

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Cabinet

County Hall
Topsham Road
Exeter
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EX2 4QD

(See below)

Your ref :
Our ref :

Date : 5 April 2016
Please ask for : Rob Hooper, 01392 382300

Email: rob.hooper@devon.gov.uk
Fax :

CABINET

Wednesday, 13th April, 2016

A meeting of the Cabinet is to be held on the above date, at 10.30 am in the Committee Suite, County Hall, Exeter to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 9 March 2016 (previously circulated).

3 Items Requiring Urgent Attention

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

4 Chairman's Announcements

5 Petitions

6 Question(s) from Members of the Council

7 Call-in of Cabinet Decision: Sutcombe Primary School Closure (Minute *484/9 March 2016)

In accordance with the Scrutiny Procedure Rules, the requisite number of members (Councillors Owen, Hannan, Hannaford, Hill and Wright) had invoked the call-in procedure in relation to the above decision of the Cabinet, to enable the People's Scrutiny Committee to consider this matter on the grounds '*...that not all the relevant factors were made known*'.

The Cabinet is advised that the People's Scrutiny Committee considered the 'call-in' at its meeting on 21 March 2016 (Minute *144) and endorsed the Cabinet's decision; the Scrutiny Committee therefore not having requested reconsideration or amendment of the Cabinet's decision it had been implemented with immediate effect.

[NB: The Joint Report of the Heads of Planning, Transportation & Environment and Education & Learning and County Treasurer (PTE/16/14) is available at:
http://www.devon.gov.uk/index/councildemocracy/decision_making/cma/index_exc.htm]

FRAMEWORK DECISION

Nil

KEY DECISIONS

8 Education Travel Policy for 2016/17 (Pages 1 - 4)

Report of the Head of Education & Learning (EL/16/3) on the outcome of consultations on travel policy for the 2016/17 Academic year, attached.

Electoral Division(s): All

9 County Road Highway Maintenance Capital Budget (Pages 5 - 28)

Report of the Head of Highways, Capital Development & Waste (HCW/16/31) on progress with 2015/16 programmes and approval of schemes and proposed programmes for capital funding of highway maintenance programmes in 2016/17, attached.

Electoral Division(s): All

10 County Road Highway Maintenance Revenue Budget and On-Street Parking Account 2016/17 (Pages 29 - 38)

Report of the Head of Highways, Capital Development & Waste (HCW/16/32) on the allocation of highway maintenance funding for 2016/17, attached.

Electoral Division(s): All

11 Waste Management - Sharing of Financial Savings (Pages 39 - 44)

Report of the Head of Highways, Capital Development & Waste (HCW/16/33) on proposals for sharing financial savings through collaborative working with District Councils to reduce treatment and disposal costs, attached.

Electoral Division(s): All

12 Flood Risk Management Programme (Pages 45 - 56)

Report of the Head of Planning, Transportation and Environment (PTE/16/21) reviewing progress of schemes in 2015/16 and seeking approval of plans and expenditure for 2016/17, attached.

Electoral Division(s): All

13 District Heating Networks (Minute 574/14 November 2012) (Pages 57 - 66)

Report of the Head of Economy & Enterprise ([EE/16/7](#)) seeking approval to the procurement process for selection with other stakeholders of an Energy Services Company, attached.

Electoral Division(s): All

MATTERS REFERRED

14 Place Scrutiny Committee - Pollinators and Neonicotinoids (Pages 67 - 70)

The Place Scrutiny Committee, at its meeting on 7 March 2016 (Minute *118), considered the Report of the Head of Planning, Transportation and Environment ([PTE/16/13](#)), attached, upon the impact on Pollinators of Neonicotinoids prepared in response to the Notice of Motion by Councillor Hook submitted to the County Council on 10 December 2015 and referred by Cabinet to the Scrutiny Committee.

That Committee was asked to comment upon the desirability of a Pollinators Action Plan being produced through which more detailed consideration might be given to any relevant restrictions on the use of Neonicotinoids on County Council property and any opportunities to support the conservation of bees and other pollinators and subsequently resolved:

'(a) that the Committee welcome and endorse the principle of a Pollinators Action Plan being produced covering the issues outlined in Report PTE/16/13 and that Cabinet be recommended to adopt and implement such a Plan at the earliest opportunity;

(b) that, in addition, Cabinet be strongly advised to take all necessary steps where possible to prohibit the use of Neonicotinoids on land under the control or ownership of the County Council including existing and new tenants of the County Farms Estate;

(c) that the County Council engage other Councils in Devon and partner organisations to take similar action to that outlined above'

Recommendation: that the Scrutiny Committee's views be noted and approval, in principle, be given to the adoption of a Pollinators Action Plan and Officers be asked to further explore the practicalities of the proposed actions at (b) above, seeking also the views of the County Farms Estate Committee as appropriate, and report further to Cabinet as soon as practicable.

15 People's Scrutiny Committee - School Exclusions Review: Educational Outcomes Task Group

The People's Scrutiny Committee at its meeting on 21 March 2016 (Minute *147) considered the Report of its Task Group (CS/16/16), attached, looking at the exclusion process including preventative measures, school and off-site provision, funding to support students at risk and the use of multi-agency engagement, incorporating the views and experiences of pupils and staff. The Task Group's recommendations included examining the extent to which disadvantaged pupils and those with Special Educational Needs featured among those excluded; that all teaching and support staff were able to enhance their skills in relation to emotional and social education; that schools were provided training on the how effective pastoral support systems could be developed and provided for all pupils; the legality and effectiveness of providing 'late' and 'early' schools and the use of part-time timetables in schools; multi-agency partnerships with particular attention to pupils with mental health needs and how schools worked with the Child and Adult Mental Health Service and for the Council to investigate the impact of Elective Home Education on pupils in Devon. The Scrutiny Committee agreed that *'the Task Group's findings and recommendations be commended to the Cabinet for approval and action'*.

Recommendation: that the Task Group's recommendations be welcomed and the Cabinet Member for Children Schools and Skills be asked, in concert with the relevant Head(s) of Service to take all appropriate action, to take the recommendations forward.

16 Corporate Services Scrutiny Committee - Commissioning Task Group

The Corporate Services Scrutiny Committee at its meeting on 24 March 2016 (Minute *92(a)) considered the Report of its Task Group (CS/16/15), attached, exploring the Council's approach for the scrutiny of commissioning processes and commissioned services, reflecting the changing face of the Council and how it delivers services, looking at particular on strengthening communication and collaboration between Cabinet Members, Heads of Service and Scrutiny Committees, the contribution Scrutiny can play in commissioning and reviewing services provided to assist the Council in the developing policy to ensure the proper discharge the Council's functions. The Scrutiny Committee endorsed and commended the Task Group's findings and recommendations to the Cabinet for approval and action.

Recommendation: that the Task Group's recommendations be endorsed and the Cabinet Member for Performance & Engagement be asked to explore, in conjunction with relevant Cabinet Members and Head(s) of Service how best to take the recommendations forward.

17 South Hams Highways & Traffic Order Committee - 20mph Speed Limit, Marldon

The South Hams HATOC at its meeting on 1 April 2016 (Minute 55) considered a request from the Parish Council and local residents for the introduction of a 20mph speed limit on roads in Marldon Parish; this matter having previously been considered in November 2015 when it had been deferred pending the findings of the interim Department for Transport report on the effectiveness of 20mph speed limits and zones and the subsequent review of the Council's policy on local speed limits. That guidance had been expected to be published in 2016 but was now anticipated in 2017.

The HATOC had been advised by the Head of Service that the application for a reduced speed limit would not meet the Council's criteria for Local Speed Limits. However, the Committee had asked that the matter be referred to the Cabinet for determination as a departure from policy, the Committee being of the view that road safety concerns and accident statistics now submitted were sufficient to override current policy and that Cabinet should introduce a 20mph speed limit for the Parish of Marldon.

Recommendation: that the request for a 20mph speed limit on roads in the Parish of Marldon be not approved as it does not meet the criteria stated in the County Council's policy for Local Speed Limits.

Notices of Motion: Taxation (County Council Minute 173/18 February 2016 and Cabinet Minute 488(a)/9 March 2016)) (Pages 71 - 72)

The following Notice of Motion submitted to the County Council by Councillor Wright had previously been referred to the Cabinet in accordance with Standing Order 8(2) for consideration, to refer to another committee or make a recommendation back to the Council.

'This Council notes that:

- *Tax avoidance by big business is rife and the Public Accounts Committee last year criticised HMRC for not doing more to tackle the problem;*
- *Austerity measures mean that £174m funding has been cut from this council over the past five years, this year £34m will be lost - and many more millions are set to be lost in the coming years, prompting damaging service cuts;*
- *The Devon portion of avoided corporation tax could total around £380m;*
- *The practice of tax avoidance among corporate giants also has a negative effect on small and medium-sized companies who pay more tax proportionately;*
- *That tax evasion and avoidance by multinational companies is costing developing countries up to \$300 bn a year, according to the IMF – more than these countries receive in aid*

This Council further notes:

In early 2015 new regulations required public bodies, including councils, to ask procurement qualification questions of all companies for tenders over £173,000 for service contracts and £4m for works contracts.

*However, there are stricter standards available. This Council believes that bidders for council contracts should be asked to account for their past tax record, using **the most rigorous** possible government guidance (as in Procurement Policy Note 03/14)*

*This Council therefore calls for procurement procedures to be amended to require **all companies** bidding for council contracts to **self-certify** that they are **fully tax-compliant** in line with central government practice, using the standards in PPN 03/14, applying to contracts of the size specified above.*

This Council asks the Cabinet to publicise this policy and to report on its implementation annually for the next three years.

While the Cabinet had, at its previous meeting, acknowledged the suggestion that the Council should not take any further action on the Notice of Motion in light of the action already being taken to comply with the Cabinet Office Directives (which formed part of its published procurement policies, as set out fully in Report BSS/16/5) - provided also that in future instances of supplier non-compliance be published annually on the Council's website – it was nonetheless agreed, in light of further representations then made, that the Council could adopt more rigorous, higher thresholds, that consideration of this matter be deferred until this, the next meeting.

Head of Business Support & Strategy to report. The factual briefing/background paper (BSS/16/5) is recirculated for Members' convenience.

STANDING ITEMS

Question(s) from Members of the Public

20 Minutes (Pages 73 - 78)

Devon Education Forum, 16 March 2016

[NB: Minutes of the Devon Education (Schools) Forum are published at:
<http://www.devon.gov.uk/schoolsforum.htm>]

21 Delegated Action/Urgent Matters (Pages 79 - 80)

The Registers of Decisions taken by Members under the urgency provisions or delegated powers will be available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. A summary of such decisions taken since the last meeting is attached.

22 Forward Plan

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.

[NB: The Forward Plan is available on the Council's website
at:http://www.devon.gov.uk/index/councildemocracy/decision_making/cabinet_committee/forward_plan.htm]

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

Nil

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Notice of all items listed above have been included in the Council's Forward Plan for the required period, unless otherwise indicated. The Forward Plan is published on the County Council's website at <http://www.devon.gov.uk/cma.htm>

Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution. The Minutes of this meeting will be published on the Council's website, as indicated below, as soon as possible.

Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).

Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.

Membership

Councillors J Hart (Chairman), B Parsons, S Barker, R Croad, A Davis, A Leadbetter, J McInnes, J Clatworthy and S Hughes

Cabinet Member Remits

Councillors Hart (Policy & Corporate), Barker (Adult Social Care & Health Services), Clatworthy (Resources & Asset Management), Croad (Community & Environmental Services), Davis (Improving Health & Wellbeing), S Hughes (Highway Management & Flood Prevention), Leadbetter (Economy, Growth and Cabinet Liaison for Exeter), McInnes (Children, Schools & Skills) and Parsons (Performance & Engagement)

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect the Council's / Cabinet Forward Plan or any Reports or Background

Papers relating to any item on this agenda should contact Rob Hooper on 01392 382300. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website.

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Questions to the Cabinet / Public Participation

A Member of the Council may ask the Leader of the Council or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility.

Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. For further information please contact Mr Hooper on 01392 382300 or look at our website at: <http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/>

Emergencies

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

Mobile Phones

Please switch off all mobile phones before entering the Committee Room or Council Chamber

If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

EDUCATION TRAVEL POLICY FOR 2016-17

Report of the Head of Education and Learning

Please note that the following recommendation is subject to approval by the Cabinet and confirmation under the provisions of the Council's Constitution before taking effect.

1. Note the travel policy was proposed and consulted on by the Local Authority
2. Consider the recommendations at section 2.1.
3. Approve the proposed timetable for determination of future policies at section 3.6.
4. Determine the recommended travel policy for 2016-17 at www.devon.gov.uk/admissionarrangements (and for 2017-18 with dates rolled forward).

1. PURPOSE OF REPORT

- 1.1 The Local Authority (LA) has statutory responsibilities to provide free transport to and from school for children of statutory school age who meet set criteria. It may also exercise its discretion to provide assistance for children in other circumstances, for which it may charge a fee or contribution. The LA must also support travel for post-16 students only where there is a need to do so and may charge a contribution.
- 1.2 This paper is to report the outcome of a consultation on amendments to the education travel policy which would affect travel during the academic year 2016-17 and to seek approval for the amended policy.
- 1.3 None of the proposed amendments would affect statutory entitlements to free education transport.

2. RECOMMENDATIONS

- 2.1 Members are requested to:
 1. Increase the contribution level for all subject to pay a contribution from £520 to £560.
 2. Remove the reduction in contribution for those on low income, currently at 50%.

3 CONSULTATION ON ADMISSION ARRANGEMENTS

- 3.1 The LA consulted on the proposed policy for 2016-17 during February and March 2016. Consultation took place for six weeks with a notice at www.devon.gov.uk/admissionarrangements. Information was sent to all schools and colleges in the county.
- 3.2 In previous years, the Education Travel Policy has been included in the admissions consultation and Members have been requested to consider them at the same time. For 2016-17, additional time has been taken to review and formulate policy, with particular reference to discretionary arrangements. This is in response to increasing pressure on the home to school transport budget and the need to secure savings. There has been an overspend of £1.7 million in the academic year 2015-16. This presents an unsustainable financial pressure for the LA. The 2016-17 policy includes provision for post-16 students.

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- 3.3 Notice was also given of a consultation on proposed amendments to arrangements for post-16 students for the 2017-18 academic year. This features a change in policy to remove support for post-16 students except where there is an exceptional need for support from the LA, evidenced by the student or parent¹. It should be noted that colleges and schools receive funding from central government to provide a bursary scheme for post-16 students. The bursary is intended to support students' expenses including transport. Devon has been funding transport support in this area on a discretionary basis. While savings to the budget from increasing the contribution and removing the low-income discount are anticipated to be relatively modest, they would add to savings achieved by withdrawing discretionary provision for post-16 students who can access the school and college bursary. Over 4 years, this is anticipated to be £675,000. Members will be asked to consider these arrangements in July 2016 to give more time for consultation.
- 3.4 There are no current proposals to make further amendments to the Travel Policy for children of statutory school age for 2017-18. It is intended that the arrangements for 2016-17 for children of statutory school age will form the arrangements for 2017-18, with dates rolled forward.
- 3.5 The next consultation will coincide with the admission arrangements consultation in December 2016 to January 2017. This will be for transport in 2018-19 for both statutory school age children and post-16 students. This will allow more notice for parents and enable them to make better informed decisions about admissions and transport².
- 3.6 The following table details when Members will be asked to consider education travel arrangements, following consultation:

	statutory school age children	Post-16 students
2016-17	April 2016	April 2016
2017-18	April 2016	July 2016
2018-19	February 2017	February 2017
2019-20	February 2018	February 2018

4. PROPOSED AMENDMENTS

- 4.1 Where travel support is provided by the LA on a discretionary basis, LAs may charge a fee. Devon does this by providing a concessionary seat scheme on appropriate routes. It charges a contribution towards costs which was set at £520 per annum for the 2015-16 academic year. It is proposed that this contribution level be increased to £560 per annum from the 2016-17 academic year. There would be no impact on the families of post-16 students as the school and college bursary scheme is intended to support these costs.
- 4.2 Where a contribution to costs is required, the current arrangements allow a 50% reduction for those children and post-16 students who live in a household in receipt of a low income. It is proposed that this discount be removed. All passengers taking advantage of discretionary entitlement would be liable to pay the full contribution towards costs in 2016-17. There would be no impact on the families of post-16 students as the school and college bursary scheme is intended to support these costs.

¹ This would potentially affect new applicants for 2017-18, those children currently in Year 10 who will be post-16 in September 2017. Students in Year 13 and above with existing provision would be unaffected.

² Should there be an overriding need to review discretionary transport. Members may be asked to consider arrangements outside this timescale.

5 FINANCIAL CONSIDERATIONS

- 5.1 The proposals in this document are intended to reduce the financial liability of the LA. By removing some discretionary entitlement and increasing the expected income from contributions, the LA would be seeking to lower the overall spend on education transport.

6 SUSTAINABILITY CONSIDERATIONS

- 6.1 The travel policy supports the principle of promoting access to education and meeting the LA's statutory responsibilities.

7 EQUALITY CONSIDERATIONS

- 7.1 Equality of access to education opportunities is a fundamental feature of transport arrangements. The policy for consideration has been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements

8 LEGAL CONSIDERATIONS

- 8.1 Education transport for eligible children is a statutory function of the LA. Setting fair and transparent arrangements ensures that the LA meets its duty and enables parents, schools and other interested parties to have confidence in them. The policy has been proposed and the subject of consultation.

9 RISK MANAGEMENT CONSIDERATIONS

- 9.1 The key risk is that the Education Transport is not determined by the LA ahead of applications for transport from September 2016 submitted over the summer by parents and post-16 students.

10. CONCLUSION

- 10.1 The LA has two functions to consider in education transport: it has statutory responsibilities to provide free transport in certain circumstances. These responsibilities are unaffected by proposed amendments. The LA's additional function is to exercise its discretion to provide free or chargeable support for other children as it deems appropriate. In exercising its discretion, it must balance the desirability to support parental choice of establishment with financial pressures.

The recommendations in this paper recognise ongoing pressure to reduce costs and provision that is not statutorily required. The proposed policy ensures that Devon County Council meets its statutory responsibilities in respect of school transport.

Sue Clarke
Head for Education and Learning

ELECTORAL DIVISION: All

Cabinet Member for Children, Schools and Skills: Councillor James McInnes
Strategic Director People: Jennie Stephens

Contact for enquiries: Andrew Brent Education and Learning Policy Officer 01392 383000

Local Government Act 1972. Background Papers:

HCW/16/31

Cabinet
13 April 2016

County Road Highway Maintenance Capital Budget: Progress on 2015/16 Schemes and the 2016/17 Programmes

Report of the Head of Highways, Capital Development and Waste

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.

Recommendations: That:

- (a) progress on 2015/16 capital funded Highway Maintenance schemes detailed in Appendices I and II to this report be noted;**
- (b) the capital funded highway maintenance programmes for 2016/17 as set out in Appendices III and IV be approved;**
- (c) detailed allocation of the available budget be determined by the Head of Highways, Capital Development and Waste in accordance with the Highways Asset Management Plan, and within the limits of the approved budget;**
- (d) authority to amend the programme to maximise the impact of the programme be delegated to the Head of Highways, Capital Development and Waste, within the agreed policy guidelines subject to consultation with the Cabinet Member for Highway Management and Flood Prevention for any budget changes to individual schemes exceeding £25,000.**

1. Summary

Government has decided its formulae for the allocation of highway capital maintenance funds, which includes a Needs Allocation, an Incentive Fund and a Challenge Fund.

The level of available capital funding falls short of that needed to maintain all elements of the highway in a steady state.

Within the anticipated Government Allocation for 2016/17, programmes of capital funded highway maintenance schemes have been developed in accordance with Devon's Highway Asset Management Plan. This is to address the priority needs of the network and ensure that where possible preventative maintenance is carried out so that as much of the network as possible is held in a reasonable condition.

This report presents information on the programmes of highway capital maintenance work delivered in 2015/16. It also presents the latest high level information on the condition of carriageways for A, B, C and unclassified roads.

The report details proposals for capital funding of highway maintenance programmes in 2016/17. These include for investment in carriageways, footways, cycleways, drainage systems, road restraint systems, street lighting and traffic signals, bridges and other highway structures.

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2. Background

Cabinet agreed the Highway Asset Management Policy, Strategy and Plan at its meeting in March 2013.

As the Local Highway Authority, Devon County Council has the duty to maintain a road network of 12,850 kilometres comprising:

970km principal (A) roads,
660km non-principal (B) roads,
4,510km non-principal (C) roads,
6,710km unclassified roads,
over 4,000km of footways,
over 3,500 bridges,
1,579 retaining walls with a total length of 117km,
highway embankments,
road restraint systems,
traffic signal installations,
cycleways,
over 80,000 street lights and illuminated signs and bollards.

There are basically three types of maintenance works undertaken:

- (a) Reactive repairs such as pot-hole filling, vehicular damage to highway bridges, dealing with flooding, replacing road signs and markings, clearing vegetation which, if neglected, would pose a potential danger to road users. Additionally during the winter period precautionary salting and snow clearance are carried out as needed.
- (b) Routine or cyclic maintenance such as gully emptying, grass cutting, minor works to bridges and structures, cleaning and clearing of drainage pipes, ducts and channels and the like mostly carried out to a defined frequency.
- (c) Planned, programmed or structural maintenance, for example carriageway resurfacing, reconstruction and surface treatments, bridge and retaining wall strengthening, major examinations of bridges and structures, road restraint system renewal, drainage renewal, street lighting and traffic signals replacement.

Funding of all three types of maintenance works is closely linked. Pressure on revenue funding risks under-investment in reactive and routine highway maintenance, which can reduce the service life of assets. This will therefore tend to reduce asset value in time. Insufficient capital investment in the highway asset will lead to a fragile network, which is prone to failure, for example in severe weather conditions. It places extra demand on reactive safety defect repair work and can increase the revenue costs of interventions to keep the network available to highway users and to maintain network safety.

This report deals with the capital funding of planned, programmed or structural maintenance work, to restore or replace worn out components and add value to the asset (c above). The capital investment in the highway network is to keep the assets structurally sound thus reducing risks to highway users and reducing long term maintenance costs.

Revenue funding for 2016/17 is covered in a separate report to this Cabinet (HCW/16/32).

3. Asset Management Strategy

The Asset Management approach when applied to the management of Devon's Highway infrastructure provides a methodology for deciding when is the best time to carry out capital

maintenance to minimise the total cost of maintaining an asset over its whole life (Whole life cost).

The approach requires the establishment of service levels for highways assets, which are, for the Devon Highway Network, set out in the approved Highway Asset Management Plan. The approach involves identifying where work is required from survey data and choosing the most appropriate maintenance treatment and the timing of maintenance work, to achieve the lowest whole life cost.

The Highway Asset Management approach enables consistent investment decision making. Where insufficient budget is available to meet all maintenance needs, the approach can ensure that the best overall level of service is achieved for the available funding.

The Devon Highway Asset Management Plan reflects the different needs of roads based on the hierarchical categorisation of the road network. So, for example, the A and B road networks, which are the busiest roads supporting business activity, access to other services and leisure use, and which carry relatively high levels of traffic, are prioritised for capital investment over minor unclassified roads. However, for rural communities, the Plan recognises the need to maintain key access routes to communities.

The Asset Management Plan provides for preventative capital investments. A low cost intervention delivered at the right time in the life of a road provides better overall whole life cost outcomes compared to full reconstruction of an alternative section of dilapidated road. With insufficient capital funding to meet all of the demand for maintenance, this does mean that some sections of lower category roads will remain in a poor condition. They will however, be kept safe by appropriate revenue funded essential repair work.

4. Financial Considerations and Sources of Funding

In November 2014, following consultation, the Department for Transport (DfT) announced a new formula for allocating Local Highway Maintenance funding allocations until 2021. The new funding is made up of a Needs Formula, an Incentive Fund and a Challenge Fund. The new approach enables highway authorities to improve long term works planning as the announcement details the Needs Formula allocation for a six year period.

Devon has been awarded £38.785 million in 2016/17 for the needs based formula which is based on the DfT calculation on the quantity of all highway features, not just carriageway length.

Future needs formula allocations announced by DfT are shown in Table 1 below.

With regard to the Incentive formula, a self-assessment questionnaire has been submitted for the year 2016/17 to the DfT claiming Band 2 level for Devon. If accepted this could secure an additional £2.35 million for 2016/17 (see Table 1).

The criteria for evaluating the Incentive formula includes; efficiency in service delivery, good compliance with asset management principles, collaboration with other highway authorities and good supply chain management. Consultation with other authorities in the South West indicates that no authority is currently assessed as Band 3. Devon is targeting Band 3 for future years.

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Table 1 DfT Needs Based and Incentive formula allocations.

Devon		Indicative incentive element by "band" of self-assessment ranking (£)		
	Total needs/formula allocation (£) announced in December 2014	Band 3 highest band	Band 2 medium band	Band 1 lowest band
2015/16	42,306,229	No incentive funding		
2016/17	38,784,623	2,347,737	2,347,737	2,112,964
2017/18	37,610,754	3,521,606	3,169,446	2,112,964
2018/19	34,042,193	7,090,167	4,963,117	2,127,050
2019/20	34,042,193	7,090,167	3,545,084	709,017
2020/21	34,042,193	7,090,167	2,127,050	0

During 2015 Devon was successful in securing an additional Challenge Fund of £10.2 million to provide replacement street lighting luminaires on all main roads with low energy alternative. This will reduce revenue funded maintenance and energy costs and will reduce street lighting carbon emissions. Work on the Street Lighting Energy Efficiency project will continue in 2016/17 and the following year.

Bids for other Challenge funding will be made when the opportunity arises.

In summary, funding for 2016/17 is:

DfT Settlement (needs based)	£38,785,000
DfT Incentive Funding (anticipated)	£2,348,000
Carry over from 2015/16	£361,000
DfT Challenge Fund (street lighting)	£5,079,000
Total	£46,573,000

5. Trends in Road Condition

Machine based ("SCANNER") carriageway surveys are carried out annually to provide condition data on road carriageways.

In presenting summary findings of the surveys, road lengths that have only minor deterioration are shown in green, lengths that should be considered for maintenance works immediately are shown in red and lengths that are at stages of deterioration in between are shown in amber. See Figures 1, 2, 3 and 4 attached.

The summary findings show that Devon's A, B and C roads are being maintained in relatively steady state and good condition. This reflects the aims set out in the approved Highway Asset Management Plan.

Unclassified roads combined with C roads, make up 87% of Devon's road network. The summary findings show that the unclassified road network has a relatively high proportion that should be considered for maintenance work immediately i.e. 23% in red condition and 47% in the amber condition. This reflects the fact that the level of available capital funding is insufficient to carry out structural maintenance on the entire Devon road network.

The condition trend shows that from 2007/08 to 2010/11 or 2011/12 the proportion of roads in the red condition was increasing. Since 2011/12, the trend is for a reduction of road length in the red condition. This supports the Asset Management approach to target preventative maintenance treatments, like surface dressing, rather than higher costs programmes of reconstruction work, which would enable less road length to be maintained.

Work on the major road network and key links into communities has been made a high priority. This matches the primary winter salting network, which is designed to keep communities and businesses on the move when winter weather affects the county.

Despite capital investment in carriageways, the condition of a large part of the C and unclassified road network remains a concern. The evolved nature of these roads, combined with limited resources to carry out strengthening work, and the normal process of wear and tear under usage leaves such roads vulnerable to the formation of potholes and other surfacing failures.

6. Analysis

Devon's highway network represents the largest capital asset managed by the Council.

The asset has been valued at £12.99 billion (Gross Replacement Cost) under CIPFA guidance (excluding land costs). This includes all highway assets such as footways, bridges and street lighting. Carriageways (road surfaces and the underlying construction layers) form by far the greatest part of Devon's highway assets by value. The value of carriageways alone is £11.13 billion.

The accumulated depreciation of the highway asset has been calculated as £1.21 billion. This figure represents the loss in value of the asset due to ongoing deterioration. Using asset management models the annual rate of depreciation has been estimated as approximately £86 million per annum which is the level of investment required to maintain all elements in a steady state condition. Whilst there will always be a level of residual defects (those that are awaiting repair) in the asset, the accumulated depreciation figure indicates that there is a lag in maintenance which is the equivalent of 14 year's worth of "steady state" funding.

Modelling of the carriageway component of the asset indicates a need for approximately £62 million per annum to maintain carriageways in a steady state.

The current budget does not provide sufficient funding to meet the annual cost of deterioration of the asset and as a consequence the condition of certain elements of the highway asset will get worse.

Whilst the funding prioritises the strategic routes, the authority's asset strategy has a wider remit in ensuring all communities have access to a road infrastructure which is resilient, well connected and safe. It is necessary that the investment in the main roads is complimented by ensuring that good access to local communities is maintained. Therefore an investment will continue to be made on roads outside of the A and B network that are included in the primary salting network, and other roads prioritised by maintenance category.

Recent winters have been more severe in terms of adverse weather events than any in the last 30 years and December 2015 was the wettest month ever recorded. The effects are felt not just in the revenue cost of dealing with the events as they arise and in the immediate aftermath but also in serious ongoing attrition of the surface and structure of the County's highway infrastructure.

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During 2016/17 a proportion of the available funding will still be required to continue to repair the legacy of storm damaged surfaces that have suffered a high number of potholes.

The programme to upgrade bridges on the principal roads to meet the 44 tonne gross vehicle weight capacity has been substantially completed although a few smaller structures on minor roads will require strengthening over the coming years.

Overall, Devon's bridge stock is classed as "Good" in the nationally adopted method of assessing and reporting condition. The size of Devon's bridge stock is such that despite this overall score, there remain over 800 structures classed as "fair" or "poor". The "poor" structures are managed and the level of risk is mitigated by weight restriction signs and other physical measures.

The overall condition of the highway retaining wall stock is assessed as "poor" and this is reflected in the number of retaining wall collapses in recent severe weather conditions.

A prioritised programme of replacing street lighting columns will continue to focus on older vulnerable lighting columns to mitigate the risk of column failure. Investment has been made in the street lighting remote monitoring system and the implementation of LED lighting, the latter funded from the successful Challenge Fund bid, on all main roads. This will reduce the demand for revenue funding of energy and routine lighting maintenance.

7. Capital Highway Maintenance Programmes: 2015/16

Appendix I shows progress with the Highways programme.

Appendix II shows progress with the Bridges and Highway Structures programme.

8. Capital Highway Maintenance Programmes: 2016/17

The available funding for 2016/17 is £46,573,000. It is proposed that the funding is allocated as follows:

Highway Structural Maintenance	£38,678,000
Bridges & Structures	£6,200,000
Schemes carried forward from 2015/16 programme	£1,695,000
Total	£46,573,000

A more detailed breakdown of the allocation is outlined in Appendix III and Appendix IV.

Based on the network condition data, presented in figures 1 to 4, the level of funding for the A and B road network, has been reduced compared to 2015/26. This is because the proportion of the A and B road network in the red condition has been reduced to between 2 and 3 percent in recent years, and the target for this network is 4%. This adjustment enables more of the available funding to be used to maintain the C and unclassified road network.

Key elements of the proposed allocations include:

(i) Highway Structural Maintenance (HSM): Principal Roads (A class roads):

£2.7 million for specific larger schemes with a high pothole count and structural defects or which will rectify carriageways with potential skidding defects.

£2.3 million for surface dressing and preparatory patching works. This will surface dress

carriageways in 2016/17 and prepare for the 2017/18 dressing programme.

All will target roads where the condition survey data shows roads to be "red" and "amber"
The total is £5 million, compared to £5.4 million in 2015/16.

The right level of Skidding Resistance is an important contribution to road safety. The County's Skid Management Strategy has been reviewed in 2015 (Appendix V) and is based on the Highways England standard HD28/15 "Skidding Resistance" which identifies survey method, the level of skidding resistance required at differing locations and a risk based approach to analysis and treatment of those sites identified as being deficient in skidding resistance.

The levels put forward in the code are defined as investigatory levels which trigger an engineering analysis to establish what if any action should be taken. HD28/15 was developed for trunk road use and Devon has adapted the approach within the code for local roads where vehicle speeds and volumes tend to be lower. It is neither good value for money or practicable for all roads on the highway network to be surveyed for skid resistance. Devon therefore carries out routine annual surveys on the principal road network. In addition sites identified as being skid collision sites through the annual review of collision are included in the programme of surveys.

Initial analysis of the 2015 survey data has identified 3284 sites for skid resistance treatment investigation. The sites make up approximately 17% of the principal road length in the County which is broadly similar to previous years and compares favourably with the most recently published national average of 22%.

It is not possible to treat all parts of the principal road network that are currently below the current standard. Therefore the investigation is prioritised and limited to potentially high risk sites with a history of collisions. This includes sites with a reported skidding resistance deficiency and a history of collisions on wet surfaces, and others with a high deficiency (greater or equal to -0.15) and collisions on dry surfaces.

(ii) HSM Non-Principal Roads:

£2.164 million for non-Principal roads to undertake preparatory patching and surface treatment on local roads.

£11.8 million for surface dressing and surface dressing preparatory patching work. This will surface dress carriageways in 2016/17 and prepare for the 2017/18 dressing programme.

£0.5 million for unclassified urban estate roads for preventative maintenance.

(iii) Footways:

£1.7 million for footways. A significant programme of footway slurry sealing is planned. It is proposed to target £250k of footway budget to repairing slab footways in urban areas. Such footways generate a lot of defects reports. Consideration will be given to replacing such footways with alternative surfaces in consultation with local communities.

(iv) Drainage:

£1.1 million for drainage repair and upgrading. Drainage problems on the winter salting network and other major roads will be a priority.

(v) Road Restraint Systems:

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£1.7 million for the upgrading and replacement of road restraint systems. This will mainly focus on barriers on major roads, high risk sites, A road timber posts, timber post systems that cross the M5 motorway or trunk roads and roads crossing or adjacent to railways.

(vi) Street Lighting and Traffic Signals:

£7.232 million for replacing streetlight components including the 2016/17 DfT Challenge Fund allocation of £6.512 million for the LED (low energy) programme on major roads.

£0.5 million for replacing dilapidated Traffic Signal equipment, including new low energy consumption electrical options.

(vii) Bridges and Structures:

£0.45 million for bridge strengthening schemes. A programme is proposed to strengthen five priority sub-standard bridges on lower category roads during 2016/17. These have either a very low carrying capacity or show significant signs of distress. Where appropriate, other sub-standard bridges are being managed using a risk-based approach "Management of Sub-standard Structures".

£2.574 million for repair and strengthening of highway retaining wall structures. The increased rainfall in recent years has resulted in significant number of failures of retaining walls, highway embankments and cutting slopes. Priority structures retaining the highway will be strengthened and repaired.

£0.49 million for scour protection. The effects of extreme weather events continue to impact on all highway structures with bridges being particularly vulnerable to scour in extreme flooding events.

£0.525 million for replacing dilapidated components on major routes such as the A380, A361 and A39. This will focus on priority worn out components, like bridge joints, bearings and bridge deck waterproofing.

£0.65 million for bridge and retaining wall inspections and bridge strength assessments. Structural inspection and assessments are necessary to identify and prioritise essential works to maintain and improve the condition of the stock of highway structures.

(viii) Storm Damage:

£2 million for storm contingency work. This is required because DfT has said that local highway authorities need to make provision within the overall DfT funding allocation. It has said that extra money will not be provided in the future.

9. Options/Alternatives

The programme for 2016/17 optimises the use of the available funding in accordance with the agreed Highway Asset Management Plan.

The programme uses the allocation made directly by Government for capital maintenance of highway assets. Devon's analysis is that the level of funding is not enough to meet all of the highway needs of the local road network.

An alternative to the Asset Management Plan preventative regime would be to repair roads on a 'worst first' basis. However this would cost about a third more over time to maintain

road condition. In going against sound asset management principles it could also adversely affect future financial settlements from DfT who have said that they will take this into account in future funding allocations.

10. Consultations

The results of the 2015 National Highways and Transport (NHT) Public Satisfaction Survey reflect public perception of performance, importance and desire for various activities to be funded. Analysis shows that the condition of the highway network and the speed and quality of repairs are important to the public.

The complete survey can be seen at <http://nhtsurvey.econtrack.com>

A summary of the results illustrating condition of road surfaces since 2009 is shown at Appendix VI. The survey shows that the level satisfaction with the condition of the highway in Devon is low at 36%. Although this is an improvement on the 2014 results (30%) the longer term trend has been one of reduced level of public satisfaction in the last 6 years. A similar trend is evident in the results for neighbouring authorities in the South West Region.

11. Sustainability Considerations

The ability to efficiently transport people and goods around the County underpins Devon's economy and has a direct impact on the quality of the environment.

When maintenance work is undertaken it is managed to ensure that the effect on the surrounding environment is kept to a minimum. On carriageways, surface treatment and reconstruction work is tightly controlled to achieve long term durability. Recycled materials and secondary aggregates are used whenever possible. When carriageway surfacing incorporating primary materials is required, a durable low noise material such as stone mastic asphalt is considered.

Construction contracts include for recycling plans to ensure that the use of natural resources is reduced where recycled alternatives exist.

12. Carbon Impact Considerations

The carbon impact of this highway maintenance programme through the manufacture and planning of the materials is likely to be offset by reduced emissions from highway users utilising a better maintained network, and using suitable alternatives such as walking and cycling.

The replacement of street lighting and traffic signal equipment with low energy components, including the introduction of LED lighting on main roads will contribute to reducing the County Council's carbon footprint.

13. Equality Considerations

Where relevant to the 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

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understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment/Impact Assessment or other form of options/project management appraisal that achieves the same objective.

A copy of an updated overview of the impact assessments for all service areas has been circulated separately and is available to all Members of the Council at: <https://new.devon.gov.uk/impact/published/budget-setting-201617/> which Members will need to consider for the purposes of this item.

This assessment shows that over 75% of those responding felt that major roads should be given priority in the budget decision making and similarly over 80% felt that minor roads should be given a priority.

14. Legal Considerations

The lawful consequences of the recommendations have been considered in the preparation of this report.

The reduction in the revenue allocation will put more pressure on the amount and type of work that will be completed in the capital budget. This will lead to an overall reduction in maintenance standard and potential road closures, particularly on the minor part of the network. This may be legally challenged by local residents and other road users.

There is also likely to be an increase in user dissatisfaction and complaints which could lead to challenges to the Authority under Section 56 of the Highways Act.

A reduction in routine maintenance could also result in more safety defects that will lead almost inevitably to an increase in third party claims and potentially litigation.

15. Risk Management Considerations

The proposals contained in this report have been assessed and all reasonable actions are taken to safeguard the Council's position.

The cumulative reduction in the revenue budget has significant implications for this capital allocation. Inability to undertake enough planned and general preventative maintenance work will result in an increased depreciation to the highways asset. This will lead to increased deterioration and defects and as a consequence, increased repair costs with potential for claims, which will put pressure on revenue and staffing budgets.

Where risks have been identified such as those associated with cost inflation or inclement weather, which could disrupt the capital programme by causing higher than anticipated costs or delays respectively, the implications have been taken into account in preparing this report. This includes developing long term programmes and the provision for reasonable contingencies in the estimates for capital highway and bridge maintenance schemes.

16. Public Health Impact

The cumulative reduction in budgets could also have an impact on public health with reduced maintenance having an effect on sustainable travel alternatives, and potentially more injuries resulting from crashes, trips and falls.

17. Reasons for Recommendations/Conclusion

The DfT capital settlement for 2016/17 provides the funding for capital maintenance of highway assets and this report sets out proposed programmes for different highway assets.

However, it should be noted that it only provides funding to 54% of the amount of maintenance funding required to keep the highway assets in their current condition.

The proposed programmes are designed to make best use of the available financial resources using the Cabinet endorsed approach to highway asset management.

David Whitton
Head of Highways, Capital Development and Waste

Electoral Divisions: All

Cabinet Member for Highway Management and Flood Prevention: Councillor Stuart Hughes

Strategic Director, Place: Heather Barnes

Local Government Act 1972: List of Background Papers
Contact for Enquiries: David Whitton
Room No: AB1 Lucombe House, County Hall, Exeter
Tel No: 01392 383379

Background Paper	Date	File Ref.
None		

ch170316cab CRHM Capital Budget Progress on 2015 16 Schemes and the 2016 17 Programmes
hk 05 040416

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**Figure 1
To HCW/16/31**

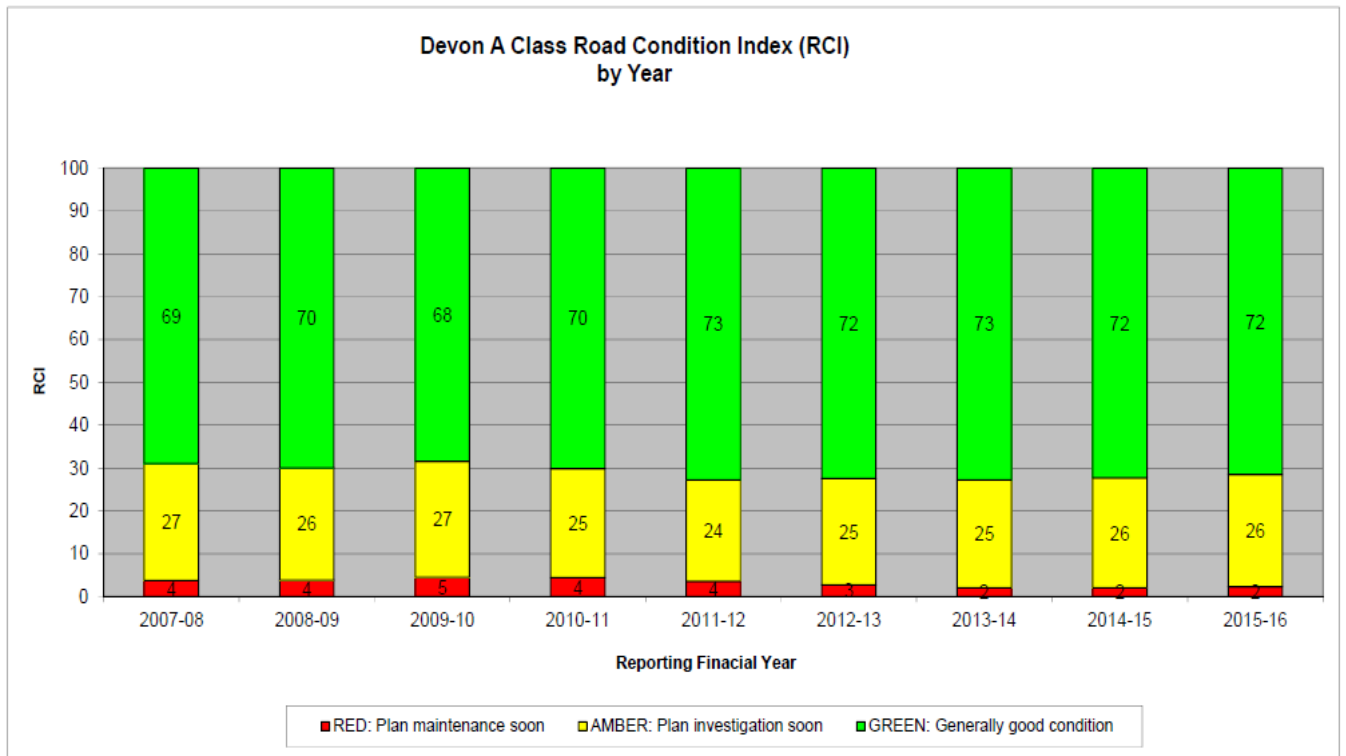


Figure 1

**Figure 2
To HCW/16/31**

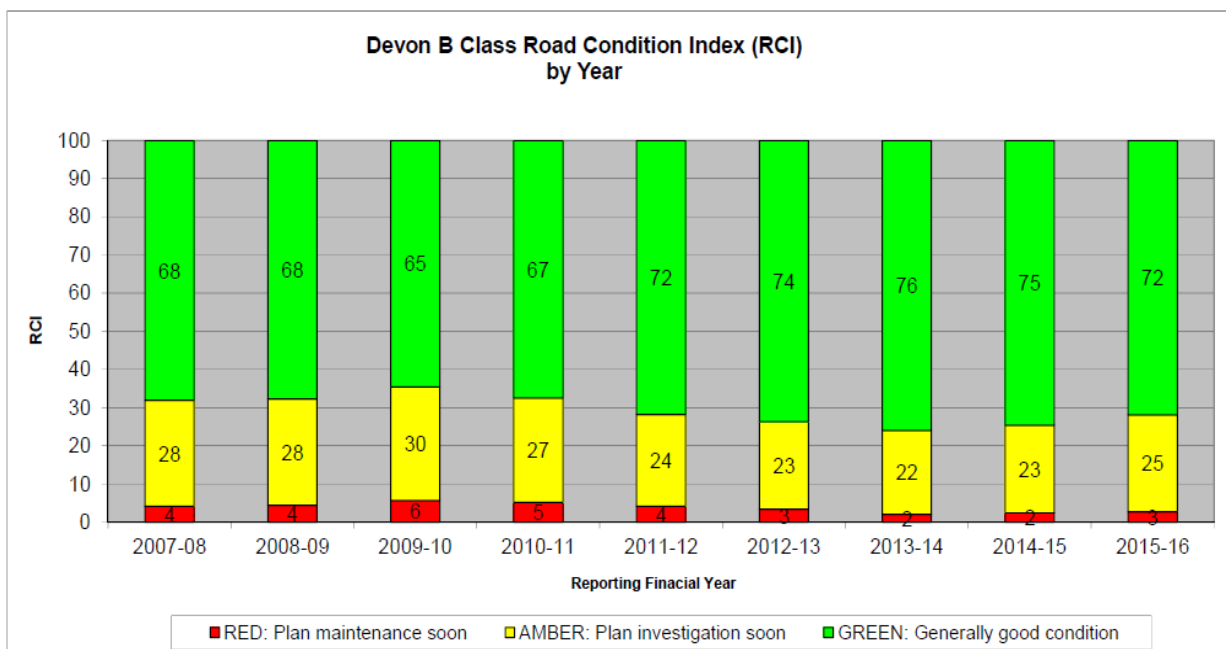


Figure 2

Figure 3
To HCW/16/31

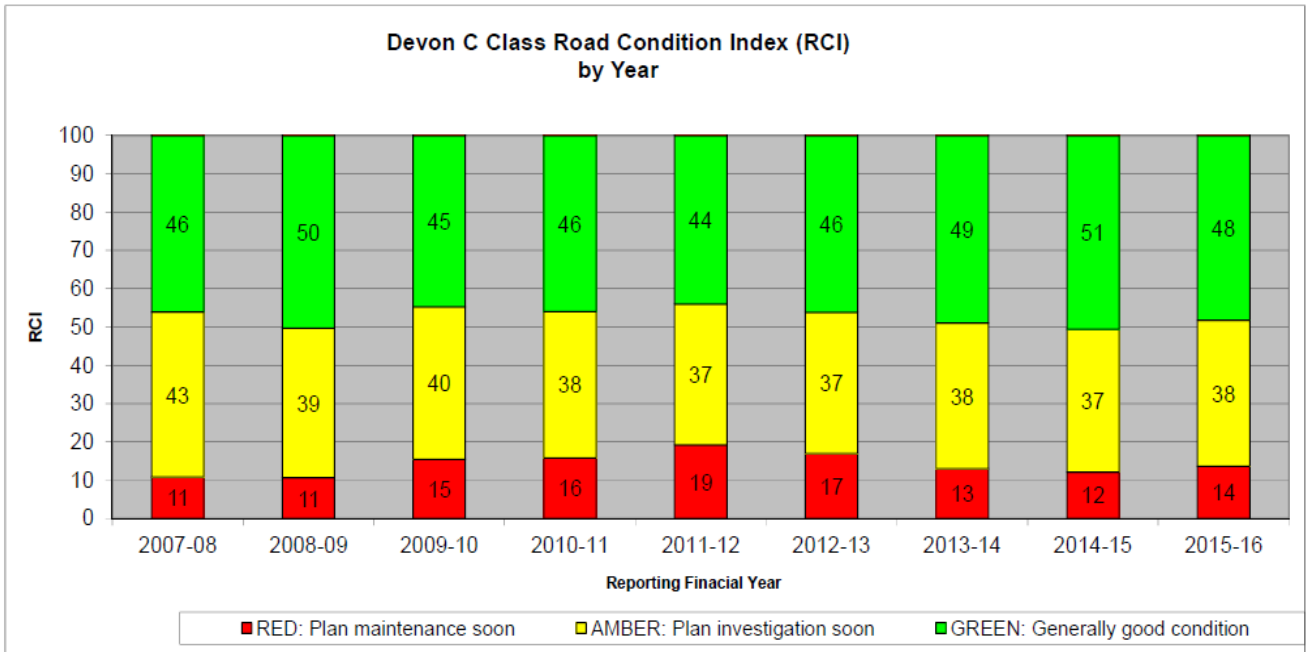


Figure 3

Figure 4
To HCW/16/31

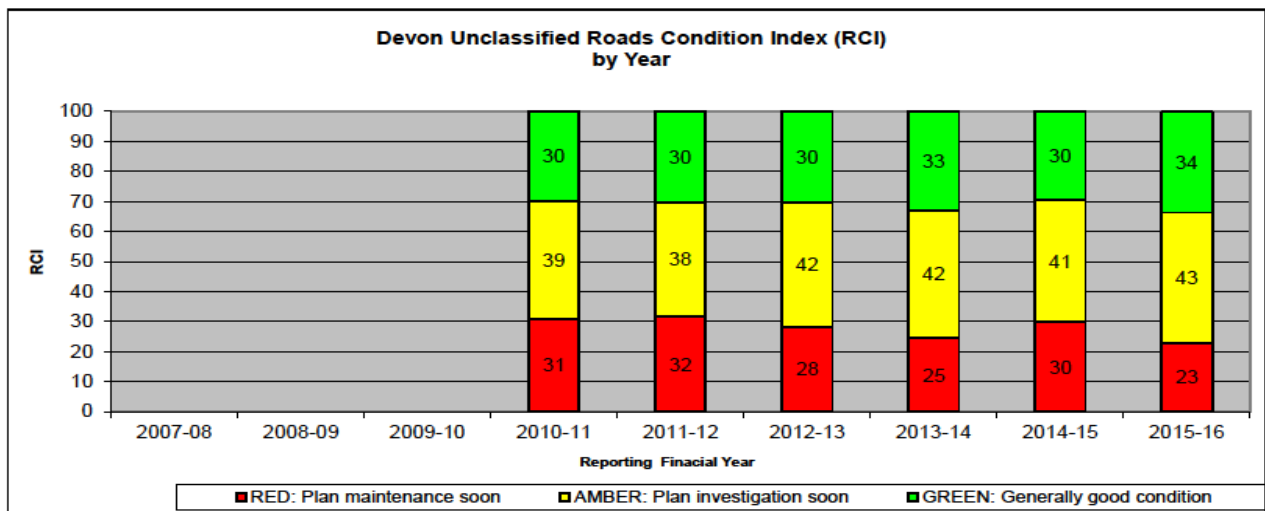


Figure 4

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Appendix I To HCW/16/31

Highway Structural Maintenance Programme 2015/2016				
Road	Scheme Name	County Electoral Division	Treatment Type	Scheme Total £'000
A386	Calf St to New St - Great Torrington	Torrington Rural	Resurface/Overlay	93
A361	Gornhay Jct w/b slip on - Tiverton	Tiverton East	Resurface/Overlay	84
A373	Dowell Street - Honiton	Honiton St. Paul's	Resurface/Overlay	112
A386	New Road Bridge rab - Bideford	Bideford East	Resurface/Overlay	17
A375	Exeter Road - Honiton 2	Honiton St. Michael's	Resurface/Overlay	30
A386	Church Hill Way - Northam	Northam	Resurface/Overlay	12
A361	Mullacott Cross - Ilfracombe	Combe Martin Rural	Resurface/Overlay	2
A375	Pinn Hill - Sidmouth	Ottery St Mary Rural	Resurface/Overlay	71
A361	Gornhay Jct w/b slip off - Tiverton	Tiverton East	Resurface/Overlay	65
A3072	Higher Newland - North Tawton	Hatherleigh and Chagford	Resurface/Overlay	120
A3052	Trow Hill - Sidmouth	Sidmouth	Resurface/Overlay	586
A373	Colliton Cross to Broadleaze - Broadhembury	Honiton St. Paul's	Resurface/Overlay	93
A388	Stibb Cross to Holsworthy (Various Sites)	Bideford South and Hartland	Resurface/Overlay	536
A358	Chard Road - Chardstock	Axminster	Resurface/Overlay	64
A361	A361 Gornhay Jct e/b slip on - Tiverton deferred to 2015/16	Tiverton East	Resurface/Overlay	85
A386	New Road - Torrington	Torrington Rural	Resurface/Overlay	96
A377	A377 Deep Lane to Little Silver Wood - High Bickington	Torrington Rural	Resurface/Overlay	42
A377	A377 Cowley Bridge Road - Exeter	Duryard and Pennsylvania	Resurface/Overlay	65
A399	Portland Street & High St - Ilfracombe	Ilfracombe	Resurface/Overlay	242
A39	Watersmeet Road - Lynnmouth	Combe Martin Rural	Resurface/Overlay	20
A3052	Westpoint to Football Ground - Sowton	Broadclyst and Whimble	Resurface/Overlay	306
A375	A375 Exeter Rd - Honiton 3	Honiton St Michaels	Resurface/Overlay	20
A380	A380 Preston Down rab s/b approach - Marldon	South Brent and Dartington	Signs and markings	18
A380	A380 Churscombe rab - Marldon	South Brent and Dartington	Resurface/Overlay	20
A376	A376 Clyst St George rab n/b exit	Broadclyst and Whimble	Resurface/Overlay	62
A373	A373 King's Mill Road junction - Cullompton (Financial contribu	Cullompton Rural	Resurface/Overlay	18
A372	A382 Whiddon Down roundabout Drewsteignton	Hatherleigh and Chagford	Resurface/Overlay/HFS	61
A39	Shamble Way	Combe Martin Rural	Resurface/Overlay	44
	Commitments			46
	Principal Roads			
	SCRIM Remedial Works			1,371
	Surface Dressing			587
	Pre Patching for 2016/17 Surface Dressing (summer 2015/16)			395
	Non-Principal Roads			
	Non-Principal Road Recovery Programme			3,943
	Non-Principal Road Recovery Programme (Stage2: 2015/16)			6,028
	Surface Dressing			2,354
	Pre Patching 2016/17 Surface Dressing (summer 2015/16)			119
	Pre Patching 2016/17 Surface Dressing (winter 2015/16)			3,951
	Storm legacy works (Report HCW/13/42)			1,463
	All Roads			
	Urban Estate Roads			1,572
	Spray Injection Patching			751
	Joint Sealing			293
	Pre Surface Dressing Cleaning / Design			1,079
	Wet/Dry Collision Sites			330
	High Skid Resistance Surfacing Programme			1,794
	Carriageway Condition Surveys			330
	Forward Design and Investigation			0
	Material Testing			150
	Scheme Delivery			750
	Footways			2,242
	Cycleway, PROW & Unsurfaced Roads			592
	Road restraint systems - strategy priority 1 and 2 schemes			1,150
	Road restraint systems - strategy priority 3 schemes			9
	Road restraint system A396 Exeter Inn/Cove			386
	Road restraint system - damage permanent replacements			712
	Drainage works			1,924
	Cattle Grid structural repairs			20
	Extreme Weather Resilience Contingency			0
	DfT challenge bid match funding			1,565
	Street Lighting Columns			500
	Street Lighting Remote Monitoring System			529
	Traffic Signal Replacements			500
	HIGHWAY STRUCTURAL MAINTENANCE PROGRAMME			40,419

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Appendix II
To HCW/16/31

Bridge Assessment & Strengthening Programme 2015/16

Scheme Name	Budget Line	Scheme £'000
<u>Bridge Strengthening Schemes</u>		
Creedy Bridge (1568)		110
Wisdom Bridge, Cornwood No 0447		40
Waterstave Bridge (legacy completion work)		6
Langford Shuffhayes		5
<u>Retaining Walls</u>		
Programme Development		5
A386 Landcross		200
Bray Quarry +650m		160
Byter Mill		400
Combe Martin		140
Diptford		15
Fairview Road		16
Farrants Hill		122
Hardstone		100
Nadrid Cross		57
Cloonavon		105
Marlborough Road		30
Strand Hill		85
West of Ward House		95
A379 (Brixton to Yealmpton)		48
East Allington		10
Gatcombe Mill		10
Buckland Court		41
The Mill, Umberleigh		60
Bray Quarry -550m		1
Old Sidmouth Road		2
<u>Scour Protection</u>		
Stage 1 Assessments (Jacobs)		110
Stage 1 Assessments (EDG)		8
<u>Sub-Standard Parapets</u>		
Bridford Mill		20
Fatherford		45
Principal Inspections (Bridges)		200
Principal Inspections (Retaining Walls - Jacobs)		133
Principal Inspections (Retaining Walls - EDG)		5
Principal Inspections (Bridges)- Laser Scans		20

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Scheme Name	Budget Line	Scheme £'000
Bridge Strength Assessments (EDG)		15
Bridge Strength Assessments (Jacobs)		52
Post Tensioned Special Inspections		100
Traffic & Signing Replacing damaged/obsolete signs at low headroom bridges		60
Management of Sub-Standard Structures		3
Major Refurbishments		
Shaldon Bridge Lifting Span		105
A380 Teign Estuary Viaduct		3,160
Shaldon Bridge Tie bars and painting (part complete)		575
Fremington Viaduct (part complete)		390
Rock Park Viaduct (part complete)		390
River Exe Viaduct		460
River Yeo Cyclebridge (part complete)		25
River Bray Viaduct (fwd design)		2
Minor Refurbishment (Bridge Maintenance)		200
Forward Design (Bridges)		
Alma F/B		10
Denham Bridge (scour)		10
Axmouth Bridge (scour)		15
Norley (parapets)		10
Bovey Bridge		50
Bideford Long Bridge		28
Ironbridge Exeter		20
Hornshayes		5
Devonport Leat		12
Sidford Two Bridges		5
Higher Crook		25
Crediton Station Leat		6

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Scheme Name	Budget Line	Scheme £'000
Forward Design (Retaining Walls) Bow Road, Harbertonford Hillside Road, Ilfracombe Rockside Tuckermarsh Russell Court Stoke Woods Bittaford Beacon Lane Brayford Quarry +950 A377 Blackboards Newton Ferrers Riverside Rd West Byter Mill		37 50 15 61 35 40 20 10 5 25 2 5
	Total	8,441

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Appendix III To HCW/16/31

Highway Structural Maintenance Programme 2016 / 2017				
	14/15	Appendix III		
Road	Scheme Name	County Electoral Division	Treatment Type	Estimate £'000
A379	Exeter Road, Dawlish	Dawlish	Resurfacing	65
A388	Stibb Cross to Holsworthy (Various Sites)	Bideford South and Hartland	Resurfacing	795
A379	Powderham Arch	Exminster and Kenton	Recon	65
A377	Deep Lane to Little Silver Wood - High Bickington	Torrington Rural	Structural	150
A383	Vicarage Hill	Kingsteignton	Structural	127
A380	Churscombe Roundabout Marldon	South Brent and Dartington	Resurfacing	90
Principal Roads				
	SCRIM Remedial Works			1,400
	Surface Dressing			2,269
	Pre Patching for 2017/18 Surface Dressing (summer 2016/17)			25
Non-Principal Roads				
	Non-Principal Road Recovery Programme			2,164
	Surface Dressing			8,571
	Pre Patching 2017/18 Surface Dressing (summer 2016/17)			2,949
	Pre Patching 2017/18 Surface Dressing (winter 2016/17)			300
	Storm legacy works (Report HCW/13/42)			500
	Kingskerswell Village			240
All Roads				
	Urban Estate Roads (micro)			460
	Spray Injection Patching			1,000
	Joint Sealing			250
	Pre Surface Dressing Cleaning / Design			650
	Wet/Dry Collision Sites			50
	High Skid Resistance Surfacing Programme			600
	Carriageway Condition Surveys			325
	Forward Design and Investigation			75
	Material Testing			200
	Scheme Delivery			650
	Footways			1,650
	Cycleway, PROW & Unsurfaced Roads			400
	Road restraint systems - strategy priority 1a			17
	Road restraint systems - strategy priority 1b			269
	Road restraint systems - strategy priority 1d			724
	Road restraint systems - strategy priority 2			416
	Road restraint system - damage permanent replacements			300
	Drainage works			1,100
	Cattle Grid structural repairs			100
	Extreme Weather Resilience Contingency			2,000
	DfT challenge bid match funding street lighting			6,512
	Street Lighting Columns			720
	Traffic Signal Replacements			500
HIGHWAY STRUCTURAL MAINTENANCE PROGRAMME				38,678

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Appendix IV
To HCW/16/31

Bridge & Structures Programme 2016/17	
Scheme Name	Estimate £'000
<u>Bridge Strengthening Schemes</u>	450
<u>Retaining Wall Strengthening Schemes</u>	2,574
<u>Scour Protection Schemes</u>	490
<u>Sub-Standard Parapet Replacement Schemes</u>	105
<u>Principal Inspections (Bridges)</u>	300
<u>Principal Inspections (Retaining Walls)</u>	150
<u>Post Tensioned Special Inspections</u>	100
<u>Bridge Strength Assessments</u>	100
<u>Upgrading Height Restriction Signs to comply with European Standards</u>	150
<u>Component Replacements on Major Route Bridges (A380 & A361)</u>	525
<u>Major Refurbishment</u>	400
<u>Minor Refurbishment (Bridge Maintenance & Shaldon Br)</u>	326
<u>Management of Sub Standard Structures (monitoring)</u>	25
<u>Forward Design</u>	
Bridge Schemes	185
Retaining Wall Schemes	145
Major Refurbishments	175
	6,200

This statement outlines the changes to the approach to managing skid resistance in Devon between the Skidding Policy Version 8 and the Managing Skid Resistance Strategy Version 1.

The main differences are –

- The survey periods have been extended in line with the survey periods used by Highways England. HD28/15 no longer defines the survey periods and allows for the authority to choose suitable periods.
- The Investigatory levels have been set in accordance with HD28/15, the differences between the Skidding Policy version 8 and the new strategy are detailed in Appendix D.
- The strategy outlines the data used to prioritise investigations, this has been updated to include texture data from the SCANNER survey to assist with this process.
- The selection of aggregate PSV for sites Appendix G has been updated in line with IAN 156/12 and aggregate performance on the Devon network. The changes are highlighted in the attached table.
- The maintenance category split for PSV selection has been changed to 3 to 6 and 7 to 11, PSV selection on 3 to 6 categories includes traffic levels. This is supported by lower level of collisions on maintenance categories 7 to 11.
- The approach to the erection of Slippery Road warning signs has changed, the strategy now calls for warning boards only to be erected once the a need for treatment has been identified following investigation.

It should be noted that these changes are all within the scope of HD 28/15.

These changes to Devon's approach to managing skid resistance will –

- Include the latest recommendation from HD 28/15
- Reduce the investigatory level applied at key locations
Approach to pedestrian crossing reduced from 0.55 to 0.5
Approach to roundabouts reduced from 0.55 to 0.45 <50mph & 0.5 >50mph
Roundabouts reduced from 0.5 to 0.45
Bends 100 – 500m radius removed where speed limit <50mph
- Include latest guidance on aggregate selection from IAN 156/12 potentially reducing the volume of high PSV aggregates used across the network.
- Potentially reduce the level of SCRIM deficiency
- Provide a method for prioritising sites for investigation and treatment
- Potentially reduce the need for High Friction Surfacing.

Site Category HD28/04		HD28/04 & IAN 98/07 Range	DCC 1st stage audit	Speed Limit Restrictions	Scrim Site Category Code	Scrim Site Category Name	DCC 2015 audit
A	Motorway	0.30 - 0.35	N/A	None	A	N/A	N/A
B	Dual non-event	0.30 - 0.40	0.35	None	06 B - M	B - Mid - Dual Non-Event (0.35)	0.35
C	Single non-event	0.35 - 0.45	0.40	None	06 C - M	C - Mid - Single Non-Event (0.40)	0.40
Q	Approaches to junctions	0.45 - 0.55	0.50	<50mph	06 Q JA - L	Q - JA - Low - Junction Approach (0.45)	0.45
				>50mph	06 Q JA - M	Q - JA - Mid - Junction Approach (0.50)	0.50
	Approach to roundabouts	0.45 - 0.55	0.55	<50mph	06 Q RA - L	Q - RA - Low - Roundabout Approach (0.45)	0.45
				>50mph	06 Q RA - M	Q - RA - Mid - Roundabout Approach (0.50)	0.50
K	Approaches to pedestrian crossings and other high risk situations	0.50 - 0.55	0.55	None	06 K CA - L	K - CA - Low - Crossing Approach (0.50)	0.50
					06 K HR - L	K - HR - Low - High Risk Site (0.50)	0.50
R	Roundabout	0.45 - 0.50	0.50	None	06 R - L	R - Low - Roundabout (0.45)	0.45
G1	Gradient 5 to 10% longer than 50m	0.45 - 0.50	0.45	None	06 G1 - L	G1 - Low - Gradient - 5 to 10% (0.45)	0.45
G2	Gradient >10% longer than 50m	0.45 - 0.55	0.50	None	06 G2 - M	G2 - Mid - Gradient >10% (0.50)	0.50
S1	Dual <500m (100 to 500m)	0.45 - 0.50	0.45	<50mph	06 C - M	B - Mid - Dual Non-Event (0.35)	0.35
				>50mph	06 S1 D - L	S1 - Low - Dual <500m (0.45)	0.45
	Dual <500m (<100 m)	0.45 - 0.50	0.50	None	06 S1 a D - H	S1a - Old H2 - High - Dual <100m (0.50)	0.50
S2	Single <500m (100 to 500m)	0.45 - 0.55	0.50	<50mph	06 C - M	C - Mid - Single Non-Event (0.40)	0.40
				>50mph	06 S2 - M	S2 - Mid - Single <500m (0.50)	0.50
	Single <500m (<100 m)	0.45 - 0.55	0.55	<50mph	06 S2a - M	S2a - Old H2 - Mid - Single <100m (0.50)	0.50
				>50mph	06 S2 a - H	S2a - Old H2 - High - Single <100m (0.55)	0.55

1. Investigatory Levels are for the mean skidding resistance within the appropriate averaging length.
2. Investigatory Levels for site categories A, B and C are based on 100m lengths or the length of the feature if shorter.
3. Investigatory Levels and averaging lengths for site categories Q and K are based on 50m approach to the feature but shall be extended when justified by local site characteristics.
4. Investigatory Levels for site category R are based on 10m lengths.
5. Categories G1 and G2 must not be applied to uphill gradient on dual carriageways.

DCC Investigatory Level & Aggregate Choice

APPENDIX G

Comparison with Appendix G v 8

Site Category HD28/15		Investigatory Level	Maintenance category 3 to 6 inclusive					Maintenance category 7 to 12 inclusive
			Aggregate PSV recommendation for defined Traffic Level (cvd/lane/day)					
			0 - 250	251 - 500	501 - 750	751 - 1000	1001 - 2000	Any
B	Dual non-event	0.35	50	50	50	50	50	50
C	Single non-event	0.4	50	53	53	58	58	50
Q	Approaches to junctions & roundabouts	<50mph 0.45	60	65	65	68	68	55
		>50mph 0.50	60	65	65	68	68	60
K **	Approaches to pedestrian and railway crossings & high risk situations **	0.5	65	65	65	68	68	65
G1	Gradient 5 to 10%	0.45	55	60	60	65	65	50
G2	Gradient >10%	0.5	60	65	68	68	HFS	55
S2	Single 100 to 500m radius	>50mph 0.5	60	60	65	65	68	50
S1	Dual 100 to 500m radius	>50mph 0.45	55	60	60	60	65	50
S2a	Single <500m (<100 m)	<50mph 0.50	55	60	65	65	68	50
		>50mph 0.55	60	65	68	68	68	55
S1a	Dual <500m (<100 m)	0.5	60	65	68	68	68	50
R	Roundabout	0.45	50	55	60	60	65	50

Note:

Based on HD36/06 and IAN 156/12 and aggregate performance on the Devon network.

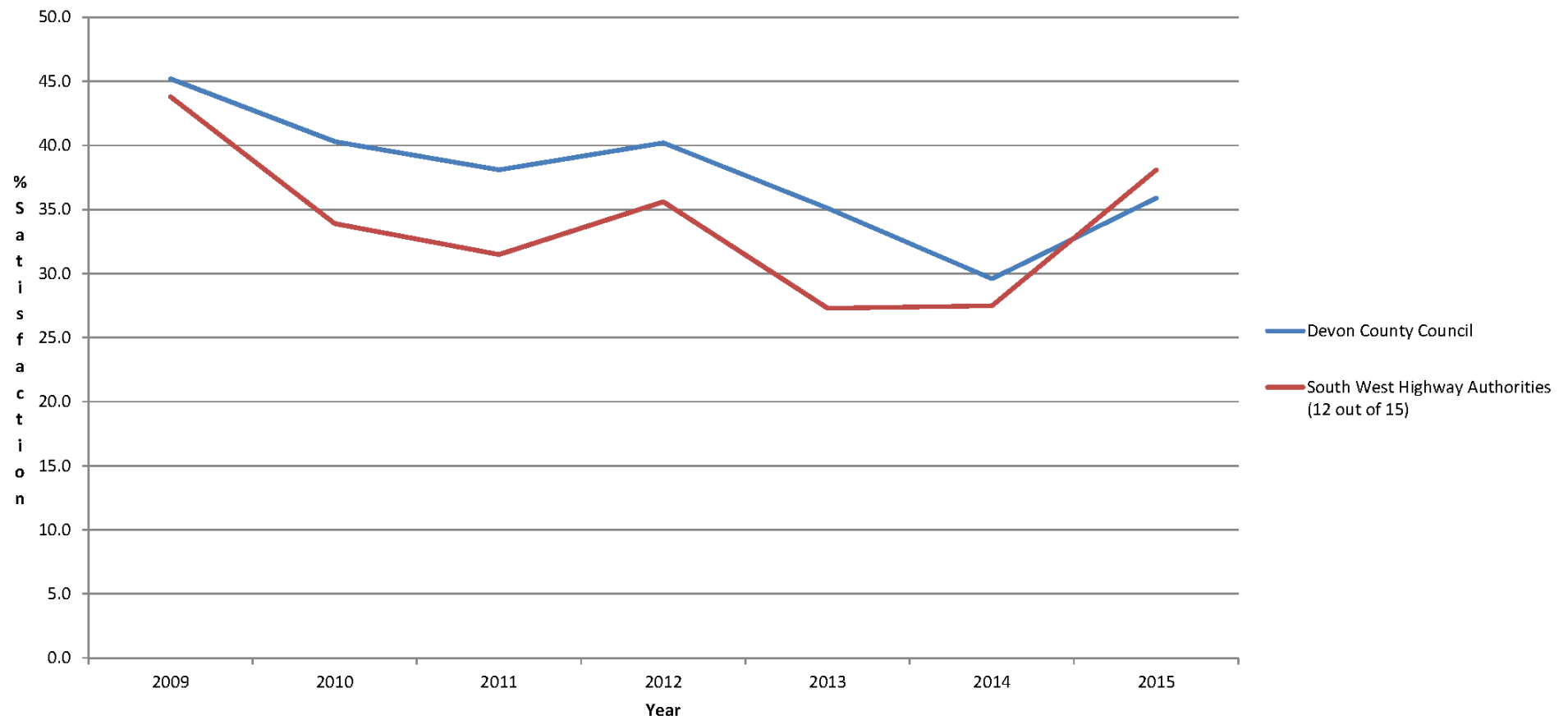
Where there is evidence to show that a particular aggregate is performing satisfactorily at a site this aggregate may be used as alternative to the suggested PSV level.

HFS = High Friction Surfacing

** For Site Category "K" refer to appendix I for approaches to pedestrian & similar crossings.

Lower level of PSV
 Higher level of PSV

NATIONAL HIGHWAYS & TRANSPORT NETWORK HIGHWAY MAINTENANCE BENCHMARKING INDICATOR RESULTS For HMBI 01 Condition of Road Surfaces



HCW/16/32

Cabinet
13 April 2016

County Road Highway Maintenance Revenue Budget and On-street Parking Account 2016/17

Report of the Head of Highways, Capital Development and Waste

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.

Recommendations: That:

- (a) the budget allocations for highway maintenance for 2016/17 be approved as detailed in Appendix I;**
- (b) authority to amend the allocations between different work types to maintain overall the budget within the total allocation and to maximise the impact of the maintenance programme be delegated to the Head of Highways, Capital Development and Waste;**
- (c) the programme funded from the On-street Parking Account for 2016/17 as set out in Appendix II be approved.**

1. Background

This report recommends the allocation of revenue highway maintenance funding for 2016/17 by maintenance function. In addition it also recommends for approval a programme of work identified in accordance with the provisions of Traffic Management Act 2004, to be funded from the On-street Parking Account.

Revenue funding for highway maintenance provides for the funding of reactive repairs and routine/cyclic maintenance.

The demand for reactive revenue funded highway maintenance is affected by the amount of capital investment in the highway asset. The need for structural repair of the network has been assessed using an asset management, data led approach. This shows that the level of Capital Funding currently available is not enough to prevent part of the network, particularly lower category rural roads and estate roads, from continuing to deteriorate. The result of this is that expenditure on reactive and safety related maintenance can be volatile, especially during and after severe weather events.

The year on year reduction in revenue funding for highway maintenance has led to the development of the current strategy; to drive efficiency in the delivery of the service, manage demand and enable community self-help.

Highway maintenance policies are being evolved to a more risk based approach. This means that increasingly, in considering the required investment in a maintenance activity, the likelihood of severe inconvenience or injury is factored in.

Approval of the Capital funded Highway Structural Maintenance and Bridge Assessment and Strengthening Programme for 2016/17 is dealt with in a separate report. (Ref: HCW/16/31)

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2. Introduction

As the local highway authority, Devon has the duty to maintain a road network of 12,850 kilometres comprising:

970km principal (A) roads
660km non-principal (B) roads
4,510km non-principal (C) roads
6,710km unclassified roads

There are basically three types of maintenance works undertaken:

- (a) Reactive repairs such as pot-hole filling, dealing with flooding, replacing road signs and markings, clearing overhanging vegetation and the like, which, if neglected, would pose a potential danger to road users. Additionally during the winter period precautionary salting and snow clearance are carried out as needed.
- (b) Routine or cyclic maintenance such as gully emptying, grass cutting, cleaning and clearing of drainage pipes, ducts and channels and the like, mostly carried out to a defined frequency.
- (c) Planned, programmed or structural maintenance such as resurfacing, reconstruction, surface treatments, which is aimed at keeping roads structurally sound and reducing long term maintenance costs. This work is largely funded from the Capital budget.

This report deals with the funding of reactive repairs and routine/cyclic maintenance.

Within the County Council target revenue budget for 2016/17 the highway maintenance base budget has been set at £26,975,000. This figure includes an extra £1 million from the £8.4 rural and other grants funding approved by Cabinet on 12 February 2016. This curtails the reductions originally planned and will be used to support emergency response work; enhance routine maintenance of drainage systems; and enhance surface patching treatment to address areas with high frequency pothole problems.

The budget is made up as follows:

Road Maintenance	£15,733,000
Street Lighting	£4,446,000
Winter Maintenance, Emergencies & Depots	£6,796,000
Total Revenue Budget	£26,975,000

The service is under extreme pressure to deal with the impacts of historic Capital underfunding of highway structural maintenance and the effects of severe winter weather such as prolonged cold periods and flooding events, in recent years. Progress towards providing resilience across the whole of the network is proving to be very challenging, as evidenced by high numbers of potholes and recurring flooding related issues. This will remain a significant issue for the service in the foreseeable future.

3. Strategy and Analysis

The strategy of Devon Highways is to:

- drive efficiency in the planning, preparation and execution of works programmes,
- enable Devon communities to help themselves thus allowing them to carry out some highway work where it is safe to do so,
- manage expectation and demand for highway services,
- deliver a programme of preventative maintenance based on sound asset

- management principles to hold the condition of as much of the network as possible,
- deliver a focussed programme on a local resilience network,
- agree with communities roads for planned decline (the lowest category roads),
- identify options for stopping-up or reduced levels of service of some roads.

The above strategy has been used in deciding highway revenue budget savings for 2016/17.

Some savings have been made through efficiency gains. Other savings are based on adjusting levels of service.

The service has developed a range of community self-help schemes including the Snow Warden Scheme, Community Self-help (for individual projects), the Parish Partnership Self-Help schemes and the Road Warden Scheme. These schemes enable people to support, organise and carry out work on the highway that is a local priority but which cannot be provided as part of the core service delivered by the County Council, due to budget constraints. An allocation of £10,000 has been made from within the cyclic maintenance element of the highway revenue budget to support community self-help initiatives. It will for example allow for the purchase of equipment and materials.

4. Detailed Allocations

Detailed allocations by work function are given at Appendix I. These are based on Devon's asset management principles and experience of maintaining the network.

The overall reduction proposed for 2016/17 compared to 2015/16 is £1,180,000. This follows successive annual revenue reductions leading to a compounding of the effect on the highway network and does not account for unavoidable inflationary cost increases. Inflation has had to be added to some essential functions such as winter maintenance to sustain the level of service provided to deliver the current winter policy and this will affect delivery capability on some of the other work functions.

Specific proposals for revenue budget reductions are as follows:

Safety Defects: The budget is to fund the current level of service. It reflects reduced works costs due to improvements in methods of working. The safety inspection regime is undergoing a review and will be the subject of further reports to Cabinet. The review may lead to policy changes to enable better targeting of funding for safety defect repairs.

Street Lighting: The budget is for a reduction in planned work funded from this budget and a reduction in energy costs secured through a collaborative approach to energy procurement

Emergency Works: The budget reflects the cost outturn in 2015/16.

Bridge Works: The budget is for a reduction of planned routine structural maintenance works.

Hedge and Tree Maintenance: The budget reflects the cost outturn in 2015/16 on potentially dangerous trees.

Fencing: The budget allows for work on boundary fencing limited to safety issues.

Patching: The budget allows for reduced reactive patching work. This is offset by using other types of planned treatments to repair minor roads damaged by winter weather.

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Public Rights of Way: The budget allows for reduced seasonal vegetation cutting.

Incident Reaction: The budget reflects the cost outturn in 2015/16 and an improvement in the recovery of third party damage costs.

Winter Service: The budget allows for reduced resilience of white out fleet i.e. reduction in plant available to respond to snow events. We have experienced long periods of cold weather, but not large snow falls.

5. On-Street Parking Account

The expenditure of on-street parking income is restricted by legislation.

The costs of operating the on-street parking service is the first call on the income held in the On-Street Parking Account.

Any remaining funds/surplus must then be used in accordance with the eligibility criteria set out in legislation.

The current draw against the On-Street Parking account exceeds annual income by approximately £1million. This is currently afforded due to a surplus accrued over previous years.

Significant additional pressures have been applied to the account such that the rate of expenditure is no longer sustainable. Current projections see the surplus reducing to nil in the next 3 years (a small surplus being retained in the account as a contingency).

Once the surplus hits a minimum level, funding will need to be cut to projects/initiatives currently drawing from the On Street Parking account. In order to prepare for this the Head of Highways, Capital Development and Waste will be working with relevant service leads to ensure transitional measures are taken. It is intended that this will include the setting of indicative three year funding allocations, incorporating phased reductions to funding as opposed to hard final year cuts, so as to enable better planning and any necessary consultations to be undertaken.

Highways and Traffic Orders Committees (HATOC) Waiting Restriction Project

As previously reported to HATOCs, 2016/17 sees the introduction of a managed process to deliver an annual programme of works to deal with the requests for waiting restrictions to be introduced or amended that the County Council regularly receives.

A budget of £100,000 has been allocated and it is recommended that this is divided equally between the 8 HATOC areas for the first year, each being allocated £12,500. If any HATOC has surplus funds these will be shared between other HATOC areas.

It is proposed that in future years the split of monies is informed by the contribution of each HATOC to the On Street Parking account; monies being allocated proportionally based on Pay & Display contribution.

The proposed On-Street Parking Account programme for 2016/17 is shown in Appendix II.

6. Options/Alternatives

The revenue funded programme for 2016/17 optimises the use of the available funding to provide for reactive and clear up activities, winter maintenance, safety defect repairs and

routine and cyclic maintenance activity.

The distribution of funding is based on experience of managing the network, data on asset management and consultation feedback. It strikes a balance between the competing needs of the network and the needs of the travelling public and compliance with the statutory duty to maintain the highway.

There is a need for in-year flexibility in the funding of work functions to enable the service to respond to unforeseen and extreme events.

7. Consultations

The results of the 2015 National Highways and Transport (NHT) Public Satisfaction Survey reflect public perception of performance, importance and desire for various activities to be funded.

Analysis shows that the condition of the highway network and the speed and quality of repairs are important to the public.

The complete survey can be seen at <http://nhtsurvey.econtrack.com>

A summary of the results illustrating condition of road surfaces since 2009 is shown at Appendix III. The survey shows that the level satisfaction with the condition of the highway in Devon is low at 36%. Although this is an improvement on the 2014 results (30%) the longer term trend has been one of reduced level of public satisfaction in the last 6 years. A similar trend is evident in the results for neighbouring authorities in the South West Region.

8. Financial Considerations

The cost of this work will be met from the County Council's Revenue Budget.

9. Sustainability Considerations

The ability to efficiently transport people and goods around the County underpins Devon's economy and has a direct impact on the quality of the environment.

When maintenance work is undertaken it is managed to ensure that the effect on the surrounding environment is kept to a minimum. On carriageways, surface treatment and reconstruction work is tightly controlled to achieve long term durability. Recycled materials and secondary aggregates are used whenever possible. When cleaning and other cyclic work is undertaken soil and other material is returned to roadside verges if appropriate.

10. Carbon Impact Considerations

The carbon impact of this highway maintenance programme through the manufacture and laying of materials is likely to be offset by reduced emissions from highway users utilising a better maintained network, and using suitable alternatives such as walking and cycling.

The continued implementation of part-night street lighting and LED replacement programmes contributes to reducing carbon emissions.

11. Equality Considerations

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

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- 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.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/ new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment/Impact Assessment or other form of options/project management appraisal that achieves the same objective.

A copy of an updated overview of the impact assessments for all service areas has been circulated separately and is available to all Members of the Council at: <https://new.devon.gov.uk/impact/published/budget-setting-201617/> Members will need to consider for the purposes of this item.

This assessment shows that over 75% of those responding felt that major roads should be given priority in the budget decision making and similarly over 80% felt that minor roads should be given a priority.

12. Legal Considerations

The lawful consequences of the recommendations have been considered in the preparation of this report. The reduction in the revenue allocation will put more pressure on the amount and type of work that will be completed in the capital budget. This will lead to an overall reduction in maintenance standard, and potentially result in road closures, particularly on the minor part of the network. This may be legally challenged by local residents and road users.

There is also likely to be an increase in user dissatisfaction and complaints which could lead to challenges to the Authority under Section 56 of the Highways Act.

Following an extreme event, the service may not be able to adequately react to it nor keep pace with safety defect repair policy timescales.

13. Risk Management Considerations

The proposals contained in this report have been assessed and all reasonable actions are taken to safeguard the Council's position.

The reduction in this budget has significant implications. Inability to undertake enough planned and general preventative maintenance work will result in an increased depreciation of the highways asset. This will lead to increased deterioration and defects as a consequence.

Where risks have been identified such as the public liability risk associated with compliance with Section 41 of the Highways Act 1980 (the duty to maintain the highway and the duty to ensure, so far as is reasonably practicable that safe passage along a highway is not endangered by snow and ice) the implications have been taken into account in preparing this report.

14. Public Health Impact

The cumulative reduction in budgets could also have an impact on public health with reduced maintenance having an effect on sustainable travel alternatives and potentially more injuries resulting from crashes, trips and falls.

15. Reason for Recommendation/Conclusion

Highway and Traffic services ensure the availability and preservation of a safe and functional highway network which support the economy of the County and region. A key strategic element for the Service, in the current financial climate, is to slow down the rate at which the asset will deteriorate by focusing on the review of service levels, specifications, system and processes to 'sweat the asset'. Nevertheless, reductions and insufficient budgets, either capital or revenue, will impinge on the standards of maintenance across the network and are almost certain to increase the rate of deterioration.

David Whitton
Head of Highways, Capital Development and Waste

Electoral Divisions: All

Cabinet Member for Highway Management and Flood Prevention: Councillor Stuart Hughes

Strategic Director, Place: Heather Barnes

Local Government Act 1972: List of Background Papers
Contact for Enquiries: David Whitton
Room No: AB1 Lucombe House, County Hall, Exeter
Tel No: 01392 383379

Background Paper	Date	File Ref.
None		

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Appendix I To HCW/16/32

County Roads Highway Maintenance Budget Allocation 2016-17

Function Narrative	Total £
Routine Maintenance*	3,717,312
Cyclic Maintenance**	4,291,722
Retaining Walls & Bridges	733,719
Safety Reaction	6,364,905
Winter and Emergencies	6,796,084
Public Rights of Way	625,258
Street Lighting	4,446,000
<hr/> Total	<hr/> 26,975,000

* Routine maintenance includes:-

- patching
- cycle routes
- drainage
- fencing
- traffic signs
- roadmarkings
- traffic signals.

** Cyclic maintenance includes:-

- grass cutting
- weed treatment
- siding & watertabling
- hedge & tree maintenance
- gully emptying

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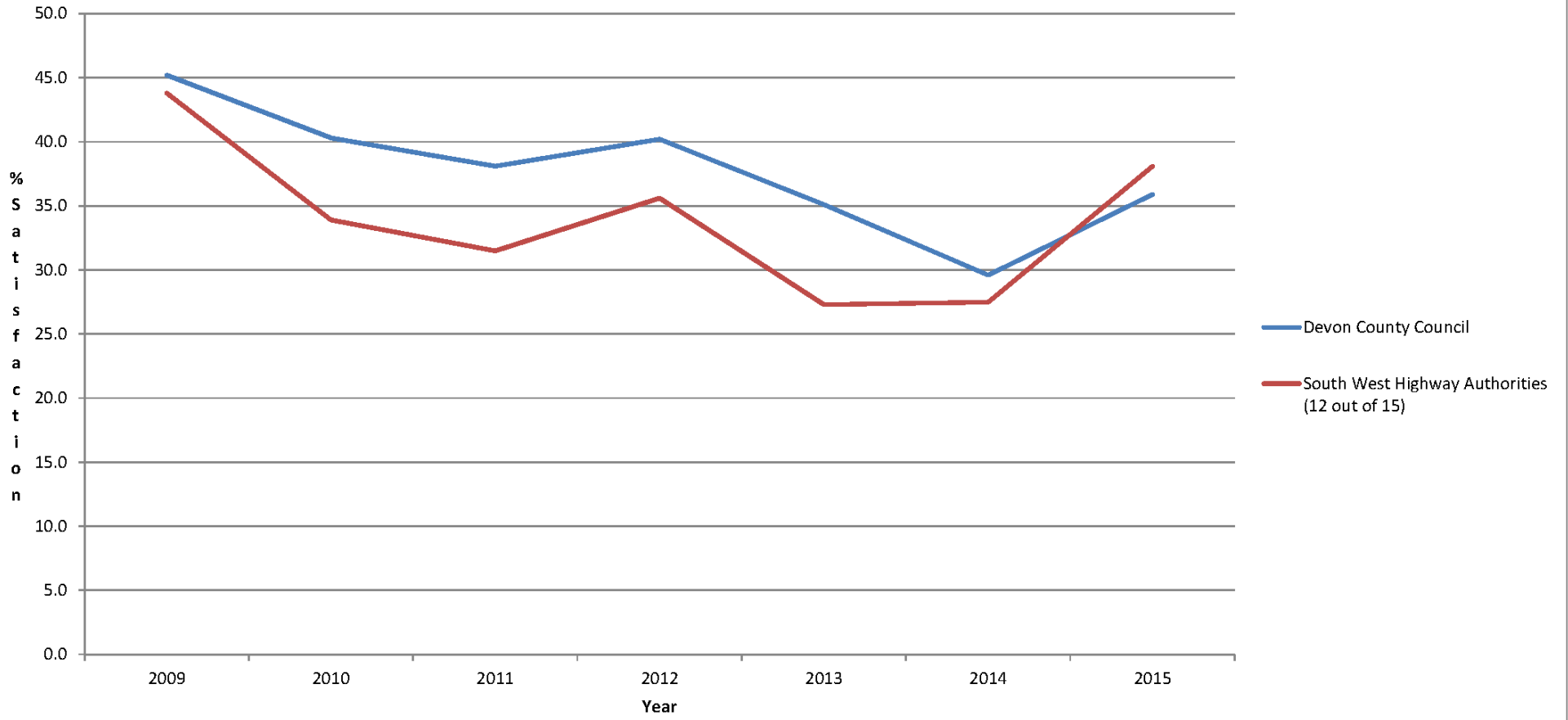
Appendix II To HCW/16/32

On Street Parking Account 2016/17

Scheme	Budget Allocation
Public Transport Support	2,411,000
Park and Ride Business Rates	100,000
Stover Country Park & Grand Western Canal	212,000
Grass Cutting	200,000
Civil Parking Restriction Signing and Lining Maintenance	225,000
Route reviews and improvements to road signs and lines	100,000
Exeter Residents Parking Scheme (Carried over from 15/16)	249,000
Traffic Management Plans	100,000
HATOC Waiting Restriction Project	100,000
Speed Management	60,000
CPE Schemes & Maintenance Staffing Costs	339,000
IT costs relating to Parking and Traffic Management programmes	20,000
Support to Safety Camera Partnership	10,000
Real Time Passenger Information	78,000
Variable message signs - maintenance of	10,000
Special events , coning and signing	20,000
Disabled Bays	20,000
TOTAL	4,254,000

NATIONAL HIGHWAYS & TRANSPORT NETWORK HIGHWAY MAINTENANCE BENCHMARKING INDICATOR RESULTS For HMBI 01 Condition of Road Surfaces

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HCW/16/33

Cabinet
13 April 2016

Waste Management - Sharing of Financial Savings through Collaborative Working with District Councils to reduce Treatment and Disposal Costs

Report of Head of Highways, Capital Development and Waste

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.

Recommendations:

- (a) that support is given in principle to develop a sharing of savings mechanism whereby a District Council (Waste Collection Authority), working in collaboration with the County Council (Waste Disposal Authority) to deliver a significant waste collection service change which leads to a reduction in overall costs for the County Council, benefits from the net savings generated;**
- (b) that an Agreement setting out the obligations of both parties be drafted and will be legally binding;**
- (c) that delegated powers be given to the Head of Service (Highways, Capital Development and Waste) to agree the details of both the sharing of savings mechanism and Agreement, acting in consultation with the Cabinet Member for Community & Environmental Services, the County Treasurer and the County Solicitor.**

1. Summary

Approval is sought in principle to develop a sharing of savings mechanism between the County Council as Waste Disposal Authority (WDA) and a District Council as a Waste Collection Authority (WCA) such that where a WCA introduces a significant waste collection service change that results in net savings to the WDA, these net savings are shared with the WCA.

2. Background/Introduction

It is widely acknowledged that working in partnership in waste management in two tier authorities can bring significant benefits including reduced treatment and disposal costs for the WDA. Both Somerset and Dorset have formed very successful waste partnerships which have delivered an improved single waste service across their areas. Efforts have been made over the previous three years to develop a similar single waste authority for Devon. This was supported by consultancy work to develop a sound business case but unfortunately this did not receive the necessary political support from enough authorities to enable a viable proposition to be progressed. However, the work did identify that significant savings could still be delivered by the WDA and WCAs working together without a formal partnership being in place.

The County Council Waste Management service has delivered over £5m worth of savings over the previous five years. These have arisen through retendering of contracts, and at Recycling Centres the introduction of charging for non-household DIY type waste, further restrictions on vehicles, and reduced opening hours including closure of some sites and exclusion of non-Devon residents at the Newton Abbot Recycling Centre. However, in this

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difficult financial climate, there is a need to deliver further savings and this can only be done by working in closer collaboration with the District Councils.

3. Proposal

Changes could be made to the waste collection systems which could deliver significant benefits to the WDA by enabling waste to be either treated through a cheaper process or actually reducing the overall amount of waste collected. Currently, green waste is collected free of charge by a number of Districts and mixed with food waste. This is then treated through in-vessel composting facilities, which is relatively expensive when compared to treating separately collected food waste through an Anaerobic Digestion plant and green waste through open windrow composting. WCAs are considering changing their waste collection services to offer a charged for garden waste collection service and introduce a separate weekly food collection along with providing an improved kerbside recycling service. Teignbridge and Mid Devon District Councils have already made these service changes as well as introduce an improved recycling service collecting cardboard and mixed plastics. This has the benefit of reducing overall waste arisings but also increases the amount of waste recycled and reduces residual waste. Initial results from Mid Devon show an increase of dry recycling tonnage of 37% and a reduction in residual waste of 17%. East Devon have just let their new waste collection contract which will include the introduction of improved recycling along with a 3 weekly residual waste collection scheme as part of their new service. All of these changes can generate significant savings for the WDA through both lower treatment costs and less waste to manage.

In order to make changes to a waste collection service, significant investment is required by the WCA with potentially an increase in overall collection costs to collect waste separately, whilst the WDA will potentially derive significant savings through reduced treatment and disposal costs. The WDA recognises this and hence proposes a sharing of savings with the WCA such that both benefit from the changes made and the overall cost to the public purse is reduced. It is hoped that such a mechanism will encourage all WCAs to consider significant waste collection service changes which will deliver savings.

A shared savings formula will need to be developed such that net savings generated by the change in waste collection service delivered by the WCA can be evaluated. It is proposed that savings will only be shared where they are as a direct result of actions taken by the WCA and will need to allow for any additional costs that may have arisen for the WDA as a result of the WCA change of service. Both parties will require certainty - the WCA to invest in a new service and the WDA to let new contracts to manage the waste in a more cost effective manner. Hence, it is proposed that a sharing of savings mechanism be underpinned by a legally binding Agreement which will set out the obligations of both the WCA and WDA.

4. Consultations/Representations/Technical Data

Discussions have been undertaken with representatives from each of the WCAs to establish the principles behind the scheme and a WDA/WCA Officer Working Party has been set up to take this work forward. It is envisaged that this proposal will form part of the work programme for the new Devon Authorities Strategic Waste Committee to review the proposals. Development of a sharing savings mechanism to improve collaborative working and service efficiency fully accords with the principles underpinning the Heart of the South West programme.

5. Financial Considerations

The fundamental principle behind the proposed scheme is that only net savings will be shared and hence there should be no increase in costs to the County Council as a result. Average gate fees for more expensive treatment and disposal options range from around £76/ tonne for in-vessel composting to around £116 / tonne for landfill (including Landfill Tax). Cheaper waste treatment options currently range from around £37/ tonne to £57 / tonne. Consequently it can be seen that significant savings can be generated by treating waste through cheaper processes or moving from disposal to recycling. Preliminary work suggests that savings in the region of between £200,000 to £400,000 per year could be generated per WCA as a result of a WCA introducing significant service change. This could yield a share of the savings for the County Council of around £1 million across Devon should all WCAs sign up to the proposed scheme.

6. Environmental Impact Considerations

Encouraging separate collections of food waste, introducing further recycling and reducing overall waste arisings all help to ensure that waste is managed in a sustainable way and put to good use to recover value where possible.

7. Equality Considerations

Where relevant to the 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.

taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/ new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment/Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this particular proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Members and also is available alongside this Report on the Council's website at: <http://www.devon.gov.uk/cma.htm>, which Members will need to consider for the purposes of this item/meeting.

Following the carrying out of the Impact Assessment, it is considered that this proposal would not discriminate against or disadvantage any group.

8. Legal Considerations

It is proposed that an Agreement be drafted setting out the obligations of both the WCA and the WDA which is legally binding on the parties. This will give the WDA certainty with regard to the contracts that need to be let to manage the waste and confidence to the WCAs to

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invest in the required changes in collection infrastructure. A 10 year term is being proposed with a review after 3 years to ensure the scheme is working as the parties intended.

9. Risk Management Considerations

Only net savings generated by service changes made by a WCA will be shared with the WCA and hence there should be no overall increase in costs to the County Council as a result of this scheme. The Agreement will set out the obligations of both parties and should ensure collaborative working delivers net savings for both parties.

Flexibility across the overall waste budget may be reduced as a result of this proposal as essentially the budget for each WCA will need to be identified such that savings for each WCA can be measured.

10. Public Health Impact

There will be no impact on public health.

11. Discussion

In order for the County Council to make further savings on its waste management service, it needs to work in a more collaborative manner with its WCAs. Initial discussions with the WCAs suggest that this proposal will encourage them to consider introducing more cost effective waste collection services, which will deliver savings for the County Council, if they could benefit from the net savings generated.

This proposal will enable waste treatment and disposal savings to be measured on a WCA area and for those savings resulting from action by a WCA to be shared with them as an incentive to make those service changes.

12. Options/Alternatives

The ability to deliver further savings by working more collaboratively between the WDA and WCAs has been highlighted on both a national and local level, and was evidenced in Devon by the consultancy work to develop a single waste authority.

Whilst it has not been possible to develop a single waste authority, it is anticipated that the introduction of this proposal may deliver some of the potential savings identified through the earlier work undertaken.

13. Reason for Recommendation/Conclusion

This proposal could yield significant savings for the WDA on treatment and disposal costs by encouraging WCAs to make significant changes to their waste collection services. These changes are likely to reduce the volumes of waste produced, increase the volumes of waste recycled and/or enable the waste collected to be treated through cheaper processing facilities.

David Whitton
Head of Highways, Capital Development and Waste

Electoral Divisions: All

Cabinet Member for Community and Environmental Services: Councillor Roger Croad

Strategic Director, Place: Heather Barnes

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Local Government Act 1972: List of Background Papers

Contact for enquiries: Wendy Barratt

Room No. County Hall, Exeter. EX2 4QD

Tel No: 01392) 383000

Background Paper	Date	File Reference
Nil		

wb150316cab Waste Management - Sharing of Financial Savings through Collaborative Working with District Councils to reduce Treatment and Disposal Costs
hk 02 310316

PTE/16/21

Cabinet
13 April 2016

Flood Risk Management Action Plan 2016/17

Report of the Head of Planning, Transportation and Environment

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: It is recommended that Cabinet:

- (a) approves the implementation of the County Council's 2016/17 Flood Risk Management Action Plan;**
- (b) delegates to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member with responsibility for flooding, any changes to the programme and related expenditure of less than £50k.**

1. Summary and Purpose of Report

The Flood & Coastal Risk Management Team has continued to develop a number of high priority flood improvement schemes, as well as the delivery of minor works and local resilience measures. These have been progressed in accordance with the Local Flood Risk Management Strategy and in line with the indicative funding allocations of the Defra 6 year programme. The aim of this report is to provide Cabinet with an update on delivery of the 2015/16 Flood Risk Management Action Plan and gain approval for the implementation of the proposed Action Plan for 2016/17. A process, by which actions can be amended or reprioritised, subject to delivery opportunities, is also proposed.

2. Update on Achievements for 2015/16

Devon County Council's Flood & Coastal Risk Management Team has developed a significant programme of flood improvements and is working closely with all of the other Risk Management Authorities in Devon to deliver these in a timely manner. Where practical, a number of minor flood improvements and resilience measures have been delivered through local funding opportunities; however, the larger capital schemes have been included in Defra's 6 year programme to take advantage of national funding.

The draw-down of Defra funding is a lengthy process requiring a robust business case to justify the economics, environmental impacts/benefits and viability of the schemes. This involves significant studies, site investigations and impact assessments to support the detailed design and cost estimation. Some of Devon's highest priorities, including Axminster, Braunton and Modbury, are well advanced in this process and practical works are due to start in 2016/17; earlier commencement has been frustrated by a range of technical and legal issues. This emphasises the challenges of delivering within a financial year period and highlights the benefits of working within Defra's defined 6 year programme.

As a result of the works delivered by this Authority during this current financial year, over 50 properties have been provided with improved flood protection. In addition, works are nearing completion on the Defra-funded Flood Resilience Community Pathfinder Project which, over the last two and half years, has helped over 24 communities and benefitted over 4000 properties by providing local resilience and self-help measures. The continued development of the major schemes will reduce the risk of flooding to a further 250 properties during

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2016/17. The ongoing programme of works in future years, including both minor local improvements and those within Defra's current 6 year programme, aims to reduce the risk of flooding to more than 500 additional properties. Other areas under investigation will continue to increase the number of properties being afforded flood improvements or resilience measures.

Detail on the work undertaken by the Flood & Coastal Risk Management Team during 2015/16 is set out in Appendix I. The current projection is for approximately £1 million to have been spent on the provision of flood management measures by DCC in its role as Lead Local Flood Authority.

3. Proposed Action Plan for 2016/17

As detailed above, a number of major schemes are well advanced and looking to move into the construction phase during 2016/17. The proposed Action Plan for 2016/17 will, therefore, take into account the progression of these works and will also highlight new localities for investigation that have been prioritised through the criteria set out in the Devon Local Flood Risk Management Strategy.

A number of other practical initiatives will be progressed in support of the Strategy. This will include an ongoing focus on community resilience, as a legacy of the Defra Pathfinder Project, with Devon Communities Together and the new Devon Resilience Forum being important partners in the delivery of this approach. There will also be an increased emphasis on natural flood management; pilot studies and experience from elsewhere will be used to develop best practice in land management and to convey this to landowners across the County.

The proposed Action Plan for 2016/17 is attached as Appendix II. This currently profiles an over spend of 10% against 2016/17 budgetary allocations in order to provide flexibility in the programme for any efficiencies made or delays encountered. This will be closely monitored throughout the year to ensure delivery is kept within the available budget. Additional funding from Defra's "Flood Defence Grant in Aid" and Local Levy will be accessed as required, subject to scheme justification.

4. Consultations/Representations/Technical Data

The delivery of local flood improvements will require regular consultations with residents, community groups, Parish/Town Councils, local Members and other relevant Risk Management Authorities to ensure good engagement and to appropriately manage expectations. It will, also, assist in joined-up planning and prioritisation and the identification of opportunities for partnership working and shared funding arrangements.

5. Financial Considerations

The funding allocations for the works identified in the 2016/17 Action Plan will be from dedicated flood risk management revenue budgets. Where projects can be undertaken collaboratively, this will be linked to additional contributions through other Risk Management Authorities. For larger schemes requiring capital funding, this will be achieved through Defra's Flood Defence Grant in Aid and supported by Local Levy and/or additional partnership funds from local sources such as developers, businesses and other scheme beneficiaries (including local residents). Where appropriate, DCC revenue allocations are capitalised.

Whilst the Action Plan currently shows expenditure against 2016/17 budgetary allocations, a further sum of approximately £400k is expected to be carried forward from past

underspends. If confirmed, this will provide flexibility for expansion of the programme, and to provide a contingency for any increase in costs or emergencies.

In order to limit future or ongoing financial liabilities to DCC flood risk management budgets, every effort is made to avoid any enduring maintenance responsibilities when supporting the implementation of new flood protection works.

6. Sustainability, Equality and Public Health Considerations

All flood improvement schemes will be developed in accordance with the Equality and Environmental Assessments produced in support of the Local Flood Risk Management Strategy. Each individual scheme will be assessed at the appropriate stage using the corporate, integrated assessment tool, with relevant equality and environmental impacts identified and acted on as necessary.

The works outlined by the Local Strategy and the 2016/17 Action Plan are all designed to improve the protection afforded to communities and individual properties currently at particular risk of flooding and, thereby, support health and wellbeing. More than just protecting the properties alone, it should be noted that flood water has the potential for transporting contaminants, such as sewage; so, reducing flood risk has clear health benefits.

7. Legal Considerations

All works will be carried out in accordance with the powers and duties assigned to DCC under the Flood and Water Management Act 2010, the Land Drainage Act 1991 and any other relevant legislation. The lawful implications and consequences of the proposals and relevant actions will be taken into account through their development.

8. Risk Management Considerations

It should be noted that flooding is already identified as a high risk in the corporate risk register and that this programme is intended to address that. As each scheme is progressed, it will be assessed to ensure that all necessary actions are carried out to safeguard the Council's position.

It has been previously reported that there is a lack of resources available to many of the District Councils, with the resulting risk of their being unable to address local flood issues, with an increased reliance on DCC. There is a need for close ongoing engagement, both politically and at officer level, to maintain partnership working and deliver against key priorities, whilst managing public expectations.

9. Discussion

The delivery of an annual programme of flood improvements is essential to continually reduce the risk to many properties within Devon that have suffered, or are at a high risk of, flooding. The proposed Action Plan for 2016/17 includes a number of physical schemes that will benefit in excess of 250 properties, together with a number of proactive studies for future schemes to be developed in line with Defra's 6 year programme. All of the Risk Management Authorities have regular contact either through specific project meetings or forums, such as the Devon Operational Drainage Group, to share the priorities of their organisations and look for partnership working opportunities.

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10. Options/Alternatives

In view of the large number of communities having suffered flooding in recent years and the growing expectation for assistance, the option to do nothing has been discounted.

The proposed projects identified in the 2016/17 Action Plan (Appendix II) have been prioritised based on the specific criteria set out in the Local Flood Risk Management Strategy for Devon. It is likely that the detail of this programme will change over the course of the year, due to funding opportunities or uncertainties over delivery etc. Any changes up to a £50k limit will be undertaken in consultation with the relevant Cabinet Member and the Head of Planning, Transportation and Environment. Each scheme will undergo an options appraisal process to identify the preferred option that will give maximum benefit for the community within the available budget.

11. Reason for Recommendation/Conclusion

The extent of flooding to properties over recent years has created a large list of communities requiring assistance to reduce this problem. There are many other communities who are at significant risk of future flooding, particularly from surface water sources, as identified through our programme of Surface Water Management Plans and Drainage Assessments. The effect of flooding on people's properties and businesses is devastating and there is an essential need to reduce this future risk in order to benefit Devon's economy and the health and wellbeing of affected communities and individuals. The adoption and implementation of this Action Plan by DCC will demonstrate the proactive approach being taken by DCC in its role as Lead Local Flood Authority.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: All

Cabinet Member for Highway Management and Flood Prevention: Councillor Stuart Hughes

Strategic Director, Place: Heather Barnes

Local Government Act 1972: List of Background Papers

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Tel No: (01392) 383000

Background Paper	Date	File Reference
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Nil

mh300116cab Flood Risk Management Action Plan 2016 17
hk 03 010416

Update on Achievements for 2015/16

1. Devon wide

Highway related flood improvements – The Flood & Coastal Risk Management Team has continued to support Highways with the provision of funding for minor improvements to reduce the risk of flooding to properties caused by surface runoff from the highway or blocked/damaged highway assets. Successful improvements and investigations, to the value of over £50k, have been completed in Braunton, Ilfracombe, Stokeinteignhead, East Budleigh, Ottery St Mary and Uplyme.

Surface Water Management Plans / Drainage Assessments – The programme of Surface Water Management Plans and Drainage Assessments, as recommended in the initial strategic review of Devon, has continued, with new investigation progressed within Ottery St Mary, East Budleigh, Newton Abbot, Shaldon and Teignmouth.

Flood Resilience Community Pathfinder Project – The 2 year Defra funded Pathfinder Project is now complete and has achieved successful outcomes for the 24 communities included within the programme as well as additional communities that have requested similar assistance. Many of the communities now have well prepared emergency action plans and self-help resilience measures. One of the main legacies of the project was to develop the community led Devon Community Resilience Forum, which is now being hosted by Devon Communities Together.

It is estimated that over 4,000 properties will have benefited either directly or indirectly from the resilience measures implemented through this project and the continued focus on helping communities become more resilient will continue to increase this figure.

A grant based scheme has recently been set up by DCC to enable communities at risk to draw down funding and purchase essential resilient equipment from sandbags to signs to torches for wardens. This has been well received and it is expected that the initial £30k provided will be fully committed. Future initiatives will also be considered over the next 12 months, such as partnering with other Risk Management Authorities to coordinate an event with the Flood Advisory Service, along with continued support for the Community Resilience Forum.

North Devon Nature Improvement Area – Ongoing support for this project has enabled the delivery of a number of natural flood related improvements that not only reduce flood risk but also improve water quality and land management. Such improvements include the management of farmed, semi-natural habitats (particularly Culm grassland) to store water and reduce runoff. This project will also support the development of best practice for land management techniques and processes.

Property Level Protection – Up to 35 individual properties will have been provided with local resilience measures this current financial year, subject to final completion. This has been well received by residents who face the prospect of no viable scheme being available for their community in the near future and provides them with a line of defence to assist during flood conditions.

Statutory Consultee for Sustainable Drainage (SuDS) – As a result of the Government's decision not to implement Schedule 3 of the Flood and Water Management Act, which would have established a SuDS Approving Body, DCC (as Lead Local Flood Authority) has,

Agenda Item 12

instead, become a statutory consultee to other Local Planning Authorities for all major developments with surface water implications. Since this came into force on 6th April 2015 over 520 applications have been reviewed and consultation responses provided. This is greater than the estimated number of applications that were expected, but the dedicated officers have developed an excellent working relationship with all of the planning authorities, providing training and continued support, to deal with these applications within the required timescale.

2. East Devon area

Axminster Millbrook – Phase 1, which consisted of a flood wall barrier, has been completed and provides limited protection until completion of Phase 2.

The Project Appraisal Report (PAR) for flood improvements on the Millbrook Stream has been submitted and is currently under review by the EA's National Project Assurance Service for Flood Defence Grant in Aid (FDGiA). Commencement of construction has been delayed until May 2016 due to an issue with legal title of the culvert, which was originally under ownership of British Rail and held under a residuary. The Government has recently abolished BRB (Residuary) Ltd and transferred some assets including this culvert to the Highways England Historical Railways Estate. Unfortunately Highways England has not yet finalised legal title and, therefore, is not in a position, nor willing, to allow early access. We have been pursuing this as a high priority to gain access and for the asset to be transferred to DCC.

The scheme will aim to reduce the risk of further flooding to over 40 properties that suffered internal flooding in 2012 and provide benefit to approximately 120 other properties in the area.

Feniton – This project continues to be led by East Devon District Council (EDDC), with funding support from DCC in previous years. Construction work has commenced on site.

Sidmouth Surface Water Management Plan – The recommendations of the completed surface water management plan are now under review.

Uplyme Flood Study – A number of improvements have been implemented including a silt trap and check weirs on the Cooksmead watercourse and further works are underway to increase the capacity of the watercourse with improved footbridge to the rear of the Village Hall and a reinforced overflow channel adjacent to the tennis courts. Major improvements are also being considered to improve the culverted watercourse sections through the village, which will be subject to available funding.

Whimple – This scheme is being led by the Environment Agency and has faced difficulties in achieving a cost viable solution. DCC's contribution has not been required this financial year, but will be reviewed if the EA is able to progress with the preferred culvert improvements. An alternative option for Property Level Protection may be progressed if the current efforts to progress the capital works are not achieved.

Lympstone – Possible improvements are under consideration, subject to funding, to protect 11 properties at risk of flooding from a tributary of the Wotton Brook.

Exmouth – DCC is working in partnership with South West Water to carry out hydraulic modelling and scheme options to be considered for any immediate minor improvements or future investment.

Old Feniton – DCC is also working in partnership with South West Water at Old Feniton to carry out a flow monitoring exercise to gain an understanding of the volume of surface water entering and overloading the combined foul drainage system. Results of the study will be available shortly and options will then be considered for improving any areas identified as having a significant issue.

3. Exeter area

Exeter Flood Defence Scheme – The Environment Agency led scheme is progressing well with Phase 1 complete. The tender process for Phase 2 is complete and the contract soon to be awarded. It is expected that this second phase will commence on site in June 2016 and will be completed by Spring 2018.

Exeter Surface Water Management Plan – The recommendations of the study are now being considered for implementation. An initial programme of ‘quick win’ works is to be developed and then a list of medium term improvements that will be considered in line with the Defra funding that is available, subject to justification, in 2017/18.

4. Mid Devon area

Cullompton Study – The recommendations of the study are being progressed and a preferred scheme developed. A partnership approach with the Environment Agency is being pursued for the practical delivery of a scheme. Consideration is currently being given to ways in which to avoid any potential displacement of the flood risk downstream.

5. North Devon area

Braunton Surface Water Management Plan – The detailed design of the preferred option is well underway and proving to be a challenge in achieving a cost viable scheme and one that can be handed over to the Parish Council for maintaining in the future. It is anticipated that a workable solution will be determined and scheme construction to commence this calendar year. The scheme will aim to reduce the risk of flooding to the majority of the 65 properties that flooded in 2012 and provide wider benefits to other properties at risk in the area.

Umberleigh Flood Investigations – As a result of the study carried out for Umberleigh, it was concluded that a cost viable scheme was not achievable to protect from the main river and that nuisance flooding from surface water could be reduced with the use of property level protection. A scheme to provide assistance to 12 properties is underway and due to be completed in early April 2016.

Barnstaple Flood Study – Further enhancements to this study were undertaken in partnership with North Devon Council to provide a strategic approach for managing flood risk for future regeneration of the study area.

6. South Hams area

Ivybridge Flood Improvements – The project has been allocated on the Defra 6 year programme for funding in 2016/17, subject to a robust business case, and a scheme design is underway. The previous scheme proposal, handed over from South Hams, was unachievable and a viable option is now being sought. This will benefit more than 20 properties with a high risk of flooding and four which have suffered regular, internal flooding.

Kingsbridge Study – The initial study identified the main sources of flood risk were from main river and the tide which falls under the responsibility of the Environment Agency to progress. They are now taking the lead through a partnered approach with DCC and South West

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Water. Hydraulic modelling is now underway to investigate the improvement options that could be considered.

Modbury Flood Management Scheme – Site investigations and detailed design of the preferred scheme options are progressing well and the development of the project appraisal for funding justification is underway. It is anticipated that construction works will commence early in 2017.

Yealmpton – Flood improvement works at Boldventure, Forde Road and Creamery Close have been completed in partnership with South Hams District Council. Flood defence improvements on the main river are being led by the Environment Agency. Up to 6 properties will benefit from the minor works being delivered by DCC, with more than 20 likely to be helped by the Environment Agency led project. Major capital investment to improve the flood defences along the main river were proving to be not cost beneficial and therefore a programme of property level protection works is being promoted by the EA and supported by DCC through the procurement process.

Frogmore – Landowner agreements and scheme design have delayed a scheme being progressed by the Parish Council. DCC's Flood & Coastal Risk Management Team is continuing to liaise with the Parish Council to assist delivery.

Dartmouth – The proposed scheme, handed over from the Environment Agency for DCC to deliver, proved to be unviable due to downstream connections into the public sewerage system and the effect this would have on South West Water's (SWW) pumping station. Further discussions are being held with SWW to consider options to progress these improvement works.

7. Teignbridge area

Stokeinteignhead – Phase 1 of the improvement works to improve drainage of the lower part of the village have been completed. This included a new culvert and additional drainage connections in the identified low area and improved drainage in Forches Hill and Church Lane. This will provide benefit for up to 5 properties. The design of Phase 2 improvements, which involves upstream flood attenuation, is now being progressed and, subject to a robust business case for Defra funded being delivered, it is anticipated that works will commence in 2017.

Devon County Council Action Plan for 2016/17 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study, Design or Works	2016/17 DCC Contribution £	Other Funding Sources £	Details of Proposal
Devon					
Flood Risk Management Team	DCC	-	250,000		Resources required to deliver the Flood Risk Management functions as the Lead Local Flood Authority and Statutory Consultee for SuDS.
Strategic Catchment Flood Risk Database and Prioritisation	DCC	S	50,000		Further detailed assessment of those areas identified in the Strategic Surface Water Management Plan for Devon, including Dartmouth, Newton Abbot or Teignmouth.
Local Drainage Assessments/Minor Surface Water Management Plans	DCC	S	50,000		To continue with the proactive assessment of flood risk in identified locations through the Surface Water Management process.
Minor Works and Improvements	DCC/Others	W	50,000		Delivery of minor flood improvement works, subject to resources and in accordance with the DCC priority list and opportunities with other Risk Management Authorities.
Minor Flood Investigations/Studies	DCC/Others	S	30,000		Delivery of flood investigations, surveys and studies, subject to resources and in accordance with the DCC priority list and opportunities with other RMAs.
Property Level Protection	DCC/Others	W	25,000	25,000	Allocation of funds to support Individual Property Protection and supported with additional Flood Defence Grant in Aid funding through the Medium Team Plan.
DCC Highway related flood improvements	DCCH	W	30,000		Contributions from the FRM budget to support various minor highway improvement works where the risk of flooding to property can be reduced.
Community Resilience and support	DCC	W	30,000		To provide assistance to communities for the delivery and provision of Flood Resilience Measures.
North Devon Nature Improvement Area	NIA	W/S	20,000		DCC contribution to support the project and encourage the use of sustainable drainage methodology.
Natural Land Management	DCC/Others	W/S	50,000		To develop best practice and progress opportunities for delivering natural flood risk management techniques in partnership with other RMAs and key stakeholders.

East Devon					
Axminster Millbrook Phase 2	DCC	W	50,000	290,000	Contribution towards construction of phase 2 of the flood improvement works in conjunction with Flood Defence Grant in Aid.
Old Feniton	SWW	S	15,000	10,000	Flood investigations and drainage assessment in partnership with South West Water.
Sidmouth Surface Water Improvements - Design	DCC	D	30,000		Consideration of the preferred options leading to detailed design and preparation of Project Appraisal Report for FDGiA.
Uplyme Flood Study	DCC	S	20,000		Development of Project Appraisal Report to support FDGiA funding bid and delivery of viable option.
East Budleigh	EA	W	10,000		Review of drainage assessment and delivery of minor improvements.
Lympstone	DCC	W	25,000		Develop options and deliver minor flood improvements.
Exmouth	SWW/DCC	S	25,000		Continue to work in partnership with SWW and consider options for flood improvements and any funding requirements.
Ottery St Mary	DCC	W	20,000		To review drainage assessment and develop options for delivery, subject to funding.
Exeter					
Exeter Flood Defence Scheme (2013 - 2017)	EA	W		32,550,000	Upgrade existing defences from the River Exe to provide a higher level of protection. Although this is not a DCC led scheme in 2014/15 it should be noted that DCC are contributing £3million over the next 3 years to support the improvement works.
Exeter Surface Water Improvements - Design	DCC	D	40,000		Development of scheme options and production of PAR to support funding bid for surface water flood improvements and delivery of any minor works.
Topsham Flood Improvements	ECC	W	20,000		Contribution to Exeter City Council towards surface water element of proposed flood improvement works.
Mid Devon					
Cullompton Flood Improvements	DCC	D/W	25,000		Progression of recommendations from catchment study in partnership with the EA, subject to scale of works and funding requirements/opportunities.
North Devon					
Braunton Surface Water Improvements	DCC	D/W	150,000	400,000	Completion of Project Appraisal Report to support funding bid and contribution towards construction of phase 2 of the flood improvement works in conjunction with Defra funding.
Umberleigh Flood Investigations	DCC	W	10,000		Completion of resilience project commenced Feb/March 2016.

Bishops Tawton	EA	W	20,000		Contribution from DCC to EA to incorporate surface water improvement works into main scheme.
South Hams					
Modbury Flood Management Scheme	DCC	D/W	100,000	300,000	Delivery of detailed design and PAR to achieve FDGiA and progression of recommended flood improvements.
Ivybridge Flood Improvements	SHDC	D/W	50,000	80,000	Delivery of detailed design and PAR to achieve FDGiA and progression of recommended flood improvements.
Kingsbridge Study	SWW	S	20,000		To continue working in partnership with other RMAs to assess potential flood improvements and develop options.
Dartmouth	DCC	S/W	15,000		To consider options in partnership with SWW and the EA to reduce flood risk in Victoria Road area, subject to appropriate cost benefit and funding.
Teignbridge					
Stokeinteignhead	DCC	D/W	80,000	150,000	To develop the detailed design and PAR to support funding request for FDGiA and to progress scheme delivery of preferred option.
Broadhempston	DCC	S	10,000		To review surface water flood risk and consider improvement options.
Torridge					
					There are currently no ordinary watercourse, surface or ground water schemes identified, in the Torridge area, on the DCC priority list. Other schemes relating to Main River or tidal flooding may be considered by the EA or minor drainage issues by the District Council.
West Devon					
					There are currently no ordinary watercourse, surface or ground water schemes identified, in the West Devon area, on the DCC priority list. Other schemes relating to Main River or tidal flooding may be considered by the EA or minor drainage issues by the District Council.
Total Budget Allocation			1,320,000		

The above budget allocations are estimates that are subject to change or maybe deferred as other priorities and opportunities arise. The total expenditure currently shows a 10% over-budget spend on the projects element of the budget. This will be monitored throughout the year to ensure the budget is not exceeded and will automatically defer incomplete projects. This means that some projects will not be completed during this financial year and will be considered for the following programme.

Incoming Budgets					
Defra funding for LLFA			548,000		Grant to fulfil requirements as the Lead Local Flood Authority as defined under the Flood and Water Management Act.
DCC contribution towards Flood Risk Management			312,000		DCC budget allocation to support the implementation of Flood Risk Management.
Provision for Statutory Consultee role for SuDS			85,000		Statutory Consultee role to the LPA for major developments.
Corporate Flood Risk Budget			250,000		Corporate budget to support delivery of major schemes and drawdown of national funding.
Total Budget			1,195,000		

EE/16/7

Cabinet
13 April 2016

District Heating Networks: Approval to procurement process for selection, with other stakeholders of an Energy Services Company

Report of the Head of Economy and Enterprise

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: That

- (a) DCC becomes a shareholder of a public sector Energy Services Company (ESCO);**
- (b) DCC, subject to a successful procurement of a private sector energy partner, commits to invest £147,000-£177,000 Capital into the joint venture company as a share of the required public sector equity stake, to achieve a return;**
- (c) DCC leads on the procurement of an energy sector partner, on behalf of the ESCo, providing an income stream on a full cost recovery basis.**

1. Summary

This report considers the formation of an Energy Service Company (ESCO), in partnership with 5 other public bodies to procure a private sector partner to deliver District Heating Networks in Exeter.

2. Background/Introduction

Following Cabinet approval in November 2012 to investigate the formation of an ESCo to deliver district heating in the Exeter area, DCC and 5 public sector partners (Exeter City Council, East Devon District Council, Royal Devon and Exeter Foundation Trust, Teignbridge District Council and University of Exeter) have been working to establish the feasibility and viability of supplying competitively priced low carbon heat. This has been supported by £285k funding from Department of Energy and Climate Change (DECC) through their Heat Networks Delivery Unit.

Heat networks, also called district heating (DH) and combined heat and power (CHP) enable heat generated at a central point to be distributed to a number of buildings through insulated pipes (See Appendix I for local schematic). This generally uses the heat produced as a by-product of electricity generation, using heat that would be wasted in large power stations, making this a low carbon option. The Exeter area is at the forefront of district heating in the UK, with the rollout of Cranbrook and a similar scheme at Monkerton and Science Park recently announced.

DCC's investment in the ESCo will enable the Council to achieve a return on investment and influence the development of the network and potential future energy projects across Devon. It will also contribute towards delivery of economic outputs, energy security and strategic carbon reduction as guided by district local plans.

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3. Proposal

3.1 Overview

Two separate Exeter schemes have now been identified as being technically feasible and economically viable:

- A city-wide retrofit scheme connecting primarily public sector heat loads, the RD&E hospital to the city centre;
- A scheme taking heat from the Marsh Barton EfW plant to SW Exeter.

The city centre retrofit scheme envisages a large new gas CHP at the RD&E which provides electricity and heat for the hospital and exports low carbon heat to Exeter City Council buildings (Civic Centre and new pool complex), and other private sector DH ready buildings along the route. See Appendix I. Currently this does not include County Hall as the economic case is weak and we already have a low carbon heating solution. DCC could join the scheme at a later date.

A public sector ESCo could lead on a SW Exeter scheme, using heat from the Marsh Barton Energy from Waste plant, working with EON and Viridor. However, timescales and procurement may mean it is more suitable to support the private sector in delivering this scheme without public sector direct investment. DCC already has a stake in heat from the EfW.

The immediate aim of the ESCo is to procure a private sector partner with whom to form a Joint Venture Company (JVCo) to deliver the scheme. Following procurement the ESCo provides a vehicle for public sector partners to influence JVCo's development.

Next stages would be:

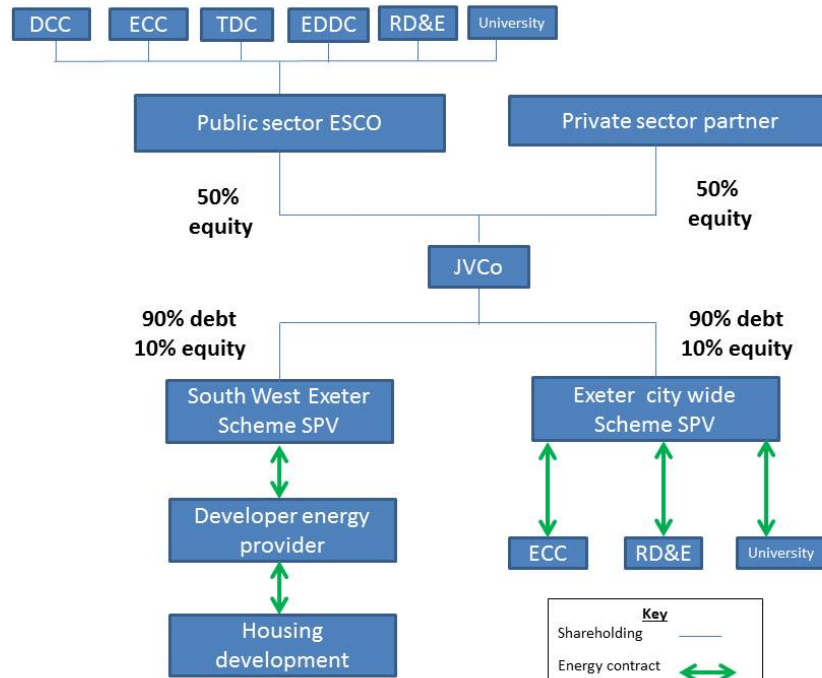
- a. Partner approvals
- b. Set up an ESCo
- c. ESCo procures a Private Sector Partner
- d. Successful procurement set up JVCo – capital investment required
- e. JVCo sets up Special Purpose Vehicle for Exeter City Scheme and raises finance
- f. JVCo sets up Special Purpose Vehicle for SW Exeter Scheme, should this apply

3.2 Corporate / Legal Structure

The proposed legal structure envisages a public sector joint ESCo being established. This entity will then procure a private sector partner (PSP) which will fund up to 50% of the equity of a JV company (JVCo). Each public sector stakeholder therefore has a 1/12th (8.3%) net interest in the JVCo.

Each of the two schemes being considered for investment, with shareholders able to take an interest in either or both, would be set up as separate Special Purpose Vehicles (SPV's). See schematic below.

It is envisaged that the estimated £16m investment for the city wide SPV would be largely project financed by financial institutions (typically 10% equity and 90% debt).



3.3 Benefits

Participation in the ESCo provides a number of potential benefits to the Council:

- It is anticipated the project will make a healthy return of 9.7% IRR (internal rate of return) on investment with a relatively small capital outlay.
- Potential to link in the EfW plant and use the heat generated.
- Economic benefits - such as job creation and retention and energy security.
- Ability to connect County Hall to the scheme at a future boiler replacement date.
- Public sector investment giving confidence to the private sector to participate in procurement and maximising bid offers.
- It reinforces Devon's local relationships with other public sector bodies for the maximum collective benefit.
- Enables future schemes to be developed, for example Newton Abbot and Barnstaple.
- Investment in low carbon heat supports Devon's commitment to low carbon development in the Exeter growth point area and provides a vehicle for future expansion into other technologies and ventures, supporting Innovation Exeter and Exeter Futures agendas. Potential to raise investment through linkage with the Exeter Futures model.
- Government remains committed to renewable heat and Heat Networks and grant funding (from a £300m capital pot aimed at projects currently supported by HNDU) may likely be available for the project.
- Networks proposed are an initial phase and can be extended on commercial terms to third party consumers, some of which are already "district heat" ready through Exeter City Council's planning policy.

3.4 Resources and Timescales

The RD&E hospital, as host of the energy centre, is critical to the city wide scheme and has therefore been the first partner to seek internal approvals. The RD&E Board approved investment on 27th January 2016, with the Exeter City Council approval on 23rd February. East Devon District Council has approved participation in the ESCo but no investment in the JVCo, as these schemes are not in their district. Subject to other Partner approvals in

Agenda Item 13

March, the next stage is to agree ESCo shareholder structure and procure a private sector partner, likely through a negotiated tender process. DCC would need to provide resources to enable the procurement to be completed as follows:

Requirements	Proposed DCC resource
<i>Capital funding</i>	Economy & Enterprise may be able to allocate up to £147,000-£177,000 in 17/18 to cover capital expenditure. A funding proposal has gone in to Corporate Capital Group – a verbal update will be provided.
<i>Revenue funding</i>	Should the approval be given, the other partners would like DCC to lead on procurement and would be prepared to fund DCC procurement staff. Economy and Enterprise would need to provide a minimal revenue resource along with partners towards ESCo annual corporate requirements e.g. report and accounts. Procurement team are happy to consider this on a full cost recovery basis.
<i>Staff resource</i>	To date time has been up to 0.5 FTE. A full time procurement project manager would be required for up to 12 months to lead on the JV partner procurement, funded by the partners. Support of around 0.1 – 0.2 FTE would potentially be needed between Economy, Procurement, Legal, Finance and Waste teams during the process. Ongoing limited staff time would be required for participation in the ESCo and JVCo.

Planned Timescales:	Date
Partner decisions	Jan - Apr 2016
Public sector ESCo formed	April/May 2016
Private Sector Partner (PSP) procurement process	Spring 2016 onwards
Private Sector Partner appointment (subject to successful procurement)	Mid 2017
JV Co and SPV's set up, debt funding identified	2017/18
Scheme delivery	2018/19
Investigate and apply for grant funding	Spring/Summer 2016

4. Consultations/Representations/Technical Data

The 2012 City Centre and SW Exeter technical studies are available on Exeter City Council and Teignbridge District Council website. Technical studies for the RD&E hospital and the business case documents are considered commercially sensitive.

5. Financial Considerations

Business case information has been reviewed by Capital Finance personnel with respect to the methodology employed and basis of returns anticipated. However the procurement process will further refine these financial models.

Looking at the business case produced by Deloitte, under the base case assumptions, the JV is forecast to make a project IRR of 9.7%, equity IRR of 21.5% and EBIT over 25 years of £42.6 million (in nominal terms). The base case assumes the company is financed by 10% equity 90% debt gearing at a 6% interest rate. It is expected that each public sector stakeholder will invest in the JV equally, with a total equity injection of £1.75million (nominal) shared between investors in the geared company.

A sensitivity analysis has been performed which demonstrates the JV is expected to perform satisfactorily under various scenarios, including a 10% increase in operating costs, or discounts to heat or electricity sales.

Including the SW EfW link reduces the project IRR from 9.7% to 9.4%, slightly reducing returns to shareholders.

The project group will need to come to an agreement on how much capital each stakeholder is willing to invest, and the preferred commercial way forward for setting up the JV.

The forecast result assumes a 90% geared 50:50 JV with the private sector, with each of the public sector partners sharing the public sector investment equally. This would result in nominal dividends of £1.6 million received over the 25 year project period. If the number of partners was reduced to 5, the investment would be £177k per partner to achieve the same returns.

There is a potential to apply for additional grant funding to increase the returns from the scheme from DECC later in 16/17 and an Expression of Interest has been submitted to HotSW LEP for Growth Deal 3 funding.

6. Environmental Impact Considerations

The scheme has been estimated by University of Exeter, as part of the technical feasibility work, to reduce carbon emissions by 3,600 tonnes per year when built out. The use of district heating is an integral part of the Exeter and East Devon Growth Point Board's aim to promote sustainable growth in the area and links with Exeter City Council and Teignbridge District Council planning policies including on the use of district heating and carbon reduction in new developments.

7. Equality Considerations

Following the carrying out of the Impact Assessment it is considered that this investment would not discriminate against or disadvantage any group.

8. Legal Considerations

The implications/consequences of the recommendations and proposed course of action have been considered and taken into account in the preparation of this report.

Internal legal support will be required at the setting up of the ESCo, for example, to approve shareholder agreements and support provision of a Director. Legal support has historically been provided mainly through external funding and procured advice and it is expected that through the procurement process this will continue. However, some DCC legal resource will be required at key stages and at the setting up of the Joint Venture Company, should there be a successful procurement. DCC will likely need to allocate a Member or Officer to be a Director of the Joint Venture set up. The number of Directors has not yet been agreed but it is expected there will be one or two required across the six public sector partners.

9. Risk Management Considerations

The risk sharing partnership and financing structure of the Joint Venture is designed to minimise risk to the public sector. However, the apportionment of risks will be a critical element of the process to procure a private sector partner. The table below summarises some key risks and mitigation measures.

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Risk	Mitigation
Other partner(s) do not approve ESCo.	Partners have senior management commitment. If needed, other 5 partners cover the additional 1/6 of investment and procurement costs between them. DCC schedule means we will be aware of the majority of other partners' decisions by Cabinet date.
Lack of competitiveness in procurement.	Ensure competitive tension through robust procurement strategy including good marketing material, PIN soft market testing.
Failure to procure a suitable Private Sector Partner.	Financial evaluation shows that there is value in the project for the Private Sector Partner. Suppliers are interested in principle. A Suppliers Day will be used to estimate suppliers' appetite and address any key issues. The apportionment of risks will be agreed as part of the procurement process.
Poor design, commissioning or installation.	Transfer risk to contractors through procurement by JV. Effective monitoring and quality control. Rigorous commissioning and testing to be specified in contracts. Appropriate insurance etc.
Future energy prices fluctuate.	JVCo in a better position to manage energy price risk than partners individually. DECC forecasts factored into business case.
New partner wishes to get involved, causing project delays.	The involvement of any new partner would have to be considered very carefully, to ensure this does not have a negative impact on the procurement exercise and time taken to carry this out.
Partner drops out during procurement process.	Shareholder agreements will be set up so that as long as a "successful" procurement is achieved partners cannot drop out during the process. Definition of "successful" to be agreed by all partners upfront.
Regulation of the heat market.	Likely to have a positive impact on market penetration.

10. Public Health Impact

Not applicable, other than a potential for reduced energy costs for the RD&E hospital.

11. Discussion

Becoming a shareholder in the ESCo and investing in the JVCo would produce a return on investment and enable the ability to work with partners to deliver this and future energy projects. This may enable cost reductions through energy efficiency as well as income generation. We are already working with Teignbridge and North Devon on district heating

opportunities in Newton Abbot and Barnstaple. This would also enable economic benefits for the area, including more resilient energy supply, sustainable growth, jobs created/safeguarded and an income stream for the wider public sector. This also gives potential to investigate opportunities to work with the private sector more widely, such as with Exeter City Futures, to enable improved investment models and investigate other opportunities.

We are currently in a position where a number of partners are in their approval process. If insufficient partners approve the next stages then this project will not go ahead, although not all six partners are required to provide a viable level of investment to move forward.

12. Options/Alternatives

The main alternative is to continue “business as usual” with DCC not participating in the scheme, meaning we would not have the opportunity to influence development, use of heat from the EfW or make a financial return.

Option	Pros	Cons
Continue “business as usual”.	No cost or risk to DCC.	No return on investment; less control over potential to utilise heat from EfW plant; no opportunity to work with partners on future schemes; reputational risk with public sector partners.
Increase size of DCC capital investment to increase shareholding and return on investment.	Potential for increased income; more control over JVCo.	Potential for increased risk; potential need for increased Member/staff involvement.
Contribute revenue funding to procurement process.	Equal sharing of procurement costs across all partners. Increased overall procurement budget.	Likely revenue costs for DCC in 16/17 of approximately £80k; less incentive for partners to utilise most cost effective procurement route.
Become a shareholder of the ESCo but not invest in the Exeter scheme.	No financial risk.	No return on investment; less control over potential to utilise heat from EfW plant; partners may not accept a non-investing partner in the ESCo.

13. Reason for Recommendation/Conclusion

Investment in the ESCo has the potential to enable the Council to achieve a return, deliver economic benefits to the area and work in partnership with public and private sector bodies to influence the development of the Exeter schemes and potential future energy projects across Devon. As the Council is taking a relatively small stake in the scheme and is not required to contribute revenues for procurement, the financial risk is relatively low. Shareholder agreements will be set up to ensure the risks are shared appropriately, with ongoing operational risks taken on by the private sector partner delivering the scheme.

Keri Denton
Head of Economy and Enterprise

Agenda Item 13

Electoral Divisions: All in Exeter

Cabinet Member for Community and Environmental Services: Councillor Roger Croad

Strategic Director, Place: Heather Barnes

Local Government Act 1972: List of Background Papers

Contact for enquiries: Melanie Sealy

Room No. Lucombe House, County Hall, Exeter. EX2 4QD

Tel No: 01392) 383000

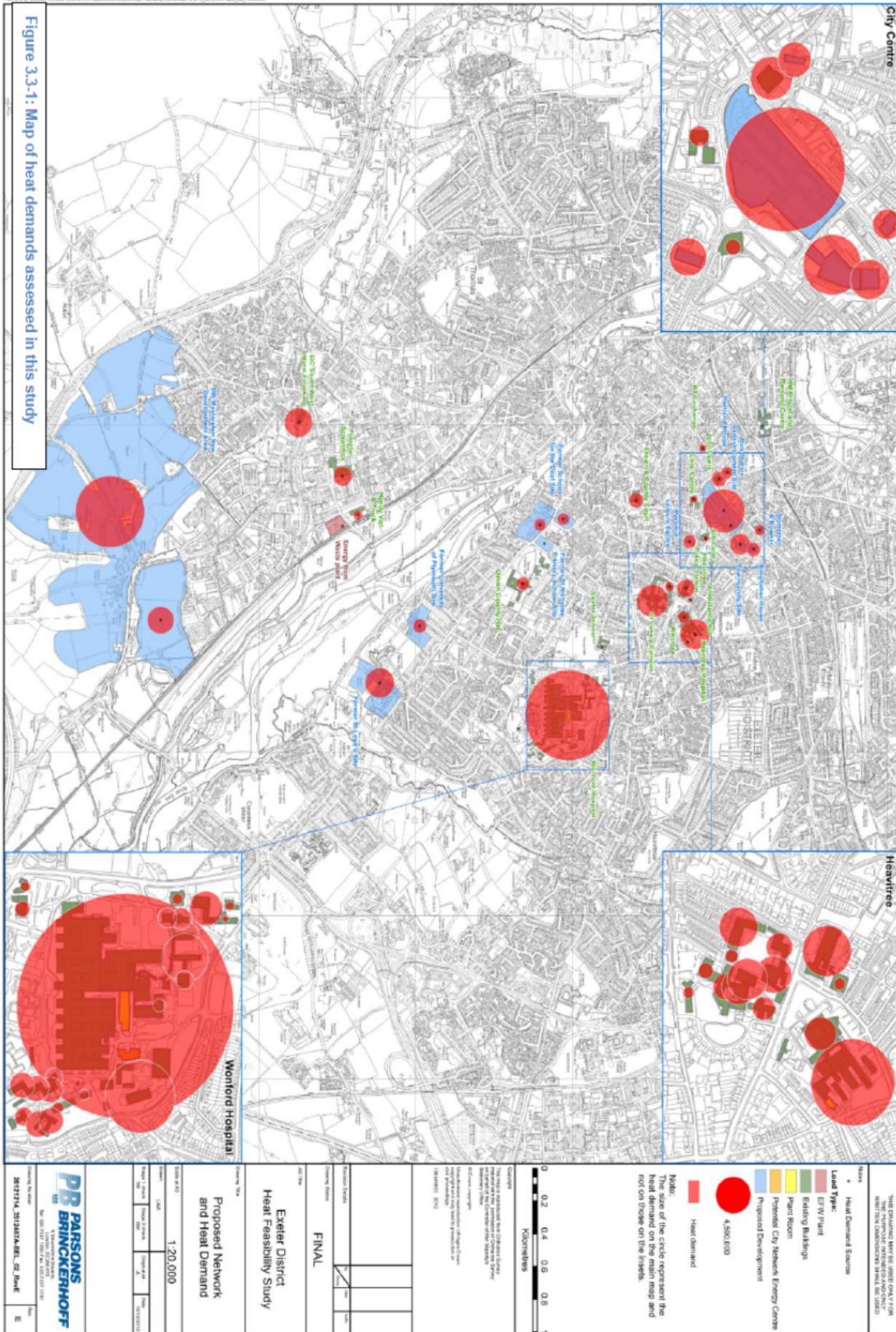
Background Paper	Date	File Reference
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Nil

ms210316cab District Heating Networks Approval to procurement process of an Energy Services Company
hk 03 310316

Appendix I To EE/16/7

Exeter Heat Loads Schematic



PTE/16/13

Place Scrutiny Committee
7 March 2016

Pollinators and Neonicotinoids

Report of the Head of Planning, Transportation and Environment

1. Background

The County Council at its meeting held on 10 December 2015 considered a Notice of Motion on the protection of the bee population, from Councillor Hook, as follows:

“Bees play an essential role in food production. The bee population has been in alarming decline in recent years, due to various external influences. One such harmful influence is the use of neonicotinoids, an aggressive pesticide. Devon is heavily reliant on agriculture and this council will therefore prohibit the use of this pesticide on all land that it owns or manages in a proactive effort to reverse the destruction of the bee community here in Devon. The Council will also explore other ways which, in addition to banning this particular pesticide, will help the survival of the bee population. A report on other potential actions will be brought to Place Scrutiny.”

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration on 13 January 2016. A briefing paper was provided for Cabinet which set out background information on pollinators and neonicotinoid insecticides (see Appendix 1).

It was **MOVED** by Councillor Croad and **SECONDED** by Councillor Hart, and **RESOLVED**:

(a) that, notwithstanding the provisions within the Council’s Rules of Procedure enabling Members directly to ask a Scrutiny Committee to review any area of Council activity, the Place Scrutiny Committee be invited to consider undertaking a piece of work on the issues raised by the Notice of Motion, and, if it be so inclined, to report any findings and recommendations to the Cabinet prior to any further consideration by the Council;

(b) that while the Notice of Motion may not fully reflect the current and complex position relating to this class of agricultural pesticides, Cabinet acknowledge that they do represent a threat to bees and other wild insects all of which are vital to the pollination of crops and the Place Scrutiny Committee be therefore be also asked to comment upon the desirability of and review a proposed ‘Pollinators Action Plan’, to be produced by the Head of Planning, Transportation & Environment and the Head of Business Strategy and Support; through which more detailed consideration might be given to any relevant restrictions on the use of neonicotinoids on County Council property and any opportunities to support the conservation of bees and other pollinators’.

2. Proposed Pollinators Action Plan

In line with this resolution, set out below are some initial proposals on potential actions which might be taken by DCC through a proposed Pollinators Action Plan.

- **County Farms Estate** – Establish a policy relating to the use of neonicotinoids on the County Farm Estate. Further discussion is required but either a voluntary or mandatory approach could be taken (noting that DCC could not make this mandatory for existing tenants). County Farms Estate tenants could be encouraged to implement other actions

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for pollinators e.g. entering into Countryside Stewardship, especially the Wild Pollinator package.

Any policy or approach would need to be considered by the Farms Estate Committee.

- **Verges** - DCC could encourage communities to manage road verges for the benefit of pollinators, where health and safety considerations allow.
- **Other parts of the DCC Estate** - Encourage the planting of pollinator friendly plants on the DCC estate e.g. bee borders at County Hall, subject to budget availability and relative priority.
- **Planning** - Ensure that, where reasonable, new development results in a net gain for pollinators.
- **Devon Local Nature Partnership** - Work with partners to organise the Devon Pollinator Month in July 2016. Consider including a Devon Pollinator Challenge for schools, local authorities and others based on actions in the Government's *Bees' Needs* Campaign.

3. Conclusion

Rather than focussing, solely, on concerns relating to the protection of the bee population from the use of neonicotinoid insecticides, it may be more effective for DCC to adopt and implement a Pollinators Action Plan, working together with the Devon Local Nature Partnership.

Dave Black
Head of Planning Transportation and Environment

Electoral Divisions: All

Cabinet Member for Community & Environmental Services: Councillor Roger Croad

Strategic Director, Place: Heather Barnes

Glossary

DCC	Devon County Council
EC	European Community
EU	European Union
NERC	Natural Environment Research Council

Local Government Act 1972: List of Background Papers

Contact for enquiries: Sarah Jennings

Room No. Lucombe House, County Hall, Exeter. EX2 4QD

Tel No: (01392) 383871

Background Paper	Date	File Reference
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None

pc230216psc Pollinators and Neonicotinoids
hk 02 240216

Appendix 1 To PTE/16/13

Briefing Paper to Cabinet

PTE/16/3

Cabinet
13 January 2016

Notice of Motion: Protection of the Bee Population

Briefing Paper by the Head of Planning, Transportation and Environment

1. Summary

The County Council at its meeting held on 10 December 2015 considered a Notice of Motion on the protection of the Bee population, from Councillor Hook, as follows:

“Bees play an essential role in food production. The Bee population has been in alarming decline in recent years, due to various external influences. One such harmful influence is the use of neonicotinoids, an aggressive pesticide. Devon is heavily reliant on agriculture and this council will therefore prohibit the use of this pesticide on all land that it owns or manages in a proactive effort to reverse the destruction of the Bee community here in Devon. The Council will also explore other ways which, in addition to banning this particular pesticide, will help the survival of the Bee population. A report on other potential actions will be brought to Place Scrutiny.”

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration (County Council Minute 160 (d) refers).

This paper provides information to assist Members in responding to the Notice of Motion.

2. Background

The pollination services of bees and other insects are critical to food production and estimated to be worth between £430 million and £603 million a year to UK agriculture. However bee numbers are declining, not just in the UK, but worldwide. A number of complex causes are being investigated including disease, climate change, loss of habitat and the use of insecticides such as neonicotinoids ('neonics').

Neonics have been widely used worldwide for the last 20 years. They are all neurotoxins, attacking the central nervous system of insects, and are used to control pests in a wide range of situations e.g. seed treatments for cereals, sugar beet and oil seed rape (the largest use); soil treatment for pot plants; treatment for turf, and foliar sprays for orchards and glass house crops. Five neonics are authorised for use in the UK. Research now shows that exposure to neonics at sub-lethal doses can have significant negative effects on bee health and bee colonies. Build up of the pesticide over time impairs the bee's immune and nervous systems (interfering with navigation). Research has also linked the decline of some aquatic insects, insectivorous birds and butterflies to neonics.

In 2012 the European Food Safety Authority published an assessment of the risks associated with the use of the three most common neonic pesticides (clothianidin, imidacloprid and thiamethoxam). As a result of this the **EC introduced a precautionary ban on these three neonics, in certain circumstances, from December 2013. The ban is not time limited**, however the EC stated that it would review the science within two years (there is no news on a date for this review to be published). The ban relates to use on

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flowering crops such as oilseed rape and sowing of treated seed during the spring and summer when bees are foraging. It allows the continued use of all neonics on crops such as winter wheat, on horticultural crops and for domestic use. The ban only applies to 'crops attractive to bees' and does not take into account the impacts on aquatic invertebrate species, birds or other insects which are also major areas of concern. It doesn't currently cover a new neonic insecticide, Sulfoxaflor, which has been authorised for use by the EC but is not yet approved for use in the UK.

The UK Government did not support the restrictions but has implemented them as required. The government's resistance was based on its view that field trial evidence did not support the restrictions and that there had not been sufficient analysis of the impacts of the alternative insecticides that would be used.

EU legislation allows Member States to seek an emergency authorisation for a restricted pesticide. In July 2015 the UK Government granted time-limited authorisation for use of two neonics for oilseed rape in Suffolk, Cambridgeshire, Bedfordshire and Hertfordshire. This was a controversial decision. Buglife has stated that recent harvest figures show that the need for emergency authorisation is a 'total nonsense'. However the High Court cut short a legal challenge by Friends of the Earth.

A UK parliamentary debate on neonics took place on 7th December 2015. This was secured via a Parliamentary petition with 92,707 signatures asking the Government to '*Please ban the use of neonics on crops*'. The Government response included a commitment to protect bees and other pollinators using expert scientific evidence, a commitment to provide funding for farmers via Countryside Stewardship and its new Wild Pollinator and Farm Wildlife Package, and a commitment to address pollinator needs through implementation of the National Pollinator Strategy which was published in 2014.

All local authorities and other public bodies have a legal duty, under the Natural Environment and Rural Communities Act (NERC) 2006, to have regard to the conservation of biodiversity in exercising their functions.

Buglife has identified specific ways in which Local Authorities can help pollinators:

1. Protecting pollinator habitats via the planning process.
2. Encouraging all new developments to provide for pollinators.
3. Stopping the use of insecticides on local authority land.
4. Establishing wildflower meadows on un-used areas of parks and public greenspace
5. Planting pollinator-friendly plants as part of amenity planting in parks, gardens and green spaces.
6. Planting trees for bees – blossom producing spring flowering trees such as apple, cherry, hawthorn, blackthorn, sallow.
7. Managing road verges for spring and late summer flowers.

Members of the Devon Local Nature Partnership (including Buglife) have been promoting the Government's *Bees' Needs* Campaign and July 2016 will be *Devon Pollinator Month* with a series of events and promotional activities. The Local Nature Partnership is coordinated by Devon County Council.

Dave Black
Head of Planning, Transportation and Environment

BSS/16/5

Cabinet
9 March 2016

Notice of Motion: Taxation

Briefing Paper by the Head of Business Strategy and Support

1. Summary

The County Council at its meeting held on 18th February 2016, considered a Notice of Motion on the matter of tax avoidance by big business, from Councillor Wright, as follows:

'This Council notes that:

- *Tax avoidance by big business is rife and the Public Accounts Committee last year criticised HMRC for not doing more to tackle the problem*
- *Austerity measures mean that £174m funding has been cut from this council over the past five years, this year £34m will be lost - and many more millions are set to be lost in the coming years, prompting damaging service cuts*
- *The Devon portion of avoided corporation tax could total around £380m*
- *The practice of tax avoidance among corporate giants also has a negative effect on small and medium-sized companies who pay more tax proportionately*
- *That tax evasion and avoidance by multinational companies is costing developing countries up to \$300 billion a year, according to the IMF – more than these countries receive in aid*

This Council further notes:

In early 2015 new regulations required public bodies, including councils, to ask procurement qualification questions of all companies for tenders over £173,000 for service contracts and £4m for works contracts.

*However, there are stricter standards available. This Council believes that bidders for council contracts should be asked to account for their past tax record, using **the most rigorous** possible government guidance (as in Procurement Policy Note 03/14)*

*This Council therefore calls for procurement procedures to be amended to require **all companies** bidding for council contracts to **self-certify** that they are **fully tax-compliant** in line with central government practice, using the standards in PPN 03/14, applying to contracts of the size specified above.*

This Council asks the Cabinet to publicise this policy and to report on its implementation annually for the next three years.

NB. For more information about paying fairer tax, see <http://www.fairtaxmark.net/for-business/>

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

This paper provides information to assist Members in responding to the Notice of Motion.

Agenda Item 18

2. Background

The Cabinet Office publish Procurement Policy Notes which provide directives to contracting authorities about commitments made by Government as to the conduct of procurement exercises. Procurement Policy Note PPN (available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278135/PPN_0314_Measures_to_Promote_Tax_Compliance_Feb.pdf) was published on 6th February 2014 and at that time provided guidance on 'Measures to Promote Tax Compliance'.

The Public Contracts Regulations 2015 (available at http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf) were subsequently adopted into UK law, on 26th February 2015. The Regulations apply to contracts above the relevant financial spend threshold (thresholds at which Contracts Regulations apply: Goods & Services £164,176; Works £4,104,394). The Regulations set out specific criteria required for the procurement process. Regulation 57 (Mandatory Exclusions) and 58 (Selection criteria) set out relevant criteria to be considered.

To support implementation, the UK Government then introduced a national standard Pre Qualification Questionnaire, which all contracting authorities are required to use. Any non conformity must be justified to the Cabinet Office via a 'reportable deviation'. The intent is to make it easier for suppliers to do business with government departments, under a common approach.

3. DCC Practice

The Council has integrated the Cabinet Office's pre qualification questionnaire into its procedures. 'Measures to promote tax compliance' form part of the Council's supplier selection criteria. The Cabinet Office incorporated the principles of PPN (Appendix A) when developing its national standard Pre Qualification Questionnaire, thus its requirements are included.

Having implemented this, the Council's approach is directly in line with the Cabinet Office directive for measures to avoid tax evasion (available at <https://www.gov.uk/government/publications/public-contracts-regulations-2015-requirements-on-pre-qualification-questionnaires>) The Council does require suppliers to self certify that they have not breached a range of offences which include, amongst others, their legal obligations to pay tax and social obligations.

Remedies

If a supplier is found to be in contravention, this entitles the Council to receive a summary of the circumstances, and if appropriate reject their bid, suspend the service supply or terminate the contract. In every case, the supplier must demonstrate it has taken remedial action to the satisfaction of the Council.

Reporting

Devon Procurement Services can report on instances of supplier non compliance, annually or as required. The policy adopted complies with the Cabinet Office directive, and will be published via the Council's website.

Rob Parkhouse,
Head of Business Strategy and Support

**DEVON EDUCATION FORUM
(Devon's Schools Forum)**

16 March 2016

Present:-

Schools Members

Primary School Head teachers

Mr A Dobson	Marwood Primary
Mr J Stone	Denbury PS
Mr P Walker	Sidmouth CE Primary

Primary School Governors

Mr M Dobbins	Exmouth Marpool Primary
Mrs P Furnival	Ivybridge, Woodlands Park Primary
Mrs Wallis	Whimble Primary

Secondary School Headteachers

Mr R Haring	Ivybridge CC
Mrs J Phelan	Cullompton CC

Secondary School Governors

Mr I Courtney	The Dartmoor Federation Chairman
Ms J Elson	Exmouth CC (<i>Academy member</i>)
Mr M Juby	Braunton Academy

Nursery School

Mr M Boxall	Maintained Nurseries
Mrs G Rolstone	Non Maintained

Special School Headteacher

Mrs F Butler	Marland School
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Non-Schools Members

Mrs B Alderson	Teachers Consultative Committee
Councillor J McInnes	Cabinet Member - Children, Schools & Skills

Apologies

Mrs A Blewett	Kings Nympton Primary
Mrs De Bernhardt Dunkin	(West England School and College)
Mr D Chapman	The Dartmoor Federation
Ms C May	Pathfield School
Mr M Shanks	Coombeshead CC (<i>Academy member</i>)
Mr A Walmsley	Exeter, St James

778 Minutes

DECISION:

that the minutes of the meeting held on 18 January 2016 be signed as a correct record, subject to Mr Juby being shown under 'Secondary School Governors' in the attendance list.

779 Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet

—

780 Finance Update and Schools National Funding Formula and High Needs Funding Reform

(a) Finance Update

DISCUSSION:

The Forum considered the report of the Head of Education & Learning and County Treasurer (DEF/16/03). The report (DEF/16/01) covered Month 10 Dedicated Schools Grant (DSG) 2015-16 budget monitoring relating to budgetary pressures within the High Needs Block and management actions being taken, the position for the Early Years settlement and planned carry forwards for 2016/17.

The report also covered:

- the Scheme for Financing Schools setting out the relationship between itself and the schools it maintained and on recent LA consultations about DfE revised guidance with all maintained schools on which no comments had been received;
- Independent Travel Training Update, and
- Music Education Grant/Local Learning communities.

The Forum also noted the minutes of the Schools Finance Group (SFG) of 2 March 2016

DECISION:

(i) that the Dedicated Schools Grant (DSG) monitoring position as set out in section 1 of the Report be noted;

(ii) that the revised Scheme for Funding Schools 2016/17 as set out in section 2 of the report be approved;

(iii) that the Independent Travel training Update as set out in section 3 of the report be noted; and

(iv) that the revised Music Education Grant/Local Learning communities as set out in section 4 of the report be noted.

(Vote: all phases maintained and academy, PVI on the above)

ACTION:

County Treasurer (John Holme, Adrian Fox)

(b) Schools National Funding Formula and High Needs Funding Reform

DISCUSSION:

The Forum received an update and presentation from the Head Accountant - Education & Learning covering:

- Government consultation on a new schools national funding formula and high needs funding reform from 7 March to 17 April 2016 (stage one)
- overview relating to the case for change, principles and issues for consideration
- fairer funding principles
- the transition arrangements
- high needs funding reform
- review of the role, functions and memberships of School Education Forums
- support for school efficiency
- review of statutory obligations on Schools and LAs and implications for the Education Services Grant (ESG)
- funding of statutory duties

- removal of duties with LAs focussing on: (i) securing sufficient school places, fair access and transport policies, (ii) vulnerable pupils /SEND/promotion attendance/alternative provisions (iii) acting for parents and families
- process for responding to the consultation at this initial stage.

The Forum members' questions and discussion points with Officers included:

- this was a two stage consultation and there remained many uncertainties and outcomes would depend largely on weightings, noting the difficult national financial climate and expectation that overall allocations would be reduced with a continuing need to make efficiency savings by LAs and all schools
- less discretion for the LA in future with the proposed ring-fencing of the Schools Block
- impact relating to residential growth throughout Devon, particularly in and around Exeter
- unreliability of using FSM or IDACI data only as a measure for deprivation
- the role of the Forum under the proposed new arrangements and recognition that the Forum did not relate solely to financial matters but to all educational issues within Schools and the LA
- the current position where the allocation per pupil in Devon was around £270 below the average (£23 m below overall on the DSG) and the LA expectation that the Government allocations would be based on what it considered to be affordable
- the view (by the DfE and other local authorities) that lower funding for some was not necessarily 'unfair'
- the 'cap' on gain was not known and pace of transition would have to be managed carefully especially for Schools with diminished budgets
- the need for careful examination by this LA of the High Needs Block and eligibility and impact of the number of children in for example Elective Home Education and medically absent
- the valuable work of the F40 Group of LAs in this area
- the tight time-scale for analysis and drafting of the Local Authority response (Stage 1) with prior consultation with the Forum's Schools Finance Group members, the outcome of which would be shared with all Schools prior to the final LA submission to Government by 17 April, noting that schools were encouraged to make their own submissions directly.

The Forum thanked the Head Accountant - Education & Learning for her clear explanation of this complex area.

The Chairman also noted that this was Ms Powlesland's last meeting with the Forum and thanked her for her valued work within education and Members wished her well in her new role with the Local Authority.

781 Head of Service: Update

The Head of Education & Learning reported on a summary of exclusions (permanent and fixed term) for 2015/16 academic year to date which covered the number of exclusions by school type, school status, exclusions by pupil characteristics (i.e. children in care, statemented or FSM) and comparisons with previous years. She also referred to the close working with social care colleagues in this area and concerns relating to the increased number of permanent exclusion of younger children and reasons for that trend. The County Council had commissioned research by the LDP in this area. A People's Scrutiny Committee Task Group on exclusions had also recently produced a draft report which encouraged best practice by schools.

Discussion points with members' included:

- the commitment of schools to reduce permanent exclusion and the wider costs for schools, the Local Authority and across the system

- the need for support and training for schools in relation to address persistent disruptive behaviour
- the need for consistent social work support for individual children and for schools and learning communities
- the impact of the loss of Public Health grants for the Emotional and Well-being Service.
- Schools' reported difficulties associated with lack of engagement by parents
- the lack of Ofsted recognition of good practice relating to the work of schools to promote inclusion due to emphasis on performance.
- the reasons behind why Devon was higher than the national average for the rate of permanent exclusions at KS4 and the commissioning of LDP research into this area
- the need for all Governing Bodies to focus more on the needs of more vulnerable children who are at risk of exclusion.

The Head of Service also reported on a series of 3 open-discussion meetings with Head teachers from maintained schools across Devon relating to the role and relationship with the Local Authority and their expectations. Points which had been raised at those meetings related to:

- the unease of many in respect of forced 'academisation', loss of choice and autonomy
- the role of the LA in school improvement, ensuring fair and equitable access for vulnerable children
- communication by the LA was generally agreed to be good but more work was required in respect of multi-agency working, early intervention and help. A reduction in bureaucracy would be welcomed
- concerns relating to testing within KS 2 and guidance on the transition to the secondary phase "Secondary Ready".
- the changing examination systems at KS4 and the need for better communication with parents and employers about these
- concerns relating to recruitment and retention of teachers and school capacity issues particularly within the current budgetary climate.

782 Use of Egress Switch in Schools

The Head of Business Strategy and Support reported of the launch and operation of the email Egress System, which provided 3 levels of security for LA and external licenced users. It was recognised by the Egress team that there was a need to improve operational guidance for internal staff and external partners including schools. The Team was now working with colleagues within the County Council (Adult Social Care) and feedback would be used in further operational guidance. In the interim guidance notes would be circulated to the Forum members.

Forum members asked about future potential cost for Schools for all levels of security on which further information would be provided for the Forum.

ACTION:

Business Strategy and Support (Carolyn Jarvis)

783 Standing (and other) Groups

The Forum received the minutes of the Schools Organisation, Capital and Admissions (SOCA) meeting held on 5 January 2016. The Forum agreed (minute 6) that for the purposes of priority for capital maintenance funding, Special Schools would be assumed to be operating at full capacity.

ACTION:

Head of Education & Learning (Heidi Watson-Jones)

784 Dates of Future Meetings

Meetings to commence at 10am at County Hall, Exeter (unless otherwise indicated):-

Wed 22 June 2016
Wed 19 October 2016
Monday 16 January 2017
Wed 15 March 2017

The meeting started at 10am and finished at 11. 55 am.

The Schools Forum web is www.devon.gov.uk/schoolsforum

Cabinet
13 April 2016

SCHEDULE OF CABINET MEMBER DECISIONS TAKEN SINCE PREVIOUS MEETING		
Cabinet Remit/Officer	Matter for Decision	Effective Date
Resources & Asset Management	Approval to variations in the approved Capital Programme and other property matters	10 March 2016
	Approval to variations in the approved Capital Programme and other property matters	29 March 2016
Children, Schools & Skills	Approval to proposal to increase places at Pathfield School, Barnstaple	17 March 2016
	Approval to change in provision at Oakland's Park School, Dawlish	29 March 2016
Economy, Growth and Cabinet Liaison for Exeter	Approval to contribution of £20,00 to establishment of Visit Devon Community Interest Company	29 March 2016
Community & Environmental Services	Approval of Waste, Trading Standards & Library fees and charges for 2106/17	23 March 2016
Highway Management & Flood Prevention	Approval of Highways, Planning, Design and Public, Community Transport and On-street Parking fees and charges for 2106/17	11 March 2016
	Approval to a grant of £25,000 to DSFRS from the 2015/16 financial year road safety budget towards the provision of road safety services to young drivers as part of the multi-agency partnership working on road casualty reduction	8 April 2016

The Registers of Decisions will be available for inspection at meetings of the Cabinet or, at any other time, in the Democratic Services & Scrutiny Secretariat, during normal office hours. Contact details shown above.

In line with the Openness of Local Government Bodies Regulations 2014, details of 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 may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>

