

## CABINET

10 January 2024

### Present:-

Councillors R Croad, A Davis, R Gilbert, J Hart (Chair), S Hughes, A Leadbetter, J McInnes (Vice-Chair), L Samuel, A Saywell and P Twiss

### Members attending in accordance with Standing Orders 8 and 25

F Biederman, A Connett, C Leaver and C Whitton (in person)

A Dewhirst (remote attendance)

\* 448

### Minutes

It was **MOVED** by Councillor McInnes, **SECONDED** by Councillor Hughes and,

**RESOLVED** that the minutes of the meeting held on 13 December 2023 be signed as a correct record.

\* 449

### Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

\* 450

### Announcements

There was no announcement by the Chair at this meeting.

\* 451

### Petitions

There was no petition received from a Member of the Public or the Council.

\* 452

### Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the relevant Cabinet Member responded to one question from a Member of the Council on Local Skills Improvement Plans (LSIP's) and Devolution, lessons learned and expectations of funding.

The questioner was not present at the meeting but had been sent a copy of the response.

*[NB: A copy of the question and answer is available on webpage for meeting].*

\* **453** **Target Budget and Service Targets for 2024/2025**

(Councillors Biederman, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Finance and Public Value (DFP/24/2) seeking Cabinet support for the proposed revenue Budget Targets for services for financial year 2024/25 so they could be incorporated in the Draft Budgets to be considered in January and February. The Report had been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Senior Leadership Team had worked extensively to develop plans to manage net service costs within affordable financial targets in light of local authorities across the country continuing to face financial challenges due to high inflation and interest rates as well as demands on local service provision.

The Report provided a brief update on progress in this regard and presented the proposed service budget targets for 2024/25 totalling £743.4 million, a net increase of £43.8 million or 6.3% compared to the 2023/24 adjusted budget.

The Report highlighted that at Month 8 (November) the budget forecast was a net overspend for this year of £4.5 million which incorporated the £10 million contribution to the SEND Deficit Safety Valve reserve agreed by Cabinet in September 2023.

In terms of the Budget for 2024/25, inflationary pressures continued to be felt across the economy, local government and partners and social care was particularly impacted by increases to the national living wage. Within the proposed Service Targets, it was proposed to allow for £22.8 million in total inflationary pressures.

The National Living Wage increase also drove an inflationary impact on costs. In the Autumn Statement, the Government confirmed the National Living Wage would increase by 9.8% to £11.44 per hour, therefore the Target Budgets included £25.7 million for this.

To enable the authority to set a balanced budget, savings, alternative funding and additional income of £49.6 million had been identified. Overall, there was additional funding of £43.8 million or 6.3% for services next year.

It was not currently planned to support the proposed budget targets by using general reserve balances. In recognition of the SEND Deficit and Safety Valve considerations, it was anticipated the Council would need to set aside funds in 2024/25 – and in subsequent years in the Medium-Term Financial Plan – to increase the SEND Safety Valve Reserve. An update on the SEND position would be reflected in the proposed budget presented to Members in February 2024.

The proposed service revenue budget targets for the 2024/25 financial year were set out in the table below:

	2023/24 Adjusted Base Budget £000	Inflation and National Living Wage £000	Other Growth and Pressures £000	Savings, Alternative Funding and Additional Income £000	2024/25 Target Budget £000	Net Change 2023/24 to 2024/25 £000	%
Integrated Adult Social Care	340,245	29,887	20,025	(29,411)	360,746	20,501	6.0%
Children and Young People's Futures	206,278	9,795	20,862	(9,150)	227,785	21,507	10.4%
Public Health, Communities & Prosperity	21,678	533	289	(1,577)	20,923	(755)	-3.5%
Corporate Services	49,755	2,160	1,361	(4,831)	48,445	(1,310)	-2.6%
Climate Change, Environment & Transport	81,619	6,144	2,348	(4,629)	85,482	3,863	4.7%
<b>Totals</b>	<b>699,575</b>	<b>48,519</b>	<b>44,886</b>	<b>(49,598)</b>	<b>743,382</b>	<b>43,807</b>	<b>6.3%</b>

*The 2023/24 Base Budget has been adjusted for permanent virements (budget transfers from other budget lines)*

The Cabinet noted that the proposed Capital Programme was currently under development and would be presented to Cabinet and Council in February for consideration.

On 18<sup>th</sup> December 2023, the Rt Hon Michael Gove, Secretary of State for Levelling Up, Housing and Communities, released a Written Ministerial Statement to Parliament setting out the provisional local government finance settlement for 2024/25 financial year. The Final Settlement was likely to follow in early February 2024.

Key information provided in the Settlement included

- a) **Core Spending Power** –the Authority's overall Core Spending Power had increased by 6.5%.
- b) **Council Tax** – Authorities may increase Council Tax for 2024/25 by up to the referendum limit of 2.99% and social care authorities may also increase the precept by up to a further 2% specifically to fund adult social care costs (4.99% in total without a referendum being required).
- c) **Revenue Support Grant** – The provisional allocation for 2024/25 was £713,381, an increase of £44,316 (6.6%) compared to 2023/24.
- d) **Business Rates** – total funding received through business rates will be determined using information provided by the district/borough/city councils in Devon, which was due to be received by 31 January 2024.
- e) **New Homes Bonus** – the provisional allocation of NHB grant in 2024/25 was £1.14 million, an increase of £176,859 (18%) compared to 2023/24.
- f) **Rural Services Delivery Grant** – the provisional allocation was £8.744 million – the same as was received in 2023/24.
- g) **Services Grant** – the provisional allocation of this general funding grant towards the cost of local services was £653,263 in 2024/25, a decrease of £3.499 million (84%) compared to 2023/24.
- h) **Social Care Grant** –the provisional allocation of this general grant funding in 2024/25, which aimed to support local authorities in meeting the costs of

adults' and children's social care needs, was £63.28 million, an increase of £9.265 million (17%) compared to 2023/24.

- i) **Improved Better Care Fund** – this funding was pooled into the local Better Care Fund and the provisional allocation for 2024/25 was £29.127 million – the same as 2023/24.
- j) **Adult Social Care Market Sustainability and Improvement Fund** – the Authority's allocation of funding for 2023/24 came in two tranches: £8.373 million in the settlement in February 2023, plus £5.438 million additional in-year allocation confirmed in August 2023. The Authority's 2024/25 provisional allocation was £15.643 million next year, an increase of £1.832 million (13%) from 2023/24.
- k) **Adult Social Care Discharge Fund** – the funding nationally had increased from £300 million in 2023/24 to £500 million in 2024/25, distributed to local authorities and ICBs. The provisional allocation for Devon County Council was £6.806 million, an increase of £2.722 million (67%) when compared to 2023/24.

A breakdown of the key funding streams published within the provisional settlement was set out in the table below:

<b>Core Funding Income</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>Settlement</b>	<b>Provisional Settlement</b>
	<b>£000</b>	<b>£000</b>
Revenue Support Grant (RSG)	669	713
Business Rates – Central Government Top Up	83,428	86,461
Business Rates – Local Element*	21,566	23,884
<b>Total Core Funding</b>	<b>105,663</b>	<b>111,058</b>

*\*The actual amount we receive will be derived from returns completed by our Devon Districts in January 2024.*

<b>Other Grant Income Included in the Settlement</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>Settlement</b>	<b>Provisional Settlement</b>
	<b>£000</b>	<b>£000</b>
New Homes Bonus	963	1,140
Rural Services Delivery Grant	8,744	8,744
Services Grant	4,152	653
Social Care Grant	54,015	63,280
Improved Better Care Fund	29,127	29,127
Adult Social Care Market Sustainability and Improvement Fund*	13,811	15,643
Adult Social Care Discharge Fund	4,084	6,806
<b>Total Other Grant Income</b>	<b>114,896</b>	<b>125,393</b>

*\*The ASC Market Sustainability and Improvement Fund 2023/24 settlement figure includes £8.373 million allocated in the Settlement in February 2023, plus £5.438 million additional in-year allocation confirmed in August 2023.*

The Cabinet noted that Impact assessments would be published in January to support consideration of the detailed budget proposals.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Twiss, **SECONDED** by Councillor Hart, and

**RESOLVED**

(a) that the revenue budget targets as set out in Table 1 to be incorporated in the Draft Budget for 2024/25 be approved;

(b) that the capital programme be determined by Cabinet on 9th February 2024; and

(c) that the information related to the Provisional Local Government Finance Settlement for 2024/25 be noted.

\* **454** **Budget Monitoring - Month 8**

(Councillors Biederman, Dewhirst, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Finance and Public Value (DFP/24/01), which presented the budget monitoring position at Month 8 (November), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet noted that at its meeting in September 2023, it agreed to reduce all Directorate budgets by an apportioned share of £10 million and create a corresponding Safety Valve Support Reserve. At Month 8, £7.1 million of the £10 million had been identified as deliverable, with plans still being developed to meet the remaining £2.9 million. The Month 8 position included the current forecast level of delivery of this in year budget adjustment, with the £2.9 million included in the overall forecast overspend.

At Month 8 it was estimated that budgets would overspend by £4.5 million, comprising the £2.9 million of in-year additional savings still to be identified plus net £1.6 million in other variances. This was an improvement of £9.1 million compared to the Month 6 forecast, but it was important to note that this reported overspend excluded the Dedicated Schools Grant (DSG) deficit, forecast to be £39.7 million, an increase of £2.6 million from Month 6.

Most Directorates had evidenced the ability to maintain a forecast balanced position, meet budgeted savings, and take onboard the additional in year savings linked to the safety valve programme, demonstrating strong financial management.

There were however risks within Children and Young People's Futures with increasing numbers of complex placements and continued pressure associated with excessive agency costs. Work was ongoing to address this at pace.

The table at section 2 of the Report summarised the Month 8 forecast position by directorate, excluding the Dedicated Schools Grant forecast overspend. The agreement to reduce all Directorate budgets by an apportioned share of £10 million and create a Safety Valve Support Reserve was outlined in section 2.2 with a corresponding table detailing the current forecast level of delivery, as at Month 8. The Report then outlined how the delivery of the additional savings was being addressed, but specific examples included recovery of client contributions, pricing control, capitalisation of IT equipment, holding vacancies open and / or delaying recruitment where possible, capitalisation of pothole patch expenditure for patches greater than 0.5m<sup>2</sup> and additional income streams.

In summary, Integrated Adult Social Care services were forecast to overspend by £3.1 million, an increase of £2.2 million from Month 6. Children and Young People's Futures services were forecasting an overspend of £8.8 million, a decrease of just under £0.5 million from Month 6.

At Month 8, the Climate Change, Environment and Transport directorate was forecasting an underspend of just over £1 million, increasing by £575,000 from Month 6. Public Health, Communities and Prosperity were forecasting an underspend of £369,000 and Corporate Services an underspend of £610,000.

Non-service items, which included capital financing costs, interest earned and business rates pooling gain income, were forecast to underspend by £5.9 million, an improvement of £9.5 million from Month 6.

The approved capital programme for the Council was £258.9 million. The year-end forecast was £197.2 million of which £171.9 million was externally funded. Slippage was highest within the Climate Change, Environment and Transport Directorate, which reflected the complexity of the major projects within this service area.

To conclude, the position had improved significantly since Month 6, with the forecast overspend reducing from £13.6 million to £4.5 million. This was in part due to a large one-off windfall credit receipt through the Connecting Devon and Somerset broadband contract, and the strong focus on financial control which was making strides in mitigating overall in-year pressures.

Most Directorates had evidenced the ability to maintain a forecast balanced position, meet budgeted savings, and take onboard the additional in year savings linked to the safety valve programme. The submission of a robust Safety Valve management plan on the 15th December and the expected

ongoing discussions with the Department for Education throughout January was welcomed.

The matter having been debated and the other relevant factors set out in the Director's Report having been considered:

it was **MOVED** by Councillor Twiss, **SECONDED** by Councillor Hart, and

**RESOLVED**

(a) that the Month 8 budget monitoring forecast position is noted;

(b) that the ongoing significant work, in line with the Sustainable and Stronger Council plan, to ensure the current projected overspend is brought back in balance by year end is noted; and

(c) that the update on the Safety Valve Intervention programme also be noted.

\* 455

**Devon Electric Vehicle Charging Strategy**

(Councillors Biederman, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/24/1) which sought approval for Devon's Electric Vehicle Charging Strategy, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet noted that the Corporate Infrastructure and Regulatory Services Scrutiny Committee had considered this matter at its meeting on 16th November 2023 and had RESOLVED (minute 137) that the Strategy, as set out in Appendix 1 to Report (CET/23/85) be supported and commended to Cabinet. The Committee had further questioned whether the Strategy built on lessons learnt from the Rapid Charging Devon project and whether the national grid had capacity to accommodate the ambitions of the Strategy and Officers were able to provide assurance that both these issues had been addressed in the Strategy.

The Strategy was contained in Appendix I to the Report. In line with the climate emergency and the publication of the Devon Carbon Plan, the decarbonisation of on-road transportation was a crucial part. However, it was recognised that as a rural County, many Devon residents and businesses continued to rely on cars and vans for daily needs. The Strategy forecasted that by 2033, the number of electric vehicles in Devon was expected to exceed the number of petrol/diesel vehicles for the first time, yet a key barrier was the availability of suitable charging infrastructure.

The Strategy set out an evidence-based approach to rolling out charging infrastructure across the County and removing some of the barriers that were hindering the uptake of electric vehicles.

A summary of the aims and recommendations of the Devon Electric Vehicle Charging Strategy were set out in the covering report (with the full Strategy at Appendix 1).

The Devon Electric Vehicle Charging Strategy aimed to:

- Reduce carbon emissions in Devon;
- Accelerate the uptake of electric vehicles in Devon, within the context of an overall shift away from the use of the private car;
- Help ensure that the transition to electric vehicles was accessible for all and equitable;
- Maximise the social value and community benefits associated with the transition to electric vehicles;
- Maximise the contribution electric vehicles could make to the local economy, including through increased tourism;
- Contribution to the Council's goal to achieve carbon neutrality for its own operations by 2030.

These aims strongly aligned with the ambitions of Devon County Council's Strategic Plan in responding to the climate emergency and the objectives of the Devon Carbon Plan.

The Strategy also outlined 12 recommendations enabling it to deliver against its aims such as accelerating chargepoint deployment to promote electric vehicle uptake and focussing on residential charging. Also, to follow best practice design principles and leverage private sector funding but retain control through a concessionary approach, seek national funding to support chargepoint aspirations, leverage scale through Devon-wide funding applications and procurement, lead on local district co-ordination, monitor electric vehicle uptake and chargepoint provision, ensure electric vehicle design considered diverse user needs, raise public awareness, and work with electricity network companies to improve capacity within the network. These were based on a preference for how residents and visitors would charge electric vehicles in Devon with the top preference of residential charging on resident's private driveway.

The Cabinet noted that the Strategy had undergone a countywide public consultation, enabling residents, businesses and other stakeholders to have their say and shape its content and recommendations. A summary of the consultation feedback and the consequent changes to the Strategy were summarised in the Report and a comprehensive public consultation report also available to view at

<https://www.devon.gov.uk/haveyoursay/consultations/devon-electric-vehicle-charging-strategy/>.



The Devon Electric Vehicle Charging Strategy was well aligned with a range of Strategic Plan priorities and actions. The table in the Report summarised how the document would impact achievement of relevant Strategic Plan actions according to a seven-point scale, whereby -3 represented a large negative impact and +3 a large positive impact.

Government had announced the national £450 million Local Electric Vehicle Infrastructure (LEVI) fund to deliver a step-change in the scale and speed of chargepoint delivery. The LEVI fund strongly aligned with the recommendations of the Devon Electric Vehicle Strategy, including a focus on residential charging for those without access to off-street parking. Following a successful Expression of Interest in May 2023, the Council had been indicatively allocated £7,067,000 of capital funding – one of the highest allocations in the country and was expected to leverage between £10 million - £20 million of additional private sector investment.

It should also be noted that having a Strategy in place was a requirement of the LEVI fund.

The Devon Electric Vehicle Charging Strategy sought to strongly align its aims and recommendations with local, regional and national policy.

An Impact Assessment had been prepared for Members at the meeting and was attached to the agenda and available at - <https://www.devon.gov.uk/impact/devon-electric-vehicle-charging-strategy-impact-assessment-november-2022/>. This highlighted that the Strategy aimed to help all residents and visitors overcome barriers to electric vehicle adoption and increase access to suitable infrastructure. It was recognised that in the short-medium term many residents would not have the means to transition to electric vehicles, especially lower income households and / or young people who did hold a licence. The Strategy focused on planning for the future, and the Strategy was part of a suite of documents feeding into the emerging Local Transport Plan 4.

The availability of suitable charging infrastructure remained a key barrier to the accelerated uptake of electric vehicles and the Charging Strategy set out an evidence-based approach to rolling out charging infrastructure across the County and removing some of the barriers that were hindering the uptake of electric vehicles. The Strategy received strong support at public consultation, at which feedback demonstrated strong support for its aims and recommendations.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Hughes, **SECONDED** by Councillor Davis, and

**RESOLVED**

(a) that the adoption of the Devon Electric Vehicle Charging Strategy, provided in Appendix I of the Report, be approved; and

(b) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Highway Management and the Cabinet Member for Climate Change, Environment and Transport to make minor amendments to the Strategy.

\* **456** **South West Exeter Housing Infrastructure Fund Project update and Alphington enhancements scheme**

(Councillors Connett, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/24/2) on the South West Exeter Housing Infrastructure Fund Project update and Alphington enhancements scheme, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet noted that as set out in previous Cabinet reports, South West Exeter was a strategic allocation of 2,500 dwellings and 21.5 hectares of employment land within the administrative areas of Teignbridge District Council and Exeter City Council. It was a complex site, with a number of constraints including a key arterial road (the A379), proximity to the Exe Estuary Special Protection Area, difficult topography and multiple land ownership and the development required a significant amount of infrastructure to enable it to come forward.

The infrastructure to be delivered included, four signal junctions on the A379, realignment of Chudleigh Road, Devon Hotel roundabout upgrade, Alphington enhancements, school access road, pedestrian / cycle bridge, suitable Alternative Natural Green Space (SANGS), new electricity substation, community building to include a GP surgery and southern spine road.

The Report updated on the progress with infrastructure developments including the delivery of two new signal junctions, the new pedestrian / cycle bridge and opening of the first phases of the SANGS. Works had also started on site in September 2023 for the third signal junction as well as improvements to the Devon Hotel roundabout. Planning permission had been granted for the new community building and GP surgery. The impact of this had seen over 250 dwellings completed, including over 60 affordable homes, and over 400 further dwellings currently under construction.

An initial consultation was carried out on proposals for enhancements in Alphington from December 2021 to January 2022 to address concerns about impacts of additional development traffic travelling through the village. From this, a consultation report had been produced and could be viewed at <https://www.devon.gov.uk/swexeter/documents-and-plans/highway-works>

An additional consultation was held in July 2023 and the Report summarised the views received could be viewed in Appendix 2. On this feedback, the Report recommended progressing the enhancements shown in Appendix 3 (proposals 1, 2c, 4, 5 and 6) at an estimated cost of £486,000.

Other opportunities were presented within the consultation which were not recommended to be taken forward due to the overwhelming lack of local support and more limited wider benefits, which are shown in Appendix 2 (proposals 2a, 2b and 2d, proposal 3 and 7).

The scheme was well aligned to a range of the Strategic Plan priorities by prioritising sustainable travel to encourage more sustainable lifestyles and giving people opportunity to increase their physical activity. The table at section 7 of the Report summarised how the proposals would impact achievement of relevant Strategic Plan actions according to a seven-point scale.

The Cabinet noted that the HIF funding was a capital grant to the Local Authority, with the Council being able to draw down the funding in arrears on a monthly basis. In relation to the Alphington enhancements, £406,113 had been included within the initial bid for the HIF funding.

An Impact Assessment had been prepared for the meeting and had been circulated with the agenda and was available at - <https://www.devon.gov.uk/impact/south-west-exeter-housing-infrastructure-fund-hif/>. This highlighted that the delivery of the Alphington enhancements took into consideration the need to improve facilities for all, ensuring accessibility for disabled people. This included pavement widening and improvements as well as formalising existing parking where cars currently obstructed the pavement.

The enhancements set out within Section 4 of the Report looked to improve accessibility, road safety and have wider traffic calming benefits and approval of the scheme would allow progress with the project to continue, which was necessary to ensure that the funding was spent within the identified timeframe.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Davis, **SECONDED** by Councillor Hughes, and

**RESOLVED**

(a) that the progress on the South West Exeter Housing Infrastructure Fund (HIF) projects be noted;

(b) that the HIF package of Alphington village enhancements, Exeter, as shown in Appendix 3 of the Report, for construction at an estimated cost of £486,000, be approved;

(c) that the advertisement of any necessary Traffic Regulation Orders be agreed and approve the making and sealing of the order if no objections are received; and

(d) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Highway Management and Local Member, to make minor amendments to the scheme, as required.

\* 457 **Devon Local Cycling and Walking Infrastructure Plans (Cabinet Min \*401 11/10/23)**

(Councillors Connett, Dewhirst, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/24/3) seeking approval for three Devon Local Cycling and Walking Infrastructure Plans (LCWIP), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The plans were attached as;

Appendix I – Heart of Teignbridge LCWIP

Appendix II - Barnstaple with Bideford and Northam LCWIP

Appendix III – Exeter LCWIP

The Council's current Strategy for active travel infrastructure, the Cycling and Multi-Use Trail Network Strategy, had been approved by Cabinet in 2015. Local Cycling and Walking Infrastructure Plans (LCWIPs) were a strategic approach to identifying cycling and walking improvements at the local level and the framework was set out in the Government's Cycling and Walking Investment Strategy, which formed an important part of Government's strategy to increase the number of active travel trips. They were also an important tool in realising the Government's Gear Change vision but were an important part of local authorities making the case for future active travel

funding, whether through securing external grants or in negotiations with developers.

The Council had so far completed three LCWIPs: Heart of Teignbridge (HoT), Barnstaple with Bideford and Northam (BBN), and Exeter which had involved a technical, evidence-based approach to identify the challenges and develop prioritised routes, followed by public consultation and endorsement of the document by the relevant Highways and Traffic Orders Committee. Section 5 of the Report described how subsequent minor changes to the draft plans had been approved in accordance with HATOC resolutions and all three plans had been endorsed by respective HATOC meetings.

The LCWIP documents sought to outline the future walking and cycling infrastructure priorities in their respective areas over the next 10 to 20 years. They were ambitious, transformational plans aimed at substantially increasing walking and cycling levels across Devon as well as supporting the climate crisis and health and wellbeing.

The walking and cycling proposals in the respective geographies of the Heart of Teignbridge (covering Newton Abbot, Kingsteignton and Kingskerswell); Barnstaple with Bideford and Northam, and Exeter were considered the most strategically important, building upon existing established active travel networks and with greatest potential to attract developer funding due to the scale of growth planned in the localities.

The Heart of Teignbridge LCWIP (Appendix I) set out walking and cycling proposals along five key corridors, which included Newton Abbot Town Centre, Kingsteignton, Buckland and Milber, Wolborough and Kingskerswell and Torbay as well as additional proposals to improve active travel provision within the NA1 Houghton Barton and NA3 Wolborough strategic site allocations.

The Barnstaple with Bideford and Northam (BBN) LCWIP (Appendix II) set out four walking and six cycling proposals in Barnstaple, Bideford, and Northam which included Alexandra Street (Barnstaple), Barbican Road and Queen Street (Barnstaple), Yelland to Barnstaple, Roundswell to Pilton (Barnstaple), Whiddon Valley to Barnstaple and Landkey to Barnstaple.

The core focus of the Exeter LCWIP (Appendix III) would be within the administrative boundary of the city, setting out 20 cycling routes and 5 city-centre walking routes strategically identified as 'missing gaps' in the existing walking and cycling network. These included the Cycling Routes E1 – Exeter St David's Station to Topsham, E3 – City Centre to Cranbrook, E4 – Exeter University to Science Park, E5 – Stoke Hill to St Thomas, E6 – 'Nurses Way' Stoke Hill to Marsh Barton Station and Industrial Estate, E7 – Exeter St David's Station to Exeter Quay, E8 – Wonford to Sowton Industrial Estate, E9 – Topsham/Newcourt to City Centre via Wonford and St Leonards, E10 – Pynes Hill Business Park to Sowton Industrial Estate and Exeter Business Park, E12 – Beacon Heath to Marsh Barton Station and Industrial Estate, E13

– Clyst St Mary to Topsham via Clyst Road, E14 – Marsh Barton Station to city centre via Water Lane development and Exeter Quay, E15 – South West Exeter development to Exe Bridges, E16 – South West Exeter development to River Exe via Alphington and St Thomas, E17 – Ide to Marsh Barton and Industrial Estate, E18 – Exwick Heights to Exeter St David’s Station, E19 – Cowley Bridges to Exeter St David’s Station, E20 – Exeter St David’s Station to South Street via Iron Bridge, E21 – Exeter St David’s Station to city centre via Queen Street and E22 – Newtown to Water Lane development via St Leonards.

The Walking Routes were W1 – Exeter Quay/Haven Banks to city centre via South Street, W2 – Exe Bridges, Fore Street, High Street, Sidwell Street and St Annes Roundabout, W3 – Exeter St David’s to city centre via Queen Street, W4 – Barnfield Road to Princesshay and W5 – New North Road and Longbrook Street to Paris Street.

The priority for delivery and indicative costs for packages of proposals were detailed in the LCWIPs. Other factors that influenced the prioritisation of improvements were deliverability and / or whether alternative routes existed, for example. It was noted that a proposal’s inclusion in an LCWIP did not guarantee its delivery.

The Government launched ‘The Plan for Drivers’ in October 2023 which was its plan to achieve five key outputs for motorists: smoother journeys, stopping unfair enforcement, easier parking, cracking down on inconsiderate driving and helping the transition to zero emission driving. Due to the potential for conflicts between Devon’s LCWIPs and the Plan for Drivers, a review had been undertaken between these documents, considering Low Traffic Neighbourhoods (LTNs), 15 Minute Cities and 20mph Speed Limits

There had been extensive consultations on the three plans, which was explained in full at section 5 of the Report.

The Cabinet further noted that the LCWIP documents aligned with the vision and priorities set out in Devon County Council’s Strategic Plan 2021 – 2025 in a number of ways, including responding to the climate emergency, being ambitious for children and young people, supporting sustainable economic recovery, tackling poverty and inequality, improving health and wellbeing and helping communities be safe, connected and resilient.

Three Impact Assessments had been prepared for the attention of Members, which were circulated with the agenda and available at;

- [Teignbridge Local Cycling and Walking Plan - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk)
- [Barnstaple with Bideford and Northam Local Cycling and Walking Infrastructure Plan - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk)
- [Exeter Local Cycling and Walking Infrastructure Plan - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk)

The Impact Assessments highlighted that, overall, the LCWIPs would benefit all residents by improving walking and cycling links to employment, education and services. The proposed infrastructure would cater for pedestrians and cyclists of all ages, abilities, and confidence levels and it may enable certain individuals to travel independently by removing transport-related barriers to key destinations.

In summary, the LCWIPs covering the Heart of Teignbridge, Barnstaple with Bideford and Northam and Exeter were ambitious plans for transformative walking and cycling interventions in Devon and would enable the County Council to be in a strong strategic position to secure future funding and ensure that it delivered active travel schemes in locations that delivered maximum impact. The LCWIP documents would contribute towards the development of the Local Transport Plan 4 as a suite of LCWIPs for Devon and ensure Devon could continue to deliver the ambitious active travel infrastructure that met the county's needs.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Hughes, **SECONDED** by Councillor Hart, and

**RESOLVED**

(a) that the adoption of the Heart of Teignbridge Local Cycling and Walking Infrastructure Plan, provided in Appendix I, be approved;

(b) that the adoption of the Barnstaple with Bideford and Northam Local Cycling and Walking Infrastructure Plan, provided in Appendix II, also be approved;

(c) that the adoption of the Exeter Local Cycling and Walking Infrastructure Plan, provided in Appendix III, be agreed; and

(d) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Highway Management, to make minor amendments to the Plans.

**458**      **Notices of Motion**

**(a) Gaza Crisis - Councillor Dewhirst**

(Councillor Dewhirst attended in accordance with Standing Order 8 and Councillors Leaver and Whitton in accordance with 25(2) and spoke to this item).

The wording of the motion is outlined below.

Council condemns the awful terrorist attacks carried out by Hamas in Israel on 7th October.

Council is horrified by the scenes of violence in relation to all individuals who reside in the area in the weeks and days since, in particular the devastating humanitarian situation and the potential effect on the residents of Devon.

Council supports the implementation of international law, which means targeting terrorists, not civilians, and ensuring that innocent citizens do not pay the price.

Council expresses its concern at the UK Government's failure to attempt to ensure that the Israeli government and its military adhere to the requirements of international law and the UK Government's refusal to publish legal advice it has received in relation to the conflict.

Council further calls for the international community to revisit UN Resolution 242, supporting a long term, peaceful, two-state solution for both Israel and Palestine.

Council also believes:

- Essential supplies of aid, water, food, medicine and electricity must continue to be provided to Gaza.
- The UK Government must, with others, work for a lasting ceasefire to:
  - A - Facilitate the delivery of humanitarian aid into Gaza, and
  - B - Allow for an intensive period of diplomacy to realise a political solution, aimed at achieving two states and a lasting peace.

Council accordingly resolves to:

- Ask the UK Government to work towards a lasting ceasefire.
- Note with deep concern the severe reverberations of this crisis in the UK, with Jewish, Muslim and Palestinian communities all



fearing and grieving, and condemns the rise in antisemitism and Islamophobia since 7<sup>th</sup> October. This could have the potential to affect our communities in Devon.

- Thank community leaders for the role they are playing in reducing tensions at this sensitive and difficult time.
- Call upon community leaders and public figures to act responsibly and work to bring communities together at this sensitive time.
- Recognise the role Devon & Cornwall Police are playing at the current time in supporting communities in Devon.

Members considered the Officer's factual briefing note on the matter (LDS/24/2) which referred to the history of Devon's people and communities working together to address suffering, the distress caused by ongoing conflict and loss of lives and the importance of good relations between Devon's people and communities at times of international tension to maintain community cohesion.

The Cabinet considered the recommendation before them, and the actions proposed and already undertaken and any other relevant factors:

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that Council be recommended to:

- (a) support the Government in its efforts to find a ceasefire solution in this situation;
- (b) express solidarity with the innocent people directly affected by the ongoing situation in Israel and Gaza;
- (c) pay tribute to the humanitarian aid workers who remain committed to their work, despite the dangers to their health and their lives; and
- (d) continue to work with the Devon and Cornwall Police and local communities to ensure Devon's residents are safe.

### **(b) Box Shifting – Councillor Adams**

The wording of the motion is outlined below.

The bankruptcy of Birmingham City Council was partly attributed to “dramatic reductions in business rates income” - an issue facing all councils across the UK, to the tune of £250 million a year. The unethical “Box Shifting” practice is a loophole that allows businesses to avoid paying business rates. Closing this loophole will allow local authorities to put back these business rates in their own pockets.

Key information:

- Box shifting involves landlords placing boxes in vacant commercial properties for a six-week period to trigger a three- or six-month rates-free period. Annually, this costs councils around £250 million (*Local Government Association Survey, 2019*)
- This cycle is often repeated, resulting in local councils losing over two-thirds of their empty rates incomes, and properties remain empty for months on end.
- Some landlords put a broadband box, an empty fish tank, or even snail farms in the property to trigger rates avoidance.

This Council pledges to:

Send a letter to the Chancellor of the Exchequer to propose extending the occupation period for business rates exemption from six weeks to six months to tackle the unethical practice of “Box Shifting”. This follows the example of the Welsh and Scottish governments, who have already introduced legislation to tackle the issue.

Members considered the Officer’s factual briefing note on the matter (LDS/24/2) which referred to how business rates were charged and calculated. The administration of business rates was the responsibility of city, borough and district councils within the County which included calculating and issuing the bills including any eligible reliefs. The briefing note explained “empty property relief” and that Government would need to pass changes to regulations for the entitlement to empty property relief to be amended.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors:

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that County Council asks the Director of Finance and Public Value to liaise with the Districts in Devon, as the billing authorities in the County for business rates, to explore whether there is a concern around the scale of empty property rates relief in Devon and assess whether the practice of ‘box shifting’ is an issue locally. This will inform any further information and

recommendations to the Cabinet Member for Finance for further consideration.

**(c) Local Government and Social Care Ombudsman (LGSCO) findings on Special Educational Needs and the Role of Scrutiny - Councillor Bailey**

The wording of the motion is outlined below.

This Council notes that there has been a concerning high number of Local Government and Social Care Ombudsman (LGSCO) findings against Devon County Council relating to Special Educational Needs provision this year, with 26 complaints being upheld against DCC (15 of these have been since June alone).

This Council believes that it is important that each of its three main Scrutiny Committees are furnished with complete information to enable them effectively to scrutinize the various services of Devon County Council and that each committee agenda should include a standing item provided by DCC officers on any LGSCO findings.

Members considered the Officer's factual briefing note on the matter (LDS/24/2) which referred to the reports received by Scrutiny Committees on customer feedback as well as Local Government and Social Care Ombudsman (LGSCO) findings and recommendations and specific examples thereof. It further highlighted where customer feedback data and LGSCO complaints had been used in Task Groups. The briefing note also highlighted the importance of independent Scrutiny Councillors and member-led processes including the agreement of the Scrutiny Work Programme.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors:

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that the County Council supports the independence of Scrutiny in carrying out the important role of critical friend challenge whilst recognising the importance of taking an evidence-based approach to work programming and asks the Chairs and Vice Chairs Committee to consider if the current approach to incorporating Local Government Ombudsman reports is as comprehensive as it needs to be.

### **(d) Hospiscare Funding - Councillor Atkinson**

(Councillors Connett and Whitton attended in accordance with 25(2) and spoke to this item)

The wording of the motion is outlined below.

Hospiscare which provides humane respectful end of life care and management costs almost 10M a year to run with just 18% of that funded by the ICB. This is well below the national average of 37% other hospices receive.

Despite ongoing discussions with the ICB they have refused to provide additional funding, and this means they will be forced to close or reduce services to meet a £2.5 million funding gap.

Without Hospiscare, its patients will need to be treated in an acute hospital setting where they will be a further demand on the NHS system and cost the NHS additional millions in direct care.

#### Motion

- DCC Believes that hospices are a better place than acute hospitals for people to receive palliative care when dying when no other medical treatment beyond pain relief is appropriate.
- DCC supports Hospiscare's fight for fairer funding from Devon Integrated Care board and agrees to write to the ICB to ask them to meet the funding gaps so services can be maintained.
- DCC will write to the ICB, NHS England ministers and local MPS to urge them to support Hospiscare's request for funding.

Members considered the Officer's factual briefing note on the matter (LDS/24/2) which referred to the role of Integrated Care Boards in commissioning health services, including palliative care services and the grant arrangements in place. Whilst Local Authorities did not have statutory responsibilities for funding, commissioning or providing palliative care, it had a role in the development of care plans for individuals approaching the end of life. The briefing paper further reflected on the LGA guidance to local authorities on EoLC which included recommendations such as the role of the health and wellbeing board, or similar body, reviewing how end of life care and support was experienced and seeking assurance that key responsibilities under the Care Act were being delivered.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors:

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that in line with the LGA guidance to local authorities on EoLC, Council ask the Health and Adult Care Scrutiny Committee and / or the Health and Wellbeing Board to review the recommendations and:

(a) explore the quality of end-of-life care in the area, on an annual basis, including how end of life care and support is experienced by different communities in their area;

(b) seek assurance that key responsibilities under the Care Act are being delivered and also that processes, such as those around NHS Continuing Health Care, are effective and person-centred; and

(c) consider whether there is a role for an elected member end of life care champion role to raise the profile of end-of-life care across the council and with partners.

#### **(e) Humanitarian Emergency in Gaza' - Councillor Atkinson**

The wording of the motion is outlined below.

“Devon is proud to offer refugees sanctuary and proud of the of all communities in Devon. Devon County Council stands in solidarity with all those affected by the recent events in Israel and Gaza.

The extreme humanitarian emergency in Gaza, following the 7 October attacks on Israel have both been shocking for us all to see. The situation has had a deep impact on our communities in Exeter.

Devon County Council denounces hate crime in the strongest terms and community cohesion remains a priority for this local authority. It is important that we do not allow these tragic events to divide our communities here in the Devon.

The rise in Antisemitism and Islamophobia across the UK is unacceptable, and Devon County Council will continue to work with all of our communities in Devon to ensure residents feel safe and free from hate.

The Council supports the humanitarian work being done in Gaza and the middle east and encourages residents to donate to organisations raising funds for those in need”.

Members considered the Officer’s factual briefing note on the matter (LDS/24/2) which referred to the history of Devon’s people and communities working together to address suffering, the distress caused by ongoing conflict and loss of lives and the importance of good relations between Devon’s

people and communities at times of international tension to maintain community cohesion.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors (e.g. public health, financial, environmental, risk management and equality and legal considerations and Public Health impact):

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and **RESOLVED** that Council be recommended to:

(a) support the Government in its efforts to find a ceasefire solution in this situation;

(b) express solidarity with the innocent people directly affected by the ongoing situation in Israel and Gaza;

(c) pay tribute to the humanitarian aid workers who remain committed to their work, despite the dangers to their health and their lives; and

(d) continue to work with the Devon and Cornwall Police and local communities to ensure Devon's residents are safe.

**(f) Austerity and Cuts to Local Government Funding - Councillor Atkinson**

(Councillors Leaver and Whitton attended in accordance with 25(2) and spoke to this item).

The wording of the motion is outlined below.

The Chancellor's Autumn statement has set the country on course for a "more painful" austerity drive after the next general election after more than a decade of austerity starting under David Cameron and George Osborne.

The £20bn package of tax cuts is almost entirely funded by swingeing real-terms reductions to public spending planned from 2025 when it may not even be in government according to the IFS.

It is estimated that the NHS receives 20% of its funding from National Insurance.

The plans to cut National Insurance means that some funding for social care and the NHS will have to come from other budgets or general taxation.

This implied a 1.8% cut for unprotected budgets each year from 2024-25 to 2028-29 – including for prisons, the courts system, local government and further education.

After taking into account funding settlements for Scotland, Wales and Northern Ireland, the plans imply cuts of 3.4% in England.

This Council has had more than 50% of its budget cut since 2010 and is already again planning to cut services to bring in a legally balanced budget for 2024-5.

Economists doubt efficiency gains on such a scale can be achieved.

Councils all around us and throughout the country are on the verge of bankruptcy and the County Council is having to make hard choices to cut funding and services to maintain a balanced budget.

This Council resolves:

1. To write to the government to ask them to make no real time cuts to Local Government until it has undertaken a spending review.
2. Seek the support of the LGA to oppose the Chancellor's budget for Local Government

Members considered the Officer's factual briefing note on the matter (LDS/24/2) which referred to the recent provisional local government finance settlement for 2024/25 as well as other grants received. The briefing paper highlighted that 'Core Spending Power' for the Council had increased by 6.5% in 2024/25. However, the settlement was for one year only, and the likely funding amounts in subsequent years was currently unknown.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors (e.g. public health, financial, environmental, risk management and equality and legal considerations and Public Health impact):

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that County Council be recommended to respond to the consultation on the Provisional Settlement for 2024/25 explaining the implications of the settlement for Devon and engages with the LGA and Society of County Treasurers to ensure the financial challenges faced by local government will continue to be represented to Government to inform the next Spending Review.

**(g) Devon Residents Deserve Clean Rivers and Beaches - Councillor Leaver**

(Councillor Hart declared a disclosable pecuniary interest in this matter, due to being in negotiations with South West Water and left the room during the debate)

(Councillor Leaver attended in accordance with Standing Order 8 and Councillor Whitton in accordance with 25(2) and spoke to this item).

The wording of the motion is outlined below.

This Council condemns repeated sewage outfalls across the county and Devon's Conservative MPs votes to allow South West Water to continue to pollute our rivers and beaches.

Council notes that the ongoing problem of poor water quality in Devon impacts on our local communities, economies and environment across the county.

Council believes that this issue goes beyond party politics, and resolves to write a letter from all DCC Group Leaders to Devon MPs and South West Water demanding urgent investment to clean up our water and funding for this to be prioritised over payment of dividends to shareholders and Directors' salaries.

Members considered the Officer's factual briefing note on the matter (LDS/24/2) which referred to the concern over water quality in rivers, streams and coastal waters. Whilst pollution by sewage was one of several causes there were other significant factors, particularly run-off from land (agricultural and urban) which could cause significant damaging nutrient-enrichment, pollution incidents. The significance of such water pollution was recognised by Ofwat and data on sewage overflows was published by the Environment Agency. Since November 2021, English water companies had been under investigation by Ofwat and the Environment Agency in relation to widespread and serious non-compliance with the relevant regulations and as a result, Ofwat was progressing six enforcement cases, including one into South West Water. This is also at a time when Government was seeking a step change in how water companies tackled this issue, as addressed by its Storm Overflows Discharge Reduction Plan<sup>[1]</sup>.

The debate is whether such action was sufficient to achieve identified targets and reduce the associated threat to public health and wildlife.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors:



It was **MOVED** by Councillor McInnes, **SECONDED** by Councillor Hughes, and

**RESOLVED** that Council be recommended to

(a) note that the ongoing problem of poor water quality in Devon impacts on our local communities, economies and environment across the county; and

(b) urge all those with a specific role, including South West Water, the Environment Agency, Ofwat and central government, to pursue relevant action to adequately address this problem.

[\[1\] Storm overflows discharge reduction plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115442/storm-overflows-discharge-reduction-plan.pdf)

\* 459 **Question(s) from Members of the Public**

In accordance with the Council's Public Participation Rules, the Leader responded to one question from a member of the public on the residential status of a DCC Councillor.

The questioner was not present in the meeting therefore a copy of the question and answer would be sent direct to them.

\* 460 **Minutes**

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that the Minutes of the following be endorsed and any recommendations to Cabinet therein be approved:

Devon Education Forum – 22 November 2023

\* 461 **Delegated Action/Urgent Matters**

The [Registers of Decisions taken by Members under the urgency provisions or delegated powers](#) were available for inspection, in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. [Decisions taken by Officers](#) under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution.

\* **462**      **Forward Plan**

In accordance with the Council's Constitution, the Cabinet reviewed the [Forward Plan](#) and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

**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 10.30 am and finished at 12.35 pm