flood in historic records was reduced from the nationally used figures to reflect the rural nature of Devon and the fact that in storm events, many smaller communities across the County are affected rather than one large urban location. This is consistent with other neighbouring LLFAs across the South West Region with similar urban/rural distributions of the population.

Socio-economic issues also play a part here, where urban areas could potentially be populated by deprived members of the population. Therefore, a balance needs to be met in how the flood risk in urban and rural areas is addressed.

Options going forward

Options going forward as a result of this Equality Impact Assessment are analysed in Section 8 (Equality Analysis) and various recommendations are made for changes or additions to existing measures in the local strategy. This is summarised in Section 4 (People affected and their diversity profile, measures to address in the local strategy).

These recommendations include raising awareness, in particular, targeting vulnerable groups at risk of flooding and using plain English. It is anticipated that the Devon Resilience Community Forum is the best platform for this. Vulnerability should also be assessed in high risk locations where flood investigations and schemes are being progressed.

Devon County Council's own Property Flood Resilience funding scheme is also highlighted as a useful tool to target vulnerable members of the community.

The local strategy document itself and associated documents and website should also be as widely accessible as possible, complying with legal accessibility requirements.

4. People affected and their diversity profile

People affected

People affected by this local strategy are those that are directly impacted by flood risk issues. Such as the general public at risk of flooding, those affected by land drainage issues, those with watercourses through their land and those affected by any development sites with surface water flooding implications. In addition to this people may also be affected by any physical works we do as part of a flood alleviation scheme. This can be positive, where their flood risk is reduced, or the physical impacts of engineered works could potentially be negative. Individual impact assessments and planning permissions as part of building a flood scheme should cover and address any negative impacts here.

We know where many of the high-risk areas are in Devon and so can make an assessment of risk across the county. However, the nature of flooding is that it is unpredictable (or has very short notice) when these possible incidents will occur. The Local Flood Risk Management Strategy outlines how we manage this risk for people across Devon, ensuring as much as we can that no group of people, particularly vulnerable people are impacted more negatively. This is through pro-active work to protect communities and increase awareness and resilience, and also through reactive work following flooding to a location.

Measures to address this in the local strategy

The local strategy and resulting principles and actions will directly affect residents of Devon and various vulnerable groups of people at risk of flooding. Measures are put in place as part of the strategy in the form of a series of principles and criteria of how and when we will prioritise and carry out flood risk management investigations and works. The following taken from the strategy document consider vulnerable members of the community or give an opportunity to be taken forward further in order to improve flood risk to vulnerable groups and reduce any potential negative impact:

1. *Principle 15: Raising Awareness and Improving Communication and Involvement. Through the collaboration with other Risk Management Authorities and the Devon Community Resilience Forum, all Partners will work together towards raising public awareness (including those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation) about flood risk and the roles of the Risk Management Authorities, providing clear and up to date information.*

Recommendation for this to be targeted at vulnerable groups to ensure they are aware of any risk and prepared, to maximise their resilience. When working with communities and developing emergency plans, it will be encouraged for specific reference to be made to identify vulnerable members of the community that will need assistance. This work will be done through work with Devon's Community Resilience Forum.

Recommendation for same approach as communicating the local strategy documents themselves, using plain English and very simplified explanations in communications and promotions. This will be done through working closely with Devon's Community Resilience Forum.

2. *Principle 16: Property Flood Resilience. When wider flood alleviation schemes for a community or individual property are not viable or unable to be delivered in the foreseeable future, Risk Management Authorities will remain committed to making properties more resilient to flooding through the installation of Property Flood Resilience measures where possible.*

Recommendation to take a proactive approach in community engagement to target the promotion property flood resilience with communities with known older populations or those with disabilities that are more vulnerable to the impacts of flooding.

Recommendation to ensure that any applicants where English is not their first language that if needed, they have access to a clear warning service that they understand or to install permanent measures which do not rely on the resident installing measures themselves at times of high flood risk.

3. Flood investigation threshold (See Appendix A). This includes a significance threshold to trigger an official flood investigation under Section 19 of the Flood and Water Management Act 2010. It requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. It also takes into account the rural nature of Devon and small communities that are affected by flooding.

As the investigation reports are very reactive and limited research can be done, it is unlikely that this vulnerable group of a community would be highlighted. Recommendation to continue with implementing this criteria and publishing the investigation reports in an accessible format.

4. Prioritisation criteria and analysis (see Appendix B). Already includes vulnerable people to be considered when prioritising communities and allocation of funding and resources. It also takes into account both urban and rural areas at risk of flooding.

However, some communities will find that they are the focus of flood risk management improvement measures over another. Tensions arising as a result of this should be addressed through good community engagement and raising awareness through this local strategy.

Figures on people with limited mobility/disabilities for each Devon parish could be added to our prioritisation model for prioritising flood risk communities. However, this is a lengthy and complex technical task and therefore currently not able to accompany this local strategy.

Recommended that a more accurate approach may be to assess community vulnerability once a particular location has been brought to our attention and make a more detailed assessment of disability in the area to include in the detailed investigation to determine impacts and calculate economic and social damages.

5. Priority communities. Part 2 of the local strategy outlines how we will prioritise communities at risk of flooding, followed by a list of priority communities for future investigation and investment in flood risk management measures over the next 6 years.
6. Action Plan. Part 3 of the local strategy is updated annually and shows the areas of investment in flood risk management measures across

Devon for the current financial year.

Recommended to carry out impact assessments for flood schemes to identify any necessary individual and appropriate measures that are to be put in place to ensure individuals fully understand any potential impacts on them, together with their rights and responsibilities.

Any major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.

The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore, the strategy document itself and supporting documents must be accessible to as wider audience as possible. The document has been assessed alongside its development to ensure content is accessible and making as much available as web pages where possible.

Page 28 Diversity profile

The characteristics most likely to be affected by flood risk are age and disability, as these two can make people more vulnerable to physical risks, as they may not be able to take action themselves or seek information to help. In Devon, the highest number of residents are aged between 55 and 74, making up 27.5% of the population ([Protected Characteristics – Facts and Figures](#))

Disability is also a significant characteristic if at risk of flooding. Devon's [long-term health problem or disability](#) figures show numbers of those with limited day to day activities as a result of long term illness or disability for Parishes across Devon. The break down of these figures for parish areas does still not indicate if those people are at risk of flooding. In addition, these figures aren't represented as a percentage of the population, so larger population areas will have larger figures. Naturally, the larger more urban areas will have higher figures. These are often the areas with higher risk of flooding to large numbers of properties.

Appendix C lists a few locations within each District area which showed relatively high numbers of those with limited day to day activities as a result of long-term illness or disability.

As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. Out of 98 applications (since April 2017 – April 2020), 45% of applicants considered themselves to be vulnerable. With any vulnerable applicants we will ensure that the measures installed are passive and require no intervention or that they have access to help with any requirements of the installations.

When determining if a high number of disabled people are at risk of flooding in an area, a detailed assessment of individual communities would be required to understand where the vulnerable are located and if they are at risk of flooding. These figures are not proportional or detailed enough location wise.

Our assessment of communities at risk is done on the Parish scale and these figures could be added to the model which would highlight areas with high flood risk and high levels of disability. As recommended above, a more accurate approach may be to assess this once a particular location has been brought to our attention. We could then make a more detailed assessment of disability in the area and include this in the detailed investigation to determine potential impacts and then calculate economic and social damages.

The elderly may find barriers with using internet and emails due to unawareness and inexperience. However, there is a fairly high amount of elderly customers in touch with our team and they often come through this route. There may not be a high level of awareness of what our team does and how we can help, but through working with our partners such as District Councils and EA, they will refer people to us when relevant and we can help. The older generation still send in letters, which always reach the team and relevant officers.

It is a possibility that more elderly people live in rural locations, which are often near watercourses or in steep valleys prone to flooding. However, there is no data available on this.

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It is not clear if any particular vulnerable group has a greater dependence on our service. However, it is certain that the impacts of flooding on vulnerable groups will be greater than on non-vulnerable groups.

6.3. Stakeholders, their interest and potential impacts

Flood risk management stakeholders, such as staff from the Environment Agency, District Councils and South West Water, in addition to developers.

6. Research used to inform this assessment

To inform this assessment, facts and figures from Devon County Council Equality and Diversity web pages have been used, such as [Protected Characteristics – Facts and Figures](#) and [long-term health problem or disability](#). All other information is from the local strategy consultation document itself.

In order to fairly prioritise our flood risk management work (parts 2 and 3 of local strategy document) data analysis has been carried out taking into account local flood risk data, critical/vulnerable infrastructure information such as locations of schools, care homes, hospitals etc. and an assessment of how resilient or vulnerable a community/parish is to flood risk.

7. Description of consultation process and outcomes

[If this assessment is currently draft, describe how you are going to consult (if relevant and necessary) and update the results here for your final version. Delete this note and insert text here...]

The draft local strategy and supporting documents have been subject to public consultation. The consultation period ran from 21st August – 15th October 2020, a period of 8 weeks.

The consultation documents included the main strategy document, which included links to our online annual action plan and Strategic Environmental Assessment documents. The annual action plan and list of priority communities for the next 6 years were also available to view on our online mapping service.

The public and professional partners were invited to make comments and provide valuable feedback on the strategy documents via the online form or by emailing the Flood and Coastal Risk Management Team direct.

Partner authorities were made aware of the consultation by email to direct contacts and to Chief Executive officers too. Parish and Town Councils were also contacted and a press release was made available.

Consultees:

District Councils/Planning Authorities

Environment Agency

South West Water

Internal Drainage Boards

Highway Authorities

Network Rail

DCC Emergency Planning

DCC Planning

DCC Transport Planning

Natural England

English Heritage

All Parish and Town Councils

Following the conclusion of the public consultation, responses were collated in a formal log, indicating the LLFA view on the points raised and a recommendation on any proposed amendment to the draft local strategy.

Based on this overall log, a short summary of the responses was compiled highlighting the general range of issues addressed and picking-up on any particularly significant or controversial issues, whilst also showing how these will be addressed through the final Strategy.

A summary overview of the consultation response was submitted to Devon County Council Scrutiny Committee Members.

Changes and amendments to the strategy were agreed with the Local Flood Risk Management Project Board and approved by DCC Cabinet in February 2020.

8. Equality analysis

Page 65 Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').

- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)
 - Fair
 - Necessary
 - Reasonable, and
 - Those affected have been adequately consulted.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
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<p>All residents (include generic equality provisions)</p>	<p>Some residents will benefit from community engagement, flood alleviation measures or assistance with resolving a land drainage issue in priority over others.</p>	<p>Devon’s local strategy includes several measures to ensure that flood risk management is fairly delivered to those in need. The following measures highlighted in Section 4 help address this:</p> <ul style="list-style-type: none"> • Principle 15: Raising awareness and improving communication and involvement. This is intended to reach as many residents as possible that are at risk of flooding. • Principle 16: Property Flood Resilience. Devon’s Property Flood Resilience funding scheme is available for all members of the public to apply for. Property Flood Resilience is also a measure which can be implemented on larger scales across a community if a large flood scheme is not viable. This means that those communities can still be offered some form of flood protections and resilience. • Flood investigation threshold. If the threshold in Appendix A is reached, any location in Devon that has suffered from flooding can be subject to an investigation report and resulting recommended actions for Risk Management Authorities to take forward. It takes into account the rural nature of Devon and small communities that are affected by flooding, so should fairly take into account the nature of flooding and affected communities in Devon. • Prioritisation criteria and analysis outlined in Appendix B takes into account both urban and rural areas at risk of flooding to reach as many at risk communities as possible. However, some communities will find that they are the focus of flood risk management improvement measures over another. Tensions arising as a result of this should be addressed through good community engagement and raising awareness through this strategy. • Part 2 of the strategy outlines how we will prioritise communities at risk of flooding, followed by a list of priority communities for future investigation and investment in flood risk management measures over the next 6 years. Again, some communities will find that they are the focus of flood risk
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<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>management improvement measures over another. Tensions arising as a result of this should be addressed through good community engagement and raising awareness through this strategy.</p> <ul style="list-style-type: none"> The Action Plan is updated annually and shows the areas of investment in flood risk management measures across Devon for the current financial year. Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.

<p>Age</p>	<p>Communication issues: Elderly members of communities may have difficulty in accessing material and reading advice about flood risk, due to poor eyesight, no internet access or being unable to get out to local community events and meetings.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates.</p> <p>The Summary of the local strategy will be a very simplified explanation of the main and supporting documents aimed at the public, using plain English.</p> <p>Mobility issues: Elderly members of communities may have difficulty moving around inside and outside of their home and be less able to help themselves, which could put them in danger in the event of a flood.</p> <p>The prioritisation criteria for identifying areas for investment in</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where age is causing vulnerability or is being negatively impacted by the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising Awareness and Improving Communication and Involvement. It is highlighted that this is particularly important for those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation <i>Recommendation for this to be targeted at vulnerable groups to ensure they are aware of any risk and prepared, to maximise their resilience. When working with communities and developing emergency plans, it will be encouraged for specific reference to be made to identify vulnerable members of the community that will need assistance. This work will be done through work with Devon's Community Resilience Forum.</i> • Principle 16: Property Flood Resilience. As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. With any vulnerable applicants we will ensure that they have access to help with any requirements of the measure to be installed. <i>Recommendation to take a proactive approach in community engagement to target the promotion property flood resilience with communities with known older populations that are more vulnerable to the impacts of flooding.</i> • Flood investigation threshold (See Appendix A). This requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. It also takes into account the rural nature of Devon and small communities that are affected by flooding. • Prioritisation criteria and analysis (see Appendix B) already includes vulnerable people to be considered when prioritising communities and
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<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>flood risk management will need to identify areas with vulnerable community members, such as the old or those living with a disability. Planned works, schemes and community action plans in these locations will reduce the flood risk and reduce any danger to the vulnerable population. Emergency plans will make specific reference to identifying vulnerable members of the community that will need assistance.</p>	<p>allocation of funding and resources.</p> <p><i>Figures on people with limited mobility/disabilities for each Devon parish could be added to our prioritisation model for prioritising flood risk communities. However, this is a lengthy and complex technical task and may not be able to accompany this local strategy. Individual locations should be assessed once flood investigations and schemes are being progressed.</i></p> <p>Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.</p> <p>The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore the strategy document itself and supporting documents must be accessible to as wider audience as possible.</p> <p>The document has been assessed as developed to ensure content is accessible</p>

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>and making as much available as web pages where possible.</p>

<p>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>Communication issues: Those living with a disability such as a mental health condition, learning difficulties or other brain/cognitive condition may have difficulty with understanding or communication. In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates. The Summary of the local strategy will be a very simplified explanation of the main and supporting documents aimed at the public, using plain English. In addition to this, documents with larger print for example could be arranged on request for those with visual impairments. Accessibility checks will be carried out on the finished document and all key information will be available online. Mobility issues: Those living with a physical disability</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where a disability is causing vulnerability or is being negatively impacted by the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising Awareness and Improving Communication and Involvement. It is highlighted that this is particularly important for those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation <i>Recommendation for this to be targeted at vulnerable groups to ensure they are aware of any risk and prepared, to maximise their resilience. When working with communities and developing emergency plans, it will be encouraged for specific reference to be made to identify vulnerable members of the community that will need assistance. This work will be done through work with Devon's Community Resilience Forum.</i> • Principle 16: Property Flood Resilience. As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. With any vulnerable applicants we will ensure that they have access to help with any requirements of the measure to be installed. <i>Recommendation to take a proactive approach in community engagement to target the promotion property flood resilience with known communities containing those with disabilities that are more vulnerable to the impacts of flooding.</i> • Flood investigation threshold (See Appendix A). This requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. It also takes into account the rural nature of Devon and small communities that are affected by flooding. • Prioritisation criteria and analysis (see Appendix B) already includes vulnerable people to be considered when prioritising communities and
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	<p>may have difficulty moving around inside and outside of their home and be less able to help themselves, which could put them in danger in the event of a flood.</p> <p>The prioritisation criteria for identifying areas for investment in flood risk management will need to identify areas with vulnerable community members, such as the old or those living with a disability. Planned works, schemes and community action plans in these locations will reduce the flood risk and reduce any danger to the vulnerable population.</p>	<p>allocation of funding and resources.</p> <p><i>Figures on people with limited mobility/disabilities for each Devon parish could be added to our prioritisation model for prioritising flood risk communities. However, this is a lengthy and complex technical task and may not be able to accompany this local strategy. Individual locations should be assessed once flood investigations and schemes are being progressed.</i></p> <p>Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.</p> <p>The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore the strategy document itself and supporting documents must be accessible to as wider audience as possible.</p> <p>The document has been assessed as developed to ensure content is</p>

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		<p>accessible and making as much available as web pages where possible.</p>

<p>Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief</p>	<p>Communication issues: English may not be the first language of some members of the community and therefore may be a barrier to clearly communicating flood risk and raising awareness.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates.</p> <p>The Summary of the Local Strategy will be a very simplified explanation of the main and supporting documents aimed at the public, using plain English.</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where their culture and ethnicity is causing vulnerability or is being negatively impacted by the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising Awareness and Improving Communication and Involvement. This does not directly address those where English may not be the first language of members of a community. <i>Recommendation for same approach as communicating the local strategy documents themselves, using plain English and very simplified explanations in communications and promotions. This will be done through working closely with Devon's Community Resilience Forum.</i> • Principle 16: Property Flood Resilience. Information not available in other languages. However clear contact details are available on the flood risk management website for contact to be made if further help or guidance is needed. As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. Those who are not confident with the English language and flood warnings etc. may consider themselves more vulnerable. <i>Recommendation to ensure that any applicants where English is not their first language that if needed, they have access to a clear warning service that they understand or to install permanent measures which do not rely on the resident installing measures themselves at times of high flood risk.</i> • Flood investigation threshold (See Appendix A). This requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. This does not directly address those where English may not be the first language of members of a community. <i>As the investigation reports are very reactive and limited research can be done, it is unlikely that this vulnerable group of a community would be</i>
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<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p><i>highlighted. Recommendation to continue with implementing this criteria and publishing the investigation reports in an accessible format.</i></p> <ul style="list-style-type: none"> Prioritisation criteria and analysis (see Appendix B) already includes vulnerable people to be considered when prioritising communities and allocation of funding and resources. Action plan. Members of a community where English is not their first language could be affected by any outcomes of the local strategy or proposed works. <p><i>Recommended to carry out impact assessments for flood schemes which will result in any necessary individual and appropriate measures to be put in place to ensure that individuals fully understand any impacts on them and their rights and responsibilities.</i></p> <p>The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore the strategy document itself and</p>

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		<p>supporting documents must be accessible to as wider audience as possible.</p> <p>The document has been assessed as developed to ensure content is accessible and making as much available as web pages where possible.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	<p>Mobility issues: Pregnancy can cause mobility issues. Mobility issues could affect vulnerability during a flood.</p>	<p>Mobility issues caused by pregnancy will be very temporary and difficult to monitor across the population in line with flood events and planned flood schemes.</p> <p>Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people (including those with mobility issues) are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates. Information will be accessible online.</p>
Sexual orientation and marriage/civil partnership	N/A	N/A

<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<p>Socio-economic issues:</p> <p>Those living in deprived areas may be more likely to receive investment for flood risk management, due to methods of prioritising communities and towns by assessing the number of properties at risk.</p> <p>The prioritisation criteria for prioritising communities at risk of flooding and the methods used for assessing if an official flood investigation both include considerations to be taken into account that particularly affect or endanger the vulnerable, including those living in deprived areas. This will cover both urban and rural locations.</p> <p>Small rural communities with very few properties affected could be missed when prioritising flood risk management works due to the low number of properties affected.</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where socio-economic issues are causing a negative impact on a particular group of people as result of the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising awareness and improving communication and involvement. This is intended to reach as many residents as possible that are at risk of flooding. In deprived areas, this engagement may be more challenging and may need to consider different approaches. This can be done through the Devon Community Resilience Forum. • Prioritisation criteria and analysis outlined in Appendix B takes into account both urban and rural areas at risk of flooding. As part of the development of any flood scheme. Deprivation is taken into account when considering the economic benefits the scheme can offer through reduction in flood risk. • Part 2 of the local strategy outlines how we will prioritise communities at risk of flooding, followed by a list of priority communities for future investigation and investment in flood risk management measures over the next 6 years. Rural areas with high frequency flooding will be identified as such on the priority list and will be considered as fairly as possible alongside larger more densely populated urban areas. • Principle 16: Property Flood Resilience. It is recognised that offering support to small communities and groups with individual property protection may be more appropriate than investing in a flood defence scheme, which could be costly, with little economic benefit.
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9. Human rights considerations:

As part of this assessment, it has been considered how people will be affected by Devon's Local Flood Risk Management Strategy. Protected characteristics have been specifically taken into account in Section 8.

As part of the development of the local strategy, an 8 week public consultation has been completed. This has given the residents of Devon the opportunity to be made aware of our role and what help is available to them and also to feedback into the process to ensure that the strategy is fit for purpose.

All objectives, principles and criteria in the strategy aim to reach all members of society and for us to carry out our flood risk management role as fairly as possible.

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

25 In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

Through raising awareness of flood risk, encouraging individuals to join up to the Devon Community Resilience Forum. This is a platform for developing local emergency plans, learning of other community projects and local solutions to flood risk problems. Access to funding opportunities is also promoted and facilitated through the Forum.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

By delivering flood improvements in line with our current (and updated) local strategy, prioritising communities at risk, whilst taking in to account vulnerable members of the community.

In what way can you help people to be connected, and involved in community activities?

Again, through the Devon Community Resilience Forum which we promote in our local strategy, website and regular newsletters distributed to Parish and Town Councils.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to section 12, otherwise complete the environmental analysis table):

Devon County Council's Environmental Review Process	X
Planning Permission	
Environmental Impact Assessment	
Strategic Environmental Assessment	X

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:		All flood improvement schemes will look to reuse material wherever possible, reducing costs, transportation and carbon emissions.
Conserve and enhance wildlife:		All flood improvements will look to enhance the natural environment and improve biodiversity.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:		The distinctive characteristics, features and special qualities of Devon's landscape will be protected or enhanced during any flood improvement works. Any significant affects will be mitigated.
Conserve and enhance Devon's cultural and historic heritage:		Due consideration will be given to ensure Devon's historic assets are protected and enhanced wherever possible.
Minimise greenhouse gas emissions:		Careful design and use of materials will aim to reduce the transportation and machinery usage to minimise greenhouse gases and help towards a zero net carbon.
Minimise pollution (including air, land, water, light and noise):		Careful design and use of materials will aim to reduce the transportation and machinery usage to minimise pollution.
Contribute to reducing water consumption:		Design considerations will make space for water.

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		All flood improvement studies, works and advice given will have due regard to the effects of climate change and the current future predictions will be taken into account to ensure the standard of protection is maintained.
Other (please state below):		

12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:		Community engagement and promotion of this local strategy and supporting documents should improve knowledge about flood risk and how to find out relevant information.
Impact on employment levels:	N/A	N/A
Impact on local business:		One of the main impacts of implementing the Local Flood Risk Management Strategy will be the improved protection of homes and businesses from flooding, resulting in more resilient communities and economy.

13. Linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

Locations with high numbers of properties at risk of flooding tend to be urban areas. Densely populated urban areas are more likely to contain social housing or low income households, some considered as deprived areas and more vulnerable to the impacts of flooding. The prioritisation criteria (Appendix B) in the Local Flood Risk Management Strategy considers with high weighting, the number of properties at risk in an area when allocating funding and prioritising flood investigations and schemes. The threshold for investigating flood events is also linked the number of properties flooded.

However, there are many rural locations with small communities and individuals at risk of flooding. These locations may also contain vulnerable people and therefore a balance is needed in the investigations and prioritisation of funding and flood schemes to ensure that the process is fair to all residents of Devon, whilst considering the needs of those that are most vulnerable.

14. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

The local strategy aims to reduce flood risk and to protect communities, economy and natural environment. It even aims to enhance these. This will be achieved through our objectives highlighted in Section 3.

For all flood risk management activities, Devon County Council procurement rules are followed. We have a framework and term consultants already in place for delivering studies, works and flood schemes.

15. How will impacts and actions be monitored?

Impacts will be monitored through evidence of better protected communities during flood events and communities with raised awareness of flood risk.

Community engagement through the Devon Community Resilience Forum is a good platform for ensuring communities are aware of our role and an opportunity to feedback to the Flood Risk Management Team.

Appendix A: Flooding significance thresholds

Flooding significance thresholds

Investigation reports under Section 19 of the Flood and Water Management Act will be considered by DCC for events with a significance threshold level of:

5 or more residential properties internally flooded (in one area, e.g. one street)

2 or more commercial properties internally flooded.

Critical infrastructure affected (e.g. roads or rail links closed).

Critical services affected.

OR if the above criteria are not met:

History of repeated flooding. The frequency of flooding greater than 3 occurrences of internal property flooding within 5 years or similar frequency felt to be significant.

The incident is part of a widespread flood event.

The vulnerable are particularly at risk, such as the elderly, young children, those living with a disability or living in areas of deprivation.

Significant negative impact on the natural environment.

Appendix B: Prioritisation Criteria

Criteria used for GIS analysis to prioritise communities and Devon's Local Flood Risk Management Strategy Action Plan

- Number of properties affected or at high risk in any one community
- Frequency of flooding to that community
- Depth/Severity of flooding experienced or at high risk
- Risk to life (particularly the vulnerable such as the elderly, young children, those living with a disability or in areas of deprivation)
- Impact on, or high risk of disruption to critical infrastructure
- Impact on, or high risk of disruption to businesses and services, especially essential services such as health, education, emergency services
- Impact on, or high risk of impact on the Environment
- Sufficient Cost-Benefit ratio and robust business case.

The specific order of the criteria does not reflect the weighting attached to each. In particular, the risk to life is shown beneath three other criteria, as it is directly influenced by them.

Prioritisation is subject to change as a result of any new data on flooding events.

This is an ongoing assessment and will always consider the most up to date climate change allowances as part of supporting modelling information

Appendix C: Long-term health problem or disability figures for Devon

Below are a few locations within each District area which showed relatively high numbers of those with limited day to day activities as a result of long term illness or disability, from Devon's [long-term health problem or disability](#) figures:

East Devon:

Honiton, Exmouth, Sidmouth, Seaton

Exeter:

Alphington, Priory, Whipton Barton

Mid Devon:

Crediton, Cullompton, Tiverton

North Devon:

Barnstaple, Ilfracombe, Fremington, Braunton

South Hams:

Ivybridge, Kingsbridge, Totnes, Dartmouth

Teignbridge:

Bovey Tracey, Dawlish, Kingsteignton, Teignmouth, Newton Abbot

Torridge:

Bideford, Northam,

West Devon:

Okehampton, Tavistock

Health and Adult Care Scrutiny Committee

Community Pharmacy Spotlight Review

20 January 2023

Agenda Item 11

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This report can be downloaded from:

<http://democracy.devon.gov.uk/ieListDocuments.aspx?CId=428&MId=2855&Ver=>

Preface



The Committee commissioned this review because of patients experiencing a disruption to the pharmacy services last summer in several parts of North and East Devon. There were unplanned closures, when collecting prescriptions, people experienced lengthy queues to be served and delays with repeat prescription being dispensed. Sadly, we have recently been told the situation for pharmacies has not improved and they are currently under extreme pressure. The Committee is anxious this drop in standards experienced over the past months is not a precursor to falling performance across the whole County in future. We understand the rural nature of the County presents a challenge to delivery health and care services particularly if it is exacerbated by staff shortages.

Devon needs more pharmacists and pharmaceutical technicians working in the County to support the increase in demand with the population growth. The demographic profile of the County is a result of the expanding population with people living longer. Statistically a quarter of the population have long term conditions, and a further quarter of those aged over 60 have two or more medical conditions. So, demand will continue to grow. Community pharmacies play a vital role embedded in our localities and are a valued and frequently first port of call when we need health care advice or medicines.

We did not have time in this review to consider the impact of medicine costs and NHS England's flat cash contract payment plan on the sustainability of pharmacy provision, particularly in rural areas, (but this may be an area for further consideration at a later date).

I am grateful to all those who gave of their time both officers and fellow members during the review, and I thank them for all their contribution. The Committee will continue to work with the Health and Care sector for the benefit of Devon's residents.

**Councillor Sara Randall Johnson, Chair, Community Pharmacy Spotlight Review,
Health and Adult Care Scrutiny Committee**

1. Recommendations

The Spotlight Review ask the Health and Adult Care Scrutiny Committee to consider this report and conclusion and make the following recommendations to the Health System. **The Committee ask for a report back on progress within 6 months.**

Recommendation 1

That a new Devon communication strategy and campaign is developed to improve public awareness and perception of community pharmacy, which signposts the appropriate pathway in terms of accessing community pharmacy, GP and acute care.

Recommendation 2

That commissioners work with the Practice Plus Group to improve both the level and the appropriateness of NHS 111 referrals to community pharmacy.

Recommendation 3

That all organisations work together to promote the establishment of a pharmacy school in the County to ensure that Devon and the far South West develops its own pharmacists and pharmacy technicians.

Recommendation 4

That long term investment is needed in training and progression opportunities for community pharmacy and across all areas of health and social care. That this includes use of bursaries, work experience and the delivery of regular health and social care careers days, which include a specific focus on community pharmacy.

Recommendation 5

That work is undertaken with NHS England and NHS Improvement to develop the NHS App to introduce notifications including SMS texts when a prescription is ready to be collected. Other alternative technologies should be encouraged to provide multi-choice IT interface routes for ordering repeat prescriptions. That those not using IT still have access to a paper based repeat prescription.

2. Introduction

- 2.1 The Spotlight Review was undertaken by the following members of the Health and Adult Care Scrutiny Committee:
- Councillor Sara Randall Johnson (Chair)
 - Councillor Carol Whitton (Vice Chair)
 - Councillor Tracy Adams
 - Councillor Jess Bailey
 - Councillor David Cox
 - Councillor Pru Maskell
 - Councillor Ron Peart
- 2.2 Members would like to place on record their gratitude to the witnesses who contributed to the review. In submitting its recommendations, the Group has sought to ensure that its findings are supported with evidence and information to substantiate its proposals.
- 2.3 On 28 September 2022 Health and Adult Care Scrutiny resolved to review pharmacy services across the County, their value in reducing pressures across the health and social care and the role of the Health and Wellbeing Board and NHS England as the commissioner; and issues faced by local members in helping ensure proper provision with new and expanding residential growth points in the County (notably Exeter/Teignbridge, Cranbrook, Sherford and North Devon). As a result of significant disruption to service levels in several communities over the summer period.
- 2.4 The terms of reference for the review were:
1. To bring together stakeholders of, and representatives from, community pharmacy to explore and highlight the challenging issues that are impacting on peoples experience and interaction with community pharmacy, and ultimately their health and wellbeing.
 2. To undertake this work to support the Devon Health and Care System and to ensure that the views of the communities it represents are heard.
 3. To explore the challenges being faced by community pharmacy and the impact of behaviours within communities.
 4. To understand where gaps in community pharmacy provision may be in the County and possible measures to address these.
 5. To report back to the Health and Adult Care Scrutiny Committee / local Health and Care System with recommendations from the findings of the spotlight review.
- 2.5 Members of the Spotlight Review ask the Health and Adult Care Scrutiny Committee, Cabinet and NHS One Devon Integrated Care System to endorse this report and consider the recommendations detailed above.

3. Background / Context

Community pharmacy makes up one of the four pillars of the primary care system in England, along with general practice, optical services and dentistry. It is arguably most well-known as a dispenser and retailer of medicines, but its role is in fact much broader and includes other NHS and publicly funded services. Community pharmacies are a fixture of many high streets and are also often available in large supermarkets. The traditional model is a retail outlet that also has qualified health care professionals providing some health care services. Its presence on many high streets, on a walk-in basis, makes community pharmacy easily accessible for patients and provides a ready source of advice and support around their medicines, for minor acute illnesses, or for ongoing long-term conditions. A small number operate as online or distance-selling pharmacies that do not typically provide face-to-face services but deliver their service obligations in other ways¹.

The community pharmacy contractual framework with the NHS outlines three types of services:

- **essential services** – these are the nationally set, mandatory services that community pharmacies must provide as part of their contract with the NHS if they are to operate providing NHS services. It includes the dispensing of medicines and medical appliances, the disposal of unwanted or spare medicines, advising patients on self-care, providing advice on healthy living and providing medicines support following a hospital discharge.
- **advanced services** – these are optional services that pharmacies can choose to provide. They are nationally set and specified, and the option to provide them is open to all community pharmacies, provided they meet certain minimum requirements. The advanced services currently commissioned through the contract framework include flu vaccination, the [New Medicine Service](#) (which aims to help patients understand and make best use of a newly prescribed medicine), and the [Community Pharmacist Consultation Service](#) (which allows certain other parts of the health system to refer patients to community pharmacy for some urgent care needs like emergency medicines supply and as well as for some minor illness needs)
- **enhanced services** – these are optional services such as anticoagulation services.

In addition to these nationally determined services, community pharmacies can also be contracted to provide **locally commissioned services** – like enhanced services, these are commissioned by public bodies, including Public Health, ICS clinical commissioning groups (CCGs) or local authorities, to meet the needs of particular local populations outside the nationally set and specified services. Examples of local commissioning from community pharmacies includes sexual health services, needle and syringe exchange services, or smoking cessation services.

Alongside services commissioned by the NHS and other public bodies they may also provide **private services** – services not commissioned by public bodies, e.g., travel health advice. In response to the Covid-19 pandemic, essential and advanced service requirements were amended to facilitate additional support of patients by community pharmacy, including the commissioning of a Pandemic Delivery Service.

Community pharmacies can be owned and operated by one of three groups:

- **sole traders** – individual pharmacists who both own and operate community pharmacies
- **partnerships** – business partnerships of two or more pharmacists that own and operate one or more community pharmacies. In this case, all members of the partnership have to be registered pharmacists by law

¹ [Community pharmacy explained | The King's Fund \(kingsfund.org.uk\)](#)

- **body corporate** – registered companies are able to own community pharmacies, but they must employ registered pharmacists to undertake the specific pharmacy responsibilities. Companies must also employ a superintendent pharmacist to oversee pharmacy activity across their entire business.

All pharmacies need a [responsible pharmacist](#) on site at all times to meet safety, legal and other requirements. Where this is not an owner, it must be another suitably qualified registered pharmacist.

The Devon Local Pharmaceutical Committee represents all NHS community pharmacy contractors in Devon. There are 224 pharmacy contractors in Devon; 55 in the Plymouth footprint including two distance selling pharmacies. Many pharmacies are open during the evening and at weekends – times other parts of the system consider to be out of hours. Community pharmacies have aligned around Primary Care Networks (PCNs) and where possible have a nominated community pharmacy PCN lead. There are:

- An estimated 1.6 million visits / contacts with community pharmacies take place daily (avg. 137/pharmacy).
- Every week pharmacy teams provide advice to over 730,000 people (nearly 38 million people per year) seeking advice for symptoms.
- Every week pharmacy teams provide advice to over 263,000 people (13.6 million people per year) seeking advice about an existing medical condition.
- More than 58 million informal* healthcare consultations are provided by pharmacists and their teams every year, an average of 17 per pharmacy per day. (*A recent PSNC study showed Devon pharmacies provide an average of 19 per pharmacy per day).
- Informal consultations provided by pharmacists and their teams save more than 24 million GP appointments every year. If the community pharmacy had not been there, 50% of patients reported they would have visited their GP, resulting in an additional 74 appointments in each GP practice each week in England.
- Flat cash in the current contract (2019- 2024) with a requirement to deliver additional services. In practice this means real terms funding is reducing year on year as inflationary pressures are not taken into account
- Pharmacies are currently making significant efficiency savings (approximately 37% to 50%) in order to manage this funding squeeze; increase in demand for clinical services, the shrinking funding envelope, and general economic inflationary pressures.

Pharmaceutical Services Negotiating Committee (PSNC) Pharmacy Pressures Survey

- 91% of pharmacies are experiencing staff shortages
- Almost half of contractors are extremely concerned about their pharmacy's finances, with 80% reporting that the costs to run their pharmacies are significantly higher than this time last year
- Nine out of ten pharmacy teams have seen a significant increase in phone calls from patients about prescriptions, and 86% reported a rise in requests for healthcare advice
- 82% said that increased workplace pressures are negatively affecting their mental health and wellbeing
- On a scale of 1 – 10, where 1 is not coping at all and 10 is coping perfectly fine, 79% of respondents scored their team as 5 or below.

4. Key Issues

Key issues arising from the witness interviews are presented here. A semi structured open interview methodology was used, where conversations ranged over many topics.

System Pressure

Community pharmacy plays a vital role at the heart of the health and care system in Devon, but like many parts of this system currently, community pharmacies are experiencing significant challenges. Devon has a population which is increasing at an average rate of 3.5% a year over the last 5 years to 814,440 in 2021. The Devon health system like in all areas of the country, has been under huge pressure before the last two and a half years moving through the Covid-19 pandemic. Where conditions are right community pharmacies provide responsive and preventative services in a timely way, which are experienced in most parts of Devon. But there are several areas where staffing shortages make the provision of community pharmacy challenging, the impact is felt by local communities, individuals, and wider putting pressure across other parts of the local health and care system which is already struggling.

Community pharmacy is going through a period of transformation as a wider variety of health services are being offered at these settings. Community pharmacies were vital in supporting and caring for patients during the pandemic and the Community Pharmacy Contractual Framework has placed a greater onus on community pharmacies offering a wider range of services such as blood pressure testing and weight management services. Members expressed concern about the focus on growing community pharmacy provision and the range of services being offered in pharmacy settings, but that there appears to be inconsistencies in the ability to deliver core services. While it is likely that some pharmacies in the County are high performing and can provide additional services and expand their offer, in other areas members were hearing from service users hugely frustrated with problems accessing their medication.

Concern was raised to members about inflation driving insolvency in a flat cash contract. And the risk to the financial sustainability of community pharmacy. Funding was reported to have been effectively cut nationally by £200 million and this is an issue for providers where they have pharmacies that are not financially viable. In England, the value of the NHS community pharmacy "contract sum" fell by 10% between 2015-2017. Since then it has been constant (excluding items like Covid-19 and flu vaccination payments) with no annual allowance for inflation. There has been a long-term attrition of 30% real term funding cuts over the past seven years which is leading to serious degradation of services to patients. Many pharmacies are now dispensing at a loss and face a serious cashflow crisis which could move towards permanent closures.

Workforce Recruitment and Retention

The community pharmacy sector is in the midst of a workforce crisis. The impact on staff in terms of stress and wellbeing through the pandemic was unrelenting. There were challenges already both in Devon and nationally prior to Covid -19 and the situation has worsened. Brexit was reported to have impacted workforce numbers and recruitment. The Pharmaceutical Services Negotiating Committee (PSNC) Pharmacy Pressures Survey 2022 revealed that 91% of pharmacy business owners/head office representatives and 82% of pharmacy team members said their pharmacies were experiencing staff shortages, with 23% of owners/head office representatives reporting that their pharmacy had been required to close temporarily because of these.

There is a shortage of pharmacists and technicians (400-500 pharmacist deficit in the South West with a 14% vacancy rate in community pharmacy compared to a rate of 8% nationally). To date, there has been no investment in a pharmacy undergraduate programme, and the impact on local pharmacist numbers that would create, in the far

South West. Devon does not have a pharmacy training school; the nearest is in Bath with reportedly the lowest application rate in the country (10% of the national average).

Careers in health and social care have historically not been well promoted, this is especially the case in terms of community pharmacy. There is a role for the County Council encouraging young people to work in healthcare and pharmacy. People need to see community pharmacy as a good career choice. There needs to be a push at various levels to get people into the industry in terms of sixth form, university as well as job fairs on health care. Community pharmacy practices need to recruit more technicians and grow their role within the sector. Devon needs to have a workforce model that focuses on attracting, developing, supporting and retaining local residents. Commissioners need to understand better why people work in community pharmacy to use their experiences in recruitment drives. Devon is an attractive place to live and people can be drawn to the area for the landscape and the plethora of recreational opportunities the County offers.

NHS England have been speaking with dental schools asking what it would take to get those dentists working for the NHS. They asked for variety, blended roles, a clear career pathway and opportunities to work in hospitals as well as in the community. There is generalised learning that NHSE can share to help the community pharmacy sector looking at a range of issues such as pay and conditions, training and development, as well as subsidised housing.

Members were advised that there is a need to look internationally in terms of recruitment. Following Brexit it is harder to employ people from Europe, while for those outside Europe it has always been difficult and involves further training as there is different legislation depending on where people have qualified. Members questioned whether the process can be streamlined to validate overseas pharmacists so they can practice here.

Communication with the Public

It is vital to improve communication with the public to develop greater understanding and tolerance about the current health system pressures. In some parts of the County, community pharmacy staff have had to contend with increasing levels of abuse, threats and aggression due to disaffection about the quality and timeliness of service provision. There have been instances where security guards have had to be deployed in pharmacies and staff have had to wear body cameras. This has not unsurprisingly further exacerbated difficulties in recruitment and retention of pharmacists and pharmacy staff.

The volume of feedback Healthwatch have received on community pharmacy related issues since the start of pandemic has risen exponentially. Healthwatch suggested there seemed to have been a lack of communication with the public around the move to the ICB and how services are being delivered, especially in terms of difficulties with staffing.

NHSE have created a patient's charter which should help to diffuse some of the negativity people are feeling towards community pharmacy. NHSE also advised that there are opportunities for them to work with the NHS Devon Communications Team to help both in signposting the public as to where they should go for services and promote a message of tolerance in terms of the current pressures on the wider health system, as well as emphasising the commitment to deliver an improved community pharmacy service.

In the [South Western Ambulance Service Spotlight Review Final Report](#), which was published in June 2022, members highlighted the need for a communication plan to help the public know what services are available and how they should be accessed. The report referenced the need for 'greater clarity to the public as to how they access both urgent and non-urgent medical support', and it was apparent to members that this need for clarity must be extended to the community pharmacy sector with immediate effect.

Rural Pharmacies

Specific concerns were raised to members at Health and Adult Care Scrutiny Committee on 28 September 2022 relating to the paucity of pharmaceutical provision in North Devon.

Pharmacy services in North Devon were described by a member of the public as 'collapsing because of increasing need and a decreasing volume of space where pharmacy services are provided.' Concerns were also raised about larger pharmacies buying multiple smaller pharmacies in an area and closing branches down with Braunton and Woolacombe referenced. Officers advised that Woolacombe has not had a closure due to those reasons. The issue with Woolacombe could be that the workforce problems led to difficulties in recruitment of pharmacists resulting in sustainability issues. Larger pharmacies have not been acquiring smaller pharmacies for a considerable number of years, but what they have been doing is closing some of their branches, such as in Ilfracombe, because of high rental costs and a lack of return on investment.

Rural pharmacies are more vulnerable in terms of how they are supported and remain. It was reported to members at the Spotlight Review that it is difficult staffing some parts of the County, with North Devon harder to recruit staff for than anywhere else, which creates significant challenges delivering the requisite quality community pharmacy. Members were advised that there is logic to consolidation, where oversupply is taken out of the system, and workforce is freed up this can help to rationalise service delivery.

General Practice

Friction was reported at times between GP practices and pharmacies. Commissioning leaders need to be clear what GPs are doing and what is the responsibility of community pharmacy. Members highlighted the importance of collaborative working, as competition between GPs and pharmacists is not in the best interest of the health system and most importantly the patient. There is a need for coordination for instance with flu before the season starts, working out what each partner can most efficiently deliver. In almost all instances better outcomes can be achieved for partner and patient. There are substantial issues nationally in terms of medicine supplies where close working between the GP and community pharmacy is invaluable in terms of patient experience and outcomes. Through collaborative working with the GP solutions can be found.

Repeat Prescriptions

Pharmacies are trying to bring more automation into their business and increase the efficiency of medicine dispensing. Repeat dispensing can be provided and makes sense where a stable patient for 6 months can have a batch set up with a convenient pharmacy. This can help alleviate some pressure on both the GP and pharmacy.

While it is clearly advantageous that prescriptions are now entirely electronic, members described numerous accounts from local residents reporting difficulties with ordering repeat prescriptions. A lack of IT skills was a barrier for some people being able to order repeat prescriptions online and care needs to be given to alternative approaches for those individuals to avoid them being marginalised.

Members questioned whether it was better to have repeat prescriptions delivered to people directly to avoid some of the issues they had heard around unnecessary journeys where prescriptions were not then ready and the problems that was causing for the older and more vulnerable in particular. Officers advised medicine delivery by community pharmacies is not funded through the NHS and never has been. Internet pharmacy operates on a different working model and cost base to community pharmacy where contractors deliver medicine to people's homes free of charge. Members were advised that additional service offered by community pharmacy, that ability to talk to a local pharmacist about various issues and subsequent interventions, would disappear if bricks and mortar pharmacy provision went entirely online.

Pharmacy Commissioning

Integrated Care Boards (ICBs) will take on pharmacy commissioning from April 2023 alongside dentistry, and ophthalmology. NHS One Devon ICB are working with NHSE and also the LPC on this, with a regional hub being developed to draw on expertise. Members were advised that bringing pharmacy commissioning to NHS One Devon ICB

will help develop innovation at a local level. Some concern was raised to members about the adequacy of the resources NHS One Devon ICB have to do the commissioning. NHS One Devon ICB do not have staff currently in place, but the expectation is that they will be able to continue to use NHSE staff and expertise in some capacity moving forward.

NHS 111 System

NHS Community Pharmacist Consultation Service (CPCS) offers patients same day minor illness consultations with a community pharmacist. The CPCS allows patients the option of having a face-to-face or remote consultation with a pharmacist following an initial assessment by an NHS 111 call advisor, and following a successful pilot, was extended to include referrals from general practice. Members were advised that NHS 111 referral element of the CPCS is not as integrated in the health system in Devon, nor working as well as in other parts of the South West. The GP CPCS is also not as integrated in the local health system as in other parts of the South West. In effect CPCS in general needs to maximise the opportunities offered by the service irrespective of the source of the referral. There is an opportunity for commissioners to work with the new provider the Practice Plus Group to improve 111 referrals to community pharmacy.

Pharmaceutical Needs Assessment

A Pharmaceutical Needs Assessment (PNA) is a comprehensive assessment of the current and future pharmaceutical needs of the local population. Health and Wellbeing Boards have a legal duty to produce, consult and publish a PNA for their area. The Devon PNA (2022-2025) was approved in September 2022. NHS England and NHS Improvement (NHSE/I) uses the PNA, along with other information to:

- Inform decisions regarding which NHS funded services need to be provided by community pharmacies and dispensing appliance contractors in Devon.
- Determine whether new or additional pharmaceutical services are required.
- Inform decision-making about the relocation of existing pharmaceutical premises in response to applications by providers of pharmaceutical services.
- Inform the commissioning of Local Enhanced Services from pharmacies.

Gap analysis concluded that there was no perceived gap 'in current pharmaceutical

GAP ANALYSIS: CURRENT AND FUTURE PROVISION

Current Gap Analysis

- Devon considered the following parameters when reviewing current gaps -
- Geographical gaps in the location of premises
 - Geographical gaps in the provision of services
 - Gaps in the times at which, or days on which, services are provided.

Current Gap Analysis Conclusion

We conclude, that we do not perceive there to be a gap in current pharmaceutical services provision in North Devon.

Future Gap Analysis

- Devon considered the following when reviewing future gaps in Pharmacy Provision -
- Housing development data in all Districts from local authorities in Devon between 22/23 and 24/25
 - Consideration given to communications received by the HWB around Pharmacy Provision
 - Qualitative Analysis of Pharmacy Provision undertaken by Healthwatch
 - Consideration of current gap analysis

Current Gap Analysis Conclusion

The PNA has outlined the planned increases in housing provision across Devon over the next three years. It is not anticipated that the increase in housing will significantly impact on the provision of, or access to, the existing pharmaceutical services and it is concluded that there is no requirement for further provision within the time frame of this PNA. However, the situation will be reviewed on a regular basis and supplementary statements published if necessary. Any identified change in the situation may be addressed by NHS England commissioning or directing existing pharmacies to open for additional hours without the need for a new community pharmacy. If the trajectory of planned housing development escalates in any of the localities and in particular North Devon, there may be a future need for additional pharmaceutical services.

Search by Area

North Devon



Map showing locations of planned developments (red bubbles) and pharmacy provision (blue bubbles) for 2022-2025

services provision in North Devon'. Members raised questions about the formulation of the PNA and some of the assumptions it contains in terms of the adequacy of pharmacy provision in Devon, particular in relation to the complexities inherent in North Devon.

Members were also advised that performance aspects of a pharmacy do not form part of the PNA. Any issues around the following need to be communicated directly with NHSE/I or with the specific pharmacy:

- Staffing
- Overtime working
- Configuration of pharmacy space
- Waiting times
- Prescription delays

Expanding Use of the NHS App

It was evident that there is an issue where a GP advises that a prescription is ready to be collected and people turn at their pharmacy to find this not the case. NHS England offered to explore this issue following the Spotlight Review meeting through their Digital Team and the LPC. Members suggested using the NHS app to notify people when their prescription is ready, and it could be tailored to give updates in the way that parcel services do. The ability to track progress and send progress notifications would reassure patients and provide more understanding of the process and reduce calls to pharmacies and GP practices.

5. Conclusion

Community pharmacy played an invaluable role during the Covid-19 pandemic delivering vaccines and continuing to provide medication for patients. However, there have in some areas been significant issues with service delivery, especially around prescribing/repeat prescribing where timelines appear not to have been met, and short notice closures have exacerbated public frustrations. Members provided reports of their residents being bewildered by the problems they were encountering accessing their prescriptions and a sense in some areas that it was a postcode lottery in terms of pharmacy provision.

Improving patient outcomes is essential. There is however a workforce crisis currently in community pharmacy. There have been worsening recruitment and retention issues due to a combination of community pharmacy role expansion along with difficulties relating to public perception and behaviours. Where there are 'hot spots' of pharmacy difficulties these can create a negative view of pharmacy across the whole County. Members recognise the enormous pressure that staff have been working under due to the pandemic and how essential it is that these staff across the Devon system are looked after and valued. This will only be achieved when there is an improvement in the recruitment and retention of community pharmacy staff. Training and developing pharmacists and technicians in the County must be a long-term priority, as is the shorter-term marketing Devon further afield as a place to live and work.

It was apparent that there are some tensions between GPs and community pharmacy and the need for a more integrated approach in the future ensuring that everyone understands the opportunities and challenges. Blood pressure for instance was cited as an area that community pharmacies should now be undertaking, while there was scope for improved collaboration and local communication in terms of vaccine delivery. Members recognised that there remains an opportunity in Devon for systems to be more effective to deal with demand. There is a need for a diverse set of services and a more creative approach to take some of the pressure off community pharmacy and the wider health system

Concerns were expressed to members that the health system is moving too fast on community pharmacy change without yet having the building blocks in place to deliver given the difficulties it is faced with. It is a significant challenge for community pharmacy to transform against backdrop of workforce shortages but members were reassured that the sector is working extremely hard to try to get to that point. There is a need for system wide support to community pharmacies so that they can deliver on the service work the NHS is asking them to do.

APPENDIX 1

Spotlight Review Activities

- A1.1 On **17 October 2022** the Spotlight Review took place virtually on Teams (the list of witnesses who attended the session are detailed below in Appendix 2).
- A1.2 On **5 January 2023** members met to discuss their draft findings and recommendations.

APPENDIX 2

Contributors / Representations to the Review

Witnesses to the review in the order that they appeared at the spotlight review:

Witness	Position	Organisation
David Bearman	Director of Strategy	Devon Local Pharmaceutical Committee
Sue Taylor	Chief Officer	Devon Local Pharmaceutical Committee
Mike Charlton	Regional Pharmacy Manager, South West Region	Boots
Nick Mahony	Regional Manager	Lloyds Pharmacy
Andrew Howitt	Chair / Senior HR Business Partner for Div 3 and 4	Devon Local Pharmaceutical Committee / Lloyds Pharmacy
Dr Lou Farbus	Head of Stakeholder Engagement, Direct Commissioning	NHS England South West
Donna Lockett	Senior Information Analyst, Public Health	Devon County Council
Maria Moloney-Lucey	Public Health Specialist, Public Health	Devon County Council
Jo Turl	Director of Commissioning for Primary, Community and Mental Health Care	NHS Devon
Tony Gravett MBE	Manager Healthwatch Plymouth / Communications, Systems & Intelligence Lead	Healthwatch Devon, Plymouth & Torbay
Cllr James McInnes	Cabinet Member for Integrated Adult Social Care & Health	Devon County Council
Cllr Roger Croad	Cabinet Member for Public Health, Communities and Equality	Devon County Council
Sam Cush	Communications and Corporate Affairs Manager	NHS Devon
Dr James Boorer	GP	Pathfields Medical Group
Margaret Wilcox	Specialist Advisor	Devon County Council

APPENDIX 3

Bibliography

[People at the Heart of Care: Adult Social Reform Paper](#) (Department of Health and Social Care, December 2021)

[Devon Joint Strategic Needs Assessment](#)

[Annual Report for Adult Social Care in Devon for 2021](#) (Devon County Council, 2022)

[Engaging the Health and Adult Care Scrutiny Committee in the Long-Term Plan for Devon Report](#) (NHS Devon CCG, 2021)

[Patient Experience – Pharmacy Services 1st April 2021 – 31st March 2022 \(Healthwatch in Devon, Plymouth and Torbay, 2022\)](#)

[Devon Pharmaceutical Needs Assessment 2022-2025](#)

[Community Pharmacy Explained \(The King's Fund, 2020\)](#)

[PSNC Briefing 013/22: Summary of the results of PSNC's 2022 Pharmacy Pressures Survey](#)

[South Western Ambulance Service NHS Foundation Trust Spotlight Review Final Report – Health and Adult Care Scrutiny](#) (Devon County Council, 2022)



Health and Adult Care Scrutiny Committee
20 January 2023

Replacement Day Care Service – Site Visits

Report of the Health and Adult Care Scrutiny Members

Please note that the following recommendations are subject to confirmation by the Committee before taking effect.

Recommendations:

1. That the Committee asks Cabinet to receive and consider this report, and as Adult Social Care transformation takes place, ensure that opportunities in the community are maximised to support people's independence and enable them to do the things that matter to them.
2. That the Committee shares the learning from the visits to inform its future work programme.

Background

It was agreed that members would undertake a series of visits to health and care settings across the County as they had previously before the Covid-19 pandemic. Councillors wanted to get a first-hand account from staff of where the system is working well, how supported they feel and where there may be issues of concern. The visits were about members getting a better understanding of the way in which the model of care in Devon is working operationally and the key issues affecting services from a frontline perspective.

Members were invited to undertake a series of visits to the County Council's learning disability day centres. This was against the backdrop of an impact assessment having been undertaken in June 2022 on reviewing the potential cessation of providing buildings-based day services. The reason for the review was cited as follows:

Across the County the demand for DCC in-house, long-term buildings-based day services has reduced. This was the direction of travel for these services before the pandemic and the pandemic has accelerated these changes as people made and continue to make alternative choices in how they wanted to live their lives. In some circumstances the reduction in people attending is so low that it can be seen as further isolating individuals rather than providing a social experience for them. Work has been ongoing to develop individuals' skills and promote their independence, both with existing service users and as part of the preparation for adulthood work with younger people, which has also reduced the need for such buildings-based provision. This has been achieved on an individual basis by taking into account what is important to the individual and their families. Likewise, where there has been identified need for support to prevent carer breakdown in the form of replacement care, this has been sourced from across the wider market for adult social care as a long-term alternative solution.

Agenda Item 12

Current Situation - Occupied Day Centres

Total (as of July 2022) = 19 people receiving support

RUSHBROOK, TOTNES



7 People

Maximum = 3 per day

NICHOLS, EXETER



5 People

Maximum = 4 per day

ABBEY RISE, TAVISTOCK



5 People

Maximum = 3 per day

ROSALIND, TIVERTON



2 People

Maximum = 2 per day

Coproduction Meeting with Parents / Carers

A coproduction process with carers was held in July 2022 to ascertain the precise scope of any cessation of day care provision at DCC sites. Families identified the following broad issues:

- Significant isolation of individuals in services in current shape
- Unviability of services at current occupancy
- Lack of stimulating activity
- Access to specialist equipment (hoist, disabled accessible/equipped toilets, specialist baths, etc)
- Reaching for Independence (RFI) not appropriate for these individuals
- Need for a break from family members, be out of the house
- Families recognise need to be flexible
- Need for 5 days of activity for some
- Families do not want to manage direct payment

Site Visits

1 November 2022 – Nichols Centre, Exeter

The following councillors undertook the visit to the Nichols Centre, where they met Steve Robinson, Resource Manager – Adult Provision Eastern Devon, Integrated Adult Social Care:

- Cllr Richard Scott
- Cllr Pru Maskell

7 November 2022 – Abbey Rise, Tavistock

The following councillors undertook the visit to Abbey Rise, where they met with Di Combe, Resource Manager, South and West Devon, Integrated Adult Social Care:

- Cllr Richard Scott
- Cllr Linda Hellyer
- Cllr Debo Sellis

10 November 2022 – Rushbrook Centre, Totnes

The following councillors undertook the visit to the Rushbrook Centre, where they met with Di Combe, Resource Manager, South and West Devon, Integrated Adult Social Care:

- Cllr Richard Scott
- Cllr Sara Randall Johnson

Issues Identified

Replacement Day Care

Each of the centres visited were large, well equipped, and appointed facilities. It immediately seemed inefficient to members to have these sizeable buildings with so few people attending the settings. Resources were not being maximised with less than 20 people using 4 day centres across the County factoring in travel costs as well, which were reported to be circa £35,000 a year for Tavistock alone.

Officers advised that day care numbers had shrunk significantly over the years, which had been exacerbated with a changing landscape in terms of buildings-based services since the pandemic. One of the impacts of which was that many of the social benefits from before had now gone. Referrals for long term placements were not coming through. The 5 people using Abbey Rise for instance had been there since leaving education and most were now in their 40s and 50s, some with carers into their 80s.

There was a need to properly understand what 'good' looks like in terms of replacement care and what is a quality service for those people using it. There appeared to be difficulty in providing adequate stimulation as a result of the low numbers and staff have to be very imaginative given budgetary limitations. In one of the day centres members noted that people were just sat watching television.

There is also a need to continue to work hard with staff to try to realise more independence for people. The families of long-term service users are also not always exploring the other options available such as direct payments and personal assistants which are options to help people access community facilities. It was evident to members that parents and carers remain invested in the day care centre and there was some distrust of the County Council.

If changes to day care have to be made, families had suggested condensing the day service offer and then opening out the building to the community for the rest of the week. The buildings were already being partly used by a mix of other Adult Social Care, other County Council staff and outside organisations.

Agenda Item 12

Reaching For Independence

Reaching for Independence Service

- The Reaching for Independence service (RFI) is available to everyone over 17 with eligible needs, at all levels of complexity.
- The service is currently supporting 530 (as of July 2022) people to achieve their goals of progressing independence in the community.
- RFI is a short-term service usually for up to 6 to 12 weeks and is goal focussed in its approach to upskilling people.
- RFI is focussed on supporting people to achieve independence reducing dependence on paid, long-term support.
- Achieving financial savings due to strengths-based approach.
- 33 people (as of July 2022) have achieved paid employment.
- Planned expansion of RFI through transfer of resources.

RFI is about working with people to reduce reliance and enable independence. Some people with greater needs will require ongoing additional support. It is about understanding what every person wants. The strength-based approach of RFI, along with the fundamental aim of doing the right thing for people, should also help to achieve financial savings as people become more independent.

Social care have always worked with families in terms of their caring role but have not always been having those difficult conversations about the future. Co-dependence between the parents/carer and the cared for person can be a barrier at times. Where parents for instance get into their 70s and 80s it brings real challenges, where some of whom may feel their carer role is their duty and it is difficult to release them from that role as they become less able to cope.

Officers questioned the suitability of having day care and RFI under one management group. It was felt that the focus should be on RFI, which has a real benefit in terms of people's lives through identifying and working to achieve goals. This can include supporting people to access mainstream activities, opening out the community and including people within that. For those with very complex needs this may necessitate the need for 2 carers at times.

Employment Opportunities

There are people now in work who would have been in day centres previously. Aspirations have changed, where parents want their children to have their independence at 18. People can have real lives in the community rather than a more institutionalised existence. Devon currently has approximately 7% of people with disabilities in paid employment with 52 people in the last 6 months (as of December 2022). The County Council as an employer still can do much more. Change is happening and the number of people with a disability working at the County Council has gone up significantly in recent years but it is still not where it should be. Members felt that commissioners need to word contracts to ensure the inclusion and employment of people with disabilities.

Infrastructure

Concern was raised about the lack of consideration in district Local Plans about assisted living, such as front doors on new homes not being able to fit wheelchairs through as standard. Members noted that there is a role for other departments within the County Council in terms of supporting RFI such as the Highways Department putting in the correct infrastructure and adaptations for wheelchair users for instance.

Supported Living

Most people now at aged 18 go into supported living for their independence rather than residential care and that more institutionalised pathway. There is a shortage of supported living currently in the County

due to staffing availability and issues with housing stock sufficiency, which results in people subsequently living with their parents into their 20s and beyond.

Smart Technology and IT

The County Council was described to members as being forward thinking in terms of the use of IT and technology. Technology has made life much easier for disabled people and is an important part of RFI, where the team will promote the use of Alexa type smart device, automatic hoovers and lawn mowers etc.

Respite

A much bigger cohort of people is using respite care as opposed to day care. Children's Services offers a huge amount of respite, which can be problematic in terms of when young people transition to adult services and there is not the same level of availability. There is a need to assess the strategic approach of both children's and adult services to ensure both departments are aiming to achieve the same outcome of independence for adults.

Direct Payments

Concern was raised by members as to how appropriately direct payments were being used. Officers were not aware of any issue in Adult Social Care, where there are regular audits of direct payment cards. Quite often people are not spending all their direct payment and when there is over a certain amount on the card the funds are returned centrally. There is a concern that the County Council is directly funding family members as 'employees' paid per hour for care.

Carers

It is common where carers do not want a carers assessment and admit to their caring role.

Agenda Item 12

Case Studies

At each of the Replacement Day Care Centres members met with parents, carers and service users. The following anonymised case studies were taken:

Case Study - John

Members met with Sheila, a parent of John, who is in his 40s and attends the Nichols Centre.

- John is profoundly disabled. They live in a rural area where it was difficult going for a walk with John in a wheelchair.
- John was previously using Rosalind House in Tiverton but since its closure he gets transport to Exeter to avoid isolation in winter months.
- Sheila advised that she was unsure whether she would want a carer at the house.
- John could not live on his own. John is non-verbal and Sheila said she has to do everything for him.
- Sheila initially commented that if all the remaining day centres were closed she would 'commit suicide'. She would not put John into residential care but find a way to cope, with him at home with carers.
- Sheila advised that she was also a carer for her elderly mother and aunt.
- Sheila would like the provision at the Centre to stay the same and is happy with it in Exeter if there cannot be something in Tiverton.
- Swimming has stopped which is a shame as John used to do many more activities. John does not do much at the Centre now beyond walking to the supermarket, some mixing with others and sitting in a chair.
- In response to a question from members, Sheila commented that she had not made plans for the future in terms of John's care.

Case Study - James

Members met with Jan and Helen who are full time carers of Jan's brother James, who's in his 50s, who attends Abbey Rise. During discussion reference was made to the following:

- James had a stroke at birth. When James and Jan's mum died in 2017 Jan and Helen took over the full-time care role. It was a huge learning curve for them.
- Jan and Helen do not currently have transport for their brother. They need a £10,000 deposit to get a suitable vehicle which can transport James in his wheelchair and they cannot afford this at the moment.
- They receive 10 hours of carer support a week.
- Jan has reduced her work hours to 15 per week, and she is now paid 20 hours a week at £14.52 an hour to care for James.
- James really looks forward to attending the day centre and is much more settled afterwards.
- Jan and Helen described the Abbey Rise Centre as being 'everything' to them. They feel that James 'gets sick' of seeing just them. They recognise the centre has been underutilised since Covid. The building should be used by more people in the town.
- Lockdown was extremely challenging, and it had a huge impact on all the people who would have attended the Centre but were unable to.
- Another day centre in Yelverton closed during Covid, and it seems the amount of provision is shrinking.
- Unsure why there is a waiting list at Abbey Rise. They cannot understand why the centre is not used by more people.
- RFI is feasible for some, but the model does not work for everyone. It was described as 'patronising for some more complex people' such as James who is incontinent and virtually non-verbal. Jan and Helen advised that they were not stuck in their ways and quite open to change but felt that they were already at the limit of James's independence in terms of his attending Abbey Rise.
- Staff at Abbey Rise are brilliant.
- Social care determine that James has 2 to 1 care which they view as unnecessary. It is baffling the barriers that social care put in place.
- Other than when Jan's mum was in hospital and James was in residential care for a month, they have not had any respite care for James.
- James was at Abbey Rise 5 days a week until Covid.
- The primary worry if the centre closed would be the impact on James. Jan and Helen felt that they would somehow cope, but other families would not be able to and would struggle massively, especially if they had less understanding of the complex system or financial means. Jan's family have always taken responsibility for James and not relied on the state.
- Question marks about the safeguarding of people who are cared for solely at home.
- It is difficult in rurality's accessing services.
- Residential home drop-ins were offered pre-Covid, but DCC are no longer facilitating this but homes could potentially organise independently.

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Case Study - Eve

Members met with Eve and Fay. Fay advised that she was the sister of Eve, who had been injured at birth, and since her parents died had been her full-time carer.

- Eve loves Rushbrook and attends 3 days a week. Fay cannot praise the Centre and its staff highly enough. Staff, some of whom they have known for years, are friends with Eve and provide a community of people for her. It is a fantastic resource, with second to none care.
- Without Rushbrook, Fay is not sure what other care Eve would have. Fay's experience of private sector care has not been good. Covid 19 had a hugely negative impact on Eve's wellbeing.
- RFI will not help Eve and the other people who use Rushbrook. These are amongst the most vulnerable people in the County, and it does not always seem as though people understand what is in the best interests of the individuals concerned. Eve cannot stand or do anything unaided.
- The co-production exercise revealed the need for some space between loved ones (the carer and the cared for) in order to be able to sustain the relationship.
- Fay has had issues with direct payments. It is difficult finding carers to support Eve at home. Fay provides the gaps in all Eve's care. Not all parent/carers are able to advocate as Fay can, and this is a worry.
- Fay is not inflexible and understands that adjustments may need to be made to services.
- Community projects could be undertaken to help support people.

Fay also presented members with a letter from Eve:

Hello, my name is Eve,

Thank you for coming to meet us today. Welcome to our wonderful day centre. Let me make you welcome – grab a cuppa, pull up a chair and come and have a chinwag with me.

*I sustained brain damage when I was born so I cannot communicate with you in a conventional way. My sister Fay who (we joke) sometimes knows me better than I know me, will tell you what I want to say. My sister (who knows a bit about these things) says that I lack legal capacity for the purposes of the Mental Capacity Act 2005, as I understand do many people who attend the day centres. This means that, in addition to any other statutory duties, you guys have a legal obligation to act in our best interests. I have told her not to worry as I am sure that you are good people who will do right by us. I know that you are very busy people so I will get straight to the point - **PLEASE DON'T CLOSE OUR DAY CENTRES**. They are a lifeline to me, my friends, and our families - so vital to our physical and mental health and wellbeing.*

Let me tell you a little bit about me. I live at home with my sister Fay – I know she loves me lots and we do exciting things together, but I also need my own space. I am the ultimate GO FOR IT GIRL and although I love my sister and our home together, I also need to be out and about. It is also important for my relationship with my sister that (as much as we love each other) we have time apart. Because of my disabilities I cannot make friends in the usual way – my carers and colleagues at Rushbrook are my friends and their love and laughter lights my day. Rushbrook is a dream location as it enables me to engage in the activities which I enjoy - walking in Totnes, baking, music and art and crafts as well as the very important, social chit chat.

I have complex care needs and I need support with every aspect of my daily life including with eating, using the toilet and mobility I require 24-hour support from people who know me well to keep me safe and happy. The opportunity to walk is vital to my health and wellbeing and the staff who support me at Rushbrook have been trained to help me to retain my mobility. Also, I still have to be careful to minimise the risks of contracting covid which could be very serious for me.

My sister and I do not believe that the complex care and support which I receive from the wonderful guys at Rushbrook could be replicated by a private provider/ that any such change would be in my best interests. Covid was a terrible time for me, having to stay at home in isolation with my family (much as I love them) had a serious adverse effect on my physical and mental health and wellbeing. I feel like I have returned to the sunlight again at Rushbrook – please do not take that away from me and my friends. Thank you for listening.

Love from Eve xx

Conclusion

It was clear that the day centres members visited appeared to be operating below the critical mass. Members recognised the viability of the day centres had to be in question given the numbers of people using the service and that the direction of travel for Adult Social Care was very much to focus on developing the RFI service. Members recognised that expectations have changed in terms of day care provision, and it is about meaningful outcomes for the service user. However, members were also minded that RFI was not necessarily designed for the people who were currently using the day care settings that were visited, so while the ethos of RFI seemed admirable it was not a panacea for all. Appropriate provision must be available for those people like John, James and Eve whose complex needs require significant support and whose quality of care must never be compromised.

The Committee should continue to consider further visits in line with the work programme to broaden members understanding on complex topics.

Members also wished to place on record their thanks to the officers involved in leading the visits, along with the staff who supported the various tours of the different centres. Foremost, members wish to thank the service users, along with their parents and carers for their time and understanding during these visits.

**Councillor Richard Scott,
Chair, Replacement Day Car Service – Site Visits,
Health & Adult Care Scrutiny Committee**

Electoral Divisions: All
Local Government Act 1972
List of Background Papers
Contact for Enquiries: Dan Looker
Tel No: (01392) 382232

There are no equality issues associated with this report

Bibliography

[Learning Disability Day Service Review June 2022 – Impact Assessment \(Devon County Council\)](#)

Corporate Infrastructure and Regulatory Services
Scrutiny Committee

Modernisation of the Corporate Finance System Spotlight Review

February 2023

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1. Recommendations

The Spotlight Review asks the Cabinet to endorse the recommendations below:

- 1. The Spotlight Review supports the aims and vision of the Future Finance Project and requests Cabinet maintain corporate prioritisation of the project until at least December 2024.**
- 2. That the Cabinet ensures there is sufficient staffing and resources for the delivery of the project and is prepared, if required, to increase the number of officers supporting the project to ensure smooth delivery.**
- 3. The service considers the creation of a local archive of financial data in case of a potential breach or malfunction as part of Disaster Recovery and Business Continuity planning as FINEST gets closer to the end of its life, as per the recommendation from Moore Insight.**
- 4. That a Standing Overview Group (SOG) of the Corporate Infrastructure and Regulatory Services Scrutiny Committee is held around 3 months after the awarding of the contract to review the Future Finance Project and these recommendations.**

2. Introduction

2.1 This Spotlight Review was established following the masterclass session on Friday 20th May 2022 setting the Scrutiny Work programme for the municipal year.

2.2 The Council's current corporate financial system, FINEST, has been in place since December 1994. The platform that runs the system is being wound down in December 2024. FINEST is outdated, functionally limited and currently creates a risk to the Council's ICT infrastructure. This means the Council needs to move to another system with enough time for implementation and one that aligns to the Council's ICT strategy.

2.3 The Scope of the review was as follows:

"Scrutiny Councillors are asked to evaluate the Future Finance Project's aims, plans and risks to determine if the approach aligns to our corporate priorities and best value. In particular, focusing on quality, governance, and budget."

2.4 The timing for this Spotlight review was determined by the Council's need for Scrutiny involvement on the future corporate finance system before contracts are awarded. This is a time-critical project as the contract is expected to be awarded by April 2023. As such, this report will be reported straight to Cabinet on 8th March 2023 with Corporate Infrastructure and Regulatory Services (CIRS) Scrutiny Committee Members reviewing it at their meeting on 23rd March 2023.

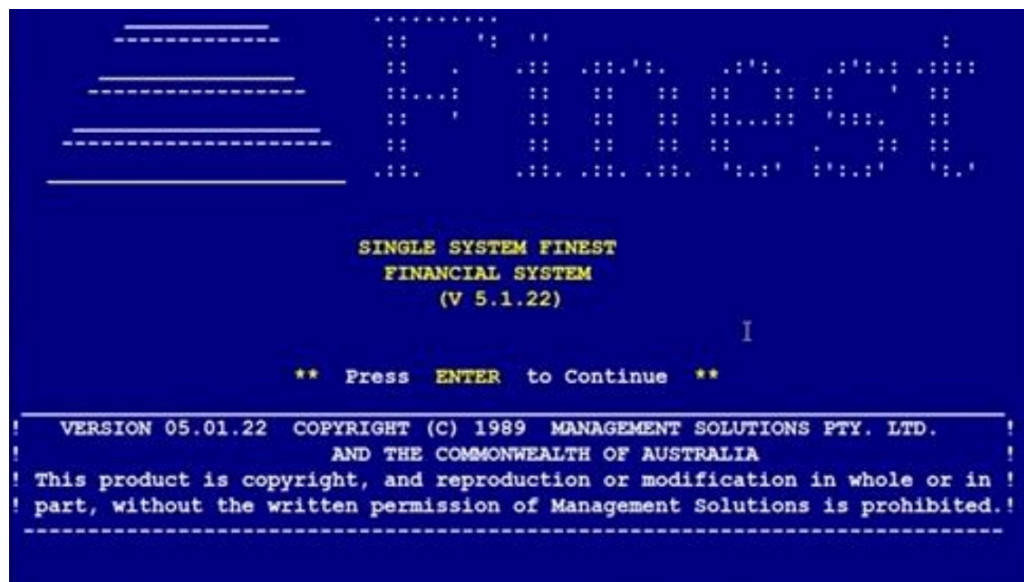
2.5 The spotlight review took place on the afternoon on Friday 10th February 2023 in a remote meeting via Teams. Membership of the spotlight review is detailed at the end of this report.

3. Background

4.1 Devon County Council's corporate financial system is a software system that contains the organisation's accounting records, detailed budgets, and enables the Authority to make financial transactions.

4.2 The importance of the finance system to the Authority and Devon's economy is not to be underestimated. Each year, around £1.6bn worth of payments and spending is transacted through the system and it underpins much of how the organisation works. Much of the processes, signs offs and interactions with the Finance team revolve around the use of the financial system.

4.3 The Council's current corporate finance system is FINEST, provided by Software AG (UK) Ltd. The Council has had this contract since December 1994 (Devon County Council, 2019). The value of the contract is £450,206 per annum (Devon County Council, 2022). There are also internal support costs. An example of the interface of the system is show below.



4.4 Currently, as the ledger system FINEST interacts with a number of other systems across the Council including:

- Line of Business systems including Social Care, Education, Highways, Transport, etc.
- Payroll and Expenses via Itrent.
- Payment Gateway via CIVICAPay.
- Credit Management via ASH.
- Purchase to Pay via ProcessFlows.
- Treasury Management via Logotech.
- Budgeting and Forecasting via Collaborative Planning.
- Management Information via PowerBI.

4.5 In June 2022, [Cabinet agreed](#) to fund the system replacement of £6.5 million from earmarked reserves as a one-off cost (Devon County Council, 2022). The cost is met from

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reserves rather than as capital expenditure due to the desired procurement of a cloud-based system which is financed via subscriptions rather than buying a piece of software.

4. FINEST replacement

- 4.1 With the platform (AIX) being discontinued on 31st December 2024, it leaves the Council in a position where it has no choice but to replace FINEST. This is because there is significant risk in trying to transfer the program to another platform and it would be an unacceptable risk to the authority to continue to use FINEST with no platform. With no platform, problems and issues would not be able to be resolved and it would leave the Council vulnerable to cybersecurity breaches and system failure.
- 4.2 The Council is the only known client left for FINEST in the UK, as all other users replaced the system well over a decade ago. This lack of commercial interest is one of the reasons why the platform is being discontinued by the supplier because of the lack of viability of the system.
- 4.3 Aside from this reason, there are a number of other reasons why the Council needs to move away from FINEST. The system is now more than 30 years old and the Spotlight Review was told that the Council has maximised the asset life of the software. FINEST is a manual process driven system. The language and coding of the system is dated and there is limited technical expertise on the system because professionals no longer work with the coding of the system. In addition, there is an increasing cost and risk to the Council. The increasing cost and risk are associated with the diminishing resources and expertise available to keep the system secure and maintained when problems occur. Witnesses highlighted there a very small number of Officers within the Council who had technical expertise on the system.
- 4.4 Members were told how the FINEST system is functionally limited. Modules have been added to it to expand its functionality but integration and interfaces between systems remains challenging. For example, Members were told how it is very hard to see a clear and complete snapshot of a budget at a given time without specialist finance support. It presents challenges for interoperability of data across systems and services which creates the need for manual processes to develop reports and format data for input. This creates risks around data quality and human error which undermines trust in system recorded data. In addition, it requires on premise support which does not align with the rest of the Council's ICT architecture, creating risks for business continuity and hidden costs for maintenance and integration (Devon County Council, 2022).

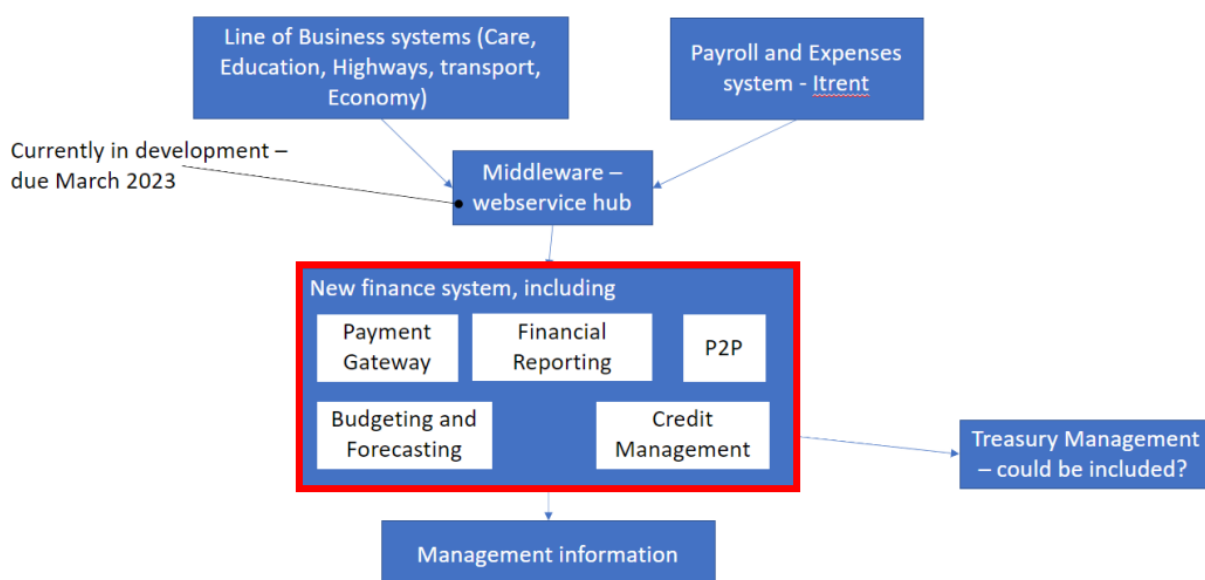
Procurement of a new corporate finance system

- 4.5 The Spotlight Review considered that the replacement of the corporate finance system presents an opportunity to replace a system based on modern technology. The project is aiming to bring in a new system, based on current best practice and to change the way the organisation works to make best use of it. The project is two-pronged, the first is the procurement of the finance system and the second is to ensure that a new system can transform the way the Council works and realise future benefits of the finance system.

4.6 The Spotlight Review was told that the Council intends to and is in the process of procuring a new corporate finance system. The Spotlight Review was advised that the procurement of a cloud-based system is the only viable proposal for the replacement of the corporate financial system. The project is using an “adopt, not adapt” principle, procuring a tried and tested system already available on the market to get the best from it rather than creating or customising an in-house own system.

4.7 The system that the Council is looking to procure will replace a number of systems into just one system including the payment gateway, financial reporting, budgeting and forecasting, purchase to pay and credit management. In order to interact with other systems, a middleware web service hub system is being developed to collect information from the other business and services systems and to standardise the way these systems process information and input into the financial system.

Expected future model



4.8 The new system also needs to align to the Council’s ICT strategy to reduce maintenance costs and reduce the level of risk to the Council. The Council’s ICT strategy promotes a “cloud-first” approach. According to witnesses, cloud-based software presents a number of benefits for the Council including the ‘evergreen’ principle. This is when the supplier holds the systems and software and is responsible for maintaining and upgrading the system. Most of the system ownership risk is therefore with the software provider.

4.9 Included within the £6.5m budget agreed by Cabinet, there is a 30% contingency fund. Members were told that the overall tender that went out to procurement wasn’t capped as the Council wanted to let the market understand the Council’s requirements and come back with a price. However, the bids that have been received so far are within expectations. The Spotlight Review was advised that a high contingency figure is appropriate, learning from previous experiences of system implementations in the Council. There is a contingency budget for inflation, however Members were told that in June 2022 there was no indication of the recent surge in the rate of inflation and

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Officers are mindful of the impact of this on the budget, although there are currently no major concerns.

4.10 The proposed timescale is to award a contract in April 2023 to allow for a one-year implementation period until April 2024. This leaves the Council with 8 months to transfer away from FINEST and to decommission the system by December 2024. The Spotlight Review was told from witnesses and from the external scrutiny consultants Moore Insight that the biggest risk to the Council is that the deadlines are not met. The one-year implementation period is already “tight” and any delays could be damaging to the Council. Moore Insight stated that missing deadlines is the “biggest challenge by far” to the project and that “speed is critical”.

4.11 As part of the governance of the project, the Council has sought external ‘critical friend’ consultants Moore Insight to be non-voting members of the project board to provide an assurance and advisory role. Moore Insight told the Spotlight Review that their work involves 5 formal points of review, their attendance at the project board meetings as well as regular contact with finance colleagues throughout the project.

5. Evaluation of the Future Finance Project

5.1 Members heard from a range of witnesses across the Council and partners who are involved in the Future Finance Project or have relevant experience in other fields to inform the work of the Spotlight Review.

5.2 To consider the evidence presented to the Spotlight Review and in reference to the scope of the Spotlight Review to “evaluate” the project’s aims, plans and risks, a SWOT analysis has been completed.

Strengths

5.3 The Spotlight Review believed that the replacement of FINEST and the procurement of a new corporate finance system would have a number of benefits to the authority. Members supported the view that FINEST needed to be replaced and that the project should be a priority for the Council.

5.4 Members supported the desire of the project to procure one cloud-based finance system and the project’s “adopt not adapt” principle. This means that the Council would procure a system from a known supplier which already exists and offset its risks in maintaining and upgrading the system. Examples of the common systems used in local government were given as Oracle and Unit 4.

5.5 Witnesses to the Spotlight Review assured Members that a cloud-based finance system would be compatible with the Council’s Digital and Technology Strategy and existing ICT infrastructure. Witnesses gave assurances that these systems would comply with the Council’s quality and performance standards and the Government’s technology code of practice. Members were told that the project is working closely with the digital technology teams, who have been involved in the specification in the procurement and the evaluation as members of the project board.

5.6 Members were confident that there was the correct governance process in place. The project board includes a number of staff from across different teams and witnesses told the Spotlight Review that they believe the right assurance is in place for the project going forward with a project board, involvement of Scrutiny Members and external scrutiny from Moore Insight. Members appreciated that while assurances were given, projects like these always carry an element of risk so were supportive of Officers completing additional work and re-challenging the Council's expectations to make sure the project team has considered as much as they can. Witnesses told the Spotlight Review that they appreciated the insight from Moore Insight in their assurance role and Officers offered to ensure there are future updates to Members as the project continues.

5.7 It was clear the project is taking a cross-Council view and seeking to take into consideration the lessons learnt from previous IT system implementations. The Spotlight Review was told how the project is taking the lessons learnt from Itrent team that they needed more people and time for training and supporting users. The project team is expecting to need to provide a range of time and methods for training, although this depends on the system that the Council procures. The project team has also been in contact with other teams on their experiences on getting staff engaged in projects across the Council and 'champions' roles. Members were pleased to hear some of this work has start already with some testing from potential bidders from across the organisation and that there is an 'Advocates' group of around 50 members of staff committed to the project.

5.8 Members were concerned about the implementation and how the Council would be able to track the performance of the system. The Spotlight Review was informed that software exists which can support the transition by being able to see if the old and new systems reconcile and if the system produces a budget report. Moore Insight suggested GL Link as software to consider. If a problem is uncovered, the Finance team could revert to the old system to solve it. Once the Council is completely on a new system, Officers can monitor throughput of invoices and payment deadlines which indicate processing speeds. Officers can also process help desk calls and logs to see what users are reporting back as issues.

Weaknesses

5.9 Members considered one weakness in the project and the replacement of FINEST. While supporting the 'adopt not adapt', it means that the Council cannot customise its future software system and instead will "take something off the shelf". This will mean that there will be compromises in what the Council's requirements are against what current systems can offer. However, the current systems that the Council could potentially procure are of "good" quality and performance and many other local authorities use them.

Opportunities

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- 5.10 The Spotlight Review considers the implementation of a new finance system presents a number of opportunities including the potential for a cross-council transformation of how the organisation uses financial information.
- 5.11 One of the immediate benefits of a new, modern system is the increased dynamism of the finance team and the efficiencies that could be found. Witnesses highlighted that a number of processes will be made redundant and there will be a reduction in manual tasks and improved productivity for staff. Creating reports and data manipulation will be easier and less laborious as all the information will be on one system rather than multiple systems.
- 5.12 In the longer term, there could be some savings as efficiencies are embedded. Whilst Officers made clear there are no expectations of redundancies immediately. As staff leave or retire through natural wastage there may be some long-term savings to realise efficiencies brought about by the modern system. Members heard that in the first instance, the project is aimed at making processes redundant and retaining staff to help with the longer-term transformation.
- 5.13 Members heard that the second part of the project, once a new system has been implemented, is about the Council's use of financial data and improving financial leadership across budget holders. This includes a wider transformation of how the organisation works. A cloud-based finance system will allow budget holders to be able to access more information about their budgets. This will increase the use of self-service within Finance and allow for budget holders to look through some of the detail themselves without needing to rely on Finance colleagues.
- 5.14 This means the budget holders will be empowered to see real-time information and use it to help with their decision making. Part of the project is based around how the organisation uses financial data to make timely, informed decisions. Members were told that there needs to be a change in the mindset of the organisation on how it accesses and uses data. A new system presents a number of cultural opportunities for leaders and managers, but those leaders and managers need to engage with the data. Officers described the longer term transformation is about how the organisation embeds financial leadership in the organisation rather than just seeing finance as "accounting". This will involve looking at how the Council spends money, making strategic decisions, scrutinising the public value of spending and challenging and supporting the organisation to do this.
- 5.15 While this is not an immediate benefit, it is part of the project's vision. Members were told that with a number of processes being made redundant, finance colleagues will have more time to support other staff and services to help embed financial leadership and embed financial data into their everyday work.
- 5.16 Witnesses also added that Members too could be users of the new system and the new system could improve Members' access to financial information and the Finance team to help them understand and scrutinise the Council's financial position and budgets, should Members wish to gain access to the system.

5.17 The Spotlight Review was told that the new system will have additional modules that can be added if needed to acquire new functionality if the Council's structures change. This is one of the advantages of cloud-based system: being able to scale up or down. This means that the system can grow and evolve with the organisation should internal or external structures change. Currently, FINEST would present considerable challenges if structures changed so a new system provides opportunities should the Council move to change any structures. In addition, the Spotlight Review was told that with a new system, the Council could expand its collaboration with partners and there is a potential for sharing support or services, but consideration has to be made and it would be for the Council to decide how to use its resources.

Threats

5.18 The Spotlight Review considered that the biggest threat to the project is the potential lack of available resources and the potential for the organisation to miss its deadlines which would leave the Council open to an unacceptable level of risk.

5.19 Members heard that the greatest challenge by far to the project is the timescales because of the very tight timetable to implement a new system. The Spotlight Review was told that "time is not on our side" which Moore Insight supported by stating that it takes around one year to implement a new system. The Council has one year in its project plan to move off FINEST by April 2024 and to have an 8-month post-implementation period.

5.20 Members understood that the project cannot afford to run over time wise, as the current timescales are just about realistic, and the project can't go beyond December 2024. Members were told that normally with some projects, there are some options to postpone or extend projects, but this could not happen with this project. To mitigate against this, the tender documents that went out to suppliers are clear about the timescales, deadlines and the expectations for potential bidders. These plans will be scrutinised when the Council has chosen a potential preferred bidder and the project team would do a deep dive into their products and solutions. The Spotlight Review considered that these plans and decisions could be considered and scrutinised when Officers update Members at a later date.

5.21 Members considered that a threat to the project is the sheer scale of the work that is involved to get the organisation ready to implement a new piece of software. Implementing new systems is complex and requires a large amount of due diligence. Moore Insight told the Spotlight Review that the Council's project plans needed to be wider than the software provider's plan because the organisation has more to do. This is not stressed during the sales cycle as the organisation sometimes has up to 3X more work to do including data cleansing, data migration and testing. As such, the Council needs to be aware of the resource implications.

5.22 In order to meet deadlines Members of the Spotlight Review were mindful about the resources and organisational capacity for the project. Witnesses commented that the Council has made assumptions about the level of resources needed and there may be a need during the implementation phase to 'pivot' staff to the project for testing. This

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would have to be resourced from within existing teams. Members were concerned that if there was no additional budget, then additional staff might have to be brought into the project, maybe at short notice. Without this, there could be a threat to the success of the project. Without the correct resources at the right time, timescales and deadlines could slip and this could leave the authority in an unacceptable position.

5.23 Members considered the work being undertaken in the data cleansing processes and ensuring it is in a usable condition for the new system. Members were concerned that not enough data cleansing work was being completed currently and Officers were aware of some gaps and some repetition in the data that needs cleansing. Members were informed that the project team has gone out to market for external support for data cleansing because some of the work can be automated but were concerned to learn that the organisation needs to do more to be ready for the implementation.

5.24 Members were concerned about the security of any new system and how the Council can ensure that it is secure. Moore Insights highlighted that cloud systems are very well protected from a cybersecurity point of view and the evergreen principle means the Council does not have responsibility for that risk. Witnesses added that through the procurement process there are checks and balances around GDPR and cyber security assessments to check the required resilience of the suppliers.

5.25 In relation to that, Members raised the cost of the authority to store records securely from FINEST. Witnesses stated that the project is reviewing storage through the data migration strategy to fit into legal timescales (6+1 years for most records) and how much data we need to keep. The Spotlight Review was told that project team has asked potential suppliers on the cost they expect when migrating and can update Members on the budget in due course.

5.26 The Spotlight Review heard that the biggest risk to the authority and the project is incomplete financial data to back up records should something go wrong. Whilst there is a low probability of this happening, it would have a very high impact. Advice sought from Moore Insight was to recommend to build up a local archive of financial data every day. Whilst the Members heard that some of this work is going, Members want to ensure this is taken seriously and actioned by the project team as a matter of urgency.

6. Conclusion

6.1 From the SWOT analysis, the Spotlight Review clearly believes that there are a number of strengths and potential opportunities with the project and the implementation of a new corporate finance system.

6.2 The Spotlight Review supports the aims and vision of the Future Finance Project and believes that there is a clear opportunity for the Council with the replacement of FINEST to modernise and transform the Council's systems and use of financial data.

- 6.3 Members of the Spotlight Review articulated their experience of previous finance systems and implementations and were pleased to see that the project was drawing upon the experiences of other teams to learn lessons from previous systems.
- 6.4 There are a number of threats and challenges to the project which could be critical to the success of the project. However, Members were assured that witnesses across the Spotlight Review understood the risks of the project and that appropriate mitigations were in place.
- 6.5 Members understood that projects of this size inevitably carry risks for the authority but recognise the advice that the current risks to the authority with FINEST are higher than risks associated with the procurement and implementation of a new system.
- 6.6 The Spotlight Review wishes to impress on the Cabinet and Council the urgency of this project. Any delays past December 2024 would be unacceptable and severely damage the reputation of the Council.
- 6.7 Finally, the Spotlight Review wished to place on record its thanks to the teams behind the project and commended the work of the teams thus far.

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7.Sources of evidence

The Spotlight Review heard testimony from a number of witnesses and would like to express sincere thanks to the following people for their contribution and the information shared:

Alex Hosking	Assistant Director of Finance	Devon County Council
Jenny Ryding	Head of Finance Transformation	Devon County Council
Gavin Punchard	Procurement Manager – ICT	Devon County Council
Bradley Hutton	Senior Assurance Manager	Devon County Council
Marisa Smyth	ICT Strategy and Engagement Manager	Devon County Council
Carl Haggerty	Strategic Interventionist	Devon County Council
Peter Morley	Director	Moore Insight
Nathan James	Client Delivery Director	Moore Insight

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8.Spotlight Review Membership

The Spotlight Review was chaired by Councillor Jacqi Hodgson and membership was as follows:

Corporate Infrastructure and Regulatory Services Scrutiny Committee	
Councillor Alistair Dewhirst	Councillor Jacqi Hodgson
Councillor Jeff Trail	

9.Contact

For all enquiries about this report or its contents please contact:

Charlie Fisher, Scrutiny Officer (charlie.fisher@devon.gov.uk)

NOTICES OF MOTION

Report of the Director of Legal and Democratic Services

Recommendation: that consideration be given to any recommendations to be made to the County Council in respect of the Notices of Motion set out hereunder having regard to the relevant factual briefing/background papers and any other representations made to the Cabinet.

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The Notices of Motion submitted to the County Council by the Councillors shown below have been referred to the Cabinet in accordance with Standing Order 8(2) - for consideration, reference to another committee or to make a recommendation back to the Council.

A factual 'Briefing Note/Position Statement' prepared by the relevant Director is included, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) Protect the Right to Free Camp on Dartmoor - Councillor Wrigley**

Devon County Council joins with the thousands of Devon residents and is beyond shocked and appalled by the effective ban on wild camping on Dartmoor arising from a recent court decision.

This Council supports Dartmoor National Park in its rightful and spirited defence of wild camping, a right enjoyed by generations of local people and visitors.

Council condemns the loss of this right and calls on Government to enact urgent legislation to reinstate wild camping and protect the rights of people to fully enjoy Dartmoor.

Council asks the Leader and Chief Exec to write in the strongest terms to Members of Parliament for Devon, the relevant Secretaries of State and the Prime Minister urging them to act to restore the right to wild camp on Dartmoor.

### **Briefing Note / Position Statement from the Director for Climate Change, Environment and Transport**

As widely covered by the press and media and set out in this Notice of Motion (and the one at (c) in the briefing paper), the High Court declared on 13 January 2023 that Section 10(1) of the Dartmoor Commons Act 1985 does not confer on the public any right to pitch tents or otherwise make camp overnight on the Dartmoor Commons. This ruling has prompted public concern and protest about the potential loss of a long-standing tradition of wild (or backpack) camping on Dartmoor and the resulting benefit, in terms of physical and mental wellbeing, for those who engage in this activity. At its

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meeting on 27 January, Dartmoor National Park Authority (DNPA) agreed to seek permission to appeal this High Court judgement.

Elsewhere in the country wild camping is not permitted without prior permission from the landowner although, in some instances, such activity is tolerated.

Notwithstanding this decision, the Authority has also reached an agreement with The Dartmoor Commons Owners' Association to discuss how backpack camping on some parts of the Dartmoor Commons can continue. The detail has yet to be developed but, in essence, landowners would enter into a legal agreement with DNPA which would grant permission to allow the public to backpack camp on specified land. For these areas a member of the public wishing to backpack camp would not have to seek the approval of the landowner as it would already have been granted via the agreement. The location of these areas is shown on an interactive map on the DNPA website. People backpack camping will not be charged under this system. The new agreements will involve a payment to landowners by DNPA, but the amount has not yet been discussed in detail. These costs have not been budgeted for by the Authority, which is asking Defra if it will provide funding to support this process.

This legal case has brought into focus some of the issues which can arise from unregulated activities undertaken on the Dartmoor Common, such as discarded waste and increased threat of vegetation fires. For this reason, DNPA promotes compliance with a 'Backpack Camping Code' to protect Dartmoor's fragile moorland environment. It also emphasises that camping in family sized tents, as a large group, in camper vans and motor homes must be within designated campsites and that overnight sleeping in vehicles at the roadside or in car parks is not permitted under National Park byelaws.

Defra is understood to be liaising with all National Park Authorities at present in relation to this issue of wild camping. There have also been some calls for action by central government, as noted by the Notices of Motion.

## **(b) Forced Installation of Pre Payment Meters - Councillor Atkinson**

Citizens advice says across the UK 3.2 million people on prepay meters were left with cold and dark homes last year as they ran out of credit. Also 600,000 people were switched from credit meters to prepay in 2022, compared with 380,000 in 2021. With more freezing weather forecast we welcome British Gas announcement that it will halt the use of warrants to install prepayment meters.

This Council

1. calls on Government to urgently review how energy vulnerability can be reduced including considering extra financial support for struggling households; and
2. calls on energy suppliers to agree a three-month moratorium on the installations of gas or electricity prepayment meters including freeze on the use of court warrants to gain entry to homes to fit prepay meters, or automatic switching of smart meters onto prepayment ones.

## Briefing Note / Position Statement from the Head of Policy

The energy regulator, Ofgem, has launched an urgent investigation into British Gas after it emerged that agents working on its behalf ignored customers' vulnerabilities. Ofgem stated that "It is unacceptable for any supplier to impose forced installations on vulnerable customers struggling to pay their bills before all other options have been exhausted and without carrying out thorough checks to ensure it is safe and practicable to do so. We have launched a major market-wide review investigating the rapid growth in prepayment meter installations and potential breaches of licences driving it. We are clear that suppliers must work hard to look after their customers at this time, especially those who are vulnerable. The energy crisis is no excuse for unacceptable behaviour towards any customer, particularly those in vulnerable circumstances."

The Government continues to review energy vulnerability and support. In its Autumn Statement, the Government committed to further Household Support Funds (HSF no4 & no.5). Funding from HSF1-3 has been deployed to assist households struggling financially to obtain food, energy and other essentials; locally and of particular relevance will be the Energy Relief Scheme operated through Citizens Advice Devon as well as the Minor Rapid Energy Improvement Scheme pilot via Sustainable Warmth.

To date, each HSF scheme has covered a six month period, with the DWP related HSF guidance being reviewed prior to each new fund being released. Throughout the period, certain cohorts of households have been targeted over that time, e.g. households with children. Households of pensionable age. Our approach with regards the current HSF (no.3) scheme can be seen here – [Benefits, money and debt | Cost of living | Devon County Council](#)

In addition, household support and food/fuel insecurity were discussed recently at Scrutiny (30/01/23); the session focused on household support, community resilience building and the latest DCC funded research on food and fuel insecurity (conducted initially in 2021 and repeated 2022). The data from the research will continue to inform local partnerships, their understanding, learning and response.

The Food Insecurity research: [Support for families as food poverty rises - News \(devon.gov.uk\)](#)

The Scrutiny Committee session (containing headline data from research) - [Food Insecurity and Response to Household Support.pdf \(devon.gov.uk\)](#)

In addition, running parallel to the Household Support Fund schemes, the Government announced this week (w/b 06/02/23):

...that over eight million families in the UK will continue to receive direct financial support from the government. The first of five cost-of-living payments, worth £301, will be paid into bank accounts this spring. Over 6.5 million people on disability benefits will also receive a £150 payment this summer.

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DWP has also released a full breakdown showing recipients of cost-of-living and disability payments by council and parliamentary constituency.

Announcement: [Over 8 million families in the UK to receive new Cost of Living Payment this Spring - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/over-8-million-families-in-the-uk-to-receive-new-cost-of-living-payment-this-spring)

## **(c) Special Education Needs (SEND) Budgets and Deficits - Councillor Atkinson)**

Councils like DCC use the high needs funding block of the DSG to fund statutory Special Education Needs provision as required by law. Since its introduction the government has repeatedly refused to fund this adequately. This has meant that to meet its statutory duty DCC has spent £127m from reserves to fund this. The Government has allowed Councils like DCC to keep ever increasing deficits on spending for children with special educational needs and disabilities off their balance sheets and has approved an extension of this for a further three years. The Government's local government finance policy statement published in December says that the statutory override for the Dedicated Schools Grant (DSG) will be extended for the next three years, from 2023-24 to 2025-26.

This money has already been spent on SEND services by DCC to the tune of £127m by the end of this financial year. Across the UK the total deficit by all councils is expected to be £2.3bn which the government is refusing to fund. This deficit in Devon will only increase and can only be met out of our reserves or borrowing. Our reserves have already been run down to breaking point and the deficit has arisen as a result of the government's withdrawal of £135 m of Revenue Support Grant and inadequate funding in the DSG.

The statutory override means that any DSG deficits are not included in DCC Council's main revenue budgets. It also means that £127m is now unavailable to invest to save in much needed capital projects to benefit Devon residents.

The Government has said it may consent to a capitalisation of some or all of this deficit. This means that DCC would have to take out long-term borrowing at current interest rates of up to £127m so that the borrowed money could be available for capital spending on projects in Devon. It is contrary to local government law for us to do this without consent and it is also contrary to good economic planning to borrow money (other than in the short term by way of an overdraft) to be spent to pay off deficits for revenue spending or to fund revenue services. People in Devon would in effect be asked through their council tax to fund the paying off of this revenue debt run up by the government's refusal to fund SEND services. This loan would be repaid over say 25 years. This means our residents their children or grandchildren will be paying through council tax to pay off the capital and interest on the loan for services that they obtained no benefit from as they have already been provided before the loan was taken out.



This Council

1. Calls on the government to pay DCC £127m, for this SEND deficit in 2023 so that this money can be used to invest in Devon.
2. Believes it is wrong for government to expect local authorities like Devon to borrow money on capital markets to fund past and present services.

## **Briefing Note / Position Statement from the Directors of Finance and Public Value and Children's and Young Peoples Futures**

The County Council has put forward sensible, pragmatic proposals to the DfE for meeting the accumulated deficit in the Government's Dedicated Schools Grant for Devon arising from the overspend in the High Needs Block. The County Council believes these proposals properly recognise that the authority and Government have a shared responsibility to address the deficit as a matter of urgency. From discussions with the DfE, the County Council believes this is accepted by the Department as a workable solution and therefore looks forward to a finalised agreement being reached at pace. Securing financially sustainable special needs provision in Devon is essential to ensuring children rightly have the support they need now and in the future, and provides parents with confidence and reassurance. To that end, the County Council is driving forward with a comprehensive plan of action which includes increasing maintained and academy special school capacity in Devon with Government support, reducing dependency on costly independent sector placements, working collaboratively with the NHS to provide better therapeutic support to children and working with Devon schools to ensure children are better supported in mainstream schools.

### **(d) Dartmoor National Park - Councillor Barnes)**

In January, the right to backpack camp on certain common land in Dartmoor National Park without permission from the landowner was lost after a wealthy landowner took the park authority to court. It was the last place in England and Wales where there was a right to backpack camp. Under an agreement reached, the National Park Authority will now have to pay landowners an unknown fee for permission to camp on land that private landowners are willing to put forward.

This Council believes that

- Dartmoor National Park provides many opportunities for all of Devon's residents to responsibly enjoy and protect our great open spaces
- The ancient right to sleep under the stars on Dartmoor should be protected for future generations

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This Council resolves to

- Criticise the decision made to restrict the right to backpack camp on Dartmoor National Park
- Robustly defend the right to backpack responsibly on appropriate land by expressing support for Dartmoor National Park's appeal
- Write to the government to urge them to adopt Labour's pledge to enshrine the right to roam in law

## **Briefing Note / Position Statement from the Director of Climate Change, Environment and Transport**

Please see briefing note in response to (a)

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This Report has no specific equality, environmental, legal, or public health implications that will not be assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements in relation to the matters referred to herein.

MARIA PRICE

[Electoral Divisions: All]

### **Local Government Act 1972: List of Background Papers**

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

| <b><u>Background Paper</u></b> | <b><u>Date</u></b> | <b><u>File Reference</u></b> |
|--------------------------------|--------------------|------------------------------|
|--------------------------------|--------------------|------------------------------|

NIL

## STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

9 February 2023

Present

Group A: Christian and Other Religion and Belief Communities (with the exception of the Church of England)

W Becher, K Denby, J Carpenter, M Miller

Group B: The Church of England

C Hulbert, K Keatley, T Wilson

Group C: Teachers Associations

P Hammett, W Harrison, E Mihas, B Twigg, R Flanagan

Group D: Devon County Councillors

T Adams, J Bradford, C Channon, M Squires, D Thomas

Co-opted Members

J Goody, R Northcott, S Spence

Apologies:-

M Hext, R Nathwani, J Taylorson, J Roberts, P Randall, E Pawson and E Underwood

### 13 Minutes

The minutes of the meeting held on 7 November 2022 were signed as a correct record subject to an amendment that Belinda Twigg is part of Group C.

### 14 Items Requiring Urgent Attention

There were no items requiring urgent attention.

### 15 Devon SACRE Membership

- The representatives of each group are as follows:

Group A - Christian and other religion and belief communities (with the exception of the Church of England) – Bill Becher

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Group B – The Church of England – Tatiana Wilson

Group C – Teachers Associations – Belinda Twiggs

Group D – County Council – TBC

- Helena Hastie to step down as Baha'i representative (group A)

## 16 **Standards: Monitoring and Ofsted reports**

Members were updated on the findings published in recent Ofsted reports, particularly where comments related to Religious Education (RE), collective worship or Spiritual, Moral, Social and Cultural development (SMSC) of pupils. Support to be offered to schools reported to need support.

Schools in Topsham, Stoke Canon and St Helens are to be congratulated on their outstanding practice.

The following link was requested to be included for information:

<https://www.gov.uk/government/publications/research-review-series-religious-education/research-review-series-religious-education>

## 17 **Devon SACRE: Agreed Syllabus Review**

An Agreed Syllabus Conference (ASC) would be set up to coordinate the process review.

Members nominated:

Group A – Keith Denby

Group B – Kelly Keatley, Claire Hulbert

Group C - Belinda Twiggs, Ruth Flanagan

Group D – Dan Thomas

The initial meeting of the ASC, in conjunction with members of Torbay SACRE would be called during the Spring Term 2023 to scope the role and purpose of the group.

## 18 **Learn Teach Lead RE: updates**

A successful annual conference, addressed by Dr Richard Kueh, Ofsted lead for RE was held in October 2022, with over 100 delegates in attendance at the St Mellion Conference Centre.

Hub leaders met in the preceding afternoon for a training session.

More hub leader training sessions are planned for the Spring and Summer terms 2023. Jason Singh has been invited to the South Devon and Torbay LTLRE Hub on March 2023 session to bring Art and Beliefs together.

Many hubs have been meeting in person over the last year, with others continuing to offer meetings virtually. It was noted that the new SWIFT Online hub had been very successful.

During general discussion it was noted that Quaker representatives had visited year 7 and 9 students.

## 19 National Developments

During discussion it was noted:

- The Department for Education's workforce survey showed that one in five schools offer zero hours in RE in year 11.
- 27.4% of academies without a religious character reported provision of zero hours of RE to year 11.
- The Schools Minister had encouraged use of the complaints process to address concerns about schools not providing RE. Devon SACRE had submitted a complaint with no satisfactory conclusion due to no clear benchmark on acceptability.
- A number of webinars are available through Regional RE Hubs and attendance was encouraged. (marketing@regionalrehubs.co.uk)
- A national standard for RE was being pursued.
- Consideration that some specialised teacher training for the subject should be mandatory
- Promotion of a free of charge course devised by Exeter University. Details: <https://courses.cstg.org.uk/course/index.php>

## 20 Holocaust Memorial Day:

- Over 600 people gathered for the opening ceremony at Exeter Cathedral, including representatives from a variety of faith and community groups.
- Rob Rinder and Bernie Graham gave a presentation, describing some of the work with secondary school children across the country.
- Over 200 school pupils were involved in the Exeter events from eight schools across the County.
- Presentations were given on Kindertransport and the Gypsy Holocaust
- The closing ceremony was hosted by the Jewish community Philippe Sands (author and International Human Rights lawyer) would be speaking at the Exeter commemorations on Friday 26th January 2024
- A number of Committee Members expressed their appreciation for the work undertaken for the organisation of the event in Exeter.

## 21 Exploring Diversity in Devon Schools

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The scheduled session led by Lorna Legg to be rescheduled to the 23 June 2023 meeting

## **22** Future SACRE Meetings

The next meeting of the Committee to be held at 10.00am on Friday 23 June 2023 at County Hall, Exeter.

## **23** SACRE Training

The South West SACRE conference will be held online on the 6th March 2023 at 1-4pm.

### **NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.00 am and finished at 10.50 am

## FARMS ESTATE COMMITTEE

20 February 2023

### Present:-

Councillors J Yabsley (Chair), J Brook (Vice-Chair), A Dewhirst, H Gent, L Samuel, C Whitton, M Broom and L Warner

### Apologies:-

Councillor J Berry

\* **69**      **Minutes**

**RESOLVED** that the minutes of the meetings held on 5 December, 19 December, 20 December 2022 and 9 January 2023 be signed as correct records.

\* **70**      **Items Requiring Urgent Attention**

The Chair asked the Committee if they would consider item 7 about the Use of Glyphosate in the Agricultural Industry as the first main item on the agenda to allow the guest speakers to present and then leave the meeting. It was **MOVED** by Councillor Brook and **SECONDED** by Cllr Dewhirst and **RESOLVED** this item be considered next on the agenda.

There were no other items raised as a matter of urgency.

\* **71**      **The Use of Glyphosate in the Agricultural Industry**

The Committee received a presentation from advisers from the National Farmers Union (NFU) regarding the use of Glyphosate in agriculture. This explained that the chemical compound was used in most herbicides in the agricultural and horticultural industries and had been in use for nearly 50 years. Glyphosate was approved for use in the European Union (EU) until 15 December 2022. The five year approval was granted by the European Commission (EC) in 2017 following separate assessments by the European Food Safety Authority (EFSA) and the European Chemical Agency (ECHA). The approval was extended for one year until 15 December 2023. Members were told there was no like for like replacement for it and alternative methods were more costly and could be more labour intensive. In 2021 a rapporteur Member State report on Glyphosate had concluded that the classification of glyphosate for mutagenicity, reproductive toxicity, specific target organ toxicity, and carcinogenicity were not justified. The report also stated that glyphosate cannot qualify as an endocrine disruptor.

Members questions and discussion points raised including:

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- The importance of glyphosate for min-till or no-till farming operations and therefore climate change
- Conflicting findings on the potential damage to health although the majority of evidence concluded it was unlikely to be carcinogenic
- The costs involved in controlling weeds and looking after crops without glyphosate
- Tenants would be at a financial disadvantage if the Council prevented the use of an otherwise lawful and highly regulated herbicide on the Estate
- Recognition that farmers were probably more targeted in their use of glyphosate than perhaps in the past
- The higher price of organic produce is likely to be associated, in part, with the more labour intensive farming practices required in the absence of herbicides
- Ensuring the committee kept up to date about any changes in this area as safety was the top priority

Cllr Gent requested it be formally noted that he was not in favour of trying to prevent tenants from using glyphosate.

After consideration of the presentation, discussion and debate it was agreed that the Committee was content that tenant farmers should be able to continue to use glyphosate on council owned land while it remained a lawfully permitted and highly regulated product as part of a prudent Integrated Pest Management Plan.

## \* 72 **Revenue Monitoring (Month 10) 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/23/21) on the County Farms Estate Revenue Monitoring (Month 10) 2022/23, noting the target surplus of £534,000, which was an increase of £70,000 on the previous year's target, and detailing income and expenditure to date.

The report covered income and expenditure on tenant right valuation accruals, repair works, redundant buildings, testing and inspection works, tree survey work and building maintenance.

There was a Committee Member question about the current position of the maintenance programme. The meeting was informed the spend profile at year to date was behind schedule due to awaiting tenders and prioritising contracts exacerbated by construction industry inflation and volatility in pricing. However, there would be an improvement in the situation very soon as a number of tenders for works programmed to be substantially completed in year were about to be signed off. It was highlighted that there would remain a lower priority maintenance backlog to be addressed in future years due to limits to the budget.



The Committee **ENDORSED** the report.

\* 73 **Capital Monitoring (Month 10) 2022/23**

The Committee received the Report of the Director of Finance and Public Value (DF/23/20) on the County Farms Estate Capital Monitoring (Month 10) 2022/23, noting that the approved capital programme for 2022/23 included schemes totalling £1,000.00.

It was also noted that an 'underspend' of £25,787 in 2021/22 and an in-year receipt of £30,000 brought the balance of capital available to spend in 2022/23 to £1,055,787.

Members' questions and discussion included:

- Capital Farm Estate disposals where acreage sold showed as nil – this was due to an overage payment and a deed of variation where on land is sold.
- The use of PV panels for generating electricity - these were only used where it was thought suitable after consideration of the orientation, slope, shading, and structure of the building

The Committee **ENDORSED** the report.

\* 74 **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/01) on the County Farms Estate Management and Restructuring issues.

(1) Land at Glebe Farm, West Putford

It was **MOVED** by Councillor Gent **SECONDED** by Councillor Brook and

**RESOLVED** that the 27.85 hectares (92.90 acres) or thereabouts of bare land at Glebe Farm, West Putford be advertised to let in internal competition between the tenants of Merrifield Farm, Holsworthy; North Hele Farm, Buckland Brewer; and Lower Alminstone Farm, Woolserly on a five year Farm Business Tenancy (or for a shorter term to co-terminate with the term date of the successful tenant's main holding tenancy) commencing 25 March 2024, subject to terms being agreed.

(2) Part Beara Down Farm, Bratton Fleming

It was **MOVED** by Councillor Gent, **SECONDED** by Councillor Brook and

**RESOLVED** that:

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- (a) the farmstead, comprising NG 9089 and extending to 1.32 acres or thereabouts be declared permanently surplus to the requirements of the estate and sold for residential development with outline planning consent as soon as practically possible.
- (b) the 16.45 hectares (40.65 acres) or thereabouts of bare land at Beara Down Farm, Bratton Fleming be advertised to let in internal competition between the tenants of Beara Down Farm, Bratton Fleming; Chapel Farm, Marwood; Prixford Barton Farm, Marwood; Little Stone Farm, South Molton; Great Stone Farm, South Molton; and Great Blakewell Farm, Chittlehampton, on the following subject to contract basis:
  - (i) *the 26.05 acres of land or thereabouts forming part Beara Down Farm and more particularly described as OS 0800, 0805, 1500, 3122, 4425 and 5625 be let on a further separate five year Farm Business Tenancy commencing 25 March 2024;*
  - (ii) *parts NG 7200, 0005 and 9793 extending to 12.87 acres or thereabouts of bare land be let to the same tenant as (i) above but on a series of consecutive 12 month Farm Business Tenancy Agreements until 25 March 2029 or until such times as the development potential of the land can be realised, whichever the earlier; and*
  - (iii) *part NG 0005 amounting to 1.73 acres or thereabouts of bare land be let to the same tenant as (i) and (ii) above but on a series of consecutive seasonal grazing agreements until 25 March 2029 or until such times as the prospective buyers complete on the subject to contract and planning purchase, whichever the earlier.*

### (3) Part Higher Henland Farm, Kentisbeare

It was **MOVED** by Councillor Gent, **SECONDED** by Councillor Brook and

**RESOLVED** that Part Higher Henland Farm Kentisbeare, amounting to 9.89 hectares (24.45 acres) or thereabouts of bare land be advertised to let in internal competition between the tenants of Higher Henland Farm, Kentisbeare; Lower Henland Farm, Kentisbeare; Westcott Farm, Burlescombe; Great Southdown Farm, Burlescombe; Dungeons Farm, Cullompton; Tarrants Farm, Payhembury; and Perriton Barton Farm, Whimple on a five year Farm Business Tenancy (or for a shorter term to co-terminate with the term date of the successful tenant's main holding tenancy) commencing 25 March 2024, subject to terms being agreed.

### (4) Dungeons Farm, Cullompton

It was **MOVED** by Councillor Yabsley, **SECONDED** by Councillor Samuel and

**RESOLVED** that the farmhouse, buildings and 65.11 hectares (160.01 acres) or thereabouts of land at Dungeons Farm, Cullompton be advertised to let as an equipped residential progression dairy farm in internal competition between existing tenants of the Estate and on a Farm Business Tenancy for a term of up to 15 years commencing 25 March 2024 and expiring 25 March 2039, subject to terms being agreed.

(5) Lower Uppacott Farm, Mariansleigh

It was **MOVED** by Councillor Yabsley, **SECONDED** by Councillor Dewhurst and

**RESOLVED** that the farmhouse, buildings and 34.56 hectares (85.45 acres) or thereabouts of land at Lower Uppacott Farm, Mariansleigh be advertised to let on the open market as a new entrant opportunity and on a Farm Business Tenancy for a term of seven years commencing 25 March 2024 and terminating 25 March 2031, subject to terms being agreed.

(6) Glebe Farm, Rattery

It was **MOVED** by Councillor Yabsley **SECONDED** by Councillor Brook and

**RESOLVED** that NG 8938 and Part 0037 amounting to 0.64 acres or thereabouts be declared permanently surplus to the requirements of the Estate and sold for residential conversion with the benefit of Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

(7) Higher Fingle Farm, Drewsteignton

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Samuel and

**RESOLVED** that:

- (a) The tenant's proposed surrender of Higher Fingle Farm, Drewsteignton at 25 March 2025 be accepted subject to an Agreement to Surrender and a Deed of Surrender being signed before 25 March 2023.
- (b) The tenant's proposed surrender of the 27.97 hectares (69.11 acres) of land at Great Parks Farm, Crediton at 25 March 2025 be accepted subject to an Agreement to Surrender and a Deed of Surrender being signed before 25 March 2023.
- (c) The tenant's proposed surrender of the 11.86 hectares (28.61 acres) of land at East Week Farm, South Tawton at 25 March 2024 be accepted subject to an Agreement to Surrender and a Deed of Surrender being signed before 25 March 2023.

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- (d) It be acknowledged and accepted that the current tenant of Higher Fingle Farm, Drewsteignton be allowed to vacate the farmhouse and farm another commercially viable holding rented locally in the private sector during a transitional and phased progression move between 25 March 2023 and 25 March 2025.
- (e) The farmhouse, buildings and 22.83 hectares (56.41 acres) or thereabouts of land at Higher Fingle Farm, Drewsteignton be advertised to let on the open market as a new entrant opportunity and on a Farm Business Tenancy for a term of seven years commencing 25 March 2025 and terminating 25 March 2032, subject to terms being agreed.
- (f) The 27.97 hectares (69.11 acres) or thereabouts of bare land at Part Great Parks Farm, Crediton be advertised to let in internal competition between the tenants of Lower Parks Farm, Crediton; Middle Yeo Farm, Down St Mary; Endfield Farm, Sandford; and Lower Chitterely Farm, Bickleigh on a five year Farm Business Tenancy (or for a shorter term to co-terminate with the term date of the successful tenant's main holding tenancy) commencing 25 March 2025, subject to terms being agreed.
- (g) The 16.76 hectares (40.44 acres) or thereabouts of bare land at East Week Farm be advertised to let in internal competition between the tenants of East Week Farm (land), South Tawton; Smithscross Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a five year Farm Business Tenancy (or for a shorter term to co-terminate with the term date of the successful tenant's main holding tenancy) commencing 25 March 2024, subject to terms being agreed.

\* **75**      **Exclusion of the Press and Public**

**RESOLVED** that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and the County Council and, in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

\* **76**      **Business Case for harvesting methane from slurry**

The Committee received a presentation and agreed in principle to go ahead with the proposal, subject to finance and contractual terms being agreed.

\* 77 **Holdings and Tenancies etc.**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/23/02) on a request for landlord's consent for proposed tenant's improvements.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Whitton and

**RESOLVED** that landlord's consent be granted for the tenant of Great Stone Farm, South Molton to construct a 240' x 55' steel portal frame livestock building, subject to the improvement being written down in value to £100 on a straight line basis over a life expectancy of 25 years for a galvanised iron building or 20 years for a painted steel building.

**NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 4.33 pm



## DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

22 February 2023

### Present:-

Councillors R Croad (Chair), G Jung (Vice-Chair), C Leather, R Williams and A Dewhirst

### Apologies:-

Councillors K Baldry and L Wood

### Members attending virtually

Councillors N Pearson, M Morey, D Brown (Reserve)

\* 29

### **Minutes**

**RESOLVED** that the minutes of the meeting held on 19<sup>th</sup> October 2022 be signed as a correct record.

\* 30

### **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 31

### **Update on Government policy and regulations (to include Deposit Return Scheme & Persistent Organic Pollutants (POPS) Regulations)**

#### Packaging Extended Producer Responsibility (pEPR)

Members received an update on the Extended Producer Responsibility for Packaging policy, designed to make the producers of packaging more responsible for packaging at the end of its life and to aim to incentivise the use of higher levels of recyclable materials and make organisations liable for the cost of packaging collection and disposal.

It would be implemented from April 2024, with Local Authorities to be informed of proposed payments in November 2023. A Scheme Administrator would be set up which would be a public body but had yet to be established.

The Department for Environment, Food & Rural Affairs (DEFRA) was currently undertaking workshops and consultations with authorities to develop their cost models. Local Authorities were being encouraged to work with DEFRA to help calibrate the cost models.

#### Deposit Return Scheme (DRS)

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DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

22/02/23

The Deposit Return Scheme for England had been announced, which is a scheme that place a small deposit (amount yet to be confirmed) on the purchase of particular packaging drinks materials which is then refunded at point of return. This was designed to provide a financial incentive to the public to recycle and to reduce litter. The scheme as announced would include PET plastic and steel/aluminium cans of a volume between 50 millilitres and 3 litres. Summer 2024 would see the setup of a Deposit Management Organisation to oversee the scheme, who would amongst other responsibilities set the deposit amount received. The scheme would operate using reverse vending machines and retail takeback with no digital scheme for England currently proposed.

Concerns included the impact on Local Authorities in that some materials would still be in kerbside collections and residual waste with questions around how these costs will be covered and by whom. Additionally, that glass was not included in the announced DRS in England was a disappointment. It was felt that this was a missed opportunity to not consider a digital DRS.

## Persistent Organic Pollutants (POPS) Regulations

Persistent Organic Pollutants (POPS) were explained to be organic chemicals that take a long time to break down and can cause health issues if entering the food chain. POPS had historically been used as flame retardants on upholstery for domestic seating. In Devon, all waste upholstered domestic seating (WUDS) are sent for incineration. The Environment Agency are insisting that Local Authorities move towards separating POPS materials from non-POPS at recycling centres, where they are currently mixed in Devon. Officers considered that separating these before they get incinerated together nonetheless would be an inefficient use of resources. Work was continuing at a national level to try to agree a pragmatic solution with the EA.

## Environmental Improvement Plan 2023 (EIP23)

The 'Environment Act 2021' required EIPs to be refreshed on a 5-yearly basis. EIP23 set out targets for kilograms of waste per head across a number of categories with Devon and Torbay already reaching these targets.

## Future Items

Future items for action by the Waste Management team, or items on which they were awaiting update, included a response from the Government on consistency of waste collections across Devon; as well as the Waste Prevention Plan and a response on the recent consultation on the development of a DIY charging / booking system at Household Waste Recycling Centres (HWRCs). It was proposed that once the Government had made further announcements a workshop would be set up with members.



**32 Residual Waste Composition Analysis Results**

Members considered the report of the Director of Climate Change, Environment and Transport (CET/23/7) on the results of the Residual Waste Compositional Analysis which was undertaken in October 2022 and consisted of the residual waste of 1800 houses across Devon and Torbay being collected and analysed.

Overall, results across Devon were mixed. Results around food waste were of particular note, with 'kitchen organics' consisting of a large proportion of residual waste in Devon (28.2%) and Torbay (23.2%) which was disappointing given the availability of food waste collection across the region. The vast majority of this food waste was considered 'avoidable' (79.31% average across Devon), namely that it could have been otherwise dealt with (for instance consumed). It was also observed that all of this food waste, both 'avoidable' and 'unavoidable' (the latter referring to food items such as peelings, eggshells, teabags and so on), should not have been disposed of in residual waste, where residents had food waste collections.

The analysis also demonstrated that a large amount of materials disposed of in residual waste were in fact recyclable. In Devon, the worst offender was card, with 61% of that disposed of in residual waste being recyclable. In Torbay, this figure was 73%, and Torbay also showed a high amount of recyclable textiles being put into residual waste (with 84% being recyclable). The overall figures for the amount of residual waste that could have been recycled was 41% in Devon and 58% in Torbay, with potential improvements being possible if both Devon districts and Torbay were to expand the range of recycling services to cover all materials.

On average, Devon had shown a decrease in recyclable materials being disposed of in residual waste (since the last analysis in 2017) in all categories except plastic film, with the results varying widely across Districts. The overall results for Torbay were more mixed, with reductions in areas such as glass and metals, but increases in food and garden waste.

Members and officers had received more specific analyses of their individual districts in advance of the meeting. The analyses included ACORN ratings (which is used to segment the population in socioeconomic classifications based on a number of factors) alongside waste disposal trends which could help inform targeted improvement actions.

Key areas of discussion included:

- Concern around the impact of low recycling of textiles, with textiles being a huge polluter per item, and its wider relationship with the changing culture around clothes, particularly considering 'fast fashion' and a culture of disposal;

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22/02/23

- That there was clearly work to be done around increasing correct disposal of food waste and how this could be incentivised. Members and officers observed that there are likely to be a number of factors ranging from some residents not having knowledge of how to dispose of their food waste, some being too busy with other priorities and others finding themselves without a kitchen caddy for a variety of reasons.
- There was anecdotal confusion about what is recyclable and what is not, with one councillor reporting that they had spent time at a recycling plant separation line and had seen items such as used cat litter being disposed of in the recycling. There could therefore be opportunities for targeted education informed by the compositional analysis results as well as local intelligence that could be collected by waste collection staff.

It was **MOVED** by Councillor Croad, **SECONDED** by Councillor Leather and

**RESOLVED** that

(a) the results of the Waste Composition Analysis carried out in October 2022 be noted; and

(b) the proposed actions detailed in Section 6 of the report be approved.

\* 33

## **Budget Proposal for 2023/24 - Allocation of Underspend**

Members considered the report of the Director of Climate Change, Environment and Transport (CET/23/8) which detailed the 2021/22 underspend and proposed allocation of this.

The proposals outlined in the report, to use the underspend from previous years to focus on a Food Waste Project, were in direct response to the results of the Residual Waste Compositional Analysis, and the need to address levels of food waste being disposed of in the residual waste.

The report also outlined a proposal regarding a sum of £25,000 previously agreed by the committee for convergence work as well as plans regarding the creation of a part-time Clean Devon Liaison Officer post to assist the partnership in its key priorities.

It was **MOVED** by Councillor Leather, **SECONDED** by Councillor Williams and

**RESOLVED** that

(a) the allocation of the underspend of £57,895 towards a food waste campaign in 2023/24 be approved;

(b) the use of the previously-agreed £25,000 sum for convergence be approved for use towards the food waste campaign;

(c) the Clean Devon Liaison Officer plans be noted.

\* **34**      **Future Meetings**

Future meetings were noted as:

28 June 2023, 2.15pm

17 October 2023, 2.15pm

21 February 2024, 2.15pm

**NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.18 pm and finished at 4.11 pm

# Agenda Item 17c

# DEVON COUNTY COUNCIL

## COUNCIL/CABINET FORWARD PLAN

In line with the public's general rights of access to information and the promotion of transparency in the way which decisions are taken by or on behalf of the Council, Devon County Council produces a Forward Plan of any Key Decisions to be taken by the Cabinet and any Framework Decisions to be made by the County Council. The Plan normally covers a period of a minimum of four months from the date of publication and is updated every month.

The County Council has defined key decisions as those which by reason of their strategic, political or financial significance or which will have a significant effect on communities in more than one division are to be made by the Cabinet or a Committee of the Cabinet. Framework Decisions are those decisions, which, in line with Article 4 of the Council's Constitution must be made by the County Council.

The Cabinet will, at every meeting, review its forthcoming business and determine which items are to be defined as key decisions and the date of the meeting at which every such decision is to be made, indicating what documents will be considered and where, in line with legislation, any item may exceptionally be considered in the absence of the press and public. The revised Plan will be published with the papers for the meeting. *Where possible the Council will attempt to keep to the dates shown in the Plan. It is possible that on occasion may need to be rescheduled.* Please ensure therefore that you refer to the most up to date Plan.

Click to see an [up to date version of the Forward Plan](#) on the Council's web site at any time.

Also see the website for [Copies of Agenda and Reports of the Cabinet or other Committees of the County Council](#) referred to in this Plan

## FORWARD PLAN

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated for the reasons shown

Any person who wishes to make representations to the Council/Cabinet about (a) any of the matters proposed for consideration in respect of which a decision is to be made or (b) whether or not they are to be discussed in public or private, as outlined below, may do so in writing, before the designated Date for Decision shown, to The Democratic Services & Scrutiny Secretariat, County Hall, Exeter, EX2 4QD or by email to: [members.services@devon.gov.uk](mailto:members.services@devon.gov.uk)

**PART A - KEY DECISIONS**  
(To Be made by the Cabinet)

| Date of Decision                                  | Matter for Decision                                                            | Consultees                | Means of Consultation* | Documents to be considered in making decision                                                                                                                                                  | County Council Electoral Division(s) affected by matter |
|---------------------------------------------------|--------------------------------------------------------------------------------|---------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <i>Regular / Annual Matters for Consideration</i> |                                                                                |                           |                        |                                                                                                                                                                                                |                                                         |
| 8 March 2023                                      | Education Travel Review: Approval to arrangements for subsequent academic year | All relevant stakeholders |                        | Report of the Director of Children and Young Peoples Futures outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |

|               |                                                                                                                                                    |                                                      |                                       |                                                                                                                                                                                                       |               |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 8 March 2023  | Flood Risk Management Action Plan 2023/2024<br>Update on the current year's programme and approval of schemes and proposed investment in 2023/2024 | Liaison through Devon Operation Drainage Group       | All other Risk Management Authorities | Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 12 April 2023 | County Road Highway Maintenance Capital Budget and Progress on 2022/23 Schemes and Proposals for the 2023/24 Programmes                            | Public, CIRS Scrutiny, highway maintenance suppliers | Meetings and surveys                  | Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 12 April 2023 | Adult Social Care - Market Sustainability Plan and Sufficiency Assessment                                                                          |                                                      |                                       | Report of the Director of Integrated Adult Social Care outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.              | All Divisions |
| 14 June 2023  | Revenue and Capital Outturn 2022/2023                                                                                                              |                                                      |                                       | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                  | All Divisions |

|                   |                                                                                                                     |                                                               |                                                                                           |                                                                                                                                                                                                       |               |
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| 13 September 2023 | Transport Capital Programme 2023/24 and 2024/25: Update and Proposed Allocation                                     | Public, District Councils, Stakeholders and Delivery Partners | LTP 2011 – 2026 consultation, meetings, planning applications and local plan consultation | Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 8 November 2023   | Childcare Sufficiency Assessment - Annual Return                                                                    |                                                               |                                                                                           | Report of the Director of Children and Young Peoples Futures outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.        | All Divisions |
| 13 December 2023  | Target Budget and Service Targets for 2024/2025                                                                     |                                                               |                                                                                           | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                  | All Divisions |
| 9 February 2024   | Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year |                                                               |                                                                                           | Report of the Head of Education outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                     | All Divisions |
|                   | <b>Specific Matters for Consideration</b>                                                                           |                                                               |                                                                                           |                                                                                                                                                                                                       |               |



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|---------------|-----------------------------------------------------------|------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 8 March 2023  | Budget Monitoring - Month 10                              | N/A                                      | N/A                                         | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                  | All Divisions    |
| 8 March 2023  | Seaton to Colyford Multi-Use Path - Approval to construct | Local Member, Cabinet Member, landowners | Public consultation for whole route in 2011 | Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | Seaton & Colyton |
| 12 April 2023 | Highway Infrastructure Asset Management Plan              | -                                        | -                                           | Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions    |

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| <p>12 April 2023</p> <p>Page 160</p> | <p>Net-Zero Supply Chain Strategy</p> | <p>Environmental Performance Board, Climate Change Standing Overview Group of the Corporate Infrastructure and Regulatory Services Committee, Devon County Council suppliers</p> | <p>Meetings and surveys</p> | <p>Report of the Director of Climate Change, Environment and Transport, Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>All Divisions</p> |
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| <p>12 April 2023</p> <p>Page 161</p> | <p>Exeter, Heart of Teignbridge, and Barnstaple, with Bideford and Northam Local Cycling and Walking Infrastructure Plans – For adoption</p> | <p>Stakeholders , public, relevant Highway and Traffic Orders committees</p> | <p>Stakeholder engagement workshops, online DCC ‘Have Your Say’ consultation website, press releases, social media posts, HATOC reports</p> | <p>Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>All in Exeter; Ashburton &amp; Buckfastleigh; Barnstaple North; Barnstaple South; Bideford East; Bideford West &amp; Hartland; Bovey Rural; Broadclyst; Chulmleigh &amp; Landkey; Fremington Rural; Ipplepen &amp; The Kerswells; Kingsteignton &amp; Teign Estuary; Newton Abbot North; Newton Abbot South; Northam</p> |
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|----------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <p>Between 12 April 2023 and 10 May 2023</p> | <p>Queen Street, Newton Abbot: Pedestrian Enhancement Scheme for Approval</p> | <p>Public, local stakeholders including local businesses and Newton Abbot Town Council, Teignbridge Highways and Traffic Orders Committee</p> | <p>Consultation website and questionnaire, letter drop (~1000 residents, ~150 businesses), webinars, public exhibition in Newton Abbot Library</p> | <p>Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>Newton Abbot North</p> |
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| <p>12 April 2023</p> <p>Page 163</p> | <p>Rifford Road, Exeter: Segregated Cycle Track Scheme on route E12 for Approval</p> | <p>Public, local stakeholders including local businesses Councillors (Devon County Council and Exeter City Council); Community builders and community organisations ; Schools; Bus, shared car/bike and taxi operators; emergency services Exeter Highways and Traffic Orders Committee</p> | <p>Consultation website and leaflet, letter drop (~800 households in vicinity and residents of Rifford Road) press release and posters put up and circulated locally.</p> | <p>Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>All in Exeter; Heavitree &amp; Whipton Barton; Wonford &amp; St Loyes</p> |
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|---------------|----------------------------------------------------|------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 12 April 2023 | Family Centre Services Contract/ Commissioning     |                              |                                                  | Report of the Director of Children and Young Peoples Futures outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 10 May 2023   | Integrated Adult Social Care - Vision and Strategy | All public and service users | Full public and service user engagement process. | Report of the Director of Integrated Adult Social Care outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.       | All Divisions |
| 10 May 2023   | Devolution - Deal for Devon                        | TBC                          | TBC                                              | Report of the Chief Executive outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                | All Divisions |

|              |                                                                                                                                             |                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                |                                                                                                                                                                                                       |                                      |
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| 14 June 2023 | Proposal to close the Post-16 provision at Mill Water Special School and a proposal to increase pupil numbers in the lower age range (3-16) | All parents, staff and governors, SENTient Trust, Parent Carer Forum Devon, Trade Union representatives, DfE, all Schools, all County Councillors, MP, Parish Council, District Councillors, Equality group representatives | Circulation of consultation documents to parents, staff and governors. Email notification to other stakeholders. School website. DCC Have Your Say consultation website. Parent drop-in consultation session. Brief Notice in local newspaper. | Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | Exmouth & Budleigh Salterton Coastal |
| 12 July 2023 | Budget Monitoring - Month 2                                                                                                                 |                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                  | All Divisions                        |

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|----------------------------------------------------------------------------------|------------------------------------------------------|-------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 13 September 2023                                                                | Budget Monitoring - Month 4                          |                   |                                | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.           | All Divisions                                                  |
| 8 November 2023                                                                  | Budget Monitoring - Month 6                          |                   |                                | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.           | All Divisions                                                  |
| <b>PART B -FRAMEWORK DECISIONS</b><br>(Requiring approval of the County Council) |                                                      |                   |                                |                                                                                                                                                                                                |                                                                |
| <b>Date of Decision</b>                                                          | <b>Matter for Decision</b>                           | <b>Consultees</b> | <b>Means of Consultation**</b> | <b>Documents to be considered in making decision</b>                                                                                                                                           | <b>County Council Electoral Division(s) affected by matter</b> |
| 12 April 2023<br><br>25 May 2023                                                 | Cornwall Council's proposal to join Adopt South West |                   |                                | Report of the Director of Children and Young Peoples Futures outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. |                                                                |



|                                                                             |                                                                                                                          |                   |                                |                                                                                                                                                                                      |                                                                |
|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 16<br>January<br>2024                                                       | Pay Policy Statement 2024/2025                                                                                           |                   |                                | Report of the Head of HR outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                           | All Divisions                                                  |
| 15<br>February<br>2024                                                      |                                                                                                                          |                   |                                |                                                                                                                                                                                      |                                                                |
| 9 February<br>2024                                                          | Revenue Budget, Medium Term Financial Strategy 2024/2025 - 2027/2028 and the Capital Programme for 2024/2025 - 2028/2029 |                   |                                | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                                  |
| 15<br>February<br>2024                                                      |                                                                                                                          |                   |                                |                                                                                                                                                                                      |                                                                |
| <b>PART C - OTHER MATTERS</b><br>(i.e. Neither Key Nor Framework Decisions) |                                                                                                                          |                   |                                |                                                                                                                                                                                      |                                                                |
| <b>Date of Decision</b>                                                     | <b>Matter for Decision</b>                                                                                               | <b>Consultees</b> | <b>Means of Consultation**</b> | <b>Documents to be considered in making decision</b>                                                                                                                                 | <b>County Council Electoral Division(s) affected by matter</b> |
|                                                                             | <i>Regular / Annual Matters for Consideration</i>                                                                        |                   |                                |                                                                                                                                                                                      |                                                                |

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| <p>Between 8 March 2023 and 8 May 2025</p> <p>Between 8 March 2023 and 8 May 2025</p> | <p>Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)</p> <p><i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i></p> | <p>To be considered at the Farms Estates Committee, including any advice of the Council's Agents South West Norse Ltd.</p> |  | <p>Report of the Head of Digital Transformation and Business Support, Head of Digital Transformation and Business Support outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>All Divisions</p> |
| <p>Page 108</p> <p>Between 8 March 2023 and 8 May 2025</p>                            | <p>Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)</p>                                                                                                                                                                                                                                                                                                                                                                       | <p>As necessary</p>                                                                                                        |  | <p>Report of the TBC outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>                                                                                                      | <p>All Divisions</p> |
| <p>12 July 2023</p>                                                                   | <p>Public Health Annual Report 2022/2023</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                            |  | <p>Report of the Director of Public Health, Communities and Prosperity outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>                                                    | <p>All Divisions</p> |
| <p>12 July 2023</p>                                                                   | <p>Treasury Management Stewardship Outturn Report</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>CIRS Scrutiny Committee</p>                                                                                             |  | <p>Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>                                                                     | <p>All Divisions</p> |

|                                           |                                                                  |  |  |                                                                                                                                                                                      |               |
|-------------------------------------------|------------------------------------------------------------------|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 13<br>December<br>2023                    | Treasury Management<br>Stewardship Mid Year Report               |  |  | Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 13<br>December<br>2023                    | Torbay and Devon Safeguarding Adults Partnership - Annual Report |  |  | Report of the Chair outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                | All Divisions |
| <i>Specific Matters for Consideration</i> |                                                                  |  |  |                                                                                                                                                                                      |               |

