

Phil Norrey
Chief Executive

To: The Chair and Members of the
Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 21 December 2018
Please ask for : Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk
:

CABINET

Wednesday, 9th January, 2019

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

P NORREY
Chief Executive

AGENDA

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 12 December 2018 (previously circulated).

3 Items Requiring Urgent Attention

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

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

NIL

KEY DECISIONS

7 Target Budget: 2019/2020 (Pages 1 - 2)

Report of the County Treasurer (CT/19/1) on the provisional local government settlement and preparation of the budget for 2019/2020, attached.

Electoral Divisions(s): All Divisions

8 Budget Monitoring: Month 8

Report of the County Treasurer (CT/19/2) on the budget monitoring position at Month 8, will follow.

Electoral Divisions(s): All Divisions

9 Street Lighting Policy and Contract (Pages 3 - 24)

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/1) on proposed changes and additions to the existing Street Lighting Policy and seeking approval to retender the Street Light Term Service Contract, attached.

An impact assessment is also attached for the attention of Members at the meeting.

The Cabinet is also asked to note that the Corporate Infrastructure and Regulatory Services Scrutiny Committee, at its meeting on 17th November 2018 (minute 98) refers, considered the report of the Commissioning Liaison Members who had met with officers of the Council to discuss the proposed street lighting policy. The Committee considered the proposed Street Lighting Policy which made several proposals on the Outline Policy Statements and also detailed the input that Scrutiny had made. Members further discussed the proposal 'Attaching non-highway equipment to lighting columns'.

The Committee RESOLVED that (a) the Street Lighting Policy Member Report be endorsed and commended to Cabinet and be considered in conjunction with the Street Lighting Service, Policy and Contract Report, prepared for the Cabinet meeting on 9 January 2019; and (b) that the Scrutiny Committee support the exploration of the use of advertising banners as a revenue stream.

Electoral Divisions(s): All Divisions

10 E4 (Section 8) Cycle and Pedestrian Bridge across Summer Lane, Exeter (Pages 25 - 48)

Report of the Head of Planning Transportation and Environment (PTE/19/1) on the E4 (Section 8) Cycle and Pedestrian Bridge, seeking approval, subject to the granting of full planning consent, to construct a walking and cycling bridge over Summer Lane, Exeter, providing improvements to 100 metres of existing route, attached.

An Impact Assessment for the scheme is also attached.

Electoral Divisions(s): All in Exeter

MATTERS REFERRED

11 Notice(s) of Motion (Pages 49 - 60)

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

- (a) Devon County Council and Fracking (Councillor Hodgson)
- (b) British Sign Language (Councillor Dewhurst)
- (c) Devon's Housing Need / CPRE Reports (Councillor Shaw)
- (d) The Impact of Brexit to Devon's Economy (Councillor Shaw)
- (e) Fair and Adequate Funding to Local Authorities (Councillor Atkinson)
- (f) Fair Funding Formula for Police Forces (Councillor Atkinson)
- (g) Climate Change (Councillor Hodgson)

Electoral Divisions(s): All Divisions

STANDING ITEMS

12 Question(s) from Members of the Public

13 Minutes (Pages 61 - 64)

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein:

Farms Estate Committee – 3rd December 2018

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:
Minutes of the [Devon Education \(Schools\) Forum](#);
Minutes of the [South West Waste Partnership](#)
Minutes of the [Devon & Cornwall Police & Crime Panel](#)

14 Delegated Action/Urgent Matters (Pages 65 - 66)

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.

15 Forward Plan (Pages 67 - 74)

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://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>]

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


NIL

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.

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 (Chair), S Barker, R Croad, A Davis, R Gilbert, S Hughes, A Leadbetter, J McInnes and B Parsons
Cabinet Member Remits
Councillors Hart (Policy, Corporate and Asset Management), Barker (Resources), Croad (Community, Public Health, Transportation & Environmental Services), Davis (Infrastructure Development & Waste), R Gilbert (Economy & Skills) S Hughes (Highway Management), Leadbetter (Adult Social Care & Health Services), McInnes (Children's Services & Schools) and Parsons (Organisational Development & Digital Transformation)
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 Karen Strahan, 01392 382264. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.
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 Chair. 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 Chair 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. The name of the person asking the question will be recorded in the minutes. For further information please contact Karen Strahan on 01392 382264 or look at our website
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

NOTES FOR VISITORS

All visitors to County Hall, including visitors to the Committee Suite and the Coaver Club conference and meeting rooms are requested to report to Main Reception on arrival. If visitors have any specific requirements or needs they should contact County Hall reception on 01392 382504 beforehand. Further information about how to get here can be found at: <https://new.devon.gov.uk/help/visiting-county-hall/>. Please note that visitor car parking on campus is limited and space cannot be guaranteed. Where possible, we encourage visitors to travel to County Hall by other means.

SatNav – Postcode EX2 4QD

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County Hall is a pleasant twenty minute walk from Exeter City Centre. Exeter is also one of six National Cycle demonstration towns and has an excellent network of dedicated cycle routes – a map can be found at: <https://new.devon.gov.uk/travel/cycle/>. Cycle stands are outside County Hall Main Reception and Lucombe House

Access to County Hall and Public Transport Links

Bus Services K, J, T and S operate from the High Street to County Hall (Topsham Road). To return to the High Street use Services K, J, T and R. Local Services to and from Dawlish, Teignmouth, Newton Abbot, Exmouth, Plymouth and Torbay all stop in Barrack Road which is a 5 minute walk from County Hall. Park and Ride Services operate from Sowton, Marsh Barton and Honiton Road with bus services direct to the High Street.

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

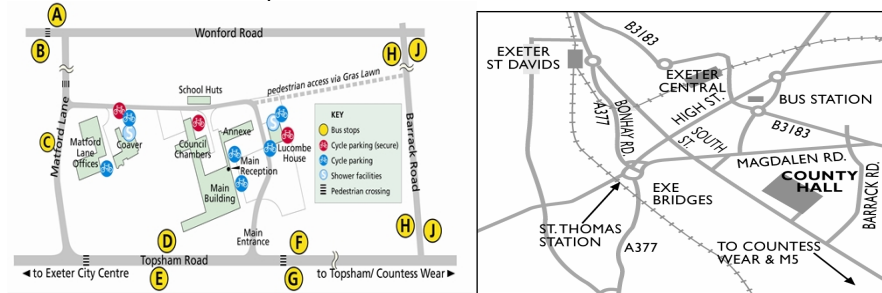
Car Sharing

Carsharing allows people to benefit from the convenience of the car, whilst alleviating the associated problems of congestion and pollution. For more information see: <https://liftshare.com/uk/community/devon>.

Car Parking and Security

There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



NB   Denotes bus stops

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First Aid

Contact Main Reception (extension 2504) for a trained first aider.

CT/19/01

Cabinet

9th January 2019

Budget 2019/20 Report of the County Treasurer

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:

It is recommended that:

- a) The Provisional Settlement of £101.5 millions be noted;
- b) The Council Tax increase that will trigger the need for a Referendum be noted as 3% for 2019/20; and
- c) Members note that the Devon application to be a 75% Business Rates Pilot in 2019/20 has not been successful.

1. Introduction

- 1.1 The Provisional Local Government Finance Settlement has been announced and is detailed below. In summary, the level of funding is broadly as expected. The Provisional Settlement also sets out some other grants the authority will receive, and these are set out in paragraph 2.5.
- 1.2 As the Provisional Settlement is as expected the 2019/20 Budget Targets set at the December Cabinet can remain unchanged.

2. Provisional Settlement

- 2.1 The Provisional Local Government Settlement for 2019/20 was announced on 13th December a week later than originally scheduled due to the ongoing Brexit debates. 2019/20 is the final year of the four-year settlement and the core funding Provisional settlement of £101.5 millions is as expected. As the authority was a 100% Business Rates Pilot in 2018/19 a direct comparison of our core funding is more difficult but on a like for like basis the 2019/20 Provisional Settlement represents a reduction, in cash terms, of £13.5 millions or 11.7%.
- 2.2 The provisional settlement has set the Council Tax increase that will trigger a referendum, excluding the Social Care Precept, at 3% for 2019/20; the same level as 2018/19.
- 2.3 The Adult Social Care Precept regulations have remained unchanged. In 2016/17, the Social Care Precept was capped at 2% per annum for the period 2016/17 to 2019/20. Members may recall that Government changed these regulations in 2017/18 and allowed Authorities to increase the precept to a maximum of 3% per annum over the period 2017/18 to 2019/20 as long as the total increase over the three years did not exceed 6%. The Council increased the Adult Social Care Precept by 3% in 2017/18 and 2% in 2018/19 leaving 1% available for 2019/20.

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- 2.4 The Grants set out below were also announced as part of the Provisional Settlement, however, others are still awaited and members will be updated as part of the budget report in February.

	2018/19	2019/20	Increase / (decrease)
	£000	£000	£000
Refund from National Business Rates Levy Account	0	1,550	1,550
New Homes bonus	3,808	3,656	-152
Rural Services Delivery Grant	7,455	7,455	0

- 2.5 The Provisional Settlement also confirmed the Winter Pressures Grant of £3.6 millions, the Adult Social Care Grant of £6.1 millions and the Improved Better Care Fund Grant of £24.7 millions; all as expected.
- 2.6 The Department for Education has, since the Settlement, announced an additional £350 millions for Special Educational Need; of which £100 millions is Capital. The detail of this announcement is still awaited but early indications are that Devon's share of the revenue element could mean an additional £1.5 millions in both 2018/19 and 2019/20.
- 2.7 The timing of the Final Settlement is not known but if events follow the same pattern as recent years then the Final Settlement should be received in sufficient time for consideration at the scheduled budget meetings in February.

3. 2019/20 75% Business Rate Retention Pilots

- 3.1 In the summer the Government invited Local Authorities to apply to become 75% Business Rate Pilots. It had been hoped that the 2018/19 100% Pilots would continue into 2019/20 but this was not the case. Following the success of the Devon Pilot this year, the Devon authorities submitted a bid to join the new pilot scheme in 2019/20.
- 3.2 As part of the Provisional Settlement the Government has announced which applications have been successful and will therefore become 75% Pilots. Devon has unfortunately not been selected as one of the pilot areas; this is very disappointing but not entirely unexpected.

Mary Davis
County Treasurer

Electoral Divisions: All
Cabinet Member: Councillor Stuart Barker
Local Government Act 1972: List of Background Papers
Provisional Settlement 2018
Contact for enquiries:
Angie Sinclair
Tel. No. 01392 380711

HIW/19/1

Cabinet
9 January 2019

Street Lighting Service – Policy and Contract

Report of the Chief Officer for Highways, Infrastructure 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 Cabinet agree to the proposed policy positions for Street Lighting provision in Devon;
- (b) that, subject to (a), Cabinet agree that delegated authority be given to the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the Cabinet Member for Highways Management, for any minor amendments to this Policy;
- (c) that Cabinet agree to the commencement of a procurement exercise to tender the Street Lighting Term Service Contract;
- (d) that Cabinet support the policy of converting street-lighting to LED, where funding allows.

1. Summary

This report proposes some changes and additions to the existing Street Lighting Policy and seeks approval to retender the Street Light Term Service Contract.

2. Background/Introduction

Devon County Council is responsible for a street lighting asset in excess of 88,000 inventory items which consumes over £3m in energy costs this financial year. Over the past three years through the Challenge Fund over 5,400 columns have been replaced and about 25,000 high wattage lanterns have been converted to low energy LED. It is therefore an appropriate time to review the street lighting policy and existing street lighting term service contract. The term service contract includes maintenance of the street lighting asset, responding to defect reports, replacement of columns and replacement of lanterns.

The street lighting policy continues to primarily focus on the corporate objectives of reducing Devon's energy consumption and carbon footprint. However, there are several areas not covered in the current policy that are needed to tackle current issues and areas where technology is developing.

3. Proposal

Street Lighting Policy

The proposed street lighting policy is largely a continuation of existing established practices and policies, which have evolved over time with a few additions, and is attached as Appendix A, covering eight distinct areas as set out below:

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a. To maintain a safe asset

It is proposed to apply a risk-based approach to maintenance, such an approach is encouraged in the latest national guidance “Well-managed Highway Infrastructure”. It should be noted that as a result night scouting by the contractor will be reduced and more reliance placed on public reporting, as the change in technology to LED will start to improve the reliability of the asset. However, it should also be noted that the street lighting columns are continuing to age and ongoing investment will be needed to ensure their safety by good asset management. In particular, some older columns where specific failure modes have been identified will be targeted for replacement.

b. Minimising energy consumption, revenue expenditure and carbon footprint of the asset while also protecting the environment

This section largely details our existing policies and practice of reducing energy consumption through more efficient technology (generally LED), maintaining the current regime of part-night lighting, lowering light levels during the night, and removing lighting (especially signs and bollards) where no longer appropriate.

c. Adopt road lighting on new developments

As current policy.

d. Requests for additional lighting

As current practice, requests for additional lighting will only be considered where there is a justified and pressing need and a funding stream is identified.

e. Private Roads

This section outlines a new policy position designed to deal with the situation where it is discovered that lighting is being maintained on roads which have been identified as in private ownership. Where the Authority can identify an organisation that is able to take responsibility it will formally hand over the asset to them. Where an organisation does not exist and cannot be easily established, the authority will exercise discretion as outlined in the policy.

f. Attaching equipment or banners to lighting columns

Extending the current position of public service advertising to include items that might provide a revenue stream for the authority. This could include the use of banners on designated lamp columns (that meet safety and legislative, including planning and advertising regulations) for advertising purposes, including local businesses. It is envisaged that if approved, specific columns would be identified, and planning permission sought, where there might be a commercial interest. It is also proposed that other communications equipment could be mounted on columns where it is safe to do so (e.g. public wi-fi).

g. Facilitating on-street charging

This is an emerging area of technology, and generally it is considered that street lighting will not be able to provide the high levels of power that are needed for fast charging, and in general off-street provision should be encouraged. However, if the Authority were approached by an external organisation seeking trials of a technology that may be suited to street lighting supplies, then it should consider facilitating trials providing there are no significant cost implications to the authority.

Fly-posting has not been addressed in the street lighting policy as this is covered in other highways policy documents.

Lighting Term Service Contract

The current contract is currently in its second year of a four-year extension period (the core period also being four years), and there has been some reluctance on behalf of the contractor to continue with the extensions, and the changing technology with the potential for further capital funded upgrades makes it an appropriate time to retender the contract. It is therefore proposed that the current contract is terminated, and a new contract started, most likely by the end of 2019. It is expected that a number of staff working for the current contractor will fall under the terms of TUPE.

4. Consultations/Representations/Technical Data

A consultation has been held with members of the Corporate, Infrastructure and Regulatory Services Scrutiny Committee as an informal working group, who reported back to the Scrutiny Committee on 27 November.

The discussion with CIRS Scrutiny Group was very positive with strong support for applying a risk-based approach to maintaining the asset, reducing scouting and relying on more public reporting. The current policy of energy reduction measures was seen to be working well and very positive. There was some further discussion regarding private roads but it was accepted that the proposal was a pragmatic solution to the problem.

The use of street lighting columns for advertising was challenged by one member amidst concern that there would be widespread national advertising on all columns. It was emphasised that this would be carefully controlled, first by only using designated columns that meet safety criteria and secondly by gaining planning consent. Other members were satisfied that this could provide a useful income stream.

Facilitating the development of electric vehicle charging was supported, but one member was keen to see a more proactive approach than the Authority currently has resources to achieve. Members did not have any objection to retendering.

On 27 November 2018 The CIRS Committee considered the Member Report on the proposed Street Lighting Policy which made several proposals on the Outline Policy Statements and detailed the input that scrutiny had made. Members discussed the proposal 'Attaching non-highway equipment to lighting columns', where advertising banners could, subject to the location being appropriate, be allowed as a useful revenue stream. They resolved:

- (a) that the Street Lighting Policy Member Report be endorsed and commended to Cabinet and be considered in conjunction with the Street Lighting Service, Policy and Contract Report, prepared for the Cabinet meeting on 9 January 2019; and
- (b) that the Scrutiny Committee support the exploration of the use of advertising banners as a revenue stream.

There are currently two e-petitions live on the County Council website,

- a Lighting in unadopted roads with public access.
- Continuing to maintain street lights in unadopted roads

A verbal update will be provided at Committee as to progress on the petitions.

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5. Financial Considerations

The thrust of the policy is to generally facilitate savings to the authority in terms of energy and maintenance, whilst recognising that there is a deteriorating asset in terms of columns that will continue to need investment. The energy reduction over the past five years has resulted in savings of over £800k in real terms but has been offset by energy price inflation and further savings are expected with the continuation of this process. There is the potential for other policy changes to provide income and further savings, however these have yet to be quantified.

There is a risk that the costs provided by a new contractor could increase, but it is expected to be a competitively bid contract, with several potential contractors interested and any further capital funding for LED replacement programmes would make it even more attractive.

6. Environmental Impact Considerations

In October the UN Intergovernmental Panel on Climate Change said that 'urgent and unprecedented' changes are needed to keep rises in global temperatures to a maximum of 1.5°C beyond which impacts are likely to be severe. It has been established that by converting street lights to LED can reap significant reduction in energy consumption which can help to reduce impact on climate change.

The continuation of the energy reduction policy will support the Authority's targets for reducing carbon emissions and reduce its liability for the Carbon Climate Levy. Facilitating other organisations to introduce electric vehicle charging will support the government's objectives to reduce vehicle exhaust emissions and improve air quality.

The continued drive for energy reduction and conversion to LED will also reduce light pollution as more light falls on the highway that is being illuminated and less spillage elsewhere.

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: <https://new.devon.gov.uk/impact/published/>, which Members will need to consider for the purposes of this item.

8. Legal Considerations

The lawful implications/consequences of the proposals/recommendations/proposed course of action have been considered and taken into account in the formulation of the recommendations set out above.

Highway Authorities are not legally bound to provide street lighting but where provided have a duty to maintain.

9. Risk Management Considerations

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

Where risks have been identified such as reducing scouting and applying a risk-based approach, the implications of that/those have been taken into account in preparing this report in the rationale attached to the policy.

10. Public Health Impact

No Public Health impacts have been identified in relation to the proposed policy changes.

11. Discussion

The rationale for the development of the policy is provided at the end of Appendix A.

12. Options/Alternatives

The following options have been considered in determining the proposed policy changes.

- a) Not applying a risk-based approach to managing safety and continuing to apply a frequent regime of night scouting. This is not consistent with national guidance and does not recognise an asset with improving technology.
- b) Reverting from part-night lighting to full-night lighting. This was rejected as part-night lighting is well established in the county, provides little inconvenience on a risk-based approach and provides significant energy savings.
- c) Retaining responsibility for private roads in all circumstances where we have historically done so. This is not being proposed as the authority should try and reasonably save costs where it can reasonably do so and should not automatically take on responsibility for matters where it is not required to do so.
- d) Not pursue commercial advertising using banners on street lighting columns. Adopting this stance would fail to provide an opportunity to create an income stream for the authority.
- e) Not allowing wifi or other communications systems to attached to columns where safe to do so. This could deny a community a valuable communication facility.
- f) Not allowing any appropriate development of electric vehicle charging will deny the opportunity to develop this area of technology if suitable partners approach the Authority.

If approval were not given to retender the contract then the authority would not be able to fully utilise the changes needed to the contract to reflect the improved technology that is

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starting to be introduced, and the ability to undertake further upgrades to LED lighting as part of the Term Service Contract.

13. Reason for Recommendation/Conclusion

These recommendations should be accepted to allow the Authority to adapt the street lighting service to be more appropriate to the current financial climate and the technological developments that will undoubtedly develop over the next ten years, and provide a more effective and efficient service and reflect the responsibilities of the Authority.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All

Cabinet Member for Highway Management, Councillor Stuart Hughes

Local Government Act 1972: List of Background Papers

Contact for enquiries: Chris Cranston

Room No. Lucombe House, County Hall, Exeter

Tel No: 01392 383000

Background Paper	Date	File Reference
1. Well-managed Highway Infrastructure	October 2016	http://www.ukroadsliaisongroup.org/en/utilities/document-summary.cfm?docid=4F93BA10-D3B0-4222-827A8C48401B26AC
2. Impact assessments	Various	https://new.devon.gov.uk/impact/?s=street+Lighting

cc271118cab Street Lighting Policy
hk 02 181218

Street Lighting Policy from January 2019

The document is designed to establish a high-level policy position from which details procedures can be developed, to provide an open and transparent process for decision making regarding the street lighting asset.

The Legal Position

Highway Authorities are not legally bound to provide street lighting but where provided have a duty to maintain. The Well Managed Highway Infrastructure: A Code of Practice states: "This duty of care does not imply any duty on the Highway Authority to keep the public lighting lit. However, an authority responsible for the maintenance of public lighting should be able to demonstrate that they have systems in place to maintain the public lighting equipment in a safe condition, including the detection of dangerous equipment."

Summary:

In DCC's Better Together plan 2014-2020 the County Council set out various aims which included "Commissioning effective and efficient services, using new approaches to prevent problems arising and harnessing new technology to benefit customers", the Street Lighting Policy looks to work with these aims and provide a more efficient and effective service.

The Street lighting department are responsible for a significant proportion of DCC's carbon footprint, which includes in excess 88,000 illuminated assets. This policy is set within the context of the County Council's Strategic Plan and recognises the potential for energy savings, given that lighting currently accounts for a significant amount of the County's carbon emissions.

Street lighting is primarily in place for personal and road safety purposes on the highway, but on occasions for aesthetic and economic reasons (eg lighting or illuminating significant landmarks).

This policy reflects the County Councils strategic aim and sets out a range targets, including:

- Savings in energy consumption are actively pursued to reduce carbon emissions and the effect of rising energy costs
- Night-time safety of road users and members of the community
- That good street lighting design minimises the effect on the environment whilst enhancing the night-time ambience
- To provide public lighting that is cost effective, considering energy conservation and sustainability
- To identify criteria for the provision of street lighting and for duration and timing of lighting operation.

Outline Policy Statements:

- To maintain a safe asset
 - Street lighting defects will be responded to using a risk-based approach in line with the Highway Safety Manual and will be categorised as follows:
 - immediate response where risk to life (eg exposed live wires)
 - urgent response where high risk (eg Zebra crossing beacon out)

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- enhanced response where medium risk (eg lantern out near steps)
 - normal response where low risk
- Applying a risk-based approach to reduce the level of night scouting and become more reliant on public reporting as the reliability of the asset is improving on high risk lighting (LED lighting will not require frequent lamp replacement)
- Minimising energy consumption, revenue expenditure and carbon footprint of the asset while also protecting the environment
 - Utilising the latest technology; currently LED lighting
 - Using minimum design standards to the latest BS specification where appropriate
 - Lighting assets will utilise dimming regimes throughout the night to minimise energy consumption where technology permits, whilst still maintaining an appropriate level of lighting
 - De-illumination of lighting assets (particularly signs and bollards) in line with latest regulations, and lanterns in line with public consultation. Remove non-essential street lighting
 - Part night lighting will be applied to all residential areas (typically for a 5-hour period after midnight), this will not be changed to all night lighting except where a strong case is made on safety grounds (this includes evidence from other agencies)
- Adopt road lighting on new developments, that is to Devon's standards and funded by the developer
- Additional lighting on the existing highway will only be considered where there is a justified and pressing need and a funding stream has been identified
- Devon County Council will seek to transfer street lights which have been identified as being on a private road, to the person or organisation responsible for that private road where they can take on that responsibility (ie a single individual or company or organisation that is a legal entity.) Where this cannot be achieved and there is a legitimate public and safety interest in the lighting, the Authority use its discretion, with particular consideration to cost implications, as to whether it is prepared to continue with the provision of the street lighting service. The final decision will be made jointly by the Chief Officer and Cabinet Member responsible for the service in consultation with the local member.
- Attaching non-highway equipment to lighting columns will be permitted where it is safe and legal (particularly with regard to the planning and advertising regulations) to do so including the following:
 - Banners for the purpose of advertising charitable, community or special annual events that are in essence community events involving the majority of businesses in the town concerned e.g. Special events, Carnivals etc
 - Advertising by the appropriate attachment of a banner to a street lighting column, as a revenue stream for the Authority
 - Provision of WiFi or other communications to serve the community
- Facilitating the provision of on-street electric charging facilities, through the use of trials, where it is not possible to site off-street provision. Consideration will need to be given to the suitability of street-lighting supplies for this purpose.

Rationale for policy

Maintaining a safe asset

The new national Code of Practice, Well-managed Highway Infrastructure, encourages local authorities to adopt a risk-based approach to highway maintenance. The policy therefore seeks to reflect this by identifying which parts of the asset present a higher risk when they fail to other parts. A risk to life will always form the highest risk whilst zebra crossing will also demand a high-level response.

The recent investment in converting main road lighting, zebra crossings and some other assets to LED is improving the reliability of the asset, as the lighting is designed to last in excess of 12 years. Over the coming years further assets will also be converted and there the benefit of night scouting will reduce. The remaining lighting is largely in residential areas where residents will be able to report outages. There is therefore a case to reduce the cost in this area by reducing the number of night scouts each year. However regular highways safety inspections will continue to pick up any dangerous issues with street lighting.

Minimising energy consumption

Street lighting consumes a large proportion of the County Council's energy, and reducing this consumption not only presents significant cost savings but also reduces the County's carbon footprint and improves the environment. Therefore, all reasonable steps should be taken to reduce the energy consumption using the latest technology as well as reviewing the need for illumination.

New Lighting

No intention of change here. New lighting will generally need to the provision of funding to install along with a pressing need. Lighting installed by developers will only be adopted where they meet the standards required by the County Council.

Part-night lighting

The existing policy of part-night lighting residential areas is proposed to continue to minimise energy consumption.

Street lighting on private roads

There have been several instances in recent years where it has been established that the authority is funding street lighting on private roads. Some have been successfully divested to a housing association that is responsible for the road. Other situations involve divesting the asset to a local community which presents additional challenges. It is therefore proposed that a pragmatic solution is to provide some discretion for the authority to continue providing the service where there is no appropriate person body or organisation to divest the lighting to and it is considered affordable and appropriate.

Attaching non-highway equipment to Street Lighting

There are increasing opportunities to use the street lighting asset for additional purposes where it is safe and legal to do so. There will need to be an assessment of each requirement and of the asset before any agreement can be provided to third parties, but banners were successfully use as part of the Rugby World Cup and have been used for public promotions including the switch-over to digital television and the encouragement to register to vote. This

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also presents a potential income stream for eth authority in terms of commercial advertising if the relevant planning and safety consent were achieved.

Electric car charging

The advent of the electric car is precipitating the need for additional charging locations, and street lighting is seen as a potential source of electrical connection. However there currently is a multitude of charging systems and electrical current requirements, many of which will not suit the supplies available from street lighting. However, when there are suitable opportunities and funding this policy should allow trials to be undertaken in the future with suitable partners.

Impact Assessment

Version 2017

To publish, please send a dated PDF to impactassessment-mailbox@devon.gov.uk



Assessment of:	Street Lighting Policy
Service:	Highways Infrastructure Development and Waste

Head of Service:	Meg Booth
Date of sign off by Head Of Service/version:	18/12/18
Assessment carried out by (incl. job title):	Chris Cranston, Operations and Communications Manager

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Section 1 - Background

Description:	<p>Street Lighting is a discretionary service provided to aid safe pedestrian and vehicular movements on the highway.</p> <p>Where provided, lighting is operated during the hours of darkness and the level of illumination is varied according to circumstances, which relates to road type, traffic speed and volume, pedestrian footfall and setting (e.g. rural, urban etc.)</p>
Reason for change/review:	<p>The street lighting service and policy is being reviewed in the light of new national risk-based guidance, new technology and prior to a new Term Maintenance Contract being tendered. It is also including a policy on how Devon County Council should manage street lighting that is found to have been installed on private roads.</p> <p>This document is only considering the impact of the changes being proposed and not the existing policy for which previous assessments have been undertaken.</p>

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	<p>The policy is largely a continuation of the existing policy which is based on:</p> <ul style="list-style-type: none">- Maintaining a safe asset- Minimising energy consumption to reduce expenditure and carbon footprint- Addressing the issue of street lighting found to be on private roads- Use of lighting columns for non-highway purposes <p>The drivers for energy and carbon reduction have been well-established in previous policies and assessments and this revision does not propose any change to:</p> <ul style="list-style-type: none">- Continuing the programmes of changing to more energy efficient lighting- Retaining the approach of part-night lighting residential areas- Delumination where there is no longer a need for lighting- Applying dimming regimes to minimise light output when there is less traffic and hence lower risk <p>Applying a risk-based approach to street lighting maintenance as encouraged by the new code Well-Managed Highway Infrastructure and reducing proactive scouting as the higher risk lighting is now using a more reliable technology and requires less frequent changes (LED lights are expected to last in excess of 12 years) and more reliance can be placed on public reporting. This will allow more effective use of available resources.</p> <p>The policy introduces a statement on dealing with street lighting found to be on private roads. One option is that all lighting found on private roads is either removed or transferred to those responsible for the maintenance of the private road. Recent experience has shown this to be challenging when the private road owner is not an organisation set up to manage such matters and includes groups of residents who are unaware of their responsibilities in this regard. It is therefore proposed that some discretion should be given to the authorities to consider the costs to the authority of continuing to maintain the lighting and cover the energy costs, the ease by</p>
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	<p>which those responsible could accept transfer of ownership and the public benefit of retaining the lighting. An alternative option would be to either divest or remove the lighting on private roads without any discretion.</p> <p>The other additions to the policy include options for potentially using the street lighting asset to achieve income for the authority, either through banner advertising or for communication equipment such as public wifi. Both would be dependent on being compliant with other areas of legislation (such as planning consent), road safety considerations (considered on a location basis) and ability of the asset to carry the extra load, which is often dependent on age.</p> <p>Finally, there is enabling legislation to develop a network of charging points for electric vehicles and street lighting is seen as a potential asset that could be used to provide this service. Often existing street lighting is not the best option for this, either due to its location on the street (at the rear of the footway) or because of the limited power that can be delivered from the street lighting circuit. However, it is recognised that there are a range of different options available and if a company or organisation approached the Authority to undertake trials then it is recommended that the Authority should consider being a willing partner.</p> <p>This policy is proposed to be effective across the County.</p>
Social/equality impacts (summary):	<p>This review does not plan to change the Part Night lighting policy for which a previous impact assessment was published in 2013 and recognised some impact on night workers.</p> <p>The changes to the policy are not expected to have a significant impact in this area. The risk-based approach and lowering the level of night scouting will mean that there may be more public reporting of faults and hence the need for individuals to contact the authority through a variety of communication options, although web reporting is preferred by the authority as the most efficient, unless urgent when the telephone is preferred.</p> <p>Any addition of equipment attached to lighting columns will be designed to ensure adequate clearance on footways to meet equality requirements (eg for prams and wheelchairs)</p>
Environmental impacts (summary):	<p>The reduction in energy consumption will be beneficial to the environment in significantly lowering the Authority's carbon footprint and reducing light pollution. Facilitating the introduction of vehicle charging points will help encourage the use of electric vehicles.</p>

Economic impacts (summary):	The investment in new technology for street lighting will have a positive economic impact, whilst the energy reduction should not have any significant detrimental impact on the economy as lighting is being maintained when most needed.
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	<p>The divesting of street lighting on private roads will have an impact on those that have responsibility for these roads, in taking on their full responsibility where appropriate, or losing the asset.</p> <p>Some lighting may be out for slightly longer than under the current service level, if not promptly reported by the public, but it is assumed that the higher the importance of the lighting the more likely the public are to report the fault. However, as the asset becomes more reliable with the new technology less faults should occur.</p>
How will impacts and actions be monitored?	The number of complaints, faults and response times will be monitored and compared to the existing level.

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	All users of the highway
Diversity profile and needs assessment of affected people:	As per Devon population profiles
Other stakeholders (agencies etc.):	All users of the highway
Consultation process and results:	Discussion with group of Scrutiny Committee Members, and a review previous enquiries and complaints received by the service. There was general support for the changes with the biggest concern being expressed by one member about commercial advertising, particularly if it was uncontrolled and extensive with national advertising. It was emphasised that they authority needed to consider all potential funding streams and that only designated columns would be used and only after a safety assessment and planning approval, so safeguards are already in place.
Research and information used:	Legislation and National Codes of Practice, including Well-Managed Highway Infrastructure (Lighting section in particular), fault and complaint history, information from equipment suppliers

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Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

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

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and

- Those affected have been adequately consulted.

Characteristics	<p>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</p> <p>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</p>	<p>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, 'close gaps').</p> <p>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</p>
All residents (include generic equality provisions):	<p>Not general significant impacts are expected. Part-night lighting and reducing energy consumption are well established from previous policy position.</p> <p>Residents in private roads may see some impact if the authority determines that these should be funded by the residents, not being part of the public highway.</p>	Where divesting lighting on private roads creates a significant challenge for residents then the policy proposes some discretion to address situations where it may be in the public interest for the Council to continue supporting this lighting.
Age:	Residents in private roads: older people may be concerned about going out at night if street lights are not maintained privately	
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	<p>Residents in private roads: disabled people (particularly those with visual impairment) may be concerned about going out at night if street lights are not maintained privately.</p> <p>Addition of equipment could impact on disabled people therefore we will ensure that there is adequate clearance to allow for wheelchair access</p>	

	and navigation for Blind/visually impaired people and guide dogs.	
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	Not relevant	
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	Residents in private roads: vulnerable people may be concerned about going out at night if street lights are not maintained privately. Addition of equipment could impact on parents with buggies therefore we will ensure that there is adequate clearance to allow for buggies, prams etc.	
Sexual orientation and marriage/civil partnership:	Not relevant	
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	Not relevant	
Human rights considerations:	These policy changes are not expected to affect human rights.	

Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	Communities can be more involved in reporting faults on street lighting, but as the asset becomes more reliable with new technology it is expected that less faults will occur.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	One key reason that lighting is provided is enhance a feeling of safety by illuminating busy streets and roads but targeting the level of illumination to when most people require it. By relying more on public reporting, it is expected that street lighting which is of more importance to people will be reported sooner.
In what way can you help people to be connected, and involved in community activities?	

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process
X	Planning Permission may be required for advertising banners on street lighting columns
	Environmental Impact Assessment

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:		
Conserve and enhance wildlife:	If any negative impacts were identified by installation of LEDs it may be possible to adjust the light spectrum to minimise this impact	Less light spillage should be advantageous.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	The use of street light columns for advertising may have some detrimental effect to the landscape, but will only be placed in appropriate locations, more likely urban, and will require planning consent.	The move to more efficient lighting will also reduce light spillage and therefore create less light pollution which will enhance the night-time characteristics of the landscape.
Conserve and enhance Devon's cultural and historic heritage:		
Minimise greenhouse gas emissions:		Continued conversion to LED and minimising energy consumption will help to reduce greenhouse gas emissions
Minimise pollution (including air, land, water, light and noise):		More efficient and modern lighting will lower levels of light pollution

Contribute to reducing water consumption:		
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		Improving the asset by maximising the use of new technology should also assist in making it more resilient regarding climate change.
Other (please state below):		

Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:		Facilitating the introduction of electric charging of vehicles should help to gain knowledge of this emerging technology for the future.
Impact on employment levels:	The development of a more reliable asset and reduction in night scouting may decrease employment levels	The introduction of new technology into lighting should help to enhance employment levels
Impact on local business:		Advertising on street lighting columns could help to enhance business awareness. Working with business to introduce new electric vehicle charging facilities could be beneficial

Section 4d - Combined Impacts

<p>Linkages or conflicts between social, environmental and economic impacts:</p>	<p>from 2020 fit for the next decade, encouraging a partnership approach with value-added serviced from a contractor.</p>
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Section 5 - 'Social Value' of planned commissioned/procured services:

<p>How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?</p>	<p>The proposed changes to policy should create a more cost-effective, efficient and reliable service that will be delivered through the new contract arrangements from 2020 fit for the next decade, encouraging a partnership approach with value-added serviced from a contractor.</p>
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PTE/19/1

Cabinet
9 January 2019

E4 Cycle Route (Phase 3) – Cycle and Pedestrian bridge across Summer Lane, Exeter: Approval to Construct

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.

Recommendations: It is recommended that Cabinet

- (a) Approves, in principle, and subject to planning permission being granted, the construction of an improved pedestrian/cycle route and a bridge over Summer Lane, as outlined in Appendices 2A and 2B, at an estimated cost of £1,305,000;**
- (b) Delegates authority to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Highway Management and relevant local Members, to make minor amendments to the scheme details and, to approve for construction once planning permission has been granted.**

1. Summary

The principle of a strategic cycle network for Exeter was endorsed by Cabinet on 8 June 2016. It was also agreed by Cabinet that work should continue with the development of the Network, giving priority to E4 cycle route between Monkerton and the City Centre.

This report seeks approval, subject to the granting of full planning consent, to construct a walking and cycling bridge over Summer Lane providing improvements to 100 metres of existing route.

2. Background/Introduction

The County has a strong record of delivering pedestrian and cycle infrastructure. These high quality segregated routes in Exeter are particularly well used by a range of users and cycle counters show that this continues to increase. See Appendix 1 for an overview of Exeter's strategic cycle routes.

The E4 route between Redhayes Bridge (Monkerton) and the City Centre and the University's Streatham Campus is designed to deliver a high-quality route for all users. The E4 route has been divided up into four phases and each phase broken down into individual sections.

This report seeks approval for Phase 3 (Section 8), which is a 100-metre section including a bridge across Summer Lane. At present, the existing cycle route includes steep gradients, blind corners and the need to cross Summer Lane 'at grade' via a signalled crossing, which involves a detour via Exeter Arena entrance.

Potential improvements to the remaining sections of the E4 cycle route are being developed.

3. Proposal

An overview of the design for the cycle and pedestrian bridge across Summer Lane is shown in Appendix 2A and 2B.

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The proposals predominantly consist of an 18m span, 4.5m clear width bridge for pedestrians and cyclists over Summer Lane, with ramps on either side that will connect to the existing paths in Exhibition Fields and Bettys Mead Playing Fields. These paths are part of the E4 Cycle Route, and are due to be improved as separate projects. Access to Summer Lane from the existing path will be maintained after the bridge is constructed to enable connections to the local schools and properties in the area.

The proposed western approach ramp to the bridge would be approximately 55m in length and the eastern approach 22m, both of which will be approximately 5m in width. The ramps would have a maximum gradient of 1:20 to ensure they are not overly challenging for those less able to cycle and parents with pushchairs or people with physical disabilities. The parapet on top of the wall and along the bridge would be a standard steel pedestrian guardrail, painted green with LED downlighting. Lighting columns will also be installed to the west and east of the ramps to improve security.

The proximity of the railway is major constraint and consequently the existing Western Power Distribution (WPD) compound located in the south-eastern corner of Willowbrook School Playing Field would be relocated to the north of its existing location to accommodate the span of the bridge.

Three mature willow trees would be removed from the eastern side of Summer Lane and one mature oak tree from the western side. The planting and landscape proposals include reinstatement of a hedge and provide for the planting of five silver birch trees to the south of the proposed bridge and a further four trees will be planted on the existing bank between the car park and cycleway as mitigation.

4. Consultations/Representations/Technical Data

Consultation for the Exeter cycle routes began in early 2015 and involved discussions with Local Members, Exeter City Council, cycling groups, Cabinet and the wider public. Through this process, the routes were agreed and prioritised and the approval to undertake design was granted by Cabinet in 2016.

Outline proposals for the bridge over Summer Lane were presented together with the proposals for Exhibition Way and Pinhoe Road as part of a public consultation between 15th October and 19th November 2018. The consultation was posted on the Council's Have Your Say website. Local residents, nearby business, stakeholders and a number of community groups were contacted separately as part of this consultation.

For the bridge element, the response to the proposals has been positive. No negative responses have been received. Eleven out of 53 respondents specifically said that they liked the design and thought it was a good idea. A small number of responses (four) questioned why the path would be shared, rather than segregated; however, this would be inconsistent with the adjoining paths through Bettys Mead and Exhibition Fields, which were not segregated due to the varying width of path.

Proposals were also presented to Exeter HATOC where Members commended the scheme, noting the provisions for people with disabilities and efforts to remove obstacles as far as practicable.

5. Financial Considerations

The overall construction cost of the proposal is estimated to be £1,305,000.

£871,398 of the funding will come from the National Productivity Investment Fund (NPIF) that the County Council were successful in securing for a package of improvements

including continued progress with the E4 cycle route and match funded by £433,602 Section 106 contributions from the Brickworks development. In order to meet the requirements of the NPIF grant funding, the scheme must be delivered in financial year 2019/2020. Construction of the bridge is scheduled to start in the Summer 2019 and should take up to 9 months to complete.

6. Environmental Impact Considerations

The scheme will increase the attractiveness of cycling, walking and provide facilities for a range of other users. This will allow better access to the parks in the area and reduce the growth of car use, reduce carbon emissions and limit reduction of air quality.

Ecological surveys have been undertaken for areas where trees are to be removed and vegetation clearance is required. No other protected species are to be affected by the works. All trees are to be removed outside of the bird nesting season which is from March to September. If the trees are to be removed inside the bird nesting season, then the works need to be undertaken under the supervision of a qualified ecologist.

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.

In progressing this particular scheme element, an Impact Assessment has been prepared which has been circulated separately to Cabinet Members and also is available on the Council's website at: <https://new.devon.gov.uk/impact/>, which Members will need to consider for the purposes of this item.

The proposals meet equality requirements in numerous ways, for example, they will:

- Provide improved routes not just for cyclists but also other non-motorised users.
- Allow people who use wheelchairs or people pushing prams to have easier access across side roads, which may improve their experiences of travelling around the city.
- Serve a number of schools and will thereby offer safer routes for young people.
- Enable disadvantaged groups to gain access to training and employment.
- Enable people of all ages to enjoy being active for leisure and sport.
- Improve access to help people better connect with their communities and engage in social activities.
- Contribute to physical and mental health and wellbeing among the older population by providing an active means of independent mobility.
- Help to tackle health problems, such as those associated with obesity.

8. Legal Considerations

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

A full planning application has been submitted for the proposal and the construction of the footbridge and any conditions will be adhered to.

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9. Risk Management Considerations

In the development of the project, a series of project risk assessments have been carried out. The risks identified have been managed and the remaining risks are as follows:

- Objections to the Planning Application
- Work involving Statutory Undertakers apparatus become protracted
- Network Rail imposes restrictions or introduces requirements that cause delay
- Adverse weather and bird nesting season in Spring potentially impacting on construction programme.

From the consultation that has taken place to date, and the positive ongoing liaison with key stakeholders, e.g. Network Rail, and Statutory undertakers, we do not anticipate difficulties with the above risks that couldn't be dealt with subsequent to the approval of this report and in accordance with the recommendations.

Assuming that planning consent is granted at the end of January, we can then proceed with the tree works so as to avoid the bird nesting season and therefore continue to deliver the scheme to the National Productivity Investment Fund grant funding timescales.

A detailed estimate is in place which incorporates allowances for Risk and Optimism Bias. The contract will be sent out to a mini tender between the contractors on the Framework for Minor Engineering Works and a suitable contractor will be selected.

10. Public Health Impact

The scheme is subject to Road Safety Auditing. Stage 1 Road Safety Audits has been undertaken, and the items raised were addressed in the detailed design phase. Once the detailed design is progressed further, a Stage 2 Road Safety Audit will be undertaken, and the items raised will be addressed in the construction phase. Following construction, a Stage 3 Audit will be undertaken to assess the completed scheme and its impact on users from a safety perspective.

There are several academic papers and research that demonstrate the clear links between increased cycling and improved public health, including lower death rates and lower risk of heart problems and depression.

Offsetting cars journeys and reducing congestion will contribute to reducing air pollution which is better for cyclists, residents and pedestrians.

11. Discussion

The construction of the proposed walking and cycling bridge over Summer Lane supports economic growth, public health and sustainable transport targets. It reflects previous Cabinet decisions and is set to provide a new class of cycle facility in Exeter and Devon.

12. Options/Alternatives

Two different options were considered in the early design stages relating to the type and location of the proposed facility and the state of the existing facilities. One was a bridge with a 4.5m width and the other was a bridge of 3m width. The brief for the E4 Cycle route specifies that designs should seek to achieve the highest quality walking and cycling design in order to provide a step change in cycling facilities. This has informed the proposed width of 4.5m for the bridge, which will be suitable for the design cycle flow and cater for pedestrians and a range of other users.

The cost in providing a narrower bridge would not be significantly lower than the proposed 4.5m bridge and, while a narrower bridge may be able to accommodate the anticipated users soon after completion, it would be sensible to build in the additional capacity now to match the ambition for the route.

The other option was to allow for cyclists to continue to use the Exeter Arena entrance and Toucan crossing before continuing along a relatively narrow section of shared use path on the western side of Summer Lane. This section of path would be substandard and would result in conflicts between pedestrians and cyclists particularly in the peak periods where city centre trips mix with high numbers of people travelling towards the local schools.

13. Reason for Recommendation/Conclusion

There is a need to encourage more people to take up cycling and walking to support increased physical activity and the continued growth of the city. The proposal offers all user groups better quality facilities, segregated from traffic and provide linkages between densely populated residential areas and key work, education and leisure destinations.

Progression of this cycle and pedestrian bridge as part of the E4 route is key to seamlessly join together other existing sections of the cycle route. It will take advantage of available National Productivity Investment Fund funding and will continue the momentum built with the other sections of the route. The scheme, when completed, could be used as a showcase route to attract further funding, and shows that the Council is proactive in enabling and promoting cycling and walking as a key mode of transport.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: All in Exeter

Cabinet Member for Highway Management: Councillor Stuart Hughes

Chief Officer for Communities, Public Health, Environment and Prosperity, Dr Virginia Pearson

Local Government Act 1972: List of Background Papers

Contact for enquiries: Liz Holloway

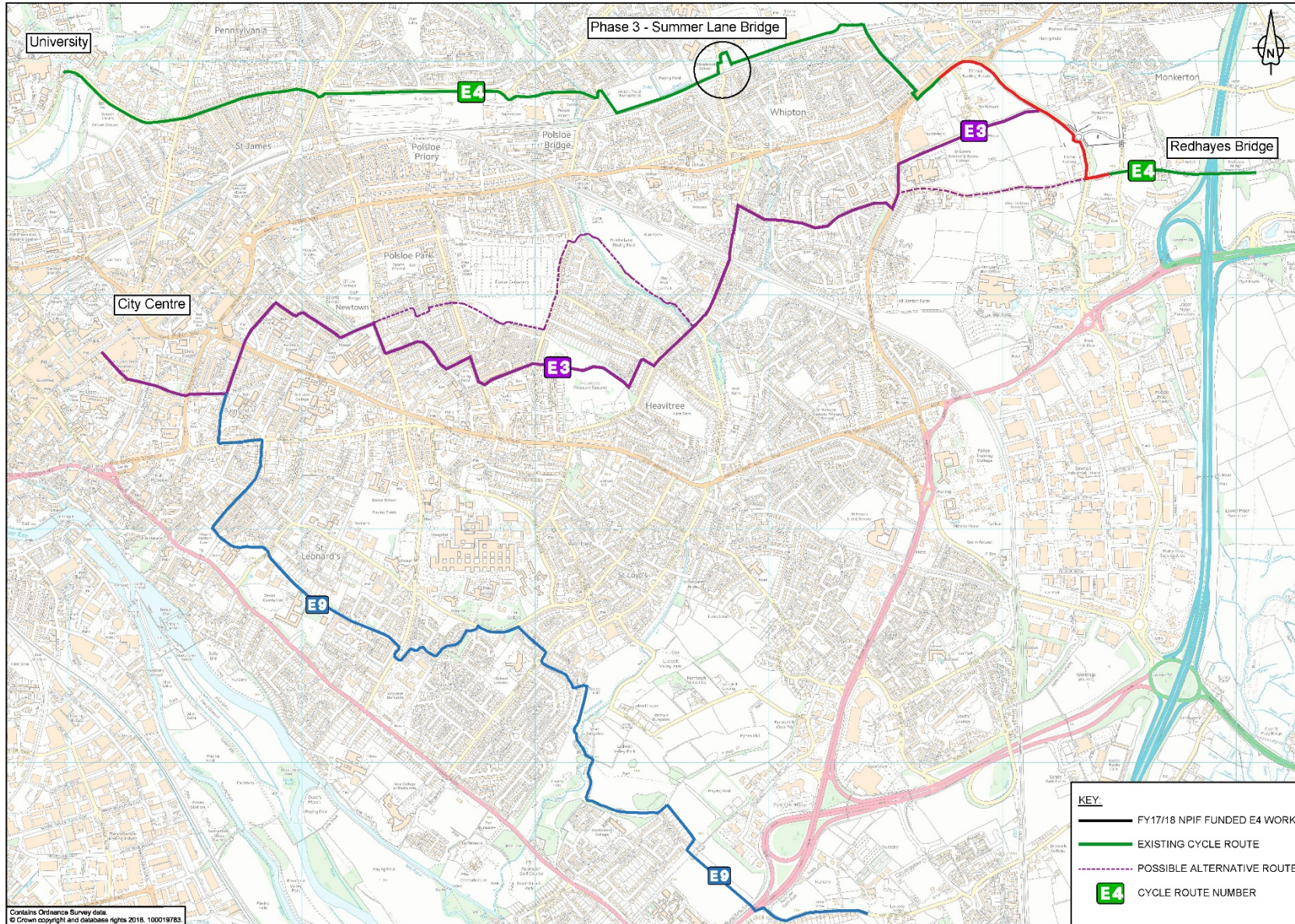
Room No. Lucombe House, County Hall, Exeter. EX2 4QD

Tel No: (01392) 383000

Background Paper	Date	File Reference
Impact Assessment	13 December 2018	https://new.devon.gov.uk/impact/

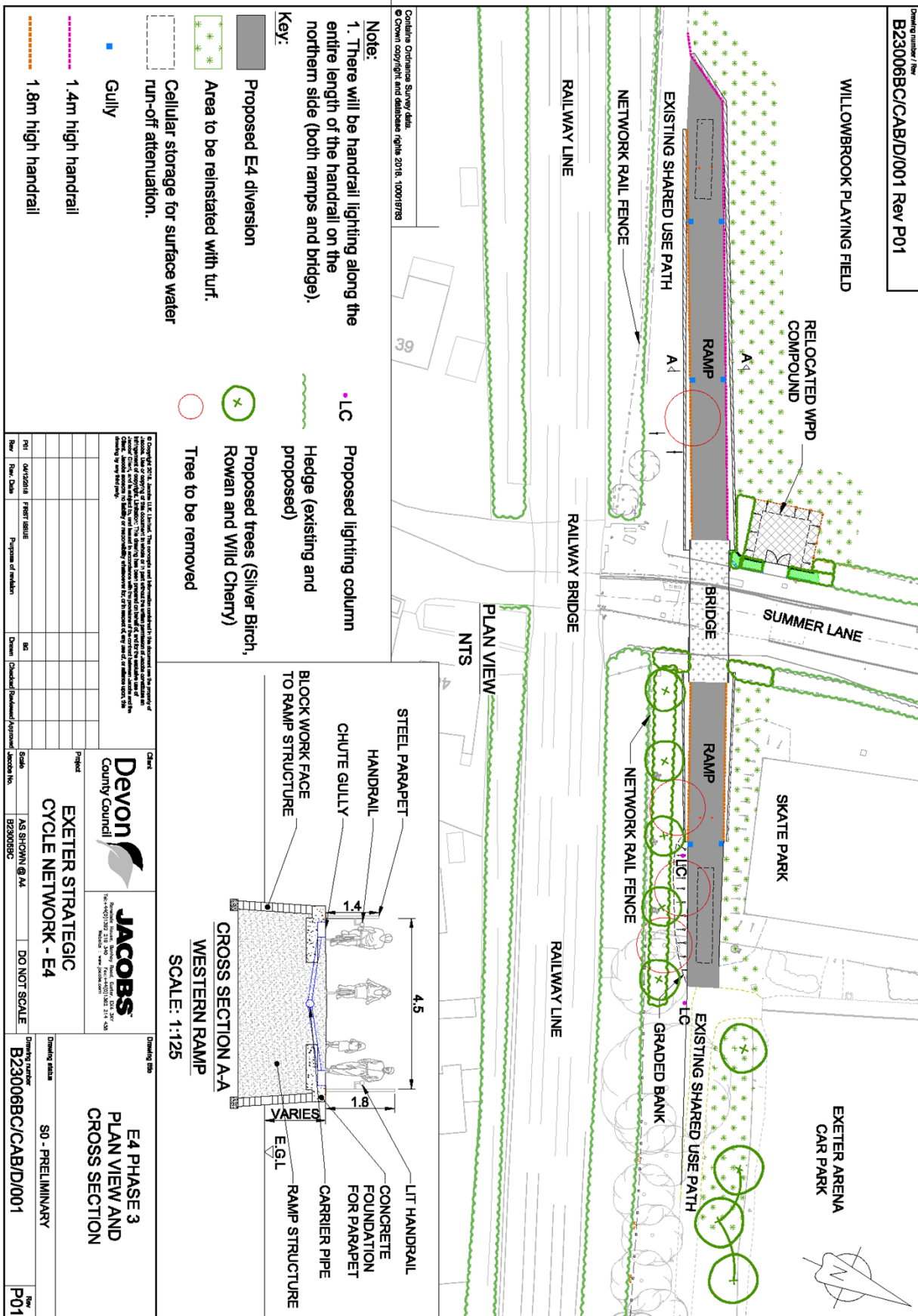
lh061218cab E4 Cycle Route Phase 3 – Cycle and Pedestrian bridge across Summer Lane, Exeter
hk 05 181218

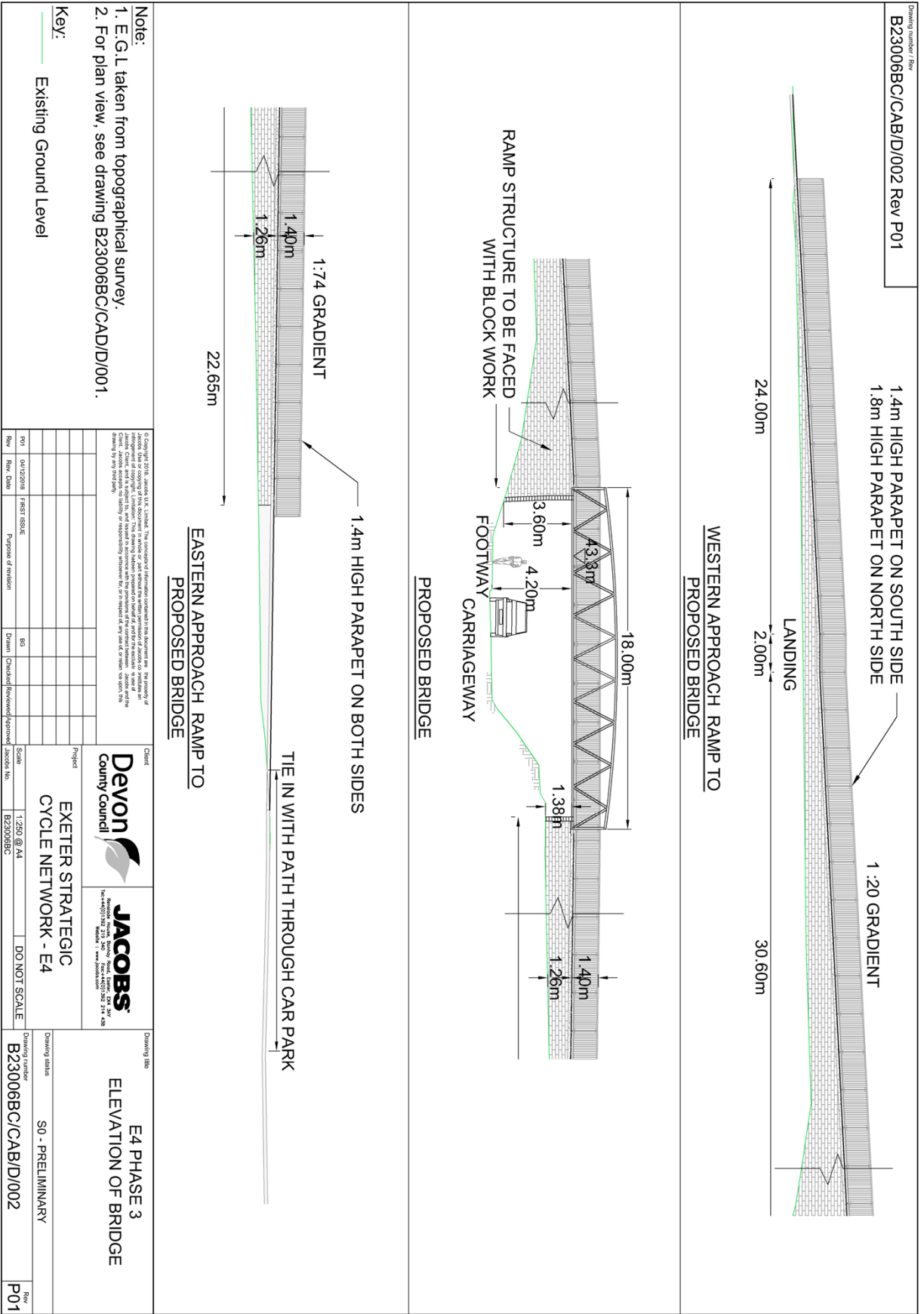
Exeter East West Cycle Routes



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Bridge Design Overview





Impact Assessment

Version 2017

To publish, please send a dated PDF to impactassessment-mailbox@devon.gov.uk



Assessment of:	E4 Cycle Route - Construction of Footbridge on Summer Lane, Exeter
Service:	Planning, Transport and Environment

Head of Service:	Dave Black
Date of sign off by Head Of Service/version:	13 December 2018
Assessment carried out by (incl. job title):	Liz Holloway, Sustainable Travel Officer & Project Sponsor

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Section 1 - Background

Description:	<p>Exeter is developing a good reputation for cycling, which is increasingly seen as an attractive leisure activity and a viable alternative to car travel. The 2011 census data showed Exeter as having almost double the average proportion of people walking and cycling to work, 6%. The County Council's Cycling and Multi-Use Trail Network Strategy outlined targets to increase the percentage of journeys to work by bike to 12% by the next census in 2021. High quality routes which provide links between growing residential areas and new and existing employment sites will help to meet this target and allow better access to the city centre for employment, retail, improved access to education, and encourage more leisure trips.</p> <p>The E4 strategic cycle route is the main multi-use link connecting Exeter and the University's Streatham Campus to the airport, Cranbrook, the Science Park and other development to the east of the City, as well as linking to the parks and open space along the route.</p>
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	<p>The proposed footbridge over Summer Lane will form a key part of the cycle route. It will provide a direct link between the car park of Exeter Arena/Exhibition Fields and Bettysmead Playing Fields. This will shorten the route and will remove sharp deviations in direction, narrow shared paths, and the necessity to use a Toucan crossing on Summer Lane.</p> <p>This improved infrastructure will also help to meet the aims and objectives of national and local plans and strategies.</p>
Reason for change/review:	<p>Reason for change</p> <p>The main drivers for development of cycle/pedestrian routes in Exeter are:</p> <ul style="list-style-type: none"> • Current levels of congestion on the road network are high during peak times. • There are limited opportunities to increase the vehicular capacity of the existing highway network. • Future growth to the east and south of the city will increase travel demand. • Obesity has become one of the UK's major public health issues, with the number of people who are obese doubling in the last 25 years. • Devon's population is ageing – walking, cycling and other slow modes can contribute to physical and mental health and wellbeing among a whole range of the population by providing an active means of independent mobility. • Improved cycle infrastructure will increase the appeal of the city, making it more resilient to growth, safer, healthier and better connected. • Increasing the uptake of cycling is a key Government aspiration. <p>Improved cycle/pedestrian infrastructure will make cycle trips for work, education and leisure purposes safer, quicker and more appealing. The development of the Exeter E4 multi use route in particular is driven by large housing and employment developments to the east of the city, for example, Monkerton, Cranbrook and Exeter Science Park.</p>

	<p>At present, the existing multi use route allows for users to use the Exeter Arena entrance and Toucan crossing before continuing along a relatively narrow section of shared use path on the western side of Summer Lane. It includes steep gradients, blind corners and the need to cross Summer Lane 'at grade' via a signalled crossing.</p> <p>The high-quality footbridge on Summer Lane will allow for the route to seamlessly join together other existing sections of the route and will set a high standard in cycle facilities in both Exeter and the county.</p>
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Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

<p>Options Appraisal and Recommendations:</p>	<p>Due to the surrounding features of the E4 cycle route in this location, such as the railway line, the limited space on Summerway, this location was chosen for the footbridge which would improve the existing route.</p> <p>Several alternatives were considered in the early design stages relating to the type of footbridge to be installed.</p> <p>Two different options were considered in the early design stages relating to the type and location of the proposed facility and the state of the existing facilities. One was a bridge with a 4.5m width and the other was a bridge of 3m width. The brief for the E4 route specifies that designs should seek to achieve the highest quality walking and cycling design in order to provide a step change in cycling facilities. This has informed the proposed width of 4.5m for the bridge, which will be suitable for the design cycle flow and cater for pedestrians and a range of other users.</p> <p>The cost in providing a narrower bridge would not be significantly lower than the proposed 4.5m bridge and, while a narrower bridge may be able to accommodate the anticipated users soon after completion, it would be sensible to build in the additional capacity now to match the ambition for the route.</p> <p>The other option was to allow for users to continue to use the Exeter Arena entrance and Toucan crossing before continuing along a relatively narrow section of shared use path on the western side of Summer Lane. This section of path would be substandard and would result in conflicts between pedestrians and cyclists</p>
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	<p>particularly in the peak periods where city centre trips mix with high numbers of people travelling towards the local schools.</p> <p>Different forms of bridges were also discussed such a cable stay, beam and suspension bridges. A truss bridge was chosen instead because it is considered to be the most economical solution for this location.</p>
<p>Social/equality impacts (summary):</p>	<p>The positive impacts outlined below will be achieved through this project:</p> <ul style="list-style-type: none"> • Cyclists will be able to avoid congestion and benefit from a safe traffic-free cycle route. • More travel options will be available for journeys to work, school, business and for leisure purposes. • Disadvantaged groups will benefit from a low-cost alternative means of travel, improving access to training and employment opportunities. • Local businesses will be more accessible to a wider range of people. • The economic productivity of a healthy and satisfied workforce will increase. • Access will be improved to help people better connect with open space, their communities and engage in social activities. • People of all ages will be able to enjoy being active for leisure and sport. • The physical and mental health and wellbeing among the population will be improved by providing means of independent mobility and facility for those who are mobility impaired. • Health problems, such as those associated with obesity, will be tackled through providing a means of adopting more active lifestyles. <p>The following negative impacts may be realised:</p> <ul style="list-style-type: none"> • In the short term, during the construction works, it is anticipated that some negative social impact will be realised as a result of traffic management and slower journey times delaying commuters and local residents. • This negative impact will be mitigated through consultation with Devon County Council's highway co-ordination and traffic management groups.

	<p>Throughout the construction, residents, local businesses and emergency services will be kept informed of the proposed works and necessary traffic management. A construction progress page will be created as part of the overall E4 information website https://new.devon.gov.uk/e4/</p>
<p>Environmental impacts (summary):</p>	<p>The positive impacts outlined below will be achieved through this project:</p> <ul style="list-style-type: none"> • An increase in cycle use and corresponding reduction in car use will have a positive impact for local air quality due to less congestion. • The carbon impact of travel will be reduced by lowering gas emissions from car travel. <p>The following negative impact will be realised:</p> <p>Four trees, approximately 45m of hedgerow and some grassland will need to be removed to enable the installation of the footbridge and ramps. However, nine trees and 56m of hedgerow will be planted post-construction to mitigate for lost habitat.</p>
<p>Economic impacts (summary):</p>	<p>The positive impacts outlined below will be achieved through this project:</p> <ul style="list-style-type: none"> • Cycling provision is seen as an intrinsic part of the solution for a modern growing economy. • The cycle route will provide a low cost means of travel. • Access will be improved to a range of local businesses across the city. • Improved access to employment opportunities for disadvantaged people will result in less people on income support. • Creating a healthier population through increased physical activity and access to open space will reduce NHS cost burdens with benefits to business of healthier workforce with lower levels of absenteeism. <p>The following negative impact will be realised:</p> <ul style="list-style-type: none"> • In the short term, during the construction works, it is anticipated that some negative economic impact will be realised as a result of traffic management and slower journey times delaying and deterring people accessing work and retail via the local road network.

	This negative impact will be mitigated as far as possible by consulting with Devon County Council's highway co-ordination and traffic management groups.
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	None identified.
How will impacts and actions be monitored?	<p>Traffic flows will be monitored throughout the construction period and any issues observed by the contractor will be reported to the design team and appropriate mitigation undertaken where appropriate.</p> <p>Future Census data will indicate whether there has been an increase in cycling and reduction in car travel.</p> <p>Cycle counters situated on Cumberland Way and Prince Charles Road the route will monitor cycle uptake for the overall E4 route.</p>

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	The proposed E4 multi use route links Monkerton/ Redhayes Bridge to the city centre and University Streatham Campus. It will be available for anyone to use in its entirety, alternatively short sections can be used to access specific locations as required
Diversity profile and needs assessment of affected people:	<p>The proposals have no adverse impact on a specific audience, regardless of age, race, gender, sexual orientation and religion / belief. The route has been designed so that it provides a safer and more accessible means of travel for those with disabilities, including those who must rely on adapted bicycles, for example, hand cranked bikes.</p> <p>Provision of cycling/pedestrian infrastructure benefits general health and wellbeing, particularly to those on lower incomes.</p>
Other stakeholders (agencies etc.):	<p>Key stakeholders consulted throughout the project include:</p> <ul style="list-style-type: none">• Local Members• Exeter City Council• Exeter Cycling Campaign• Members of public• Network Rail• Living Options• Guide Dogs for the Blinds• Willowbrook School• Sport England

<p>Consultation process and results:</p>	<p>Exeter cycle routes began in early 2015 and involved discussions held with Local Members, Exeter City Council, cycling groups, Cabinet and the wider public. It is also recognised that these routes can be used by a range of different users of all types of mobility. Through this process, the routes were agreed and prioritised and the approval to undertake design was granted by Cabinet in 2016.</p> <p>Early outline proposals for footbridge on Summer Lane were presented to member of public, local stakeholders and the Exeter Cycling Campaign.</p> <p>The detailed design of this route has been consulted upon throughout its evolution with relevant stakeholders such as DCC's maintenance team and Exeter City Council. Once a suitable design had been reached, local developers were consulted, and it was audited via a Road Safety Audit.</p> <p>Regarding the construction, local businesses, residents and emergency services will be kept informed of the proposed works and necessary traffic management.</p> <p>A consultation phase was held between 15th October 2018 to 19th November 2018. There have been very few negative responses from this consultation and numerous comments in support for the footbridge.</p> <p>Further consultation letters will be issued with the exact dates of traffic management and closures when the programme is fixed to further inform the public.</p>
<p>Research and information used:</p>	<p>Various guidelines and reports have been used to help steer the concept of the route. These include best practice and lessons learnt from cities both in the UK and overseas, for example, Netherlands and Denmark.</p> <p>The detailed design meets and betters best practice guidance laid out by the London Cycling Design Standards (TfL), the Handbook for Cycle-Friendly Design (Sustrans) and Making Space for Cycling (produced by Cambridge Cycling Campaign).</p>

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

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

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- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
 - An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
 - A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair

- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage? Are there any lawful, reasonable and proportionate, unavoidable negative consequences?	In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’). In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?
All residents (include generic equality provisions):	<ul style="list-style-type: none"> • Increased movement of cycle/pedestrians traffic along proposed routes may impact local residents; however, the route has been designed to allow sufficient widths to reduce potential conflict as far as reasonably practicable. • The ramps have been design to cater all users. Gradients of 1 in 20 have been chosen with 2m landings every 2.5m rise in accordance with Design Criteria for Footbridges. 	<ul style="list-style-type: none"> • Physical and mental health and wellbeing will be improved by providing an active means of independent mobility. • Cyclists will be able to avoid congestion and benefit from safe traffic-free cycle routes. • More travel options will be available for journeys to work, school, business and for leisure purposes. • The cycle route will provide a low-cost alternative means of travel. • Access will be improved to help people better connect with their communities, open space and engage in social activities. • Regarding tolerance between road users, DCC runs a ‘Share this Space’ campaign to target issues arising between, all users of the route.

DCC 21/09/12

Age:	Not relevant	<ul style="list-style-type: none"> • Improved cycle route will allow a safer means of travel for children, for education and leisure purposes. • The physical and whole mental health and wellbeing among the older population will be improved by providing for all users a means of independent mobility.
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	Potential concerns of mixing pedestrians and cyclists for people with mobility, visual or hearing impairment.	<ul style="list-style-type: none"> • Provision of a safer and more accessible means of travel for those with disabilities who have to rely on adapted bicycles, for example, hand cranked bikes. • Physical and mental health and wellbeing will be improved by providing an active means of independent mobility. • Access will be improved to help people better connect with their communities, open space and engage in social activities.
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	Not relevant	Not relevant
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	Not relevant	Not relevant

Sexual orientation and marriage/civil partnership:	Not relevant	Not relevant
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	Not relevant	<ul style="list-style-type: none"> The cycle route will provide a cost effective means of travel and provide disadvantaged groups with better access to training and employment opportunities.
Human rights considerations:	Not relevant	

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Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	This facility supports low cost, sustainable transport and is easily accessible. This will help those who are physically or financially unable to use other forms of transport independent mobility to access to employment, education and recreational destinations.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	<p>The design of this facility promotes the safety of road users by providing segregation and protection for cyclists from vehicles without compromising their journeys.</p> <p>Increased walking and cycling will improve public health both physically and mentally.</p>

In what way can you help people to be connected, and involved in community activities?	Access will be improved to help people better connect with their communities and engage in social activities.
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Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

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

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	Not applicable	The tender process will include a requirement for Construction Management plan to minimise the impact on the environment.

Conserve and enhance wildlife:	Not applicable	Four trees and some grassed verge are being removed, an ecological survey was undertaken. To mitigate loss of habitat, nine trees and wildflower grassland are to be replanted.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	Not applicable	Not applicable
Conserve and enhance Devon's cultural and historic heritage:	Not applicable	Not applicable
Minimise greenhouse gas emissions:	Not applicable	An increased level of walking and cycling that offsets traffic growth for commuting and leisure journeys would reduce potential greenhouse gas emissions.
Minimise pollution (including air, land, water, light and noise):	Not applicable	An increased level of walking and cycling that offsets traffic growth for both commuting and leisure journeys would reduce potential air pollution.
Contribute to reducing water consumption:	Not applicable	Not applicable
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	Not applicable	Not applicable
Other (please state below):	Not applicable	Not applicable

Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	Not applicable	The cycle route will offer a low cost means of travel, providing disadvantaged groups with better access to training and employment opportunities.
Impact on employment levels:	Not applicable	Improved access to employment opportunities for disadvantaged people.
Impact on local business:	Not applicable	Local businesses will be more accessible to a wider range of people. The economic productivity of a healthy and satisfied workforce will increase.

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Section 4d - Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	<p>Increasing the uptake of cycling is a key Government aspiration; there is a wish to make it easier and safer for people who already cycle as well as encouraging far more people to take it up.</p> <p>The provision of this footbridge on Summer Lane will protect cyclists and pedestrians from traffic by providing an alternative route which does not require the use of the Toucan crossing on Summer Lane whilst providing a convenient route with minimal obstructions making it attractive to existing cyclists and new less-confident cyclists.</p>
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Section 5 - 'Social Value' of planned commissioned/procured services:

<p>How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?</p>	<p>Environmental, economic and social wellbeing will be improved through better access to employment, education and recreational destinations, offsetting car journeys and improving public health.</p>
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NOTICES OF MOTION

Report of the County Solicitor

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

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

A factual 'Briefing Note/Position Statement' prepared by the relevant Head of Service is also included where appropriate or available, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) Devon County Council and Fracking (Councillor Hodgson)**

*I am aware that South Devon has little if any shale reserves that could attract potential fracking exploration or would be economically viable to extract. However, as part of a national support to prevent controversial planning matters being able to avoid public consultation and protest and also to support a permanent ban on fracking in the UK, I am also requesting this motion regarding permitted development rights which has now been allowed for Fracking planning applications. This means that applications can bypass the usual public consultation and objection processes and publicly represented decision making bodies such as council planning committees. France, Ireland, Bulgaria, Germany, Victoria, in NSW Australia, four provinces in Canada New Brunswick, Newfoundland, Nova Scotia and Quebec have all banned fracking and Germany has placed an indefinite moratorium, Netherlands has placed a temporary moratorium on fracking. This also supports this Council's agreement in principle to support initiatives that will prevent or mitigate climate change.*

- 1. Will write to the Secretary of State to object to applications for fracking having permitted development rights such that applicants can avoid the usual planning system.*
- 2. Supports a national ban on fracking in the UK on public safety and climate change grounds.*

### **Briefing Note / Position Statement from the Head of Planning, Transportation and Environment**

The Ministry of Housing, Communities & Local Government recently carried out a consultation on 'Permitted development for shale gas exploration' which ran from the 17 July to 25 October 2018. The consultation is now closed. The consultation was to seek views on the principle of whether non-hydraulic fracturing shale gas exploration

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development should be granted planning permission through a permitted development right. Any changes following this consultation would only apply to non-hydraulic fracturing operations in order to take core samples for testing purposes. The consultation related only to exploration and any proposal to use hydraulic fracturing (fracking) would still require planning permission from the relevant mineral planning authority.

The UK Government is encouraging shale gas exploration to determine its potential to provide the UK with greater energy security, growth and jobs. It is recognised that 'fracking' is not without risk but the process is heavily regulated and if regulation is properly enforced 'fracking' can be done within acceptable limits of risk. 'Fracking' releases methane which is a greenhouse gas and its use will contribute to climate change. The UK Government's position is that the use of this domestic source would replace some gas imports and that the UK would still meet its legally binding 2050 emissions reduction target, however in light of the 15th Special Report from the United Nation's Intergovernmental Panel on Climate Change, published October 2018, which warns that global emissions needs to reduce by approximately 45% by 2030, the UK's targets may need strengthening which would subsequently question the legitimacy of incorporating shale gas into the UK's future energy strategy. The Committee on Climate Change, the independent advisory body to government on the implementation of the Climate Change Act has been asked to advise government on a revised 'net-zero' carbon emissions target. It is noted that in Devon there are no viable geological formations with potential for shale gas and it is highly unlikely that there will be any planning applications for shale gas exploration.

## **(b) British Sign Language (Councillor Dewhirst)**

*This Council passionately believes that good communication lies at the heart of a civilised society and furthermore believes that inclusion is a vital part of a fair society.*

*To that end this Council realises that there is a large number of British Sign Language (BSL) users in Devon and so offers Deaf people an on-line interpretation service to enable people whose first language is BSL to communicate and interact with our Council.*

*The BBC offer in-vision BSL interpretations of some popular and topical programmes however it is not provided for the local and live news services. They do however offer the option for subtitles to be used for their programmes for Deaf people or people with limited hearing. Sadly, Deaf people find this service less than helpful and often very confusing - try watching the news with the sound off and just subtitles. ITV offer no services for Deaf people. Many Deaf people in Devon wish to keep up with the news in our County and wish that the BBC and ITV offered a similar interpretation service to our Council. This currently happens in America and most western countries.*

*In a spirit of inclusion this Council resolves to ask the BBC and ITV to start a process of full inclusion by asking the Chief Executive to write to the Director General of the BBC to ask for Spotlight South West to be signed in BSL and to the Managing Director of ITV Westcountry to ask for West Country News to be signed in BSL.*



## **Briefing Note / Position Statement from the County Solicitor**

We don't have an exact figure for the number of Deaf people in Devon but it is thought to be around 1,500. Deaf people (using the capital D) are usually profoundly deaf and their first or main language is Sign Language.

Because English is a second language it is harder for Deaf people to understand; languages are learnt mainly through direct interaction, not through written word. For Deaf people, Sign Language provides a visual alternative to listening and speaking. Sign Language is also structurally different to written or spoken English.

The County Council is signed up to the British Deaf Association British Sign Language Charter, and was a key partner in developing it and raising awareness of the Charter in Devon.

To enable access to services, the County Council provides face-to-face or video interpreting on request.

Members of the public can also contact the customer service centre using an online BSL interpretation service. More information can be found at <https://new.devon.gov.uk/help/contact-us/british-sign-language/>

Students at ERADE have raised concerns that they feel out of touch with news about politics and other issues that are happening in the county. As an example, when there is a major incident such as severe weather, none of this information is provided in Sign Language.

Media organisations could also argue that the County Council should provide its information in British Sign Language (for example, every Council meeting or press release should be in signed video format).

Research suggests that the vast majority of people get their news from the television or online news, generally not going to each separate organisation to obtain their news. This is because different agencies have different roles to play in an incident. For example, during a severe weather incident, the County Council, Environment Agency, Met Office, Police/Fire/Rescue services, and NHS services will each input.

Broadcasters such as the BBC are able to collate this information and present it through a single, popular channel.

It should be noted that the BBC is also a public body and therefore bound by the Public Sector Equality Duty to: eliminate discrimination, advance equality and foster good relations, encourage participation in public life and take account of disabilities. Deaf people are covered by the definition of disability, a protected characteristic under the Equality Act 2010.

In relation to digital, the Council takes its responsibilities around accessibility of digital information seriously. The Council is committed to meeting and exceeding the new EU standards around accessibility, including auditing its sites to ensure they meet the new W3C WCAG version 2.1 AA standards, and testing our sites with a wide range of people, including those with hearing difficulties. In practical terms this means, for example, ensuring there are full subtitles and transcripts on any audio or video content.

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Live webcasts do not need to be subtitled whilst streaming live, but subsequently, they will need a transcript and subtitles added if they remain available as archive viewing. Contact has been made with the contractor in relation to this new future requirement.

## **(c) Devon's Housing Need / CPRE Reports (Councillor Shaw)**

*Devon County Council welcomes the reports published by the Council for the Preservation of Rural England (Devon branch), 'Devon Housing Needs Evidence' and 'A Review of Government Housing Policy and Its Impact on Devon' and the extensive research from which they result. Noting that the reports conclude that Devon's real housing needs are substantially less than currently assumed, Council asks Cabinet to commission a full evaluation of the implications of these reports for both the Council's policies and relevant joint ventures including the Greater Exeter Strategic Plan.*

## **Briefing Note / Position Statement from the Head of Planning, Transportation and Environment**

There are a number of factors that are taken into account when undertaking population and housing projections and the number and type of homes that will be required is open to interpretation. In coming to its conclusions on housing needs, the consultants used by the CPRE do not use new data, rather they interpret that available data in a different way.

The updated NPPF (July 2018) introduced a national methodology for establishing house building numbers at the local authority level. This uses the ONS household projections for the local authority as the base line and adjusts that figure to take into account market signals by reference to affordability ratios in the local authority area. However, the level of any increase is capped.

With the changes to the NPPF the Government's aim is to tackle the current housing crisis and is aspiring to deliver 300,000 homes in England per year by the mid 2020's and this requires the adoption by local authorities of the standard methodology when drawing up local plans. Prior to these changes to the NPPF it was subject to consultation and the responses to the consultation were considered by government before the updated NPPF was published.

Essentially the CPRE report argues that applying an affordability ratio increase to Devon is inappropriate as the house price to earnings ratio had fallen between 2007 to 2016. However, housing in Devon is still unaffordable to many and changes to the standard methodology would require changes to the NPPF, a national planning document that was only updated in July 2018.

The County Council does not have a duty to prepare local plans which set the housing requirements, but does provide advice to the districts on their plans. The Plymouth, South Hams and West Devon Joint Local Plan and the North Devon and Torridge Joint Local Plan have been examined and will be adopted in early 2019 and both have set housing targets. Currently the County Council is working closely with Exeter, East Devon, Teignbridge and Mid Devon in the production of the Greater Exeter Strategic Plan (GESP). The evidence base for the GESP will examine the housing need for the plan area, the appropriate locations for housing and the levels of affordable homes required. Devon County in its role in supporting the GESP will seek to ensure that the appropriate infrastructure requirements required for development are met.

## **(d) Brexit Referendum and Economic Impacts (Councillor Shaw)**

*While welcoming the Devon councils' support for Flybe, this County Council expresses its alarm that Brexit has contributed to the airline's crisis and that it has been followed by the announcement of the closure of the Schaeffler factory in Plymouth.*

*In view of (a) this accelerating harm to Devon's economy, which also threatens our agricultural, health, university and small business sectors and living standards, and (b) polling evidence which suggests that a majority of Devon voters and Devon districts now oppose Brexit, Council calls on the Government to organise a referendum in which voters are offered the choice of accepting the deal which the Government has negotiated or remaining in the European Union.*

## **Briefing Note / Position Statement from the Head of Economy and Skills**

The Prime Minister has negotiated a deal on Brexit with the EU to bring to parliament for ratification. This includes the draft withdrawal agreement and the political declaration on future ties. Parliament has voted on 4th December that amendments can be made to the documents through the next stages, including that transition period and backstop dates could change.

A date is yet to be set for Parliament to vote on the current deal. Should the vote be successful then the Government will begin implementation, with the UK leaving the EU on 29th March 2019. However, should the deal not have the support of MPs, then a number of scenarios could happen, including no deal, no Brexit, a second referendum or a general election. There could also potentially be an extension to the 29th March exit date.

The remaining process to approve the current deal is subject to change, but at the time of writing is as follows:

- 4<sup>th</sup> December 5 days parliamentary debate began
- Parliament Vote - TBC
- December 13-14<sup>th</sup> EU Summit
- Jan – March 2019 – Deal passes into UK law, EU ratification
- Brexit starts with a transition period from 11am on 29<sup>th</sup> March 2019.
- After 29<sup>th</sup> March – trade talks and transition
- 31<sup>st</sup> December 2020 – date transition period is currently set to end.
- Backstop – keeping the UK in a temporary customs union with the EU - if no deal is in place to avoid a hard border to Northern Ireland at end of transition period.

The Government published its long-term economic impact assessment on 28th November 2018. This includes modelling the potential long-term economic impact for regions, based on 4 EU exit scenarios, 4 types of trade barriers and then macroeconomic factors, including effect of changes in trade costs, effect of changes in migration and benefits from regulatory flexibility.

In summary the paper states that the UK economy is expected to grow over a 15-year period in all scenarios, with the results represented as ranges. However, the analysis suggests that the UK economy is expected to be smaller under any form of Brexit compared with staying in the EU. When considered on a regional basis the North East appears to be the most affected with the South West somewhere in the middle, with London the least affected. The modelling shows the trade barriers will impact the

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economy of the South West by approximately a change of less than -1% GVA for the modelled white paper to around -8% for a no deal scenario.

The Bank of England also released some scenario modelling on 28th November, as requested by the House of Commons Treasury Committee. The modelling showed a range of impacts to GDP, with a best case of -1.25% and worst case -10.5% relative to May 2016 and +1.75% best case to -7.75% worst case against the latest forecast.

The County Council is working with its partner local authorities across Devon and Somerset and with the Heart of the South West Local Enterprise Partnership to explore the potential opportunities and impacts of Brexit. The Brexit Resilience and Opportunities Group was established by the Shadow Joint Committee for the Heart of the South West to manage inputs across these partners. Its findings are informing the development of a new economic strategy – the Productivity Strategy for the Heart of the South West and negotiations with Government on any potential devolution deal.

DCC also has a working group looking at the impact of Brexit on Devon’s residents and businesses. This includes a watching brief on the local economy including news on Flybe and other major employers. The County Council is also working with partners across the Heart of the South West and chairs a BREXIT Resilience and Opportunities Group. Part of the work from this group has been to consider options for working in partnership with Cornwall County Council and its partners.

FlyBe announced in November 2018 that it was putting itself up for sale. News reports stated that Brexit-related uncertainty, the weaker British pound and rising fuel costs led Flybe’s directors to conclude that a takeover was likely to be required to preserve its future. However, industry analysts also pointed to longer-standing problems with FlyBe’s financial performance that were likely to be factors in the decision.

DCC, district and LEP colleagues have jointly written a letter of support to Flybe highlighting the activities we are undertaking to support the Exeter airport and Flybe, including the new rebranded ConnEXions bus service connecting St Davids Station, Exeter City Centre, Exmouth, Exeter airport and strategic employment sites, launched this Autumn. This provides an enhanced frequency of service and longer hours of operation, including early morning services designed to link to key flight times. A scheme to improve the Long Lane access road to the Flybe HQ, Training Academy and an improved bus service route via the airport is close to being finalised and will be coming to the Enterprise Zone Board for funding.

This also includes the proposed Aviation skills escalator, building from the legacy of investment in the Hanger facility and Training Academy, which has helped to support the creation of high value employment locally. This would be to ensure local people have the necessary skills to support the airport’s growth linking with wider activity around aerospace and aviation skills now emerging across the county and wider HotSW LEP area.

## **(e) Fair and Adequate Funding to Local Authorities (Councillor Atkinson)**

*Philip Alston, the UN’s special rapporteur, has found that Local government in the UK has been “gutted” by government policies reflecting the “dismantling of the social safety net”. He finds that since the onset of austerity, cuts in to local government funding have transferred service costs to users who are “least able to pay”, and local authorities are “even struggling with the basic services they are statutorily obligated to provide” such that the “overall social safety net is being systematically dismantled” as*

*Local authorities, especially in England, which perform vital roles in providing a real social safety net have been gutted by a series of government policies.*

*The UN official referenced the National Audit Office's finding that local government has incurred a 49% cuts in funding since 2011-2018 ( but 75% cut in revenue funding to fund services in Devon County Council ) community and youth centres have been shrunk and underfunded, public spaces and buildings including parks and recreation centres have been sold off and 14 million people – one fifth of the population – live in poverty, and noted that Institute for Fiscal Studies calculations predict a 7% rise in child poverty between 2015 and 2022. He also says that despite these factors, Alston claimed ministers were in "a state of denial" about UK poverty. Other areas in which social security have been undermined include cuts to legal aid and benefit reductions.*

*This council agrees with the rapporteur's findings and urges the government to introduce fair and adequate funding to local authorities to meet local people's needs in Devon*

### **Briefing Note / Position Statement from the Chief Executive**

The Special Rapporteur is independent and appointed by the UN Human Rights Council. The Special Rapporteur reports to the Council and General Assembly and informs governments of his opinion of the extent to which the human rights of people living in extreme poverty are upheld.

The UN's definition of extreme poverty is informed by its Development Programme's [Multidimensional Poverty Index](#), which measures multiple deprivations including inadequate income, health, schooling and living conditions. The investigation was therefore wide ranging, covering among other things the impacts of austerity, universal credit, new technologies in the welfare system, and Brexit. The Rapporteur took evidence from many sources and spoke directly to UK citizens living in poverty, civil society organisations, officials, community organizations, a Jobcentre, a food bank, ministers in devolved and central government, and politicians from all of the major political parties.

A key aspect of the [report](#) is the wide ranging impact of cuts in Local Government funding, estimated by the National Audit Office at 49% from 2011-2018. For Devon County Council, core funding has been cut by 81% since 2010. Reductions of £251 million in revenue spending have been made and the capital programme has reduced from £770 million to £425 million. The non-school workforce has been cut by 42% from 6,608 to 3,844. Budgetary pressures mean that a total overspend of £8.5m is forecast for 2018/19, and a range of council-wide cost-saving measures have been introduced to contain this.

Pressures on finances are expected to intensify. The Provisional Local Government Settlement for 2019/20 was announced on 13th December and the core funding Provisional settlement of £101.5 millions is as expected. As the authority was a 100% Business Rates Pilot in 2018/19 a direct comparison of our core funding is more difficult but on a like for like basis the 2019/20 Provisional Settlement represents a reduction, in cash terms, of £13.5 millions or 11.7%.

Devon County Council has been pressing the government for change for many years, arguing for a system of funding that is fair and sustainable for all Councils, with a clear, evidence-based assessment of relative need.

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This has been pursued through a number of avenues and in connection with a number of other organisations and professional bodies. Examples include responding to the MHCLG Fair funding review consultation, arguing for specific areas of funding reform including social care and infrastructure, and highlighting the impact of inadequate funding on issues such as social mobility.

The Council supports, as a member, the work of the Local Government Association, County Councils Network and Rural Services Network for fair and adequate funding for local public services.

A key channel of influence is the lobbying group f40 which regularly meets with Government Ministers, MPs and civil servants to press for fairer school funding, chaired by Councillor McInnes, Deputy Leader and Cabinet Member for Children's Services (including school).

The Council lobbies Government directly and through regular briefings to Devon MPs. Most recently, Councillor Hart has provided Government with a summary of DCC's budget position and put forward to MPs five essential steps to safeguard Devon's public services:

1. Remove the cap on Council Tax
2. Increase funding or precept for Children's Services
3. Provide certainty and stability of future funding
4. Fund the true cost of High Needs Education
5. Ensure we have enough nurses and carers.

Business rates retention is another important consideration. In the summer the Government invited Local Authorities to apply to become 75% Business Rate Pilots. It had been hoped that the 2018/19 100% Pilots would continue into 2019/20 but this was not the case. Following the success of the Devon Pilot this year, the Devon authorities submitted a bid to join the new pilot scheme in 2019/20. As part of the Provisional Settlement the Government has announced which applications have been successful and will therefore become 75% Pilots. Devon has unfortunately not been selected as one of the pilot areas; this is very disappointing but not entirely unexpected.

## **(f) Fair Funding Formula for Police Forces (Councillor Atkinson)**

*The government has been more interested in terrorism and high-end threats but less focused on local crimes and policing.*

*Steep budget reductions and a widening mission for the police has forced Devon and Cornwall Police to make the difficult decision to cut budgets for local policing. Austerity cuts in other public services have also impacted on the police who are often the service of last resort for people with mental health conditions.*

*The National Audit Office report castigated the government's handling of the police. The NAO assesses the government did not fully understand the actual impact of these cuts on police forces such that policing is at the tipping point.*

*This council calls on the government and local MPs to ensure that the anticipated review of police funding agrees a fair funding formula for police forces that ensures an increase in funding for Devon and Cornwall Police which does not pass funding increases on through council tax beyond the current permitted up to 2% annual increase in the police precept.*

## **Briefing Note / Position Statement from the Chief Executive**

Police forces receive funding annually: from central government; from local government, predominantly through council tax contributions which include an amount set aside for policing (the 'police precept'); and in the form of income from activities such as policing at major sporting events. The police funding formula divides up how much money each police force receives from the central government funding. The formula takes into account a number of factors to assess demand in each area.

Central Government funding to police forces has reduced by 30% in real terms since 2010–11<sup>1</sup>. Overall budget cuts have varied between forces due to additional revenue from council tax, with some forces relying more heavily on central government funding than others. Between 2010 and 2015, the average funding reduction across all forces in England and Wales was 18%<sup>2</sup>

The Devon & Cornwall Police and Crime Commissioner (PCC) gave evidence in October 2018<sup>3</sup> to the Public Accounts Committee (PAC) inquiry into the financial sustainability of police forces in England and Wales. The PCC told the members of the PAC that, "If you were to divvy the budget up per head of population, our force gets 46p per person, Durham gets 51p per person and Merseyside gets 64p per person. In terms of how the cake—the totality of the budget—is shared and distributed, if I had Durham's 51p per person, I would have an extra £31 million for policing in Devon and Cornwall. In a budget of £300 million, that goes a long way. If I was Merseyside, I would have £112 million more. This is about the way the money is distributed. Although they may have higher crime than Devon and Cornwall, we know that about 80% of the work that policing does is about safeguarding and non-crime-related matters. In Devon and Cornwall, which is a very isolated area, we have our fair share of mental ill health, suicide and a range of other factors, and that doesn't get taken into account".

The PAC's November 2018 report recommended that the Home Office changes the funding formula so that it takes account of all the demands on police forces, funding from local taxation, forces' efficiency and their financial resilience.

The Minister for Policing, in announcing the Provisional Police Grant Report (England and Wales) 2019/20 on 13 December 2018, said that the Government needs to make decisions about how funding is allocated across police forces and it is committed to reviewing how it is distributed as part of the forthcoming Spending Review.

## **(g) Climate Change (Councillor Hodgson)**

### ***Full Council notes:***

- 1. Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity;*

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<sup>1</sup> National Audit Office, Financial sustainability of police forces in England and Wales 2018 (HC 1501), 11 September 2018

<sup>2</sup> Police funding, House of Commons Library Briefing Paper 7279, 25 February 2016

<sup>3</sup> <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/public-accounts-committee/financial-sustainability-of-police-forces-in-england-and-wales/oral/91547.html>

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- 2. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO<sub>2</sub>eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible<sup>i</sup>;*
- 3. Individuals cannot be expected to make this reduction on their own. Society needs to change its laws, taxation, infrastructure, etc., to make low carbon living easier and the new norm;*
- 4. Carbon emissions result from both production and consumption;*
- 5. Devon County Council has already shown foresight and leadership when it comes to addressing the issue of climate change when back in 2004 we signed up to the Nottingham Declaration on Climate Change and has since recognised this in its strategy for responding to the Climate Change Act 2008 which underpins its strategies, actions plans, public statements and advice to businesses, residents and parish councils;*
- 6. Unfortunately, our current plans and actions are not enough. The world is on track to overshoot the Paris Agreement's 1.5 degrees Celsius limit before 2050;<sup>ii</sup>*
- 7. The IPCC's Special Report on Global Warming of 1.5 degrees Celsius, published last month, describes the enormous harm that a 2 degrees Celsius rise is likely to cause compared to a 1.5 degrees Celsius, and told us that limiting Global Warming to 1.5 degrees Celsius may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities;<sup>iii</sup>*
- 8. Local Authorities around the world are responding by declaring a 'Climate Emergency' and committing resources to address this emergency.<sup>iv</sup>*

## **Full Council believes that:**

- 1. All governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognize this should not wait for their national governments to change their policies. It is important for the residents of Devon and the UK that counties commit to carbon neutrality as quickly as possible;*
- 2. Local Authorities are uniquely placed to lead the world in reducing carbon emissions;<sup>v</sup>*
- 3. The consequences of global temperature rising above 1.5 degrees Celsius are so severe that preventing this from happening must be humanity's number one priority; and,*
- 4. Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).*

## **Full Council calls on the Leader to:**

- 1. Declare a 'Climate Emergency';*
- 2. Pledge to make the county of Devon carbon neutral by 2030, taking into account both production and consumption emissions (scope 1,2,3);<sup>vi</sup>*



3. *Call on Westminster to provide the powers and resources to make the 2030 target possible;*
4. *Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5 degrees Celsius;*
5. *Continue to work with partners across the county and region to deliver this new goal through all relevant strategies and plans;*
6. *Report to Full Council within six months with the actions the Council will take to address this emergency.*

## **Briefing Note / Position Statement from the Head of Planning Transportation and Environment**

The 15th Special Report from the Intergovernmental Panel on Climate Change (IPCC) highlights the projected global effects of a 1.5°C warmer world, for example: 20-30% of all species will be at risk of extinction; 90% of tropical coral reefs will be lost; cereal yields will reduce; and droughts become more common. For the UK, average, annual precipitation is projected to increase by 10%.

The Special Report also identifies the global benefits of limiting warming to 1.5°C instead of 2°C: 50% fewer species will be at risk of major contraction in their geographic range; 10.4 million fewer people will be displaced due to sea level rise; 420 million fewer people will be exposed to extreme heatwaves; the chance of sea-ice-free Arctic summers will reduce to 1 in 100, instead of 1 in 10; and a shift in the geographic range of malaria only occurs above 1.5°C. The increase in average, annual rainfall over the UK is halved.

Global energy demand continues to rise, and the increase in 2017 was predominantly met by new gas installations, followed by investment in renewables mainly in China and the USA. Due to the continued reliance on fossil fuels, global greenhouse gas (GHG) emissions also rose in 2017, following a plateau between 2013 and 2016.

The IPCC recommend reducing global GHG emissions by 45% by 2030 in comparison to 2010 levels, reaching net-zero by 2050. The required scale of change to energy, industrial and infrastructure systems that need to take place to achieve this have no historic precedent.

The UK Committee on Climate Change, the independent advisory body that monitors the implementation of the Climate Change Act, has been asked by government to recommend a revised target for the UK. This is expected in March 2019.

DCC's GHG emissions have reduced by 36% since 2012/13. DCC's Corporate Energy Policy targets are under review by the Environmental Performance Board to set more stretching, but realistic, goals. DCC also reviewed its Climate Change Strategy in 2018, which commits the authority to support the UK to meet its carbon targets by prioritising GHG reduction from its own activities, areas of influence and by encouraging others to do the same.

Our collective GHG emissions across Devon have reduced by 27% since 2005. Achieving further significant cuts will require collective action - DCC cannot mandate or achieve this by itself. Becoming carbon neutral by 2030, just 12 years' time, does not

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appear to be feasible; a recent analysis shows that this would require the implementation of all current national policy measures in full and the development of substantial new policy at all levels of government where there are currently gaps. A 45% reduction by the same date, as recommended by the IPCC, should be the absolute backstop.

Collaborative discussions are already occurring within Devon to encourage more activity at strategic, community and individual levels. DCC could use its position to facilitate these further.

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

JAN SHADBOLT

[Electoral Divisions: All]

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

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

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

Nil

<sup>i</sup> Fossil CO<sub>2</sub> & GHG emissions of all world countries, 2017

<http://edgar.jrc.ec.europa.eu/overview.php?v=CO2andGHG1970-2016&dst=GHGpc>

<sup>ii</sup> World Resources Institute: <https://www.wri.org/blog/2018/10/8-things-you-need-know-about-ipcc-15-c-report>

<sup>iii</sup> The Intergovernmental Panel on Climate Change (IPCC)'s Special Report on Global Warming of 1.5 degrees Celsius: <https://www.ipcc.ch/report/sr15/>

<sup>iv</sup> For example Bristol and Manchester City Councils:

<https://www.businessgreen.com/bg/news/3066475/bristol-and-manchester-unveil-fresh-plans-to-tackle-climate-emergency>

Also US cities, Berkley: <https://www.theclimatemobilization.org/blog/2018/4/25/hoboken-resolves-to-mobilize> And the C40 cities: <https://www.c40.org/other/deadline>

<sup>v</sup> ICLEI – Local Governments for Sustainability, provides many examples of good practice, models and toolkits for Climate Change Adaptation and Urban Resilience: <http://iclei-europe.org/topics/climate-change-adaptation-urban-resilience/>

<sup>vi</sup> Scope 1,2 and 3 of the Greenhouse Gas protocol explained:

<https://www.carbontrust.com/resources/faqs/services/scope-3-indirect-carbon-emissions>

## FARMS ESTATE COMMITTEE

3 December 2018

Present:-

County Councillors

Councillors R Edgell (Chair), J Brook, J Berry, A Dewhurst, T Inch, C Whitton and J Yabsley

Co-opted Members:-

Mrs L Warner (Tenants' representative)

\* 66

### **Minutes**

**RESOLVED** that the minutes of the meetings held on 3 September 2018, 19 November 2018 and 20 November 2018 be signed as correct records.

\* 67

### **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 68

### **Revenue Monitoring (Month 7) 2018/19**

The Committee received the Report of the County Treasurer (CT/18/100) on the County Farms Estate Revenue Monitoring (Month 7) 2018/19, noting the target surplus of £414,000 and providing a summary of the annual budget and detailing income and expenditure to date.

The County Treasurer clarified that at paragraph 1.3 of the Report it should read that '*£526,000 of the predicted £1,102,000 income has been invoiced of which £390,000 was collected...*'.

It was highlighted that advertising costs would be higher by year end due to the larger than normal volume of farms being advertised to let, however, such costs would be partly mitigated by the use of social media.

\* 69

### **Capital Monitoring (Month 7) 2018/19**

The Committee received the Report of the County Treasurer (CT/18/101) on the County Farms Estate Month 7 Capital Monitoring Statement for 2018/19, noting that the approved capital programme for 2018/19 included schemes totalling £600,000 and with scheme slippage of £1,068,360 and the unallocated savings of £236,595 resulted in a capital programme for 2018/19 of £1,904,955.

It was noted that save for £484,876 of Nitrate Vulnerable Zone budget slippage the budget was forecast to be spent by year end.

\* 70

### **Management and Restructuring Issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/18/12) on County Farms Estate Management and Restructuring issues.

The Report at paragraph 1.0 referred in the heading to Part East Week Farm II, South Tawton whereas it should have referred to Part East Week Farm I, South Tawton.

The Committee requested that details be included in the County Farms Estate Annual Report 2018/19 of the letting of land to Airband Community Internet Ltd at less than market value (the

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FARMS ESTATE COMMITTEE

3/12/18

Council was a stakeholder in the Connecting Devon and Somerset Broadband Programme) as referred to in (d) and (e) below.

The Committee wished to put on record that, in making the resolutions at (f) and (g) below, the Estate was providing valuable land enabling a vital educational infrastructure improvement, without the need for site purchase, and delivering substantial capital receipts. At the same time however, the overall size of the Estate was being further reduced and Members felt that some of the capital receipts generated should be reinvested in replacement land or farms to ensure the long-term viability of the Estate.

(a) **Part East Week Farm I, South Tawton**

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

**RESOLVED** that the 11.83 acres or thereabouts of land at part East Week Farm II, South Tawton and more particularly known as OS 8375, 8300 and 9300 be advertised to let in internal competition between the tenants of Lower East Week Farm, South Tawton; Smithscross Farm, Drewsteignton; Higher Fingle Farm, Drewsteignton; and East Fingle Farm, Drewsteignton on a three-year Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2023, subject to terms being agreed.

(b) **Part Greenhills Farm, West Anstey**

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

**RESOLVED** that the current tenant be offered a further short-term Farm Business Tenancy Agreement of the 19.87 acres or thereabouts of land forming part Greenhills Farm, West Anstey and more particularly described as OS 2327, 3226, 4623 and 3009 for a term commencing 25 March 2020 and expiring 25 March 2023, subject to terms being agreed.

(c) **Southacott Farm, Mariansleigh**

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

**RESOLVED**

- (i) that vacant possession of Southacott Farm, Mariansleigh be secured on 25 March 2020; and
- (ii) that the reletting of the farmhouse, buildings and 216.67 acres or thereabouts of land at Southacott Farm, Mariansleigh as an equipped residential progression dairy farm in internal competition between existing tenants of the Estate and on a Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2035, subject to terms being agreed, be endorsed.

(d) **Higher Bradaford Farm, Virginstow**

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Dewhurst,

**RESOLVED**

- (i) that vacant possession of Higher Bradaford Farm, Virginstow be secured on 25 March 2020;
- (ii) that the reletting of the farmhouse, buildings and 137.04 acres or thereabouts of land at Higher Bradaford Farm, Virginstow as an equipped residential starter dairy farm on the open market and on a Farm Business Tenancy commencing 25 March 2020 and expiring 25 March 2027, subject to terms being agreed, be endorsed; and

- (iii) that 4m<sup>2</sup> or thereabouts of land at Higher Bradaford Farm, Virginstow (part NG 5757) be let on a Digital Economy Act 2017, Electronic Communications Code Lease to Airband Community Internet Ltd for a term of 10 years, subject to terms being agreed.

(e) **Land at Furze Cottages Farm, Ashreigney**

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

**RESOLVED** that 4m<sup>2</sup> or thereabouts of land at Furze Cottages Farm, Ashreigney (part NG 6418) be let on a Digital Economy Act 2017, Electronic Communications Code Lease to Airband Community Internet Ltd for a term of 10 years, subject to terms being agreed.

(f) **Thorne Farm, Ottery St Mary**

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

**RESOLVED** that Thorne Farm, Ottery St Mary be declared permanently surplus to the operational requirements of the Estate and:

- (i) that part of the site be transferred to the Dioceses of Exeter for the provision of a new primary school to replace the one at Tipton St John and afford additional capacity for the expanding town of Ottery St Mary, subject to planning and terms being agreed; and
- (ii) that part of the site be sold on the open market for residential development to raise essential capital required to finance the construction of the new primary school referred to in (i) above, subject to planning and terms being agreed.

(g) **Land at Aldens Farm, Alphington**

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

**RESOLVED** that the 25.91 acres or thereabouts of land at Aldens Farm, Alphington be declared permanently surplus to the operational requirements of the Estate and sold.

(h) **Part Middle Winsham Farm, Braunton**

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

**RESOLVED** that following the open market letting campaign for the 123.79 acres or thereabouts of land at Middle Winsham Farm, Braunton, the land be let to Mr AS on a fixed term Farm Business Tenancy Agreement commencing 25 June 2018 and terminating 25 March 2021, subject to the terms and conditions agreed.

\* **71** **The Agriculture Bill and Policy Statement**

The Committee noted the Report of the Head of Digital Transformation and Business Support (BSS/18/13) on the Agriculture Bill and Policy Statement, which clearly recognised and valued the importance of encouraging and supporting new entrants into the farming sector.

Members welcomed the help proposed by DEFRA in the Policy Statement for Local Authorities who wanted to invest in their Council Farms.

\* **72** **DEFRA Clean Air Strategy 2018**

The Committee noted the Report of the Head of Digital Transformation and Business Support (BSS/18/11) on the DEFRA Clean Air Strategy 2018.

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FARMS ESTATE COMMITTEE

3/12/18

The draft Clean Air Strategy outlined ambitions relating to reducing air pollution, making air healthier to breathe, protecting nature and boosting the economy, and set out a clear direction for future air quality policies and goals.

DEFRA consulted on the policy earlier this year and feedback therefrom would help inform the final UK Clean Air Strategy and detailed National Air Pollution Control Programme to be published by March 2019.

Members requested that the land agents ensure tenants are signposted to the specific guidance, advice, training and funding referred to in paragraphs 2.6 and 2.7 of the Report.

\* **73**      **Exclusion of the Press and Public**

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

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

\* **74**      **Capital Monitoring and Management and Restructuring**

*(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded.)*

The Committee discussed and received updates from Officers on Procurement of Contracts; Capital Programme Scheme slippage; and end of tenancy matters relating to two of the farms considered under Minute \*70 above.

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

The Meeting started at 2.15 pm and finished at 4.02 pm

1. The Minutes of this Committee are published on the County Council's Website.  
2. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.  
3. Members of the Council have been granted a dispensation to allow them to speak and vote in any debate as a consequence of being a representative of the County Council on any County Council wholly owned, controlled or joint local authority company or Joint Venture Partnership unless the matter under consideration relates to any personal remuneration or involvement therein.

| <b>SCHEDULE OF CABINET MEMBER DECISIONS TAKEN SINCE PREVIOUS MEETING</b> |                                                                                                                                                            |                       |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Cabinet Remit/Officer</b>                                             | <b>Matter for Decision</b>                                                                                                                                 | <b>Effective Date</b> |
| Policy, Corporate & Asset Management                                     | Approval to declare Fairbanks, Exeter surplus to the requirements of DCC.                                                                                  | 19 December 2018      |
|                                                                          | Approval of the advertising, if no objections, to the implementation of a traffic order to make changes to Devon's off-street parking places traffic order | 21 December 2018      |
| Resources Management                                                     | FIN 555 – Approval to variations in the approved capital programme 2018/19 and other property matters.                                                     | 2 January 2019        |
| Economy & Skills                                                         | Approval of the Council's Regulation of Investigatory Powers Act 2000 (RIPA) Annual Review 2017-18 and the recommendations therein                         | 21 December 2018      |

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/>





# DEVON COUNTY COUNCIL

## COUNCIL/CABINET FORWARD PLAN

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

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

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

An up to date version of the Plan will available for inspection at the Democratic Services & Scrutiny Secretariat in the Office of the County Solicitor at County Hall, Topsham Road, Exeter (Telephone: 01392 382264) between the hours of 9.30am and 4.30am on Mondays to Thursdays and 9.30am and 3.30pm on Fridays, free of charge, or on the County Council's web site, 'Information Devon', (<http://www.devon.gov.uk/dcc/committee/>) at any time.

Copies of Agenda and Reports of the Cabinet or other Committees of the County Council referred to in this Plan area also on the Council's Website at (<http://www.devon.gov.uk/dcc/committee/ningifs.html>)

## FORWARD PLAN

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

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

### PART A - KEY DECISIONS

(To Be made by the Cabinet)

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| Date of Decision | Matter for Decision                                                                                                                                                                                         | Consultees                            | Means of Consultation**                          | Documents to be considered in making decision                                                                                                                                                                    | County Council Electoral Division(s) affected by matter |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                  | <i>Regular / Annual Matters for Consideration</i>                                                                                                                                                           |                                       |                                                  |                                                                                                                                                                                                                  |                                                         |
| February 2019    | Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year                                                                                         | Schools, GBs and Phase Associations   | Formal consultation and Devon Education Forum    | Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                             | All Divisions                                           |
| 13 March 2019    | Flood Risk Management Action Plan – Update on the current year’s programme and approval of schemes and proposed investment in 2019/20                                                                       | All other Risk Management Authorities | Liaison through Devon Operational Drainage Group | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | All Divisions                                           |
| 10 April 2019    | County Road Highway Maintenance Capital Budget<br>Update on current years programmes and approval of schemes and proposed programmes for forthcoming financial year                                         | N/A                                   | N/A                                              | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |
| 10 April 2019    | County Road Highway Maintenance Revenue Budget and On Street Parking Account<br>Allocation of highway maintenance funding allocated by the Council in the budget for the current/forthcoming financial year | N/A                                   | N/A                                              | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |

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|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 11 December 2019                          | Target Budget: Target Budget: Impact of the Provisional Local Government Settlement for forthcoming year on the preparation of that year's budget and affirmation/re-affirmation of service expenditure targets | N/A                                                                                                             | N/A                                                                                                                                                                                                                                                                   | Report of the outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                  | All Divisions |
| <i>Specific Matters for Consideration</i> |                                                                                                                                                                                                                 |                                                                                                                 |                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                  |               |
| 9 January 2019                            | Budget Monitoring: Month 8 Approval to Month 2 Report and actions arising                                                                                                                                       | n/a                                                                                                             | n/a                                                                                                                                                                                                                                                                   | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |
| 9 January 2019                            | Street Lighting Policy and Contract                                                                                                                                                                             | TBA                                                                                                             | TBA                                                                                                                                                                                                                                                                   | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 9 January 2019                            | E4 (Section 8) Cycle and Pedestrian Bridge across Summer Lane, Exeter                                                                                                                                           | Public consultation, Statutory consultees, Network Rail, Exeter City Council, Willowbrook School, Sport England | Public consultation via the Council's Have Your Say website, delivered 500+ postcards to nearby residents, distributed letters to local businesses, held meetings with a number of community groups including Living Options and Guide Dogs for the Blind Association | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | All in Exeter |

|                  |                                                                                                      |                                                                      |                                                                                                                                                                                                                         |                                                                                                                                                                                                  |                                                               |
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| 15 February 2019 | Children and Young People Plan Approval to Children & Young People's Plan for 2018 onwards           |                                                                      |                                                                                                                                                                                                                         | Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.             | All Divisions                                                 |
| 15 February 2019 | Edge of Care                                                                                         |                                                                      |                                                                                                                                                                                                                         | Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.             | All Divisions                                                 |
| 15 February 2019 | Moor Lane Roundabout, Exeter: Junction Improvement Scheme – Scheme and Estimate Approval             | Neighbouring businesses and forums for the Sowton/Business Park area | Letters to neighbouring Business and Sowton/Exeter Business Park Forums<br>Online information on DCC 'Have your say' page<br>Meetings with Local Business Forum (Sowton Forum and/or Exeter Business Park Travel Forum) | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All in Exeter; Heavitree & Whipton Barton; Wonford & St Loyes |
| 15 February 2019 | Newton Abbot Exeter Road Improvements seeking approval to commence land acquisition and go to tender | Public                                                               | Public consultation 5 October to 2 November 2018, leaflet distribution, website, have your say.                                                                                                                         | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | Newton Abbot North                                            |
| 15 February 2019 | Adult Services Market Sufficiency Position                                                           |                                                                      |                                                                                                                                                                                                                         | Report of the Head of Adult Commissioning and Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.           | All Divisions                                                 |

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|------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 15<br>February<br>2019 | Accommodation Strategy                                                                 |                                                                |                                                                                                                                               | Report of the Head of Adult Commissioning and Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.           | All Divisions |
| 13<br>March<br>2019    | Budget Monitoring: Month 10<br>Approval of Month 4 Report and actions arising          | n/a                                                            | n/a                                                                                                                                           | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                 | All Divisions |
| 10<br>April<br>2019    | Park and Change facility, nr Exeter Science Park:<br>Scheme and cost estimate approval | Public consultation including statutory consultees; landowners | Consultation via Reserved Matters planning application, which was submitted to and approved by East Devon District Council on 16 October 2018 | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | Broadclyst    |

| <b>PART B -FRAMEWORK DECISIONS</b><br>(Requiring approval of the County Council) |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                |                                                                                         |                                                                                                                                                                  |                                                                |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>Date of Decision</b>                                                          | <b>Matter for Decision</b>                                                                                                                                                                                                                                                                                                                                                                    | <b>Consultees</b>                                                              | <b>Means of Consultation**</b>                                                          | <b>Documents to be considered in making decision</b>                                                                                                             | <b>County Council Electoral Division(s) affected by matter</b> |
| 12 December 2018<br><br>21 February 2019                                         | Heart of the South West - Local Industrial Strategy<br>To approve the LEP Local Industrial Strategy                                                                                                                                                                                                                                                                                           | TBS                                                                            | TBC                                                                                     | Report of the Chief Executive outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.  | All Divisions                                                  |
| 15 January 2019<br><br>22 February 2019                                          | Pay Policy Statement<br>Recommendation to County Council in February of each year to approve, in accordance with the provisions of the Localism Act 2011 of the Councils Annual Pay Policy Statement setting out its policy for each financial year relating to remuneration of Chief Officers and other employees and the relationship between the pay of chief officers and other employees | Appointments & Remuneration Committee                                          | Public Meeting                                                                          | Report of the County Solicitor outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                                  |
| 15 February 2019<br><br>21 February 2019                                         | Revenue Budget, Medium Term Financial Strategy & Capital Programme for next subsequent financial year and beyond<br>Including Treasury Management and Capital Strategies for the next subsequent financial year and beyond.                                                                                                                                                                   | Public, Stakeholders, Trades Unions, Business and Voluntary Sectors and public | Statutory consultations, meetings, fora and public meetings, correspondence and website | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                                  |

## PART C - OTHER MATTERS

(i.e. Neither Key Nor Framework Decisions)

| Date of Decision                                                               | Matter for Decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Consultees                                                                                                       | Means of Consultation** | Documents to be considered in making decision                                                                                                                                                                         | County Council Electoral Division(s) affected by matter |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                                                                                | <i>Regular / Annual Matters for Consideration</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                  |                         |                                                                                                                                                                                                                       |                                                         |
| Between 9 January 2019 and 31 December 2020                                    | Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | As necessary                                                                                                     |                         | Report of the TBC outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                   | All Divisions                                           |
| Between 9 January 2019 and 1 May 2021<br>Between 9 January 2019 and 1 May 2021 | Standing items on the future management, occupation, use and improvement of individual holdings and the estate, monitoring the delivery of the Budget & the Estate Useable Capital Receipts Reserve in line with the approved policy and budget framework<br><i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i> | To be considered at the Farms Estates Committee, including any advice of the Council's Agents NPS South West Ltd |                         | Report of the County Treasurer, Head of Digital Transformation and Business Support outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |
| 15 May 2019                                                                    | Approval to Revenue & Capital Outturn, for the preceding financial year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | N/A                                                                                                              | N/A                     | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                      | All Divisions                                           |
| 15 May 2019                                                                    | Public Health Annual Report<br>Cabinet to receive the Public Health Annual Report of the Director of Public Health                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                  |                         | Report of the Director of Public Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                             | All Divisions                                           |

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| 10 July 2019                              | Treasury Management Stewardship Outturn Report                                                                                                                                                                                                            | Corporate Infrastructure and Regulatory Services Scrutiny Committee | n/a | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.               | All Divisions |
| 9 October 2019                            | Annual Childcare Sufficiency Report: Endorsement of Annual report<br>Outlining how the Council is meeting its statutory duty to secure sufficient early years and childcare places and identifying challenges and actions for the coming year in relation | TBC                                                                 | TBC | Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 11 December 2019                          | Treasury Management Stewardship - Mid Year Position                                                                                                                                                                                                       | Corporate Infrastructure and Regulatory Services Scrutiny Committee | N/A | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.               | All Divisions |
| 11 December 2019                          | Devon Safeguarding Adults Board Annual Report 2018/19<br>To receive the Annual Report of the Devon Safeguarding Adults Board                                                                                                                              | N/A                                                                 | N/A | Report of the Chair of the Board outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.             | All Divisions |
| <i>Specific Matters for Consideration</i> |                                                                                                                                                                                                                                                           |                                                                     |     |                                                                                                                                                                                |               |

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