

**CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY  
COMMITTEE**

25 September 2024

Present:-

Councillors F Letch MBE (Chair), C Slade (Vice-Chair), Y Atkinson, J Brook, R Chesterton, A Dewhirst, J Hodgson, R Radford, D Sellis, M Squires, J Trail BEM, D Thomas and J Wilton-Love

Apologies:-

Councillor J Berry

Members attending in accordance with Standing Order 25

Councillor C Leaver

\* 178 **Declarations of Interest**

No declarations were received, over and above the other registrable interests of Councillors of Devon County Council, arising from membership of City, Town or Parish Councils and other Local Authorities. [A list of county councillors who are also district, borough, city, parish or town councillors](#)

\* 179 **Minutes**

**RESOLVED** that the Minutes of the meeting held on 27 June 2024 be signed as a correct record.

\* 180 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

\* 181 **Public Participation**

There were no verbal representations from Members of the Public.

\* 182 **Future Delivery Model for the Highways Maintenance Service**

The Cabinet Member for Highways Management introduced the Report of the Director of Climate Change, Environment and Transport (CET/24/65), regarding consideration of an outline business case for 5 short listed Delivery Model options, as well as the ranking of attributes for the County Council's

Highway Maintenance Contract beyond March 2027, prior to its consideration by Cabinet. This followed Report (CET/24/44) to this Committee's last meeting on 27 June 2024 (as referenced in Report CET/24/65). Members had also attended two Scrutiny masterclasses in June and September 2024 as background. Officers further advised that it was unlikely that the Joint Venture option could now be delivered before the end of the current contract, due to timescales.

The Director of Legal and Democratic Services and the Director of People and Culture both highlighted legal and financial risks and implications in relation to the Direct Labour Organisation providing all services (i.e. In-House model). This would include substantial risk costs for personal injury and claims where work had not been completed within the timescales, as well as TUPE, pay and pension costs when compared to the private sector. There was less potential with In-House options to provide incentivised performance pay.

Members' discussion included:-

- merits of the models in relation to productivity incentives for efficient and effective work;
- ensuring a good/improved level of control by the County Council;
- use of Crown Commercial Service for procurement;
- job order and specification role to support other County Council priorities;
- current legislation, not potential legal changes, were factored into the business case;
- whilst now considering the replacement for the current Term Maintenance Contract, some ongoing Member concerns related to other parts of the highways service;
- the County Council must be fully committed to the success of whichever model was chosen;
- clarification received that the Devon and Torbay devolution deal would have no impact on this Delivery Model;
- noted the verbal update given regarding legal and human resources risks.

It was **MOVED** by Councillor Letch, **SECONDED** by Councillor Slade and

**RESOLVED** that Cabinet be advised:-

(a) that Members' ranking of the most important attributes of a Future Delivery Model for the Highway Maintenance Service as summarised in Appendix 4 to Report (CET/24/44) and set out below (in order of importance) be confirmed:-

1. Quality of work
2. Value for money
3. Managing performance
4. Information on work programmes
5. Response to changing demand
6. New technology and innovation

7. Level of risk to County Council
8. Climate change response
9. Achievability of transition;

(b) that having considered the financial and risk information in the outline business case at Appendix 1 to Report (CET/24/65), together with the information contained in report (CET/24/44), Scrutiny Committee's view on the short list of 5 Delivery Model options (in order of preference) were as follows:-

1. Direct Labour Organisation providing all services (i.e. All In-House option)
2. Cyclic and Reactive Services provided by Direct Labour. All other services contracted out  
Joint 3<sup>rd</sup> Term Maintenance Contract with associated Framework Contracts (current model)
- Joint 3<sup>rd</sup> Arms-Length Company (with a Teckal exemption)
5. Joint Venture Company; and

(c) that it is recommended that this Scrutiny Committee take a role in overseeing preparations for the new contract or organisation and its delivery.

\* 183 **Highways Performance Dashboard - Summer 2024**

The Committee received the Report of the Director of Climate Change, Environment and Transport (CET/24/67), regarding the Highways and Traffic Management Team performance overview over the summer period 2024.

Members' welcomed noticeable improvements to the highway network in relation to the white lining programme, drainage cleaning and summer works;

Member's discussion also included:-

-that further consideration could be given to pedestrian zebra crossing practice in a neighbouring local authority;

-how dashboard work fitted with the highways asset management plan priorities;

-Member/Neighbourhood Highways Officer liaison;

-grass cutting involvement by DCC, district and parish councils for better outcomes; and

-issues with vegetation overgrowth (landowner responsibility).

\* 184 **Street Lighting Trial Update and Future Policy Considerations**

The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/24/66), regarding findings from the recent streetlighting trial (9 April to 21 May 2024), with earlier switch off times and further dimming of street lighting in various trial locations. This gave an opportunity to reduce carbon emissions and costs, whilst responding to local needs for lighting.

In 2015/16 DCC's street lighting asset used circa 31million kWh of electricity, by 2023/24 this had reduced to 12million kWh, equating to an annual revenue saving in excess of £6m (based on current energy price of £0.33 per kWh).

The Report did not propose any change to DCC's main road lighting regime. Whilst maintaining public safety, the trial successfully indicated it was appropriate to have different dimming regimes (e.g.urban/rural areas).

Ecologically in relation to protected species, Devon had the largest Greater Horseshoe bat population in western Europe but there was concern regarding their recent decline. Bats were directly affected by street lighting. Devon also had important dormouse and great crested newt populations.

Members' discussion included:-

-The Committee welcomed Report (CET/24/66) and supported the consideration of dimming streetlighting further than the Report proposals;

-This Committee recognised the uniqueness of Devon and the benefits of the policy consideration on reducing streetlighting, including that on the natural environment, dark skies, wildlife and health & wellbeing, in addition to reducing carbon emissions and costs;

-Members considered that three different dimming regimes were appropriate on the basis of city, market town and rural areas;

- Potential further differentiation by settlement type (e.g. to support the nighttime economy, Safer Streets, impact on shift workers / environmental and ecological factors); and

-Whilst noting the consideration of street lighting messages to the public (e.g. consistency of approach), other considerations could outweigh this.

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

**RESOLVED** that given all of the benefits identified above and in Report (CET/24/66), this Committee recommends to Cabinet that a three tier system be considered to take into account the separate needs of city, market towns

and rural villages, recognising the important of dark skies, particularly in rural areas and the benefits to wildlife and the environment.

\* 185 **Scrutiny Work Programme**

The Head of Scrutiny updated the Committee as to the work programme.

\* 186 **Future Meetings**

Please use link below for County Council Calendar of Meetings:

<http://democracy.devon.gov.uk/ieListMeetings.aspx?Committeeld=175>

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

The Meeting started at 10.30 am and finished at 12.20 pm