

County Council
Thursday, 25th May, 2023



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

17 May 2023

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 25th May, 2023 at 2.15 pm.

Chief Executive

AGENDA

15. Cabinet Member Reports (Pages 1 - 12)

To consider reports from Cabinet Members.

Report of the Cabinet Member Children's Services and Schools

I have been asked to Report as follows for Full Council on 25 May 2023:

1. By Councillor Hannaford as follows:

The Government has announced £600m of ringfenced funding to support primary school physical activity and sport, alongside an additional £22m of funding for the nationwide network of 450 School Games Organisers. Both sets of funding will provide support for the next two academic years and will help schools to ensure PE and school sport are inclusive, engaging and fun for all young people, allowing every child the opportunity to compete.

Recent research conducted by the Youth Sport Trust highlighted the potential impact should the funding not have been confirmed. This included an estimated increase in children leaving school unable to swim, and three in four schools (73%) unable to maintain their current physical activity and after-school sport offer, at a time when fewer than half of all young people in England meet the minimum recommended activity level of 60 minutes a day.

To include, how much funding Devon County Council will receive, how many School Games Organisers will be established, and how will team sports be secured for girls.

Also, how will Devon County Council work with its own maintained schools, and the wider local education communities to make the most of this funding and promote new opportunities?

2. By Councillor Hannaford as follows:

Regarding serious concerns and allegations about the Ted Wragg Schools. To include what role, responsibilities and statutory duties DCC has when these issues are being raised in regard to non local authority maintained schools. Furthermore, where the allegations are in direct relation to the health, welfare, care, support and dignity of children and young people attending these schools.

3. By Councillor Hannaford as follows:

On the ongoing situation at the Dartmoor Multi Academy Trust. To include their financial situation, job losses, potential curriculum reductions, and their long-term viability.

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4. By Councillor Adams as follows:

On an outline plan for future engagement with the Devon SEND Parents and Carers for Change (DSPCC) and how this group will work with the Devon Parents Forum? How will this group's voice be heard and how will communication with families be improved? What response has been given to DSPCC after the presentation of their report to Children's Services and what is the subsequent response of the DSPCC?

Responses

1. School Sports Funding

The DfE has announced the Primary PE and Sport Premium will continue for academic years 2023-24 and 2024-25 with a total of over £600 million of funding across the two years. Further guidance, including school allocations, priorities and reporting requirements, are expected in the summer and will include a new digital tool to support schools in using the funding to the best advantage of their pupils

In 2022-23, the DfE allocated £320m nationally with Devon primary schools receiving at total of £5.6m and it is expected individual school allocations will remain broadly the same over the next two years with the average primary school receiving £18,000 per year. The funding goes directly to schools and all schools in receipt of the 2022-23 grant are required to publish details of how they have used the grant, the impact and for the 2022-23 allocation, an analysis of the Y6 cohort and their swimming ability. It is again anticipated that guidance for 2023-24 and 2024-25 will require similar reporting against the priorities for this programme.

The £22 million of funding for School Games Organisers (SGOs) is invested through specific host schools who employ the SGOs. These are not new posts being created but rather the funding is to continue roles that are already established. There are five SGOs in Devon (plus three across Plymouth and Torbay). Active Devon works closely to support their work as a collaborative network since the local activities they promote feed into countywide provision which we coordinate.

It is currently unclear yet how girls team sports will be mandated, however, it has been confirmed that the current [Schools Games Mark](#) will be expanded to reward parity of provision for girls. This kitemark scheme, delivered by the Youth Sport Trust through the School Games Organiser network, recognises schools that create positive sporting experiences across all sports for young people, supporting them to be active for 60 minutes a day.

Active Devon is leading work locally on Opening School Facilities (OSF) which is a part of the £600 million funding allocation. This programme aims to help schools to open their existing sport facilities, including school swimming pools, for a broader range of young people and to support the wider community by partnering with sporting organisations, who can help deliver activities in these settings. It has a particular emphasis on groups who face greater inequality in terms of participating in sport and physical activity: Children in receipt of Free School Meals, Females, Children with Special Educational Needs and Disabilities, and Children from ethnically diverse backgrounds. Investment is in place to March 2025 and there are

24 schools in the Devon County Council area that Active Devon are working with. The investment is worth up to £1.2m in Devon, Plymouth and Torbay.

2. Ted Wragg Schools

Whilst we have every sympathy for the concerns of parents and staff it is important for members to understand the relationship Devon County Council has through the cabinet member (lead member) and the statutory director of children's services with both maintained schools and academies.

With the exception of specific powers in relation to vulnerable children, Schools are self-governing institutions, and whilst enquiries are made in relation to a school's actions and performance, it is the role of the governing body to address school issues. This is reflected in the schools complaints procedures
<https://www.gov.uk/complain-about-school/state-schools>

Where a LA maintained school is not performing well, for example through a poor Ofsted inspection the council can take action in relation to the governing body there is a defined legal process to do this
<https://www.gov.uk/government/publications/schools-causing-concern--2>

Devon County Council has no powers to interfere with the running of Academy schools this responsibility sits with the Department for Education and ultimately with parliament.

Where there are concerns within the Academy school representations are made directly to the head teacher or executive head if the school is in a multi Academy trust and/or to the Department for Education through regular meetings.

As you can see building relationships with schools is a key task, and it is important that members where possible establish relationships with their local schools to best serve their residents.

3. Dartmoor Multi Academy Trust

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With the exception of specific powers in relation to vulnerable children, schools are self-governing institutions, and whilst enquiries are made in relation to a school's actions and performance, it is the role of the governing body to address school issues. This is reflected in the schools complaints procedures
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As you can see building relationships with schools is a key task, and it is important that members where possible establish relationships with their local schools to best serve their residents.

4. Engagement with the Devon SEND Parents and Carers for Change (DSPCC)

I thank Councillor Adams for her report request. It is a very important matter, but I am not in a position today to outline the plan requested. I will however undertake further investigation and respond more fully in due course.

Andrew Leadbetter
Cabinet Member
Children's Services and Schools

Report of the Cabinet Member for Climate Change, Environment and Transport

Introduction

I have been asked to report as follows for Full Council on 25 May 2023:

- 1. By Councillor Hannaford as follows:**
On the current funding situation for the Dawlish line.
- 2. By Councillor Connett as follows:**
Progress at South West Exeter including an update on delivery of the planned GP surgery/primary care facility and the Community Centre building.
- 3. By Councillor Hodgson as follows:**
What review scrutiny is applied to the impact on wildlife and habitats of new planning developments that are likely to affect protected wildlife species, Wildlife Corridors, or other protected habitats? Questions have been raised regarding recent planning applications in Dartington which seem to have DCC Ecology approval, yet where Natural England has raised concerns that have not been responded to and in other sites where there are known Greater Horseshoe Bat pinch points.

Response

1. The current funding situation for the Dawlish line

I have pleasure in setting out the latest position regarding the South West Rail Resilience Programme, being delivered by Network Rail with Government investment of just over £170m committed to creating a more reliable, resilient railway for passengers travelling on the South Devon mainline.

Phases 1 and 2 Dawlish sea wall - £80.6m committed

The first phase of the new sea wall, running approximately 360m along Marine Parade, commenced in May 2019 and completed in July 2020. Construction of the second phase, including a 415m section between Coastguards and Colonnade breakwaters, started in November 2020 and is due for completion later in 2023. As part of these works, a new pedestrian bridge linking phases 1 and 2 of the sea wall has been delivered. The new bridge, promenade and access to the beach is currently closed but Network Rail aim to announce a date for reopening of the promenade in the coming weeks. The remaining works on Phase 2 include the Colonnade viaduct and the new seating area around the stilling basin.

A key benefit of the Phase 2 works includes improving Dawlish Station accessibility to address issues faced by disabled passengers and passengers facing mobility constraints (e.g. transporting heavy luggage or pushchairs). Platforms have been realigned to reduce the stepping distance from the trains and an accessible station

footbridge with lifts is also currently under construction. The bridge and lifts are being funded separately under Network Rail's Renewals budget and once complete, will enable the closure of the barrow crossing at the station.

Phase 3 – Parson's Tunnel North Portal rockfall shelter - £52.6m committed

This phase involves installing a new rockfall shelter at the northern end of Parson's Tunnel, between Dawlish and Holcombe and much of the work has to be done at night while trains are not running. 7,000 square metres of mesh, secured by soil nails, has been installed on the cliff face and the shelter is expected to be complete by December 2023.

Phase 4 – Dawlish to Holcombe – cliff stabilisation - £32.2m committed

This phase covers the stretch of the railway between Dawlish and the rockfall shelter works at Parson's Tunnel, near Holcombe. These works will include protective measures including netting designed to retain the cliffs in some high-risk locations, and catch fences which will stop any cliff material reaching the railway. BAM Nuttall have been awarded the contract and vegetation clearance is now under way before the main work starts later this year. The plan is for these works to be completed in July 2024 and Network Rail are currently discussing access opportunities to optimise their construction programme.

Phase 5 – Parson's Tunnel to Teignmouth - £5.3m spent to date; final scheme funding uncommitted

This final section covers approximately 1.8km section of railway between Holcombe and Teignmouth and has been amended following public feedback on the original proposal to realign the railway towards the sea. Network Rail committed to review the scheme and are proposing resilience measures that will reduce the impact on the beach. The immediate risks come from the cliffs in this location and so options to manage the cliffs without moving the railway or tackling the sea wall are currently being investigated. Further ground investigations in the area are ongoing and options include soil nailing and netting to groundwater management to improve the stability of the cliffs. Government funding has yet to be confirmed for this phase; however, Devon County Council continues to make the case for investment through discussions with South West MPs and in collaboration with other South West transport authorities and rail industry partners via the Peninsula Transport Sub National Transport Body.

Overview



- Phase 1 Dawlish Marine Parade
- Phase 2 Coastguards to Colonnade
- Phase 3 Parsons Tunnel North
- Phase 4 Dawlish to Holcombe
- Phase 5 Parsons to Teignmouth

2. Progress at South West Exeter

Infrastructure delivery at South West Exeter, funded by the Housing Infrastructure Fund, has been progressing and the benefits of this can be seen with the housing currently being built.

Two junction schemes have been delivered and the first phases of the Ridgetop Park are open to the public. In addition, two schemes are currently on site. The construction of the pedestrian/cycle bridge is progressing, with the bridge due to be lifted into place during the May half term, and works expected to be complete in the summer. The first phase of the Alphington public realm scheme is also onsite, due to be completed in June. A scheme for a signal junction at Trood Lane and improvements to Devon Hotel roundabout is concluding a tender process. We are working with the developer to be in a position to award the contract and following this, construction will commence. A planning application for the electricity substation has been submitted and officers are continuing to engage with National Grid regarding its delivery. Planning permission has been granted for a section of the spine road, with the remaining section through the Vistry site now expected to be delivered directly by the developer.

Regarding the community building and GP surgery, Ongoing discussions have been held with Exminster Parish Council, Ide Lane Surgery and the NHS to inform the

design and requirements for the building, within the funding which is available. A planning application is currently being prepared based on these discussions, which is due for submission by the end of May. Tender and construction of the building are expected to follow once planning permission is secured.

3. Review scrutiny applied to the impact on wildlife and habitats of new planning developments

The scope of DCC's scrutiny regarding planning and wildlife (both for DCC and for other local planning authorities where we have a Service Level Agreement to provide planning and wildlife advice) aligns with legislative and policy requirements and related national and local guidance. This is outlined on DCC's wildlife and planning web page at: [Wildlife and geology planning guidance - Environment \(devon.gov.uk\)](https://www.devon.gov.uk/wildlife-geology-planning-guidance-environment).

In relation to greater horseshoe bats, the input provided by DCC would accord with the South Hams Special Area of Conservation Habitats Regulations Assessment Guidance, which is available via the 'Protected Sites' tab on the DCC wildlife and planning web page linked above. This guidance was produced in association with and endorsed by Natural England.

**Report of the Cabinet Member
Adult Social Care & Health Services**

I have been asked to Report on the following for Full Council on 25 May 2023:

1. By Councillor Hannaford as follows:

On the Abbeyfield Societies 45-day consultation, that was announced this week, on the future of their six residential support units for elderly residents, three of which are in Devon. Specifically. How many residents are in the three Abbeyfield Society homes in Devon?

Where are they located?

What work are we doing to help support the elderly residents and their families?

If they are closed, can we please work with other key stakeholders to ensure that residents can be moved together to preserve their social bonds and supportive friendships?

Response

Situation:

Abbeyfield Society have initiated a public consultation for 45 days looking at the future of three of its services within Devon and some of its services in Cornwall. One outcome of the consultation is for services to close.

Background:

- Integrated Adults Social Care (IASC) was contacted, via Devon's democratic service department, following an enquiry from Cllr Hannaford on the 17th May.
- Integrated Adults Social Care is grateful to Cllr Hannaford as it was until then not aware of the consultation's launch.
- Abbeyfield is a national charity for older people operating mostly housing services including sheltered house and residential accommodation.
- Through investigation, IASC are currently aware of three services affected within the Devon footprint,
 - Lockington Avenue in Plymouth PL3 5QR
 - Dunstone Road in Plymouth, PL9 8SF
 - Trehill Road in Ivybridge. PL21 0AZ
- All services offer sheltered housing accommodation.
- Our systems inform us we have no service users in the Plymouth services.
- We have two people with service agreements in the Ivybridge complex.
- We are aware of fourteen other people in the service, although they are not current service users within Adult Social Care.
- Contact was made to the Abbeyfield company on the 18th May via phone and email. Further email exchanges took place on the 19th May. IASC is currently waiting for one of the Directors to make contact to discuss the situation in more detail.

Analysis:

The greater impact on statutory bodies from any changes to the services is likely to be felt by those bodies with responsibility for housing individuals. In the case of the Ivybridge property this rests with South and West Devon District Council.

Integrated Adult's social care will be able to offer support to meet any eligible social care outcomes that are identified. It is likely that the primary presenting issue will be one of housing should there be changes to the service following the consultation.

Actions:

The following actions have been taken

1. The local Community Health and Social Care team, Care Direct Plus service and our commissioning colleagues have been made aware of the situation.
2. Integrated Adult Social Care has reached out to colleagues in West Devon Council's housing department to ensure they are aware of the situation.
3. Integrated Adult Social Care will continue to pursue communication with the Abbeyfield senior team.

James McInnes

Cabinet Member

Adult Social Care and Health Services

**Report of the Cabinet Member for
Highway Management**

I have been asked to report as follows for Full Council on 25 May 2023:

By Councillor Bailey on:

DCC's 20mph scheme is heavily oversubscribed with more than 101 communities applying last year and 57 applying this year. Yet with only an average of 5 communities being selected per year it will take many years to roll the scheme out to all the communities who would like it. Four communities in my division will be disappointed have not been selected for a second year – Newton Poppleford, Otterton, Colaton Raleigh and Aylesbeare. Can you please provide a cabinet report on how you will enable 20mph schemes to be introduced in the next twelve months to all the communities who wish to have it.

Response

I understand that there is a huge demand from our communities for 20mph limits and this far exceeds current budgets.

As I explained in my response to Councillor Hodgson's question to this Council meeting, the schemes selected in our first tranche (along with trials around schools in Newton Abbot) form the basis of our study on the effectiveness of 20s and a changing Policy approach to 20mph limits. Once the study is complete we will better understand the effectiveness of these interventions and budgets will be allocated (if appropriate) for a larger scale rollout.

A report will be prepared for Cabinet on how we may meet the need for these interventions in the many communities that have requested them.

Councillor Stuart Hughes
Cabinet Member for Highway Management

