

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 : 5 March 2019
Please ask for : Karen Strahan, 01392 382264

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

CABINET

Wednesday, 13th March, 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

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 15 February 2019 (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 Budget Monitoring: Month 10 (Pages 1 - 4)

Report of the County Treasurer ([CT/19/35](#)) on the budget monitoring position at Month 10, attached.

Electoral Divisions(s): All Divisions

8 Flood Risk Management Action Plan – Update on the current year's programme and approval of schemes and proposed investment in 2019/20 (Pages 5 - 14)

Report of the Head of Planning Transportation and Environment ([PTE/19/11](#)) on the Flood Risk Management Action Plan containing an update on the current year's programme and approval of schemes and proposed investment in 2019/20, attached.

Electoral Divisions(s): All Divisions

9 Cullompton Town Centre Relief Road: Approval to preferred route and development/submission of planning application (Pages 15 - 32)

Report of the Head of Planning Transportation and Environment ([PTE/19/12](#)) on the approval to preferred route and development/submission of planning application in relation to Cullompton Eastern Relief Road, attached.

An Impact Assessment is also attached for the attention of Members at this meeting.

Electoral Divisions(s): Cullompton & Bradninch

10 Proposed Long Lane widening and new link road on Silverdown Office Park, near Exeter Airport, Broadclyst (Pages 33 - 52)

Report of the Head of Planning Transportation and Environment ([PTE/19/13](#)) on the Proposed Long Lane widening and new link road on Silverdown Office Park (near Exeter Airport, Broadclyst), attached.

An Impact Assessment is attached for the attention of Members at this meeting.

Electoral Divisions(s): Broadclyst

11 Teign Estuary Trail - strategy update and approval to progress a planning application for the route (Pages 53 - 60)

Report of the Head of Planning Transportation and Environment ([PTE/19/14](#)) on the Teign Estuary Trail Strategy update and approval to progress a planning application for the route, attached.

Electoral Divisions(s): Dawlish; Kingsteignton & Teign Estuary; Teignmouth

12 Transport and Engineering Professional Services Contract: Approval of model for civil engineering design services and to proceed to tender (Pages 61 - 114)

Report of the Chief Officer for Highways, Infrastructure Development and Waste ([HIW/19/24](#)) on the Transport and Engineering Professional Services Contract, asking for approval of the model for civil engineering design services and to proceed to tender, attached.

Electoral Divisions(s): All Divisions

MATTERS REFERRED

13 Notice(s) of Motion (Pages 115 - 120)

The following Notices of Motion submitted to the County Council by Councillor's Connett and Way have been referred to the Cabinet 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) Public Health (Councillor Connett)
- (b) Boniface Patron Saint of Devon (Councillor Way)

STANDING ITEMS

14 Question(s) from Members of the Public

15 Minutes

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

- a Standing Advisory Council for Religious Education - 5 February 2019 (Pages 121 - 124)
- b Farms Estate Committee (Interviewing) - 8 February 2019 (Pages 125 - 126)
- c Farms Estate Committee - 25 February 2019 (Pages 127 - 130)

[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](#)

16 Delegated Action/Urgent Matters (Pages 131 - 132)

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.

17 Forward Plan (Pages 133 - 142)

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
<p>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/</p> <p>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.</p> <p>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.</p>
Questions to the Cabinet / Public Participation
<p>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.</p> <p>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</p>
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
<p>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.</p>
 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

Walking and Cycling Facilities

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).

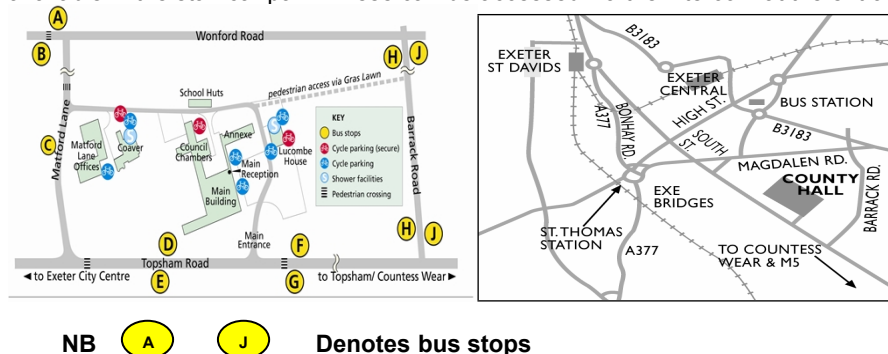
Car Sharing

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.



Fire/Emergency Instructions

In the event of a fire or other emergency please note the following instructions. If you discover a fire, immediately inform the nearest member of staff and/or operate the nearest fire alarm. On hearing a fire alarm leave the building by the nearest available exit. The County Hall Stewardesses will help direct you. Do not stop to collect personal belongings and do not use the lifts. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair, as shown on the site map above. Please remain at the assembly point until you receive further instructions. Do not re-enter the building without being told to do so.

First Aid

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

BUDGET MONITORING 2018/19 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.

Recommendation:

- a) That the month 10 budget monitoring forecast position is noted**

1. Introduction

- 1.1. This report outlines the financial position and forecast for the Authority at month 10 (to the end of January) of the financial year.
- 1.2. At month 10 a breakeven position is forecast for the year end which is a reduction of £4.8 millions from month 8. This position continues to assume that a request to carry forward £2.4 millions to next years Dedicated Schools Grant (DSG) will be agreed by the Devon Education Forum. It also reflects the impact of the corporate savings initiatives, the confirmation of additional funding to support high needs pressures and reflects a refund received from the national Business Rates Retention Scheme Levy Account.

2. Revenue Expenditure Adult Care and Health Services

- 2.1. Adult Care and Health services are forecast to underspend by £636,000, at month 8 the service was forecasting an underspend of £385,000. This position includes £7,000 of management actions yet to be delivered but which are still considered achievable.
- 2.2. Adult Care Operations is forecasting to underspend by £907,000 an increase of £155,000 from the underspend reported at month 8.
- 2.3. Adult Commissioning and Health is forecast to overspend by £271,000 a reduction of £96,000 from month 8, the result of holding vacancies and some new external funding being received. Placements within Mental Health are continuing to increase, and client numbers are now 60 more than the budgeted level of 800.
- 2.4. The work associated with the additional allocation of £3.6 millions to support winter pressures is well underway. The position reported continues to assume this funding will be fully spent within the current financial year.

3. Revenue Expenditure Children's Services

- 3.1. Children's Services are showing a forecast overspend of £12 millions, an increase of £900,000 from month 8.

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- 3.2. Children's Social Care is forecast to overspend by £7.6 millions, an increase of £266,000 from month 8. Pressures continue within residential placements and the disabled children short breaks service and from legal disbursements. The forecast position reflects £136,000 of management actions still to be delivered but which are still considered achievable.
- 3.3. The total overspending on children's placements is forecast to be £5.0 millions, an increase of £522,000 from month 8.
- 3.4. Disabled Children's Services are forecast to overspend by £1.7 millions with a reduction of £26,000 since month 8. A significant proportion of this forecast is associated with one exceptionally high cost placement.
- 3.5. The Atkinson Secure Children's Home is forecasting an overspend of £420,000 with no change from month 8. Difficulties recruiting and retaining appropriately experienced staff continue to have a direct impact on occupancy levels and therefore income. A recruitment plan has been implemented to address staffing issues and has resulted in new staff commencing employment in January and February 2019. Associated increases in occupancy levels are expected later this financial year.
- 3.6. All other costs which include Staffing, Quality Assurance Reviewing and Safeguarding Service and strategic management budgets are forecasting an overspend of £520,000 a reduction of £188,000 from month 8. The forecast continues to reflect an increase in anticipated agency staff costs and additional Northern and Southern team resources associated with the service improvement plan.
- 3.7. The non-Dedicated Schools Grant (DSG) element of Education and Learning is forecasting an overspend of £621,000 an increase of £8,000 from month 8. Pressures within school transport continue due to rising costs associated with contract changes and additional Special Education Needs (SEN) personalised transport.
- 3.8. The DSG is currently forecast to overspend by £3.7 millions, an increase of £583,000 from month 8. This position continues to assume that £2.4 millions will be carried forward to be dealt with in the 2019/20 academic year and reflects the £1.5 millions additional high needs funding announced by the Secretary of State in December 2018.
- 3.9. The month 10 forecast position for the High Needs Block of the DSG, including the carry forward request (£2.4 millions) and additional grant funding (£1.5 millions), is an overspend of £4.2 millions. This is the result of additional costs within further education college placements and therapies. Placement numbers for independent special schools remain the driver for most of the forecast pressure within the high needs block.
- 3.10. Other DSG budgets that includes Early Years and childcare, are showing an underspend of £493,000.

4. Revenue Expenditure Highways, Infrastructure Development and Waste

- 4.1. Highways, Infrastructure Development and Waste is forecasting an underspend of £3.0 millions at month 10, £600,000 increase from month 8.
- 4.2. As part of the corporate savings initiatives adopted in November a review of the capital programme took place to determine if increased capital works could enable

revenue savings. This review has resulted in a forecast underspend of £2 millions within highways.

4.3. Highways service managers remain confident that all planned maintenance programmes will be delivered during the financial year and that pressures associated with safety defects caused by adverse weather conditions at the end of last year are currently manageable.

4.4. Waste management is forecasting a £1.0 million underspend, an increase of £600,000 from month 8. The main driver for the change in forecast is lower than anticipated disposal tonnages. Higher than budget domestic, green and food waste tonnages are more than offset by below budget in-vessel composting tonnages. There have also been lower volumes going to the Plymouth Energy from waste plant which continue to contribute to the underspend.

5. Revenue Expenditure Other Services

5.1. Communities, Public Health, Environment and Prosperity (COPHEP) are showing a forecast underspend of £1.2 millions compared to £762,000 at month 8. The review of the capital programme to determine if capital works could enable savings has resulted in a forecast saving of £255,000. The recognition of underspends associated with vacancies and reduction in the forecast spend within transportation, particularly associated with journey numbers for the National Travel Scheme being lower than expected, contribute to the remaining change.

5.2. Corporate Services are forecasting an underspend of £156,000 compared to a breakeven position at month 8. Pressures within county solicitors and HR are being offset by forecast underspends within Digital transformation and business support.

5.3. Non- service items are forecast to underspend by £7.1 millions, whereas at month 8 the forecast was £2.8 millions. This change is due to further additional investment income from higher interest rates an increase in capitalisation and the release of some non-ringfenced grants. Confirmation has also been received of a refund from the national Business Rates Retention Scheme Levy Account of £1.5 millions, this funding was anticipated to arrive in 2019/20 but in late January it became known that the funding would be received in this financial year.

6. Capital Expenditure

6.1. The approved capital programme for the Council is £150.6 millions.

6.2. The year-end forecast is £125.9 millions of which £109.1 millions is externally funded. Slippage has increased by £3.6 millions since month 8 and is now forecast at £24.7 millions.

6.3. Wherever possible slippage has been offset by the accelerated delivery of other approved schemes within the capital programme. The main areas of net slippage can be attributed to scheme variations and programme delays in Adult Care & Health (£2.5 millions) and Planning and Transportation (£13.9 millions) which reflects the complexity of the major schemes within these service areas.

7. Debt Over 3 Months Old

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- 7.1. Corporate debt stood at £4.3 millions, being 2.6% of the annual value of invoices, against the annual target of 1.9%. The balance of debt owed will continue to be pursued with the use of legal action where appropriate to do so. It is anticipated that year-end debt will be below the annual target.

8. Conclusion

- 8.1. It is pleasing that the projection at month 10 is for a breakeven position. The savings initiatives developed by the Councils Leadership Group continue to deliver reductions in revenue expenditure and have contributed to the forecast position as detailed previously. Increases in forecast underspends for waste and the national travel scheme have helped manage growing pressures within Children's Services. The position has also benefited from confirmation of a refund from the national Business Rates Retention Scheme Levy Account as well as being able to release some non-earmarked grants to support a breakeven forecast position at Month 10.
- 8.2. However, like many other Local Authorities across the Country, the Council is continuing to grapple with high levels of demand for Children Services. Residential Placements, although more stable than earlier in the year continue to be difficult to contain within the budget allocated and pressures against the high needs block of the dedicated schools grant are increasing and continue to be cause for concern. The forecast position reflects the remaining £3.7millions pressure within the DSG being supported by the Council but the final treatment of this pressure will need to be considered as part of the wider financial position at year end.

Mary Davis, County Treasurer

Electoral Divisions: All

Cabinet Member: Councillor Stuart Barker

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Mary Davis

Tel No: (01392) 383310 Room: 199

Background Paper Date File Ref: Nil

Date Published: 5/3/19

PTE/19/11

Cabinet
13 March 2019

Flood Risk Management Action Plan 2019/20

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: It is recommended that Cabinet approves the implementation of and associated financial allocations for the County Council's 2019/20 Flood Risk Management Action Plan.

1. Summary and Purpose of Report

The purpose of this report is to present to Cabinet the achievements that have been made in delivering the essential flood improvements set out in the previous Action Plan for 2018/19 and to seek approval for the 2019/20 Action Plan. It highlights how Devon County Council's Flood and Coastal Risk Management Team has collaborated with other Risk Management Authorities (RMAs) and outside organisations to deliver the essential flood improvements and statutory functions, in accordance with the principles set out in the Local Flood Risk Management Strategy for Devon. The report also confirms the scale of achievements and targets met and the level of external funding that has been successfully gained from Defra's Flood Defence Grant in Aid, the 'Local Levy' and other partnership contributions.

2. Update on Achievements for 2018/19

The Flood and Coastal Risk Management Team has continued to work in partnership with other RMAs to investigate areas at risk of flooding and to deliver a number of critical flood improvement schemes to communities that have suffered significant flooding in recent years. Almost £3million has been invested in 2018/19 with over £940k of national flood funding drawn down from Defra, £150k through the Regional Flood & Coastal Committee's Local Levy and £222k from others, including £100k from South West Water and £50k from South Hams District Council. As a result, 150 properties have benefitted from a reduced risk of flooding through completed schemes, including those at Modbury, Uplyme, Bideford and Frogmore. In addition, over 200 further properties are due to benefit from schemes that are currently underway in Exeter, Sidmouth and Ivybridge. A detailed account of all schemes that have received investment during the 2018/19 period can be found on the DCC Flood Risk Management website at the following link: [Achievements in Flood Risk Management in 2018/19](#).

As reported last year, one of the major problems for scheme delivery is the requirement to undertake certain works on land where there will be no benefit from the flood improvements. The resulting disruption to affected landowners and business, the need to use legal powers of entry and the associated costs and compensation payments can make a scheme unviable. These issues have been evident for planned schemes in Stokeinteignhead, Cullompton, Chillington and Ugborough. Whilst alternative approaches and additional funding are being explored in these cases, it has prevented the anticipated scheme delivery within the anticipated 2018/19 period.

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Beyond these main schemes, our Property Level Resilience Grant Scheme has been over-subscribed by property owners requesting resilience measures for their homes. A total of 40 properties have been protected, against a target of up to 25 properties for the year. There has also been ongoing work with the Devon Community Resilience Forum, which was setup in partnership with DCC, the Environment Agency, Fire and Rescue and the Police and hosted by Devon Communities Together. This is now in its third year and has continued to support communities in preparing their emergency plans and providing funding to purchase the relevant equipment to deliver their plans.

In addition to scheme delivery, there is ongoing work on statutory duties with approximately 470 new planning applications to be reviewed each year for their suitable provision of surface water management in line with DCC's Guidance for Sustainable Drainage. As well as these new cases, many applications require ongoing dialogue with the Local Planning Authorities and/or the applicant and their consultants at numerous stages throughout the planning process. To improve the efficiency of this process, a fee-paying pre-application service was introduced in October 2018; this should help encourage the early uptake of appropriate sustainable drainage systems and assist with a more strategic approach being adopted by developers. A sliding scale fee system has been established with an initial free signposting and up to a £500 charge for the largest developments. In the first few months of delivering this additional service we received 21 'pre-app' requests, with 6 requiring a detailed response, bringing in an additional £1,300 of fees.

The Flood Risk and Coastal Risk Management Team also administer the Land Drainage Consent process, through which changes to 'Ordinary Watercourses' are considered; this same process is delivered by the Environment Agency for those watercourses designated as 'Main River'. In 2017/18 a total of 56 applications were received, whereas by the end of January (month 10) in 2018/19 there have been 49 applications received and completed. In addition, there is an ongoing workload resulting from public and landowner enquiries and complaints relating to obstructions to Ordinary Watercourses and other drainage and flood risk issues. Such cases are often time-consuming and, sometimes, highly contentious; on two occasions this year there has been a requirement to issue an enforcement notice.

3. Proposed Action Plan for 2019/20

In accordance with the Local Flood Risk Management Strategy for Devon and current government priorities, the aim is to reduce the risk of flooding to properties across the county. It is also a strategic aim of the authority to make communities more resilient. On this basis, the proposed Flood Risk Management Action Plan for 2019/20, attached in Appendix I, continues the ongoing delivery of flood improvements and resilience measures for some of Devon's high-risk communities and vulnerable householders. The Action Plan highlights the priority communities that will receive the required funding to deliver essential flood improvements. Most of those shown are ongoing projects that have either already commenced or are due to start in 2019. The large investment required for the current delivery programme and the shortage of funding nationally provides little scope for bringing further projects forward at this point.

Increased consideration is being given to the use of Natural Flood Management (NFM) measures to promote flood improvements at a catchment scale. This may provide the option to reduce the scale of a hard engineering scheme or, alternatively, 'future proof' it against the effects of climate change. DCC will continue to work in partnership with other organisations to deliver such NFM measures, including the Northern Devon Biosphere Reserve through its 'Culm Grassland Project', the East Devon Catchment Partnership for the delivery of NFM measures in Ottery St Mary and with the Blackdown Hills Area of Outstanding Natural Beauty (AONB) on their 'Woods 4 Water' and 'Connecting the Culm' projects.

Work to make Devon more resilient to the effects of severe weather will continue through the successful platform of the Devon Community Resilience Forum, established jointly by DCC, the Environment Agency, Fire and Rescue and the Police and hosted by Devon Communities Together.

4. Options/Alternatives

With the ongoing risk of flooding to properties and communities within Devon and the flooding experienced over recent years, there continues to be a high political and public expectation (nationally and locally) to deliver a significant programme of flood improvements. The 'do nothing' or 'do minimum' options are, therefore, considered to be unrealistic and have been discounted. The preferred option is for DCC to continue to operate as a high performing authority and deliver essential flood improvements within its area. In so doing, it will work in partnership with other RMAs and invest in schemes delivered by others when appropriate to do so.

All projects delivered through the Action Plan will be scoped and a series of options will be appraised to ensure the most cost beneficial and viable scheme is promoted and delivered within the available budget. External funding through Defra's Grant in Aid, the Local Levy and contributions from other RMAs will be sought to support the delivery of all flood improvements. To allow for any changes to the programme due to issues outside of our control the formal procedure for gaining financial approvals will be used to adjust the budget allocations.

In some cases what holds up the delivery of interventions is the inability to acquire small parcels of land. In these cases consideration will be given to the use of Compulsory Purchase Powers.

5. Consultations/Representations/Technical Data

As individual flood improvement schemes are developed, there will be the need to consult with all those that will be affected by the works, including landowners, local businesses and service providers, such as bus companies. It is also of great benefit to consult any flood action group, parish/town council, elected members and other RMAs to understand any local requirements or to explore partnership funding opportunities.

The method and level of consultation for each scheme will depend on the scale of flood improvements. Minor works, such as property level resilience measures, affecting only 1 or 2 properties, only require consultation with the property owners; in contrast, larger community projects may require full public exhibitions and presentations to be given at relevant parish/town council meetings.

Technical information will be shared amongst other RMAs to consider opportunities for collaborative partnership working. This can minimise disruption, achieve multiple benefits and provide valuable funding contributions for the much-needed flood improvements. All RMAs regularly meet through the Devon Operational Drainage Group to share information on past, present and future flood improvements.

6. Financial Considerations

The current process for funding the delivery of flood improvements requires local partnership contributions to support the national funding that can be achieved. A combined total of just over £1million from the Planning, Transportation and Environment flood risk management revenue budget and the flood prevention capital budget will be invested to deliver the Action

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Plan for 2019/20. Further funding, likely to be in excess of £1million, will also be generated through Defra Flood Defence Grant in Aid and the Local Levy. Where possible, contributions from other RMAs and local businesses/landowners will also be sought.

As in previous years, the Action Plan shows a level of over programming; however, in 2019/20 it is proposed to increase this to 30% of the available budget. This reflects the need for increased flexibility due to several large projects reaching the construction phase at a similar time. Scheme delivery and contract obligations will need to be carefully managed and prioritised throughout the year to ensure overall expenditure is kept within the available budgets and external funding and contributions from others are maximised. If necessary, some schemes may need to be reprofiled or deferred until a later date within the DCC 5-year capital programme or to the final year of Defra's current 6 year programme ending in March 2021.

7. Legal Considerations

The main duties on and powers available to Lead Local Flood Authorities are defined in the Flood and Water Management Act 2010 and the Land Drainage Act 1991; all flood risk management activities carried out by DCC in this role accord with these Acts. Where necessary, the available enforcement powers are used to ensure watercourses maintain a free flow of water and there are no unlawful activities or structures built within an ordinary watercourse. Any works involved in delivering flood improvements, that require access onto third party land, require a legal notice to be served on the landowner, whereby compensation is payable.

8. Environmental Impact Considerations

In the delivery of its flood risk functions, it is essential that any potential impacts on the environment are appropriately assessed and mitigated. Where practicable, measures for the creation of habitat or other ecological enhancement should be considered. A high-level Strategic Environmental Assessment (SEA) was carried out as part of the Local Flood Management Strategy process; this will be repeated through the forthcoming review of this Strategy. In addition, specific environmental assessments are required for individual flood improvements schemes to a level of detail commensurate to the scale of improvements being promoted.

9. Equality Considerations

In a similar manner, a high-level impact assessment of the Local Flood Risk Management Strategy was undertaken (and will be repeated through the forthcoming review process) to ensure that equality and socio-economic concerns are appropriately considered and dealt with accordingly. All individual schemes will also be subject to an equality impact assessment in accordance with DCC's corporate procedures.

10. Risk Management Considerations

There is a high risk of flooding to many communities in Devon and, over recent years, this has proven to be a reality for many property owners. It is part of DCC's role, as Lead Local Flood Authority to contribute to an analysis of this risk and to address it through the Local Flood Risk Management Strategy for Devon. To mitigate these risks an Annual Action Plan is produced, which is targeted at reducing the risk of surface and ground water flooding to those communities considered to be at greatest risk and with greatest need for intervention. A similar process is undertaken by the Environment Agency for those affected by coastal and river flooding.

The current financial situation is a considerable risk to the delivery of many essential flood improvements. Defra funding and Local Levy is limited and prioritised against government targets, known as outcome measures. The key target being to reduce the risk of flooding to 300,000 properties across the country. Many communities in Devon have low numbers of properties, which proves challenging when competing against more urban areas in the country, especially as some of the larger communities in Devon are being tackled.

In many locations the delivery of flood improvements affects third party landowners or areas of the community that will not actually benefit from the works. This increases the challenges faced with delivering flood improvements and in some cases prevent delivery.

11. Public Health Impact

It is recognised that the effects of flooding are not just materialistic but are very distressing to the property owners, leading to mental health issues. The contaminated floodwaters can also cause illness and deep water has the risk of drowning. The ongoing delivery of essential flood improvements across Devon will reduce the risks to life and enhance the health and wellbeing of those communities and affected residents, making Devon a better place to be.

12. Discussion

DCC is well respected for the delivery of essential flood improvements and is helping to achieve the government's target of reducing the risk of flooding to 300,000 homes across the country. Within the first 4 years of Defra's 6-year £2.6 billion programme, DCC will have reduced the risk to over 390 residential and 66 commercial properties. It is also expected that at least a further 350 properties will benefit in the final 2 years of Defra's programme, with up to 250 of these being achieved through this proposed Action Plan for 2019/20.

One of the biggest challenges for Devon is the very wide spread of properties that would benefit from flood defences across a large number of disparate communities. This affects the level of Defra Flood Defence Grant in Aid (FDGiA) that can be generated and therefore requires a larger degree of local contribution to fund the works, usually from the County Council, but sometimes in collaboration with other RMAs. Over the 6-year period of the Defra programme, it is expected that over £7 million will be invested in partnership schemes delivered by DCC, which will be funded 45% DCC, 40% FDGiA, 10% Local Levy and 5% other RMAs/organisations. This is in addition to the £3million contribution made by DCC for the major Exeter Flood Defence Scheme delivered by the Environment Agency.

13. Conclusion and Reason for Recommendation

The threat of flooding to individual properties and whole communities continues to be a high risk for the people of Devon and, with the effects of climate change and more extreme weather conditions, this risk is only likely to increase. The greatest threat of flooding to properties in Devon is from surface-water runoff, which is the specific responsibility of DCC as the Lead Local Flood Authority. It is, therefore, vital that the authority continues to act appropriately and invests in the ongoing programme of flood investigations and scheme delivery to reduce the number of properties at risk. This can only be achieved by working in partnership and supporting other RMAs to deliver collaborative solutions to complex issues. With this ongoing commitment the communities of Devon will become more resilient, safe and prosperous, in line with the strategic aims of the authority.

Dave Black
Head of Planning, Transportation and Environment

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Electoral Divisions: All

Cabinet Member for Community, Public Health, Transportation and Environmental Services:
Councillor Roger Croad

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

Local Government Act 1972: List of Background Papers

Contact for enquiries: Martin Hutchings

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

Tel No: (01392) 383000

Background Paper	Date	File Reference
1. Government Programme of Flood and Coastal Erosion Risk Management Schemes	Re-published March 2018	https://www.gov.uk/government/publications/programme-of-flood-and-coastal-erosion-risk-management-schemes
2. Devon Local Flood Risk Management Strategy	June 2014	https://new.devon.gov.uk/floodriskmanagement/local-flood-risk-management-strategy/

mh260219cab Flood Risk Management Plan Action Plan 201920
hk 03 280219

Devon County Council Action Plan for 2019/20 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study, Design or Works	2019/20 DCC FRM Contribution £	2018/19 DCC FPW Contribution £	Other External Funding Sources £	Details of Proposal
Devon						
Flood Risk Management Team cost	DCC	-	350,000			Resources required to deliver Flood Risk Management functions as the Lead Local Flood Authority and Statutory Consultee for SuDS.
Minor Works and Improvements	DCC/Others	W	30,000			Delivery of minor flood improvement works, subject to resources and in accordance with the DCC priority list and opportunities with other Risk Management Authorities/Local Communities.
Minor Flood Investigations/Studies	DCC/Others	S	30,000			Delivery of investigations, surveys and studies, subject to resources and in accordance with the DCC priority list and opportunities with other Risk Management Authorities/Local Communities.
Property Flood Resilience	DCC/Others	W	50,000		125,000	Allocation of funds for flood resilience measures through the Property Level Resilience Grant Scheme. Supported with additional £75k Flood Defence Grant in Aid and £50k Local Levy, subject to approval. Including South Pool PFR Scheme.
Community Resilience and support	DCC	S/W	20,000			To support delivery and provision of grants through the Devon Community Resilience Forum and to provide assistance to communities for the delivery and provision of Flood Resilience Measures and monitoring.

Natural Flood Management / Working with Natural Processes	DCC/Others	S/W	50,000			To develop best practice and progress opportunities for delivering natural flood risk management techniques in partnership with other stakeholders, including the Biosphere Reserve Culm Grassland Project and the Blackdown Hills AONB Woods4Water and Connecting the Culm projects.
East Devon						
Sidmouth Surface Water Improvements - Design	DCC	W	40,000	100,000	369,000	Completion of Phase 1 surface water drainage works and the detailed design and construction of phase 2 flood attenuation works.
Clyst St Mary	EA	W	50,000			Contribution towards the major scheme being delivered by the Environment Agency to support the surface water management element of the scheme.
Ottery St Mary NFM	DCC	W	40,000			Delivery of Natural Flood Management measures in partnership with the East Devon Catchment Partnership and to progress hard engineered improvements, as recommended in the flood study.
Colaton Raleigh	DCC	S	20,000			Catchment study and consideration of options including the proposal of upstream natural flood management.
Exeter						
Exeter Surface Water Improvements - Design	DCC	D	50,000	100,000	322,000	Completion of Phase 1 surface water drainage works and the detailed design and construction of phase 2 flood attenuation works.
Mid Devon						
Cullompton Flood Improvements	DCC	D/W	30,000		40,000	Review of scheme options and delivery of preferred flood resilience measures.

North Devon						
Ilfracombe	DCC	S	15,000			Review of previously prepared Surface Water Management Plan and consideration of flood improvement options to be developed in the next funding programme. Subject to other priorities.
South Hams						
Modbury Flood Management Scheme	DCC	D/W	40,000		85,000	Completion of major construction works and contingency for project completion.
Ivybridge Flood Improvements	DCC	D/W	50,000	150,000	385,000	Completion of detailed design and business case to secure Flood Defence Grant in Aid and deliver construction phase for the essential flood improvements.
Chillington	DCC	W	65,000		65,000	Review current position and deliver preferred option for flood improvements.
Kingsbridge Study	SWW	S	10,000			Contribution towards ongoing study and hydraulic modelling, in partnership with other RMAs.
Ugborough	DCC	D/W	30,000		80,000	Finalise detailed design of flood improvements and subject to funding approval for cost beneficial scheme, deliver construction phase for catchment.
Frogmore	PC	W	20,000			Final contribution towards Parish Council led flood improvements.
Teignbridge						
Stokeinteignhead	DCC	D/W	100,000	50,000	365,000	Finalise detailed design, develop and submit Business Case to secure Defra FDGiA and phase construction of the essential flood improvements.
Teignmouth	DCC	S	15,000			Review of previously prepared Surface Water Management Plan and consideration of flood improvement options to be developed in the next funding programme. Subject to other priorities.
Total Budget Allocation			1,105,000	400,000	1,836,000	

The above budget allocations are estimates that are subject to change or maybe deferred as other priorities and opportunities arise. The total expenditure currently shows a 30% over-budget spend to allow for delays, efficiencies and reprioritising. This will be monitored throughout the year to ensure the available budget is not exceeded and will defer projects as required.						
Incoming Budgets						
LLFA Flood Risk Management Budget (FRM)			808,000			Grant to fulfil requirements as the LLFA as defined under the Flood and Water Management Act
Miscellaneous Income			1,500			Fees for consents and recharges etc.
Carry over from 2018/19 for committed works			TBC			Subject to approval
DCC Capital Flood Prevention Works Budget (FPW)				350,000		Capital budget for Flood Defence Works
FDGiA / Local Levy					1,781,000	Defra Grant in Aid and Local Levy administered by the SWRFCC
Total Budget			809,500	350,000	1,836,000	Total

PTE/19/12

Cabinet
13 March 2019

Cullompton Town Centre Relief Road

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendation are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: It is recommended that Cabinet

- (a) approves the preferred route for the relief road;**
- (b) approves the development and submission of a planning application for the relief road;**
- (c) agrees that delegated authority be given to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Infrastructure, Development and Waste, to make minor amendments to this scheme;**
- (d) approves an increase to the Planning, Transportation and Environment 2019/20 capital programme of £250,000, funded by external contributions.**

1. Summary

Cullompton Town Centre Relief Road is a scheme to reduce traffic flow in Cullompton High Street and facilitate the future development of the Town. It is a long-term aspiration of the County to deliver the scheme. The progress of the scheme has been thwarted for a number of environmental and economic reasons. However, the economic situation has changed as Mid Devon District Council has the opportunity of funding from the Ministry of Housing, Communities and Local Government. As a result, a consultation on options has been undertaken and this report summarises the reasons for the preferred route being chosen and details of why the scheme should be taken forward to a planning application submitted to Mid Devon District Council.

2. Background/Introduction

The Cullompton Town Centre Relief Road (previously referred to as the Cullompton Eastern Relief Road) is included in the Devon County Council Transport Infrastructure Plan – Delivering Growth to 2030 and is required to relieve congestion within Cullompton High Street, improve air quality and a catalyst to the future economic growth of the High Street. The scheme will allow proposed development within the town to come forward, including the first phase of the Culm Garden Village.

Devon County Council have been working closely with Mid Devon District Council to develop possible options for the relief road. This resulted in three options being taken to public consultation in 2018. The results of this consultation, along with more detailed technical work resulted in Option B, along the railway side of the Cullompton Community Association (CCA) fields, being the preferred option and this was agreed by Mid Devon's Cabinet on 31 January 2019.

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3. Proposal

Three options for the alignment of the relief road were considered;

- Option A – through the middle of the CCA fields
- Option B – along the railway side of the CCA fields
- Option C – crosses M5 and railway and connects to Honiton Road.

A fourth option was considered, similar to option C but closer to the motorway on the eastern side; however, this was considered unacceptable by the Environment Agency because of the impact on the functional floodplain, river channel and increased flood risk. A plan of these four options are included in Appendix A.

Having considered each of the elements, the project team have determined that Option B is the preferred route. This is based on Option B being the favoured option of the local community, it does not segregate the majority of the CCA fields from the town centre and affected sports clubs have indicated a willingness to work with DCC to get the best outcome.

4. Consultations & Representations

A public consultation was carried out on the options for 6 weeks during September and October 2018. The consultation consisted of online content supported by 6 exhibitions where members of the public could discuss their concerns with the project team. 617 questionnaire responses were received, with 77% of respondents recognising the need for a relief road. When asked which option they preferred, 45% of people chose Option B close to the railway line. This compared to 15% for Option A, 27% for option C and 14% not wanting a relief road. Three alternative alignments were proposed during the public consultation and these will be reviewed as part of the detailed design stage.

The CCA is a Registered Charity formed in the 1970s, it is custodian of the CCA fields. The fields are owned by the people of the Town and play host to many events. The fields are run entirely by volunteers who do a variety of jobs such as litter picking, garden maintenance and general maintenance. The CCA consider the scheme as a threat to the fields.

5. Financial Considerations

The cost of developing the design and producing a planning application for the preferred route is likely to be £250,000 and the cost of this will be funded by Mid Devon District Council. Mid Devon Council have identified that £210,000 monies are currently available to spend, with a further sum up to the total of £250,000 expected. The budget will be initially capped at £210,000 until a further agreement with Mid Devon District Council is forthcoming.

Mid Devon District Council also have a Housing Infrastructure Fund bid (HIF) for the cost of the scheme being considered by Ministry of Housing, Communities and Local Government. For this scheme to progress and grasp the opportunity of funding there is an urgent need to progress the scheme.

6. Environmental Impact Considerations

The road will be constructed through several land owners including the CCA fields and within the floodplain. This is a sensitive environment. Some ecological surveys and flood modelling have been undertaken. It is probable that further work will have to be carried out on these aspects together with a detailed assessment of the impact of the scheme on the CCA fields. English Heritage, Archaeology, townscape and landscape will also be

considerations. A full Environmental Impact Assessment (EIA) will be carried out to support the planning application and used to identify appropriate mitigation and compensation.

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 scheme/proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Members and 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.

8. Legal Considerations

The main legal issues are the impact on the CCA fields, consideration of public open space issues and working with/relocation of the sports facilities.

9. Risk Management Considerations

The Cullompton Town Centre Relief Road has been a long-term aspiration of the County, District and Town Council. A consultation has taken place and a potential route identified. Progressing a planning application is the next step to see if a route can be delivered and clearly identify and quantify the risks involved.

10. Public Health Impact

No direct impact on public health has been identified. However, removing traffic out of the High Street will improve the air quality in Cullompton Town Centre.

11. Options/Alternatives

There were three alternative alignment options considered for the relief road. Option A passed through the middle of the CCA fields, cutting the green space in half and separating a large proportion of it from the town centre. This option was not supported by members of the public.

Option C passed over the M5 and connected to Honiton Road. This option is vastly more expensive and would take a lot longer to develop a design and construct. The town will need a strategic intervention in the future to accommodate all the development proposed in

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the town, but a short-term solution is required to mitigate the impacts of development coming forward now. This was raised by a number of respondents to the consultation. The relief road is considered phase 1 of the transport plan for the town.

Option D also crossed the motorway and connected to Honiton Road much closer to Junction 28. However, this option would have too much of an impact on the floodplain and was considered unacceptable to the Environment Agency.

12. Reason for Recommendation/Conclusion

The preferred option offers best value for money while minimising the impact on the environment and the CCA fields. The scheme will help to reduce traffic in the High Street, improving air quality, enhancing the town centre and enable future development to take place as identified in the Local Plan.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Cullompton & Bradninch

Cabinet Member for Infrastructure, Development and Waste: Councillor Andrea Davis

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

Local Government Act 1972: List of Background Papers

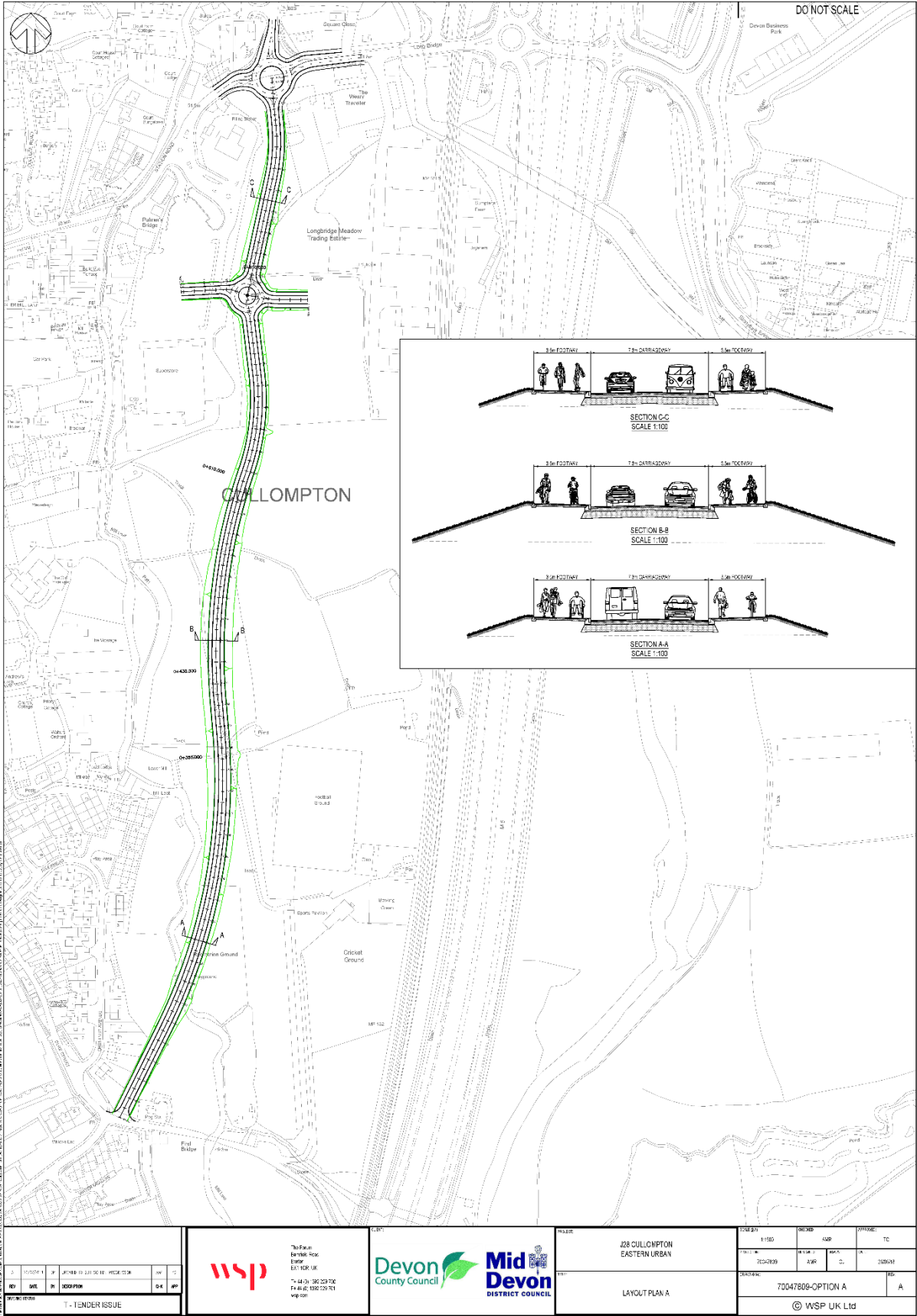
Contact for enquiries: Stuart Jarvis

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

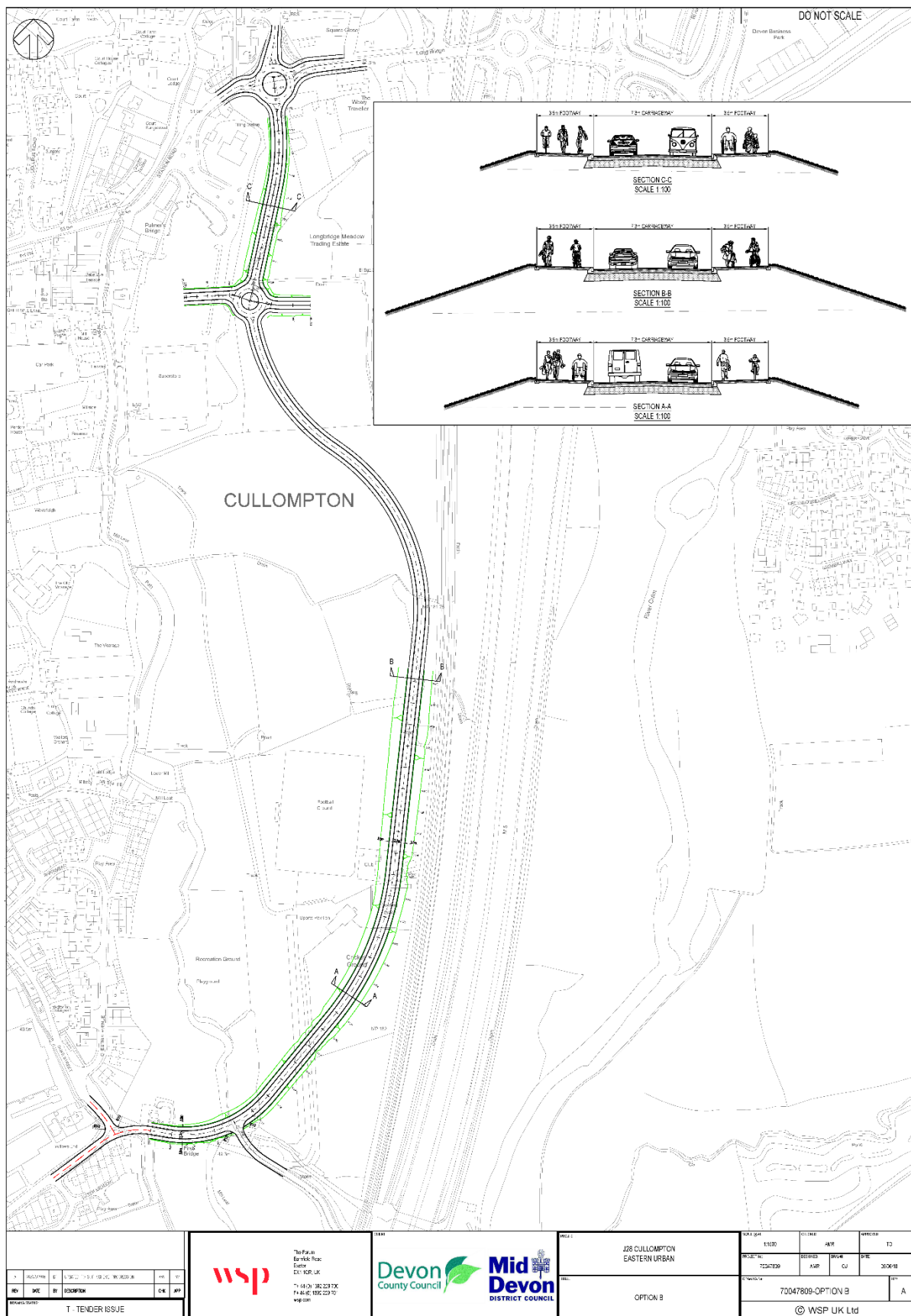
Tel No: 01392) 383000

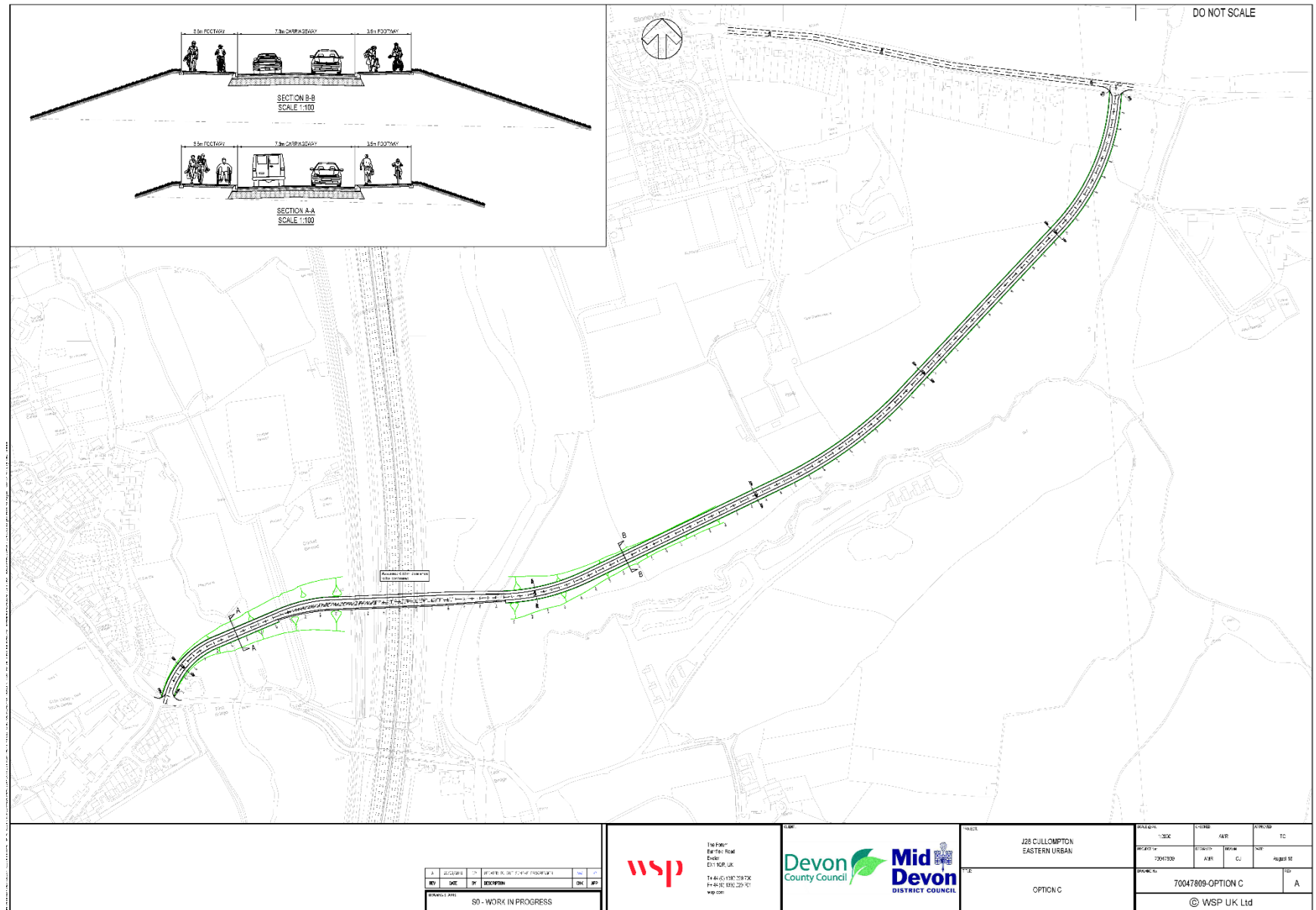
Background Paper	Date	File Reference
1. Impact Assessment	February 2019	

sj210219cab Cullompton Town Centre Relief Road
hk 03 280219

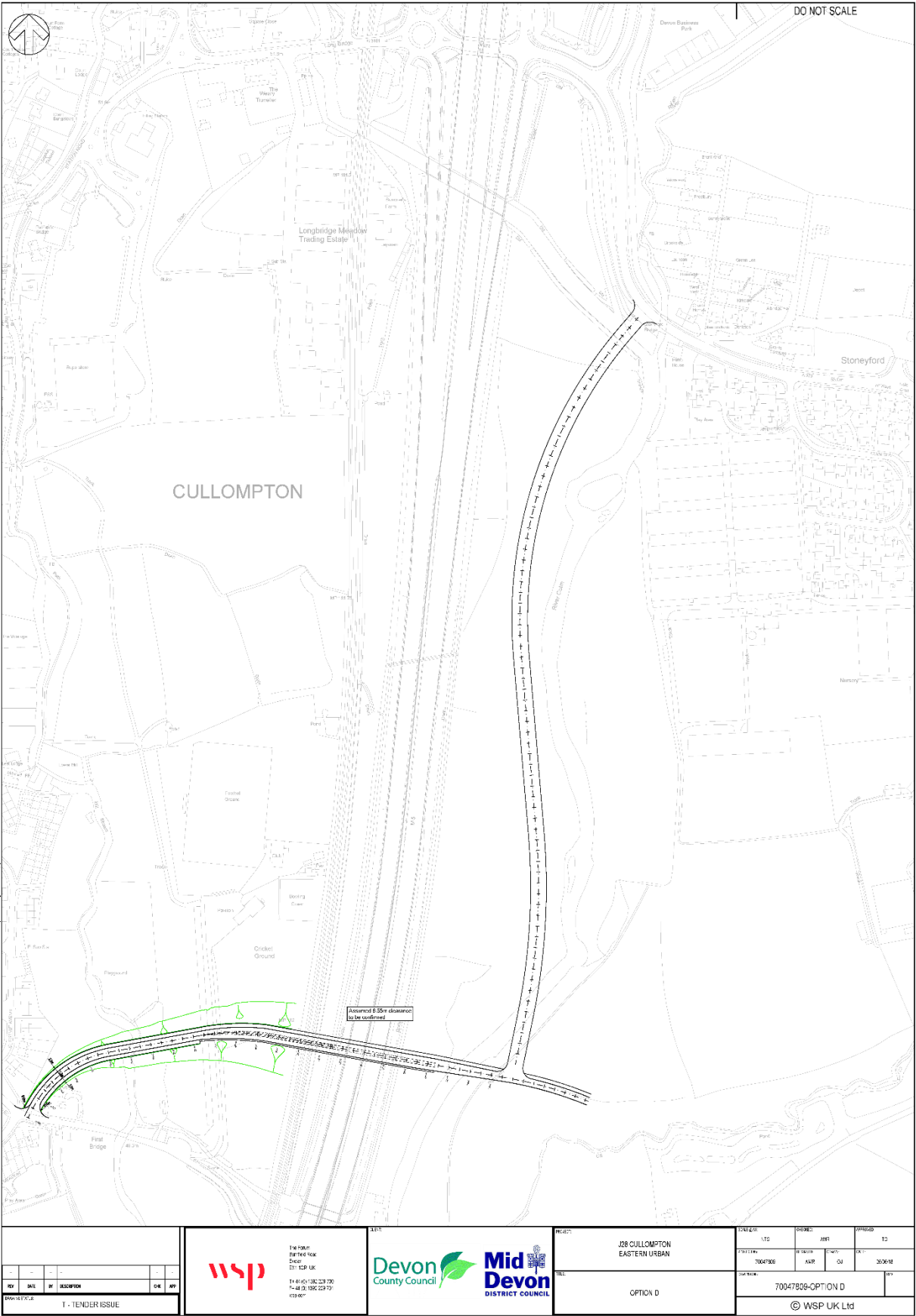


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Impact Assessment

Version 2017

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



Assessment of:	Cullompton Town Centre Relief Road
Service:	Planning, Transportation and Environment

Head of Service:	Dave Black
Date of sign off by Head Of Service/version:	24 February 2019
Assessment carried out by (incl. job title):	Stuart Jarvis, Senior Transportation Planning Officer

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Section 1 - Background

Description:	The proposal is to approve the alignment for the Town Centre Relief Road in Cullompton and to approve development of a planning application for the scheme. It will take traffic out of the High Street, improving air quality within the town centre as well as unlocking allocated housing developments within the local area. The Relief Road is the first phase of transport improvements required within Cullompton.
Reason for change/review:	The High Street in Cullompton is a designated Air Quality Management Area (AQMA) because of the high volume of traffic. The Relief Road will remove this traffic and improve the environment within the town centre, improving facilities for pedestrian and enhancing the economy of the area.

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	Three options were considered as part of a public consultation after a forth was ruled out by the Environment Agency. Option B was the preferred route of the public and this was agreed to be the preferred route by the Project Board.
Social/equality impacts (summary):	The scheme will remove traffic from the High Street and improve journey times. It will also make it possible to improve pedestrian facilities within the town.
Environmental impacts (summary):	The scheme will pass through green fields, but appropriate mitigation will be identified as part of the planning application.
Economic impacts (summary):	Journey time savings will provide economic benefit to drivers. Improving the High Street as a result of less traffic will make the area more attractive for businesses.
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	The scheme is included in Devon's Transport Infrastructure Plan as well as Mid Devon's adopted Local Plan. The scheme is required to unlock allocated development within the area, including the 750 dwellings at NW Cullompton and the first 500 homes to the east of the motorway.
How will impacts and actions be monitored?	Delivery of new homes per annum and commercial start ups.

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:	During construction those living in proximity, particularly where the new road ties into the existing network. Those living and working in the area. Landowners and sports facilities within the area of the road.
Diversity profile and needs assessment of affected people:	The carriageway widening scheme is not expected to disadvantage any particular group of people with protected characteristics. The scheme will have a designated pedestrian / cycle part parallel to the road benefitting all non-motorised users.
Other stakeholders (agencies etc.):	Mid Devon District Council, Environment Agency (the scheme is within a floodplain)
Consultation process and results:	A public consultation was carried out on the options for 6 weeks during September and October 2018. The consultation consisted of online content supported by 6 manned exhibitions where members of the public could discuss their concerns with the project team. 617 questionnaire responses were received, with 77% of respondents recognising the need for a relief road. When asked which option they preferred, 45% of people chose Option B close to the railway line. This compared to 15% for Option A, 27% for option C and 14% not wanting a relief road. Three alternative alignments were proposed during the public consultation and these will be reviewed as part of the detailed design stage.
Research and information used:	Traffic surveys and modelling, environmental surveys, meetings with stakeholders, public consultation

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):	None identified	<p>The scheme will reduce congestion and air quality issues in the High Street and is expected to benefit all people with protected characteristics.</p> <p>The removal of traffic will allow works in the High Street to improve pedestrian access. This could include widening of pavements to improve conditions for parents with prams or people in wheelchairs.</p>
Age:		
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:		
Culture and ethnicity: nationality/national origin,		

skin colour, religion and belief:		
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women’s right to breastfeed).		
Sexual orientation and marriage/civil partnership:		
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, ‘digital exclusion’ and rural isolation.		
Human rights considerations:		

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?	Removal of traffic from the High Street will improve air quality and will encourage pedestrians to use the area more. The new pedestrian / cycle route parallel to the road will encourage people to travel by more sustainable modes of travel.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	The scheme includes the provision of a shared pedestrian / cycle path which will encourage physical activity. The removal of traffic from the High Street will improve air quality issues within the town centre and make the area safer and more pedestrian friendly.
In what way can you help people to be connected, and involved in community activities?	The shared path will improve pedestrian and cycle facilities to encourage sustainable travel, especially to the Secondary School which is located close to the southern end of the scheme.

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:	None	None
Conserve and enhance wildlife:	The scheme passes through an area of recreational green space. Mitigation measures will be identified as part of the planning application	None
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	The scheme will be visible from areas of Cullompton, but a full landscape assessment will be carried out as part of the planning stage to identify appropriate mitigation.	None
Conserve and enhance Devon's cultural and historic heritage:	None	Removal of traffic out of the Conservation Area will reduce the impacts of traffic pollution on listed buildings within the town.
Minimise greenhouse gas emissions:	None	Removal of traffic from the High Street will reduce congestion and hence reducing greenhouse gas emissions.
Minimise pollution (including air, land, water, light and noise):	None	Removal of traffic from the High Street will reduce congestion and hence reduce noise and air pollution.
Contribute to reducing water consumption:	None	None

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	None	Full Flood Risk Assessment will be carried out to support this planning application. This will include assessment of climate change rainfall figures and identify possible betterment to the area.
Other (please state below):	None	None

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:	No negative impact on knowledge and skills	Unlocks employment and housing development identified in Local Plan
Impact on employment levels:	No negative consequences on employment levels	Unlocked employment sites and reduced congestion in the area
Impact on local business:	No negative impact on local business.	Reduction of traffic in High Street making it more attractive for businesses.

Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	None identified
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Section 5 - 'Social Value' of planned commissioned/procured services:

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>The scheme includes the provision of a shared pedestrian / cycle path which will encourage physical activity.</p> <p>Providing a bypass of the town centre will improve traffic flow and therefore improve fuel efficiency of engines, reducing certain emissions including carbon.</p>
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PTE/19/13

Cabinet
13 March 2019

Long Lane widening and new link road on Silverdown Office Park, near Exeter Airport

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

- (a) the scheme shown on drawing number B23006BZ-01-017 be approved for construction at an estimated cost of £3,000,000, subject to funding and legal agreements being in place;**
- (b) the land for this scheme be acquired through negotiation;**
- (c) the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Infrastructure, Development and Waste, be given delegated authority to make minor amendments to the scheme design.**

1. Summary

This report seeks approval to proceed with the construction of widening on Long Lane, near the Airport. The section of Long Lane extends from the Airport Terminal entrance, past the hangers and the FlyBe Academy/Hampton by Hilton hotel through to Harrier Court in the east, a length of approximately 1.25 km. It is proposed to widen Long Lane to a width of 6.5m to provide sufficient access in order to develop the employment Enterprise Zone area known as Airpark.

To facilitate the works, a diversion route is required for traffic at the site. This will require the construction of a section of road to connect Silverdown Office Park to the FlyBe Academy access road, known as the "Silverdown Link". This route will ensure that access is maintained to the FlyBe Academy and Hampton by Hilton hotel. Rather than be a temporary route, when the works are completed on Long Lane the Silverdown Link will become a permanent bus only link.

Design and scheme works are funded by the Enterprise Zone, supported by private contributions.

2. Background

The land adjacent to Long Lane has been designated as employment, part of the Enterprise Zone, 'Airpark'. In addition, a scheme is being developed as part of the France-Alderney-Britain (FAB) electric interconnector, and electric converter substation, which includes a proposal for passing bays along Long Lane in order to facilitate vehicle movements to the construction site east of Harrier Court. The Long Lane enhancements proposed would negate the need for these passing bays to be constructed and therefore support the delivery of the FAB connector.

The scheme presented to Cabinet comprises of four main sections:

- Long Lane: Airport Terminal entrance, to Car Park 1

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- Long Lane: Car Park 1 to Training Academy/Hotel
- Long Lane: Training Academy/Hotel to Harrier Court
- Silverdown link

The scheme provides benefits to the area, ensuring that access can be maintained to key businesses and to facilitate growth at the Airpark site and the delivery of the FAB connector.

3. Proposal

The proposals for the four sections identified are shown on drawing B23006BZ-01-017 included as an Appendix.

Long Lane: Airport Terminal entrance to Car Park 1

The proposals for this section include the construction of a roundabout adjacent to Car Park 1. The roundabout has been incorporated following discussions with the Airport owners to facilitate the provision of a bus loop whereby buses will be able to both enter and exit the airport forecourt area from Long Lane, thereby also enhancing public transport accessibility for the Flybe Hangar and Training Academy, Airpark and the Airport Hotel. The final design for the junction, road and footway has not yet been agreed.

Car Park 1 to the Training Academy and Hotel

Widening of the carriageway will take place to ensure a road width of 6.5m and footway is achieved and to ensure tie-in to the proposed roundabout junction. In addition, there will be re-profiling of the carriageway to ensure that long standing drainage issues are addressed.

Improvements to the crossing facility from the north side into the Training Academy are proposed as part of the scheme, which will bring benefits to pedestrians in the area. The crossing will remain as informal (i.e. not signal controlled) but will be made more visible to oncoming vehicles by the installation of footways that are not hidden by vegetation.

Training Academy/Hotel to Harrier Court

Widening is proposed to maintain a width of 6.5m and footway through to Harrier Court. This will accommodate the two way flow of HGV traffic along its length and allows for the FAB project to proceed.

Silverdown Link

Carriageway will be constructed between Silverdown Office Park and the Flybe Training Academy Access Road. The link is primarily constructed in order to facilitate the works taking place on Long Lane, as without the link an unsatisfactory diversion would be required that impacts on the businesses in the area. Following widening of Long Lane, the Silverdown Link will operate as a bus link to improve connections in the area. The road has been designed as two-way (6m in width) to enable the works on Long Lane to be carried out with less disruption, and to facilitate bus circulation.

There will be the loss of trees and hedgerows as a result of the scheme, which are necessary to widen the road and create the link at Silverdown. Hedgerows are proposed to be replanted to maintain the character of Long Lane. Ecology surveys have been undertaken and all mitigation will be discussed with ecologists.

4. Consultations, Representations and Technical Data

In order to ensure that the scheme has as wide support as possible a total of six meetings have been held with an extensive range of partners and stakeholders. As well as

representatives of Airpark this has included the Airport, Flybe, Airport Hotel, FAB project, Highways England and the main landowners.

The meetings have taken place to ensure that all parties are informed of the project and have been able to provide feedback throughout the design process. This was considered to be of high importance given the difficulty in progressing the widening scheme previously.

5. Options and Alternatives

The scheme has been progressed through discussion with the Stakeholder Group. A key principle was to have 'one scheme once' to try and ensure that all elements were implemented in one go, rather than requiring repeat visits to the area for additional improvements. As a result, the scheme does include elements of enhancement that are above and beyond the minimum necessary to unlock the proposed developments in relation to vehicular access. These have been approved by the Enterprise Zone board, as funder of the scheme.

Silverdown link

Proposals for both a single and two lane road were considered for this location. The benefits of a two lane link were clear from the outset, with minimal disruption during the Long Lane works expected as well as future proofing the link and creating a better bus service. The single lane would have required traffic management during the works period in the form of traffic lights to enable only one direction of travel at any one time. This would create delay, which was considered likely to be excessive at peak times. Whilst there are cost implications in a widened road, the benefits were considered to outweigh the costs.

Long Lane Widening

The Long Lane extents that form the scheme have been divided into three. The central section (Car Park 1 to the Training Academy and Hotel) is the section where the greatest benefits are expected due to the narrow road widths. The remaining two sections do allow for forthcoming development and future proof the scheme.

The stretch of Lane from the Flybe Academy junction to Harrier Court has been designed to be widened to 6.5m to accommodate the two way flow of HGV traffic along its length. This is above and beyond what is needed to accommodate the traffic associated with the construction phase of the FAB project (a scheme of passing bays) alone. There is, therefore, a significant element of future proofing allowed for in the scheme. This will help to facilitate future development including expansion of the Airport and additional airside development going forward, therefore fitting with the 'one scheme once' principle.

6. Land Requirements

Land is required in order to complete all sections of the scheme from six landowners. Engagement has taken place with landowners throughout the process and they have been represented at the Stakeholder Group meetings that have taken place.

The scheme has progressed on the basis that there is no allowance in the budget for land acquisition. This is on the understanding that all of the landowners should ultimately benefit from the enhanced scheme. Whilst negotiations have progressed well to date, legal confirmation and sign up from landowners has yet to be finally secured. Construction will not commence until these legal agreements are in place.

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7. Financial Considerations

The scheme is estimated to cost £3,000,000 to be constructed over the two financial years 2019/20 & 2020/21. The Enterprise Zone Board has approval to borrow these funds (as part of a wider package of support within the Enterprise Zone) and additional approval is being sought from East Devon District Council's Cabinet on 6 March 2019. East Devon District Council will enter into a funding agreement with Devon County Council to procure the works and oversee delivery of the scheme. Separately, East Devon District Council would enter into funding agreements with the developers to re-coup contributions, which are estimated at approximately £970,000. There is currently no cost to Devon County Council to construct the scheme; however, it will be expected to manage any cost overruns on the scheme and recover these from East Devon District Council.

Construction will not commence until these funding and legal agreements are in place.

There are financial risks to Devon County Council should the scheme not proceed as it reduces the ability of both the County and District to generate the anticipated business rates from the Airpark Development, which would be a shared risk for both organisations.

8. Sustainability and 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.

Age, disability, gender identity, race, religion and belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity should be considered in coming to a decision. A decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

An Impact Assessment has been prepared, a copy of which has been circulated to Cabinet Members, and is available 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.

No negative impacts were identified.

9. Carbon Impact Considerations

Widening the highway will reduce conflicts between large vehicles resulting in an improvement to traffic flow and therefore fuel efficiency of engines, reducing certain emissions including carbon.

The completed scheme will enable an enhanced bus service to the area, circling the industrial estates and visiting the Flybe Academy and Hotel. This is expected to boost patronage as it increases the viability of travelling by bus to the Airport area. The increase in patronage will result in fewer cars travelling to the area, therefore reducing carbon emissions from cars.

10. Legal Considerations

The lawful implications of the recommendations have been considered in the formulation of the recommendations set out above.

A planning application will be submitted for the Silverdown Link proposal and any conditions will be adhered to. Any traffic regulation orders will be advertised in accordance with the Local Authorities' Traffic Orders(Procedure) (England and Wales) Regulations 1996.

11. Risk Management Considerations

There are four main risks that are associated with the project. The risks are:

- 1) Scheme programme and costs – total scheme costs are estimated to be just below £3m in line with the tenders received through the Devon Minor Works framework. A detailed delivery programme needs to be worked up including mitigating associated risks of cost overruns etc. The works will need to start with the Silverdown Lane link in order to provide the diversionary route. Works to Long Lane itself will need to avoid the busy summer period.
- 2) Funding package – whilst contributions totalling £970k have been agreed a formal funding agreement, including trigger points for payment, has yet to be concluded. This will need to be the subject of further negotiation and legal agreements.
- 3) Progression of the FAB project – this is a major infrastructure project which will cost circa £1.5bn to deliver. Regulatory approval has been delayed by the uncertainties associated with Brexit.
- 4) Landowner consent – the scheme has progressed on the basis that there is no allowance in the budget for land acquisition. This is on the understanding that all of the landowners should ultimately benefit from the enhanced scheme. Whilst negotiations have progressed well to date, legal confirmation and sign up from landowners has yet to be finally secured.

12. Public Health Impact

The scheme is subject to a Road Safety Audit. A Combined Stage 1/2 Road Safety Audit has been programmed and will be completed prior to construction.

The scheme, whilst predominately a road scheme, will allow for the improvement of bus access to the area which in turn may lead to some level of physical activity to reach the stops on foot at both ends of the journey.

13. Reason for Recommendation

The substandard nature of Long Lane and subsequent limitations to the capacity of the current highway network are a direct barrier to the delivery of Airpark, one of the four Enterprise Zone sites. The proposed enhancement will overcome this barrier and secure a number of wider benefits including supporting enhanced public transport connectivity and the future growth of the Airport.

Funding is available to deliver the scheme through the Enterprise Zone and provides an excellent opportunity to deliver the vital infrastructure improvement and to secure a wider set of benefits.

Dave Black

Agenda Item 10

Head of Planning, Transportation and Environment

Electoral Divisions: Broadclyst

Cabinet Member for Infrastructure, Development and Waste: Councillor Andrea Davis

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

Local Government Act 1972: List of Background Papers

Contact for enquiries: Jamie Hlland

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

Tel No: (01392) 383000

Background Paper	Date	File Reference
1. Impact Assessment	1 March 2019	https://new.devon.gov.uk/impact/published/

jh260219cab Long Lane widening and new link road on Silverdown Office Park near Exeter Airport
hk 05 280219



Impact Assessment

Version 2017

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



Assessment of:	Long Lane widening and new link road on Silverdown Office Park, Near Exeter Airport
Service:	Planning, Transportation and Environment

Head of Service:	Dave Black
Date of sign off by Head Of Service/version:	1 March 2019
Assessment carried out by (incl. job title):	Emma Hext, Project Manager

Section 1 - Background

Description:	<p>Widening of Long Lane to a width of 6.5m between Car Park 1 and Harrier Court. A roundabout will be incorporated at the western end outside of Car Park 1 to facilitate bus movements into and out of the Airport forecourt area.</p> <p>The scheme also includes the delivery of a link section between Silverdown Office Park and the Training Academy access road. This will be 6m in width and will facilitate the delivery of the Long Lane works whilst also providing a bus link in the future.</p>
Reason for change/review:	<p>A Cabinet Report has been prepared for which an Impact Assessment is a requirement to conduct a review in line with the Equality Act 2010 Public Sector Equality Duty.</p>

Section 2 - Impacts, options and recommendations

Options Appraisal and Recommendations:	<p>The scheme has been progressed through discussion with the Stakeholder Group. A key principle was to have 'one scheme once' to try and ensure that all elements were implemented in one go, rather than requiring repeat visits to the area for additional improvements.</p> <p><u>Silverdown link</u></p> <p>Proposals for both a single and two lane road were considered for this location. The benefits of a two lane link were clear from the outset, with minimal disruption during the Long Lane works expected as well as future proofing the link and creating a better bus service. The single lane would have required traffic management during the works period in the form of traffic lights to enable only one direction of travel at any one time. This would create delay, which was considered likely to be excessive at peak times. Whilst there are cost implications in a widened road, the benefits were considered to outweigh the costs.</p> <p><u>Long Lane Widening</u></p> <p>The Long Lane extents that form the scheme have been divided into three. The central section (Car Park 1 to the Training Academy and Hotel) relates to the scheme presented in 2014 and is the section where the greatest benefits are expected due to the narrow road widths. However, the remaining two sections do allow for a much more beneficial and future proofed scheme.</p> <p>The stretch of Lane from the Flybe Academy junction to Harrier Court has been designed to be widened to 6.5m to accommodate the two way flow of HGV traffic along its length. This is above and beyond what is needed to accommodate the traffic associated with the construction phase of the FAB project (a scheme of passing bays) alone. There is, therefore, a significant element of future proofing allowed for in the scheme. This will help to facilitate future development including expansion of the Airport and additional airside development going forward, therefore fitting with the 'one scheme once' principle.</p>
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Social/equality impacts (summary):	<p>The positive impacts outlined below will be achieved through this project:</p> <ul style="list-style-type: none"> • Improved access to the Airport area through an improved bus service that can circulate the business park area. • Providing additional carriageway width to improve highway safety. • Providing improved crossing facilities of Long Lane in the vicinity of the Training Academy.
Environmental impacts (summary):	<p>The widening of Long Lane and creation of the Silverdown Link will require the removal of some vegetation and trees. The area impacted has tried to be limited where possible. For Long Lane, proposals include planting of a new hedgerow to maintain the character along the route.</p> <p>Widening the highway will reduce conflicts between large vehicles resulting in an improvement to traffic flow and therefore fuel efficiency of engines, reducing certain emissions including carbon. The introduction of a bus service that circulates across the business area may also lead to a decrease in the number of vehicles at the site, which may have a positive impact on air quality.</p>
Economic impacts (summary):	<p>The enhancement scheme is required in order to unlock the development of land in the Airpark Enterprise Zone. Therefore, the scheme provides significant benefit to the economy by proceeding.</p> <p>In addition, the scheme will support the delivery of the France-Alderney-Britain (FAB) Connector project which is also proposed.</p>
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	N/A
How will impacts and actions be monitored?	The scheme will allow for better flow of traffic in this key development area. The success of the scheme will be monitored through the development of land at the Airport.

	Bus patronage and collision records can also be monitored to record the wider benefits of the scheme.
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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:	Local landowners, businesses and people travelling to the airport and surrounding business parks.
Diversity profile and needs assessment of affected people:	The proposals have no adverse impact on a specific audience, regardless of age, race, gender, sexual orientation and religion / belief. The scheme will widen an existing road, whilst also creating a link road to facilitate travel by bus providing benefits to those travelling to the area.
Other stakeholders (agencies etc.):	Key stakeholders consulted throughout the project include: <ul style="list-style-type: none">• Enterprise Zone• Landowners• Businesses• FAB Link Project
Consultation process and results:	<p>In order to ensure that the enhancement scheme has as wide support as possible a total of six meetings have been held with an extensive range of partners and stakeholders. As well as representatives of Airpark this has included the Airport, Flybe, Airport Hotel, FAB project, Highways England and the main landowners.</p> <p>The meetings have taken place to ensure that all parties are informed of the project and have been able to provide feedback throughout the design process. This was considered to be of high importance given the difficulty in progressing the widening scheme in 2014.</p>
Research and information used:	N/A

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	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?
<p>29047</p> <p>All residents (include generic equality provisions):</p>	<p>The scheme will have the same impacts on all groups of people. The widening of an existing road and creation of the Silverdown Link will result in easier access around the site.</p>	<p>The scheme will have the same impacts on all groups of people. The widening of an existing road and creation of the Silverdown Link will result in easier access around the site.</p>
<p>Age:</p>	<p>Not relevant</p>	<p>Not relevant</p>
<p>Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:</p>	<p>Not relevant</p>	<p>Not relevant</p>

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	Not relevant
Human rights considerations:	Not relevant	Not relevant

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?	The scheme will facilitate an enhanced bus service which will improve access to the wider Airport site, particularly the business park, Training Academy and Hotel.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	<p>The route will be widened which will reduce the likelihood of collisions as it becomes easier for vehicles to pass.</p> <p>The bus route will create a quiet lane if individuals would prefer to cycle along this route to reach the Hotel and Training Academy.</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 to the Airport area, reaching businesses and the Airport.

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):

X	Devon County Council's Environmental Review Process for permitted development highway schemes.
X	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

	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 waste, and send less waste to landfill:	Not applicable	Not applicable
Conserve and enhance biodiversity (the variety of living species):	Some vegetation clearance is required and there is a need for trees to be removed. Clearance will be discussed with ecologists.	Some vegetation clearance is required and there is a need for trees to be removed. Hedgerows will
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	Not applicable	Not applicable
Conserve and enhance the quality and character of our built environment and public spaces:	Not applicable	Not applicable
Conserve and enhance Devon's cultural and historic heritage:	Not applicable	Not applicable
Minimise greenhouse gas emissions:	Not applicable	Enhanced bus services may mean the number of vehicles arriving at the airport are reduced, reducing harmful emissions

Minimise pollution (including air, land, water, light and noise):	Not applicable	Enhanced bus services may mean the number of vehicles arriving at the airport are reduced, reducing harmful emissions
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	Improved access to the airport and also the Training Academy will support training opportunities

Impact on employment levels:	Not applicable	The improved route provides a more desirable access to employment.
Impact on local business:	Not applicable	Local businesses will be more accessible to a wider range of people.

Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	There will be some environmental impacts due to the widened road, however these will be mitigated where possible. The scheme will provide great economic benefit to the area, and provide jobs.
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Section 5 - 'Social Value' of planned commissioned/procured services:

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>Environmental, economic and social wellbeing will be improved through better access to employment, education and leisure journeys, offsetting car journeys and improving public health.</p> <p>Widening the highway will reduce conflicts between vehicles resulting in an improvement to traffic flow, and therefore fuel efficiency of engines, reducing harmful emissions.</p> <p>The scheme means that employment land can be unlocked which will bring economic benefits to the area as well as increase the availability of jobs.</p>
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PTE/19/14

Cabinet
13 March 2019

Teign Estuary Walking and Cycling Trail Update

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

- (a) approval be given for the Teign Estuary Trail strategy between Passage House Inn and Dawlish;**
- (b) approval be given to progress with land acquisition by agreement and a planning application for the Teign Estuary Trail section between Passage House Inn and Teignmouth.**

1. Background/Introduction

The Teign Estuary Trail is a long-term aspiration of Devon County Council, forming part of the 'Cycling and Multi-Use Trail Network Strategy' with work being undertaken to progress design of various sections over recent years. The current strategy is for the route to be delivered incrementally, with some sections already delivered. The first section of the Teign Estuary Trail between Town Quay, Newton Abbot and Kingsteignton was opened in March 2013. This section, whilst part of the future Teign Estuary route, is a valuable connection for local utility trips to work and other facilities in its own right. More recently, the route eastwards linking Newton Abbot Racecourse to Passage House Inn was opened in April 2018. This now leaves a gap on the coastal walking and cycling route between Passage House Inn and Dawlish. From Dawlish it becomes the Exe Estuary Trail and provides a high standard route via Exeter to Exmouth.

Cabinet previously agreed an outline alignment for the Teign Estuary Trail route between Kingsteignton and Teignmouth rail station/town centre at its meeting on 13 February 2013. Design work, land negotiations and feasibility investigations have since been undertaken to provide greater clarity on the deliverability, costs and benefits of these various scheme elements. This process has identified a number of challenges which have delayed the progress of the scheme. The aim of this report is to recognise the benefits of completing the development of the Teign Estuary Trail between Passage House Inn and Dawlish, agree a deliverable strategy and enable progress to be made with a planning application.

2. Scheme Justification

The County Council has had a long-standing strategy of investing in Coastal Trail routes as part of its efforts to promote walking and cycling, as a contributor to providing alternatives to the private car, local economic growth by attracting tourism including day visitors whilst also improving the health of the local population by encouraging greater levels of exercise. Routes of this type are much more than just cycle routes: they are trails that are accessible to people walking, cycling and less able users with wheelchairs and mobility scooters, as demonstrated by experience on the Exe Estuary.

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Any extension to the existing Teign and Exe Estuary routes to connect Dawlish, Teignmouth and Newton Abbot would form a national showcase supporting local cycling utility trips, for example to work and education, providing economic and health benefits. In addition, the trail would link to an emerging network of routes centred on Newton Abbot and provide a much safer cycling alternative than the current A381.

The development of the route is a long-term aspiration and progressing it through the planning system, whilst continuing to negotiate land acquisition, is the first step in providing confidence to a possible future funding application.

The planning application will require the appointment of a number of experts and a range of environmental surveys to be undertaken. Teignbridge District Council have identified £200,000 from Community Infrastructure Levy that could be contributed towards this work. The District Council's Executive Committee are considering a report seeking approval for this contribution on 5 March 2019. The outcome of this will be confirmed at the 13 March 2019 Cabinet meeting.

The work to connect the Teign and Exe Estuary routes has been split into sections: Passage House Inn to Bishopsteignton and Teignmouth and Teignmouth to Dawlish.

Passage House Inn to Bishopsteignton and Teignmouth

The route would be approximately 5km in length from the end of the current section at Passage House Inn to Bishopsteignton and Teignmouth. The section to Bishopsteignton runs over open land, inland of the railway. There would be a connection to Bishopsteignton which would enable local businesses, including the pub and hotel within Bishopsteignton village and the Passage House Inn, to benefit from additional trade.

Beyond Bishopsteignton the route has several constraints given the nature of the topography together with the proximity to the A381, neighbouring properties, the main west coast railway line and the estuary. The estuary itself also contains further significant environmental constraints. To address these, a route on the northern side of the A381 has been identified to utilise sections of old highway segregated from the A381, as well as widening sections of existing footway, some set into the hillside to achieve desired path widths and provide estuary views. This would stretch from Bishopsteignton for approximately 1.5km, terminating at the junction of the A381 with the entrance to Morrisons superstore/garage.

Teignmouth

Within Teignmouth, pedestrians would use existing footways. A segregated cycle route is not currently possible as it is constrained by the urban environment. It is therefore proposed that the current Teign Estuary Trail strategy does not include sections within the Teignmouth urban environment beyond the junction of the A381 with the entrance to Morrisons. It is expected that confident cyclists would remain on the existing highway to navigate the urban environment, whilst those that are less confident would permeate through quieter, residential routes.

Should suitable funding sources be identified, a further phase of the Teign Estuary Trail to include the provision of an urban route through Teignmouth could be explored. However, to prevent the resolution of these challenging aspects stalling the route as a whole, it is suggested that this is omitted from the current strategy.

Teignmouth to Dawlish

A complete route between Teignmouth and Holcombe has been identified, beginning in Teignmouth town centre. Pedestrians could use the promenade adjacent to the railway. For cyclists the route would head northeast using quiet roads and public rights of way to the south and east of Eastcliffe Mules Park, before running on shared-use paths parallel to the A379 to Holcombe. However, there are ongoing discussions with Network Rail regarding their plans to provide an improvement between Teignmouth and Holcombe and the potential to provide walking and cycling infrastructure as part of the public amenity aspect of the scheme. It is recommended that work on this section is paused whilst further clarity is sought from Network Rail.

Continuing northeast from Holcombe, the trail would continue along shared use paths parallel to the main A379 to reach Dawlish. There is an existing pedestrian route along the coast.

Following a similar approach to the urban area in Teignmouth, a light touch approach would be taken through Dawlish itself. Pedestrians would use existing facilities. It is expected that confident cyclists would remain on the existing highway, whilst those that are less confident could be routed through quieter, residential routes.

3. Options/Alternatives

Passage House Inn to Bishopsteignton

The alternative route on the estuary side of the railway line was discounted by Cabinet at its 13 February 2013 meeting due to the environmental constraints, costs and the Environment Agency's objection. There are potential minor variations to the inland route between the A381 and the railway but it is expected that the alignment following the railway where possible would be the least disruptive to land owners and minimise costs. There is no practical road-based route.

Bishopsteignton to Teignmouth

An option to simply utilise the existing footpath alongside the A381 between the two settlements was considered unsafe and of insufficient width in several key locations. This option would not serve its purpose of attracting commuter and leisure users and generating economic benefits.

Structures within the estuary have been discounted on economic and environmental grounds as they would negatively affect both landscape and ecology. Two other alternative routes taking the route further into Teignmouth centre have been considered and discounted due to major physical constraints.

4. Consultations/Representations

The last full public consultation on a Teign Estuary cycle route was carried out in 2005. There was generally strong support for the concept of route.

Dialogue with the public is ongoing through regular stakeholder consultations, including meetings with Teign Estuary Trail Campaign Group, Bishopsteignton Parish Council, Teignmouth Town Council, affected landowners and local councillors.

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5. Financial Considerations

The 'Devon Cycling and Walking Strategy 2018' report, presented to the Corporate Infrastructure and Regulatory Services Scrutiny Committee in November 2018, provided an update on the strategy for walking and cycling in the county. This identified the Teign Estuary Trail as one of the priorities for delivery.

Officers have been in discussion with Teignbridge District Council, who are eager to progress the scheme. The District Council's Executive Committee, meeting on 5 March 2019, are considering a report seeking approval for a contribution of £200,000 accumulated Community Infrastructure Levy (CIL) money towards the preparation of a Teign Estuary Trail planning application. The outcome of this decision will be reported at the Cabinet meeting of 13 March 2019.

Approximately £374,000 of Investing in Devon (IID) funding remains allocated to the scheme. Some of the IID will be used to match the Teignbridge District Council contribution towards the planning application, which is estimated to cost in the region of £400,000. It is proposed that the majority of the remaining IID funding is reserved for completing design work, progressing land acquisition and a contribution towards construction. There will remain a significant funding shortfall for the route construction and as such external funding will need to be secured in order for the scheme to progress once planning approval has been obtained.

A proposed funding package will be confirmed as part of the scheme approval report to a future Cabinet meeting.

6. Sustainability Considerations

The environmental impacts of the Passage House Inn to Bishopsteignton section will be minimised by adopting the inland route. It is possible that a full Environmental Impact Assessment will be required as part of the planning application. Archaeological surveys will also be required. The impacts of the Bishopsteignton to Teignmouth section have also been reduced by opting for works to adapt the existing footpath alongside the A381 on the non-estuary side.

There are clear social and safety benefits to providing a new walking and cycling route along the Teign Estuary, enabling local people to access green infrastructure. Routes open up access to a wider range of groups who may not be able to physically access current facilities. More people, particularly younger age groups, will have greater access to employment and training opportunities without incurring the costs of driving or public transport. There may be some negative social impacts on individual land owners.

7. Carbon Impact Considerations

The scheme is expected to reduce carbon emissions by encouraging greater levels of commuting and other short trips by walking or cycling compared to travel by car. Reductions will also result from leisure trips using the route that would have otherwise involved a car journey elsewhere.

8. 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. An Impact Assessment will be carried out alongside the development of detailed scheme designs and options.

9. Legal Considerations

Cabinet has previously agreed to the purchase of the necessary land along the route.

10. Risk Management Considerations

The principal risks are the numerous constraints in the process of securing a planning consent and obtaining land. This will contribute to a degree of uncertainty over timescales and cost.

11. Public Health Impact

The scheme would be expected to generate public health benefits by further encouraging the growing culture of walking and cycling in Devon. Experience in Exeter and elsewhere in Devon has shown that introducing people to walking and cycling through leisure routes encourages take up for more regular utility type trips for journeys to work education, shopping etc. in conjunction with improved facilities in their local area. This is particularly the case with cycling where it incentivises the purchase of new or improved equipment including bikes.

The main health benefits accrue through greater physical activity reducing levels of obesity and improving general fitness levels allied with reduced levels of mental illness through new activities and greater physical activity levels.

12. Reasons for Recommendations

The 'Devon Cycling and Multi Use Trail Network Strategy 2015', presented in April 2015 PTE15/22, prioritised the development of the Teign Estuary trail and the section between Dawlish and Newton Abbot. An update to the Teign Estuary Trail strategy has been considered and detailed in this report, including the recommendations to pause on the section between Teignmouth and Dawlish until opportunities with Network Rail have been explored and the strategy focusing on links to, but not within, Teignmouth due to significant constraints.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Dawlish; Kingsteignton & Teign Estuary; Teignmouth

Agenda Item 11

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

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Background Paper	Date	File Ref.
Nil		

hc210219cab Teign Estuary Walking and Cycling Trail Update
hk 02 260219

Teign Estuary Trail Strategic Route



HIW/19/24

Cabinet
13 March 2019

Transport & Engineering Professional Services – Future Delivery

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: It is recommended that:

- (a) Cabinet approves the selection of in-house with single top up consultant, for the future delivery of Transport & Engineering Professional Services;**
- (b) the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the Cabinet Member for Infrastructure Development and Waste and the Cabinet Member for Highway Management, be given delegated authority to invite prospective tenderers who are best qualified to bid following a formal selection process;**
- (c) Cabinet notes that prospective consultants' policies on environmental, social and equality factors connected to this service will be evaluated in the Selection Questionnaire and Invitation to Tender stages of the procurement process.**

1. Background

The current Transport & Engineering Professional Services (TEPS) contract between Devon County Council and the private sector consultant Jacobs UK will end on March 31, 2020. This report is a summary of the review process undertaken to establish the most appropriate future delivery model beyond 2020. The detailed report is at Appendix 1.

2. Introduction

Devon County Council (DCC) currently has an internal engineering services delivery group known as the Engineering Design Group (EDG) who are responsible for the design, project management, procurement, supervision and contract management associated with the delivery of infrastructure schemes across the authority. Such projects are primarily funded from DCC's Capital Programme although revenue schemes are also undertaken.

Since 2001, the EDG has had a Transport & Engineering Consultancy Services (TECS) contract in place which allows it to manage the fluctuating workload resulting from a varying capital programme and to provide specialist services which are not available in-house.

The current contract with Jacobs Engineering commenced in 2010 and was initially for a 5-year period, with the option to extend incrementally until 2020 subject to satisfactory performance. The contract with Jacobs has now been extended to its maximum and is currently due to expire on 31 March 2020.

3. Delivery Model Review

A project was initiated to consider the different delivery models that are available across the UK for the provision of TEPS and to recommend a preferred model for DCC.

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The delivery model objectives should reflect the key operating principles of the EDG which, in the 2017/18 Business Management Plan, are identified as:

- **Agility and flexibility** to meet changing needs;
- Delivering **value for money** in programme and project management, design and contract supervision;
- **Understanding, and helping deliver DCC's strategies**, and achieving **high customer satisfaction** levels;
- **Managing DCC's exposure to the risks** associated with changing staff resource requirements and funding changes.

Additionally, the retaining of internal intelligence especially when making value for money procurement decisions and the importance of the two following objectives were identified in discussions with the two principal users of the contract from Highways, Infrastructure Development and Waste (HIDW) and Communities, Public Health, Environment and Prosperity (CoPHEP).

- To provide a stable platform to enable the recruitment, retention, training and development of staff;
- To create an environment which effectively identifies and manages project risks.

To identify a preferred delivery model, the following approach was adopted:

- a) Identify the objectives that the preferred delivery model should seek to achieve;
- b) Identify a broad range of delivery model options;
- c) Undertake an initial 'sift' of delivery model options to create a shortlist for further evaluation – this is explained in depth in the background paper (Appendix 1);
- d) Undertake market engagement with other Local Authorities, who have similar delivery requirements;
- e) Undertake engagement with the supplier market;
- f) Evaluate shortlisted delivery model options in terms of strategic alignment, quality, needs, income opportunity/business growth, setup and operation costs, overall sustainability and resilience;
- g) Recommend a preferred delivery model for DCC;
- h) Consider whether there is any benefit within Devon, or more widely, to commission or undertake services with partner organisations.

4. Delivery model options appraisal

There are various delivery model options open to the Council. These include common industry approaches and part of the review was to assess the relative merits of each, in relation to the Council's likely future needs.

The following delivery models were examples that were considered, in no order of preference:

- 1 Full in-house service delivery
- 2A In-house team with single top-up consultant
- 2B In-house team with several top-up consultants
- 3A Local Authority Trading Company (LATC)
- 3B Public-Public Joint Venture (JV)
- 4 Public-Private Joint Venture (JV)
- 5A Fully externalised service with single external consultant
- 5B Fully externalised service with several external consultants.

For more detail on the delivery models see section 5 of Appendix 1. Following the initial sift analysis the following models were taken forward for additional appraisal:

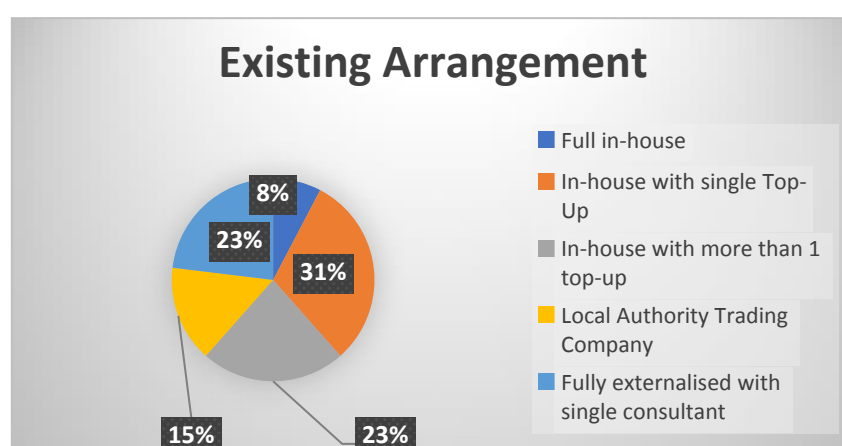
2A and 2B In-house team with top-up consultant(s).

Full details of the reasoning behind the sift is found at Section 6 of Appendix 1. Option 1 Full in-house service delivery whilst aligning well with many of the delivery model objectives was discounted - full detail of the reasoning can be found in section 8.3 of the background paper (Appendix 1), but in summary, there were concerns whether this gave the amount of flexibility required to deal with fluctuating workloads.

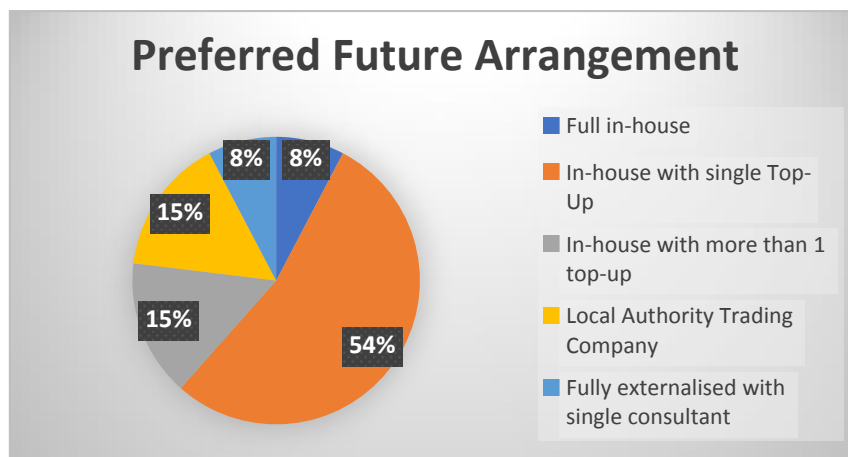
5. Consultation

5.1 Other Local Authorities

A survey questionnaire was sent to 16 large councils across the UK with 59% responding. The two tables below show the current models being used and the future 'preferred' models:



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5.2 Supply chain

A total of 14 supplier organisations provided feedback, either through face-to-face meetings or in response to an electronic survey. The questions were wide ranging from the simple, “are you interested?”, to the more detailed regarding TUPE. The feedback is at Section 10.2 of Appendix 1.

8 suppliers felt that DCC’s needs would be best served by delivery model 2A whilst 5 suppliers favoured delivery model 2B. It was unclear which option was favoured by one of the suppliers.

5.3 Internal to DCC

Internally within DCC, colleagues from COPHEP, legal services and procurement have assisted in carrying out and advising the review.

5.4 Scrutiny Committee

The Corporate Infrastructure and Regulatory Services Scrutiny Committee considered the Delivery Model review at their 29 January 2019 meeting.

It was MOVED that the proposal to adopt an internal team with top up consultant as the preferred model for delivery of the transportation and civil engineering design services from 2020 onwards be endorsed.

6. Financial Considerations

The proposed model of in-house with top up consultant should have no financial implications for the Authority. The work carried out is on specific projects which have their own funding streams and the vast majority is funded by capital programmes. Consideration of the financial implications of each model was part of the Delivery Model Review report at Appendix1.

7. Environmental Impact Considerations

It is intended to test the prospective consultants’ policies on environmental factors connected to this service through the procurement and specifically through the Selection Questionnaire and Invitation to Tender stages of the process.

8. Equality Considerations

As part of the Conditions of the Contract, specific clauses will be included based on those contained in the Achieving Equality in Commissioning and Procurement document

(<http://www.devon.gov.uk/equalitycommissioning2015.pdf>).

It is also intended to test the prospective consultants' policies on social and equality factors connected to this service through the procurement and specifically through the Selection Questionnaire and Invitation to Tender stages of the process, as highlighted in the document.

9. 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/formulation of the recommendations set out above.

10. Risk Management Considerations

No strategic risks have been identified. Where risks have been identified such as completion of current projects beyond the end of the current contract the implications of those have been taken into account in preparing this report by noting that the current contract contains a residual services clause.

11. Options/Alternatives

A summary of the various delivery models considered is included at Para 4 of this report, with the detailed commentary included at Appendix 1. A number of these models were discounted at an early stage in the process, for to various reasons, including inflexibility to deal with fluctuating workloads, employment liabilities for DCC, failure to address the Client's wishes on understanding about value for money, and duration of model.

The two models that were considered in detail were

- in-house with top up consultant;
- in-house with top up consultants.

The former was eventually proposed for a number of reasons, including, agility and flexibility, value for money, understanding of DCC's strategies, stable platform for staff recruitment, feedback from other Local Authorities and market engagement.

12. Reason for Recommendation/Conclusion

In view of the above considerations, it is proposed that DCC adopt the delivery model (Option 2A) of in-house with single top up consultant) rather than the delivery model (Option 2B) of in-house with several top up consultants) for the following reasons:

- It has the best alignment with the delivery model objectives;
- The majority of other local authorities favour this delivery model;
- The supplier market feel that it would best serve DCC's needs;
- It has played a key role in successfully delivering DCC's significant infrastructure programme since its inception in 2001;
- If the incumbent supplier were to be unsuccessful with their tender, it would potentially allow their staff who have been engaged on DCC projects to TUPE to the new supplier – bringing with them an inherent knowledge of DCC.

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Meg Booth

Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All

Cabinet Member for Infrastructure Development and Waste: Councillor Andrea Davis

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
Nil		

kd210219cab Transport & Engineering Professional Services - Delivery Model Review
hk 02 280219

Appendix 1
To HIW/19/24

Transport & Engineering Professional Services (TEPS) Beyond 2020

Delivery Model Review for Committee

Devon County Council
Engineering Design Group
Matford Lane Offices
County Hall
Topsham Road
Exeter
Devon
EX2 4QD



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Document Control Sheet

Document Reference:	ENVEDGZ18001-DOC-003
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Rev	Date	Purpose	Author(s)	Project Sponsor Authorisation
0	13/12/2018	Appendix to committee reports.	J Stanley except for Local Authority Feedback (K Dentith) & Market Engagement (M Sullivan).	K Dentith
1				

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TEPS Beyond 2020
Delivery Model Review

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1 Background

- 1.1.1 Devon County Council (DCC) currently have an internal Engineering Design Group (EDG) who are responsible for the design, project management, procurement, supervision and contract management associated with the delivery of infrastructure schemes across the authority. Such projects are primarily funded from DCC's Capital Programme although revenue schemes are also undertaken.
- 1.1.2 Since 2001, the EDG has had a Transport and Engineering Consultancy Services (TECS) contract in place which allows it to manage the fluctuating workload resulting from a varying capital programme and to provide specialist services which are not available in-house.
- 1.1.3 The current contract with Jacobs Engineering commenced in 2010 and was initially for a 5-year period, with the option to extend incrementally until 2020 subject to satisfactory performance. The contract with Jacobs has now been extended to its maximum and is currently due to expire on 31 March 2020.
- 1.1.4 The initial TECS contract for the period 2001 to 2010 was with Parsons Brinckerhoff who were taken over by WSP in 2014. Since 2010, a diminishing volume of work has been allocated to WSP, initially through a residual services contract and more recently through a collaboration agreement with Somerset County Council.
- 1.1.5 Over this period, the EDG and its private sector partners (PSP) have worked together to commission a substantial value of infrastructure works as summarised in the table below. This data has been obtained using PPlan reports of Finest year to date.

Financial Year	Commissioned Works (£k)
2002/03	4,896
2003/04	11,755
2004/05	24,375
2005/06	34,279
2006/07	24,218
2007/08	16,735
2008/09	17,836
2009/10	15,004
2010/11	24,412
2011/12	16,787
2012/13	26,763
2013/14	53,627
2014/15	40,446
2015/16	31,859
2016/17	29,630
2017/18	22,596

Table 1: Value of Works Commissioned by EDG and PSP

2 Introduction

- 2.1.1 This report has been prepared in order to consider the different delivery models that are available for the provision of Transport and Engineering Professional Services (TEPS) and to recommend a preferred model for Devon County Council.
- 2.1.2 Whilst the intention of this report is to recommend a preferred delivery model, it will be for the Highways, Infrastructure Development & Waste (HIDW) Senior Management team to make recommendations to Cabinet, and for Cabinet to consider these recommendations.
- 2.1.3 In order to identify a preferred delivery model, the following approach shall be adopted:
 - a) Identify the objectives that the preferred delivery model should seek to achieve;
 - b) Identify a broad range of delivery model options;
 - c) Undertake an initial 'sift' of delivery model options, giving consideration to alignment with delivery model objectives, in order to create a shortlist for further evaluation;
 - d) Undertake market engagement with other Local Authorities, who have similar delivery requirements, and with the supplier market;
 - e) Evaluate shortlisted delivery model options in terms of strategic alignment, quality, needs, income opportunity/business growth, setup and operation costs, overall sustainability and resilience;
 - f) Recommend a preferred delivery model for DCC;
 - g) Consider whether there is any benefit within Devon, or more widely, to commission or undertake services with partner organisations;

3 Infrastructure Programme

Introduction

- 3.1.1 DCC's Capital Programme has become increasingly reliant upon the availability of external funding and will therefore be largely dependent upon the priorities of government departments.
- 3.1.2 The future infrastructure programme is therefore uncertain but is expected to grow and evolve with the passage of time. This statement is supported by the government's funding announcements that have been made since DCC's budget book was prepared in January 2018.
- 3.1.3 At the time of writing, the future programme can be understood by considering DCC's confirmed Medium Term Capital Programme and subsequently announced funding together with the County Council's longer-term aspirations as set out in the Transport Infrastructure Plan to 2030.

Medium Term Capital Programme (MTCP)

- 3.1.4 Devon County Council's Medium-Term Capital Programme was reported to the January 2019 Scrutiny Committee.
- 3.1.5 A number of schemes identified within the MTCP could require transport and engineering professional services, particularly those identified under the following service areas:
 - Planning, Transportation & Environment (PT&E) and
 - Highways, Infrastructure Development & Waste (HIDW).

Housing Infrastructure Fund

- 3.1.6 Additionally, in February 2018, the Ministry of Housing, Communities & Local Government announced the allocation of £44.7m Housing Infrastructure Funding (Marginal Viability Funding) towards schemes in Devon. Although this funding will be allocated to the Lower Tier Authorities it is expected that the County Council, as the Highway Authority, will play a key role in delivering a number of these schemes.
- 3.1.7 A further £2.3b is available nationally through the Housing Infrastructure Fund (Forward Fund) with an announcement expected early 2019. This fund is available until 31 March 2021 and shall be awarded directly to Uppermost Tier Local Authorities such as DCC.
- 3.1.8 More specifically, DCC submitted an Expression of Interest to the Ministry of Housing, Communities and Local Government (MHCLG) for a package of infrastructure developments totalling approximately £45m to the south west of Exeter. This was approved by the MHCLG in March 2018 and DCC have since submitted a full bid totalling £55m for these proposals.

Transport Infrastructure Plan (to 2030)

- 3.1.9 DCC has also developed a Transport Infrastructure Plan which sets out its aspirations to 2030, a copy of which is available in Appendix A.
- 3.1.10 This plan supports the Local Transport Plan and outlines a wide range of major infrastructure schemes across the County which have been identified primarily to facilitate economic and residential growth.

4 Delivery Model Objectives

4.1.1 The delivery model objectives should reflect the key operating principles of the Engineering Design Group which, in the 2017/18 Business Management Plan, are identified as:

- Agility and flexibility to meet changing needs;
- Delivering value for money in programme and project management, design and contract supervision;
- Understanding, and helping deliver DCC's strategies, and achieving high customer satisfaction levels;
- Managing DCC's exposure to the risks associated with changing staff resource requirements and funding changes.

4.1.2 The suitability of these operating principles were discussed with Senior User, Dave Black (Head of Planning, Transportation & Environment), on 30 May 2018 and the following additions were agreed:

- To provide a stable platform to enable the recruitment, retention, training and development of staff;
- To create an environment which effectively identifies and manages project risks;

4.1.3 These operating principles have also been discussed with the Senior User from the Highway Management Service, Joe Deasy, who agreed to these principles whilst emphasising the importance of retaining internal intelligence especially when making value for money procurement decisions.

4.1.4 These delivery model objectives are considered to be aligned with DCC's Operating Model, which encourages commissioning whilst recognising the importance of being flexible, responsive and building a strong base of commercial knowledge (i.e. intelligent client).

5 Delivery Model Options

5.1.1 The following table outlines a range of different delivery models that could be adopted for the provision of transport and engineering professional services.

Option	Description	Internal Provision	External Provision	Example
1	Full in-house service delivery.	Full in-house service delivery.	None, other than occasional ad-hoc commissions.	Devon Property, prior to externalisation in April 2007. EDG prior to TECS contract in 2001.
2A	In-house team with single top-up consultant.	In-house consultancy & client.	Single consultant providing top-up and specialist services.	This is the Engineering Design Group's current operating model.
2B	In-house team with several top-up consultants	In-house consultancy & client.	Consultancy framework providing top-up and specialist services.	Lancashire County Council.
3A	Local Authority Trading Company (LATC)	None, other than Client function.	Local authority owned company, potentially allocated work under regulation 12 of the Public Contracts Regulations (PCR) 2015.	Cormac (for Cornwall Council).
3B	Public-Public Joint Venture (JV)	None, other than Client function.	Consultancy works undertaken by external JV company who are under the shared ownership of DCC and another public-sector organisation. JV company would be awarded works under regulation 12 of PCR2015.	NPS South-West. Via East Midlands.

Option	Description	Internal Provision	External Provision	Example
4	Public-Private Joint Venture (JV)	None, other than Client function.	Consultancy works undertaken by external JV company who are under the shared ownership of DCC and a private sector organisation.	Babcock LDP – range of services for DCC Education & Learning.
5A	Fully externalised service with single external consultant.	None, other than Client function.	Single external supplier providing a fully externalised service.	Atkins for Swindon Borough Council & Jacobs for Worcestershire CC.
5B	Fully externalised service with several external consultants.	None, other than Client function.	Consultancy framework providing a fully externalised service.	Transport for Greater Manchester (TfGM) consultancy framework 2016-2020.

Table 2: Delivery Model Options

6 Initial Sift of Delivery Model Options

6.1 Option 1 - Full In-House Service Delivery

- 6.1.1 In order to successfully deliver the capital programme through a fully in-house service DCC's current staffing levels would need to be significantly increased.
- 6.1.2 It is likely that a number of staff employed by DCC's current private sector partner would be eligible to transfer to DCC under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).
- 6.1.3 Depending upon the number of TUPE transfers and future workload, it is likely that an initial recruitment exercise would also need to be undertaken and this would need to be funded from revenue budgets.
- 6.1.4 In theory this delivery model could offer good value for money, as it would be non-profit making, although this would be difficult to benchmark without the presence of a private sector comparator.
- 6.1.5 A fully internal team could develop a deep understanding of DCC's strategies, policies and priorities and would offer DCC greatest control over the allocation and prioritisation of resources.
- 6.1.6 However the lack of any 'reach-back', that could be offered by large private sector organisations, would significantly reduce DCC's agility and flexibility. This would compromise DCC's ability to cope with peaks in the infrastructure programme and would make the procurement of ad-hoc specialist services more cumbersome.
- 6.1.7 Adopting this model would also require DCC to significantly increase internal resources which, in the event of a downturn in workload, could leave DCC with employment liabilities. In theory, this risk could be mitigated through the use of short term employment contracts and/or agency workers, however, the offer of such contracts could serve to deter potential applicants.
- 6.1.8 In view of the inherent inflexibility and employment complexities outlined above, it is recommended that this delivery model be discounted from further evaluation.

6.2 Option 2A – In-House Team with Top Up Consultant

- 6.2.1 Since 2001/02 Devon County Council has adopted delivery model 2A which consists of a strong internal team with a single ‘top-up’ professional services partner.
- 6.2.2 During this time a significant programme of construction works have been delivered including most notably the South Devon Link Road, Barnstaple Western Bypass and Crediton Link Road along with a host of infrastructure developments to the East of Exeter.
- 6.2.3 Comparative data suggests that, when compared with the private sector partner, the internal team generally delivers projects more cost effectively and with greater levels of client satisfaction.
- 6.2.4 Procurement of a ‘top-up’ service provider, who has significant reach-back ability and access to specialist services, provides Devon County Council with the flexibility and agility needed to successfully deliver a fluctuating programme of works.
- 6.2.5 The presence of both internal and external teams drives efficiency through comparative performance monitoring whilst also encouraging continual improvement by allowing each party to learn from one another. Appendix B includes the latest Key Performance Indicators (KPI) report for projects delivered across the partnership during 2017/18.
- 6.2.6 The internal team provides a strong understanding of DCC’s strategies, policies and priorities and the presence of a ‘top-up’ consultant helps to minimise the County Council’s employment liabilities in the event of a reduction to the infrastructure programme.
- 6.2.7 The current contract has been in operation for 10 years during which the ‘top-up’ service provider has developed an understanding of DCC’s direction of travel. The contract length has also provided a stable platform for both the internal and external teams to recruit, train and develop professional staff. This is likely to be one of the reasons behind the general upward trend in KPI scores throughout the duration of the partnership.
- 6.2.8 If there was a change to the incumbent private sector partner all HR legislation, including the TUPE Regulations 2006, would need to be adhered to.
- 6.2.9 For the reasons outlined above it is recommended that this delivery model be shortlisted for further evaluation.

6.3 Option 2B – In-House Team with Top Up Consultants (i.e. framework)

- 6.3.1 In high level terms this delivery model would be similar to option 2A albeit with multiple private sector service providers.
- 6.3.2 A procurement exercise would need to be undertaken to procure a framework of service providers. Unless there are exceptional and justifiable circumstances, Regulation 33 (3) of the Public Contracts Regulations 2015 limits the maximum duration of a framework arrangement to 4 years.
- 6.3.3 This relatively short duration would make it difficult for the private sector providers to recruit, train and develop staff for DCC. Furthermore, when combined with a reduced proportion of the work, the contract duration would present a barrier to the service providers from fully understanding DCC's needs, policies and strategies. These considerations would likely result in reduced client satisfaction and a concomitant erosion of KPI scores.
- 6.3.4 The procurement documents would need to set out a clear and transparent procedure for awarding call-offs that would adhere with the Public Contracts Regulations 2015. Three approaches could be used:
- (1) Direct Award;
 - (2) Mini-Competition;
 - (3) A combination of the above.
- 6.3.5 For a direct award, the terms of the framework must set out all of the terms governing the provision of the works and the objective conditions for determining which framework supplier will be awarded the work must be clearly set out in the procurement documents. This must be precise and would require a lot of forward planning in order to remain compliant during the life of the agreement.
- 6.3.6 In practical terms there would be several ways to undertake direct awards. Direct awards on a rotational basis are not considered appropriate as this approach would not demonstrate value for money or be a fair objective criteria. Alternatively, direct awards could be undertaken using a ranked system, with the highest ranked supplier being given first refusal of the work, and then the second highest ranked supplier and so on and so forth.
- 6.3.7 Direct Awards would need to be done in a method that allows for the successful candidate to be identified using the published objective criteria. It is not about whether other suppliers can or cannot meet the requirements and does not allow for self-selection based on subjective opinion and knowledge.
- 6.3.8 Direct Award from framework agreements are considered most suited to simple commoditised products rather than complex services as are being considered here.
- 6.3.9 The mini-competition approach would reduce DCC's agility as the formation of the invitation to mini-compete, preparation and submission of the mini-competition bids and their evaluation would be required for each call-off before the professional services could be awarded. This would increase the consultant's overheads which would need to be recovered through their successful tenders. The mini-competition process would also require greater DCC resources in order to organise, manage and evaluate the mini-competitions whilst also recording each call-off in Contracts Finder.

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- 6.3.10 It is also recognised that the mini-competition approach may not always result in good value. Framework providers could be selective about which projects they bid for and thus a competitive value for money exercise may not always be achieved.
- 6.3.11 Lump sum payments may also increase the risk of quality issues, particularly if the tendered price is later found to be unsustainable. This risk can be considerably reduced where payment is made on the basis of time charge as the suppliers do not have to take the risk on the duration of the professional services. Conversely, payment on a time charge basis could equate to higher costs as all work would be charged.
- 6.3.12 The lump sum payment mechanism would also increase demands upon each Project Sponsor as each brief would need to be well developed for pricing purposes and any changes to this evaluated in accordance with the contract (NEC Compensation Events). This approach could potentially lead to an adversarial relationship that would be detrimental to partnership working and continuous improvement.
- 6.3.13 In view of framework duration limitations and operational issues associated with this delivery model, it is recommended that this delivery model option be discounted from further evaluation.

6.4 Option 3A & 3B – Local Authority Trading Company/Public-Public Joint Venture Company

Background

- 6.4.1 In order to establish a company, DCC would need to rely on s4 of the Localism Act 2011 or s93 of the Local Government Act 2003. In either case, DCC would need to prepare a detailed business case to ensure that the company would be viable.
- 6.4.2 The business case would need to consider practical issues including staffing, accommodation, ICT, intellectual property and branding. The complexity in establishing this delivery model would almost certainly require specialist legal support which would need to be budgeted for in the business case.
- 6.4.3 Staff currently involved in the delivery of the county council's professional services would most likely be eligible to TUPE to the company and a Local Government Pension Scheme (LGPS) admissions agreement would be required to protect the pensions of transferred DCC employees. Such agreements allow scheme members who are TUPE transferred from their local government employment, to remain in the Local Government Pension Scheme (LGPS) for so long as they are employed in connection with the delivery of the outsourced service.
- 6.4.4 The differences between a jointly controlled company (public-public joint venture) and a company wholly owned by DCC are, in high level terms, minimal. However, the establishment of a jointly owned company would be more complex and would require close co-ordination, trust and alignment between the partners which would need to be secured through a Shareholder's Agreement. This would set out how risks and rewards are shared between the partners.
- 6.4.5 State aid is any advantage granted by public authorities through state resources on a selective basis to any organisations that could potentially distort competition and trade¹.
- 6.4.6 State Aid is generally not permissible in the EU and it would therefore be essential that the company was not given any advantage over its private sector competitors. This would mean that the company's public-sector owners must recover the costs of any support provided at market rates (e.g. accommodation, equipment, staff, overheads, support services etc) through transparent invoicing systems such that the independence of the company can be demonstrated.
- 6.4.7 In practical terms, this would increase the financial and administrative overheads associated with business operations and/or require the organisation to operate at arms-length from DCC with its own support services (IT, facilities management, HR, administration, legal etc).
- 6.4.8 The company would be subject to Companies House filing requirements. In terms of tax, the company would be subject to corporation tax on its trading profits and would be subject to less generous V.A.T. rules than are available to local authorities.

Procurement

- 6.4.9 Regulation 12 of the Public Contracts Regulations 2015 allows public-sector contracting authorities such as DCC to award contracts directly to other organisations provided that the following three conditions are met:

¹ <https://www.gov.uk/guidance/state-aid>

- the contracting authority exercises over the legal person concerned a control which is similar to that which it exercises over its own departments;
- more than 80% of the activities of the controlled legal person are carried out in the performance of tasks entrusted to it by the controlling contracting authority or by other legal persons controlled by that contracting authority; and
- there is no direct private capital participation in the controlled legal person with the exception of non-controlling and non-blocking forms of private capital participation required by national legislative provisions, in conformity with the Treaties, which do not exert a decisive influence on the controlled legal person.

6.4.10 Such an organisation may be owned by one or more public sector entities.

6.4.11 For procurement purposes, the company would be classed as a 'contracting authority' and be subject to all of the same public procurement rules as DCC.

Evaluation

6.4.12 When comparing this option against options 1, 2A or 2B, the additional set-up costs, operating costs, tax and State Aid considerations need to be considered against the potential benefit of being able to trade with the private sector (up to 20% of the company's turnover).

6.4.13 The benefits of being able to trade with the private sector would be most tangible in circumstances where the County Council's own infrastructure programme is forecast to diminish beyond that which could be accommodated by reducing the professional services undertaken by the private sector.

6.4.14 However, as outlined in section 4, the government's infrastructure investment programmes and DCC's established success in securing external project funding, has created a significant demand for the currently available professional services - with this demand expected to grow as additional funding is announced and existing major projects develop.

6.4.15 It is therefore considered that the ability to trade with the private sector is unnecessary and would be detrimental to the delivery of the County Council's own infrastructure programmes and projects.

6.4.16 It is also recognised that a professional services company owned solely by DCC would be a relatively small organisation that, when compared with the current delivery model, would have reduced flexibility to 'reach back' in the event of an upturn to the infrastructure programme. It would also be uneconomic for a small company to retain the range of specialists that are currently available through the private sector partner.

6.4.17 An external company controlled by DCC could potentially have a weaker understanding of DCC's strategies and policies, which could be further compounded by the company's pursuit of private sector work.

6.4.18 Taking all of the above factors into consideration, it is recommended that these delivery models be discounted from further consideration.

6.5 Option 4 – Private-Public Joint Venture (JV)

Procurement

- 6.5.1 This option would require an OJEU compliant procurement exercise in order to set up a JV company or LLP that is jointly owned by DCC and the private sector provider(s). The duration of this arrangement would need to be clearly stated in the OJEU Contract Notice.
- 6.5.2 The complexity of the contractual arrangements would mean that an 'open' or 'restricted' procurement procedure would be inappropriate, and instead a more complex procedure such as the 'Competitive Dialogue' or 'Competitive Procedure with Negotiation' would be recommended. When compared with the 'open' or 'restricted' procedures both of these procedures would require greater resourcing and longer timescales.

Background

- 6.5.3 DCC would need to be very clear and precise at the procurement launch as to the terms of the arrangement, what DCC is offering, what the partner would be providing and precisely how the JV company would be providing services to DCC. Advanced and detailed market research would therefore be crucial to develop a set of clearly defined arrangements.
- 6.5.4 Staff currently involved in the ongoing delivery of the county council's professional services would most likely be eligible to TUPE to the JV company and a Local Government Pension Scheme (LGPS) admissions agreement would be required to protect the pensions of transferred DCC employees. Such agreements allow scheme members who are TUPE transferred from their local government employment, to remain in the Local Government Pension Scheme (LGPS) for so long as they are employed in connection with the delivery of the outsourced service.
- 6.5.5 State Aid is generally not permissible in the EU and it would therefore be essential that the company was not given any advantage over its wholly private sector competitors. In practical terms, this would require the organisation to operate externally to DCC with its own support services (IT, facilities management, HR, administration, legal etc) and its own premises (or paying DCC market rates for occupying DCC premises offered as part of the procurement process).
- 6.5.6 In theory, when compared with internal service delivery, this delivery model could be more costly as the JV company would need to make a profit, a proportion of which would be lost to the private sector.
- 6.5.7 The company would be subject to Companies House filing requirements. In terms of tax, the company would be subject to corporation tax on its trading profits and would be subject to less generous V.A.T. rules than are available to local authorities.
- 6.5.8 The JV partners would be expected to share the risks and rewards associated with business operations.
- 6.5.9 The complexity of the arrangements associated with this delivery model would almost certainly require specialist legal support which would need to be budgeted for in the business case.
- 6.5.10 Private-Public Joint Ventures can be most beneficial where the public-sector organisation wishes to carry out activities in an area where it has identified a lack of internal expertise. In these circumstances, the public-sector organisation may benefit from working with an experienced commercial partner in the private sector.

Evaluation

- 6.5.11 When comparing this option against option 2A, the additional set-up and operating costs, tax and State Aid considerations need to be considered against the potential benefits of establishing a JV company with the private sector (as opposed to the partnership arrangements established through the current delivery model).
- 6.5.12 The Engineering Design Group is a well-established business unit within the County Council and has successfully delivered many major infrastructure schemes over the years. Internal expertise is considered to be well developed and the benefits of establishing a deeper partnership with the private sector are considered limited.
- 6.5.13 In managing performance of the current delivery model, Key Performance Indicators (KPIs) are sought from Clients on an annual basis and have continually demonstrated higher scores for schemes that are delivered by the internal team.
- 6.5.14 In addition to these KPIs, the cost effectiveness of both the internal and external elements of the current delivery model are benchmarked by comparing professional fees with overall project costs. This data indicates that the internal team are more cost effective than the private sector.
- 6.5.15 The establishment of a JV company, remote to DCC, could result in a weaker understanding of DCC's strategies, priorities and policies which would have a detrimental impact upon Client satisfaction. It would also fail to address the Client's request for an internal intelligence on value for money procurement.
- 6.5.16 When compared with option 2A, this delivery model would be less agile due to the absence of an internal team and the need to allocate projects to the JV company through a contractually defined commissioning process.
- 6.5.17 A JV company would be established for a defined period of time through a procurement process. The defined contract period would provide some stability to encourage the recruitment, training and development of staff but this would need to be considered alongside the need to be flexible for a varying workload. It would also be important for DCC to have an exit strategy in place for the end of the services.
- 6.5.18 In terms risk and issue management, the JV company may be more likely to withhold information about project issues from the Client until the consequences of the issue are properly understood. This may result in an increased frequency of surprises for clients and the potential loss of opportunity to mitigate the issue.
- 6.5.19 Taking all of these considerations into account it is recommended that this delivery model option be discounted from further consideration.

6.6 Options 5A & 5B – Fully Externalised Service

Procurement

- 6.6.1 The procurement of a fully externalised service would involve entering into contract(s) with one of more professional service providers.
- 6.6.2 'Open' or 'Restricted' procurement procedures could be used, although the use of a more complex procedure, such as the 'Competitive Procedure with Negotiation' (CPN), may be desired such that commercial issues can be discussed before tenders are finalised. As previously stated, the CPN procedure would involve greater time and resources than the 'open' or 'restricted' procedures.

Background

- 6.6.3 With option 5A, staff currently involved in the ongoing delivery of the county council's professional services (staff of DCC and the incumbent supplier) would most likely be eligible to TUPE to the successful tender. In these circumstances a Local Government Pension Scheme (LGPS) admissions agreement would be required to protect the pensions of transferred DCC employees. Such agreements allow scheme members who are TUPE transferred from their local government employment, to remain in the Local Government Pension Scheme (LGPS) for so long as they are employed in connection with the delivery of the outsourced service.
- 6.6.4 Option 5A would involve procurement of a single service provider with payment for professional services likely to be made on the basis of tendered hourly rates.
- 6.6.5 Contrastingly, option 5B would most likely involve a framework of service providers receiving work through direct awards, mini-competitions or a combination thereof.
- 6.6.6 As suggested in the evaluation of option 2B, the framework option with mini-competition does not necessarily guarantee best value, and a lump sum payment mechanism may result in over inflated quotations depending upon the complexity and risk associated with each commission.
- 6.6.7 In theory, delivery models 5A and 5B could both be more expensive than internal service provision as the commercial organisation(s) would need to generate profit. Appendix D summarises turnover and profit margins for a random selection of professional services suppliers, with profit margins ranging from negative values up to 12.64%.
- 6.6.8 Lump sum payments may increase the risk of quality issues, particularly if the tendered price is later found to be unsustainable. This risk is considerably reduced where payment is made on the basis of time charge as the tenderers do not have to take the duration risk. Conversely, payment on a time charge basis could equate to higher costs as all work would be charged.
- 6.6.9 The procurement of a single or multiple service providers would provide considerable 'reach back' to additional resources or specialisms.

Evaluation

- 6.6.10 Complete outsourcing of DCC's professional services would result in a loss of intelligence to the private sector, which would reduce DCC's ability to act as an intelligent client.
- 6.6.11 In terms of flexibility, these delivery models would offer access to significant 'reach back' resources and specialisms however, when compared with option 2A, the lack of an internal team would reduce agility due to the contractual commission process inherent with external service provision.
- 6.6.12 The adoption of a framework arrangement would reduce agility due to the mini-tender process that would be involved unless a carefully prepared direct award procedure was incorporated within the procurement documents. This would be detrimental to DCC, particularly in emergency situations where a rapid response is required (e.g. Grand Western Canal failure or Slapton Line erosion).
- 6.6.13 Competitive procurement processes would ensure that value for money was achieved however this could, in theory, remain more costly than internal service provision. This statement is supported by KPI and cost data gathered since establishment of the current operating model in 2001.
- 6.6.14 When compared within internal service provision, a fully externalised service would be less aligned with DCC's strategies and could have a weaker understanding of DCC's policies and priorities. This would be further compounded by the external service providers other commitments which would be balanced across multiple clients, rather than being solely focused on DCC.
- 6.6.15 Following the procurement process, the external organisation would carry the risk associated with changing staff resource requirements although DCC's transfer of this risk would effectively be built into the successful tenderers rates.
- 6.6.16 A framework arrangement would likely be limited to 4 years and would not provide a stable platform from which to encourage the recruitment, retention, training and development of staff. This would undoubtedly have an adverse impact on client satisfaction levels and associated KPI scores.
- 6.6.17 Creation of a long-term relationship with a single supplier would allow for the creation of a more stable platform, although this would be less stable than that offered by internal provision through options 1 or 2A.
- 6.6.18 In terms risk and issue management, an external provider may be more likely to withhold information about project issues from the Client until the consequences of the issue are properly understood. This may result in an increased frequency of surprises for clients and the potential loss of opportunity to mitigate the issue.
- 6.6.19 In view of the reduced agility, reduced value for money and lower client satisfaction levels that would likely result from implementation of this delivery model, it is recommended that options 5A and 5B be discounted from further evaluation.

7 Delivery Models Objectives Alignment

- 7.1.1 The table below sets the current delivery model as the baseline, and compares each of the alternative delivery models against this baseline.
- 7.1.2 For each delivery model, each objective has been scored on a scale of -1 to 1. A score of 1 represents a benefit over the baseline, a score of 0 represents a minor difference with the baseline and a score of -1 represents a dis-benefit over the baseline.
- 7.1.3 The scores for each delivery model are then totalled to identify if any of the alternative delivery models have better alignment with the objectives. A positive score indicates greater alignment whilst a negative score indicates less alignment.

Delivery Model Objective	Delivery Model							
	2A (Baseline)	1	2B	3A	3B	4	5A	5B
Agility & Flexibility	0	-1	-1	-1	-1	-1	-1	-1
Value for Money	0	1	-1	-1	-1	-1	-1	-1
Understanding DCC's strategies & client satisfaction	0	1	-1	-1	-1	-1	-1	-1
Managing DCC's exposure to the risks associated with changing staff resource requirements and funding changes	0	-1	0	-1	-1	0	0	0
Stable platform for staff recruitment, retention, training & development	0	-1	-1	1	1	-1	-1	-1
Effective project risk management	0	-1	0	0	0	-1	-1	-1
TOTAL	0	-2	-4	-3	-3	-5	-5	-5

Table 3: Alignment of Delivery Models with Objectives

- 7.1.4 Table3 indicates that the current delivery model, option 2A, has the best alignment with the delivery model objectives followed by delivery model option 1. However, it would be inappropriate to shortlist delivery models on the basis of this table alone as delivery model objective alignment is just one of the many factors that need to be considered. Shortlisting of the delivery models is considered in the following section of the report.

8 Shortlisted Delivery Models

8.1.1 The Project Board met on 18 July 2018 and considered the above sections of this report in draft format.

8.1.2 During this meeting it was decided to shortlist delivery model options 2A and 2B for further evaluation whilst also discounting delivery model option 1. The reasons for these decisions are summarised in the following sections.

8.2 Delivery Model Options 2A and 2B – In-house Team with Top Up Consultant(s)

8.2.1 Delivery model option 2A was shortlisted for the reasons set out in section 6 of this report and because it offers the best alignment with the delivery model objectives as demonstrated by Table 3.

8.2.2 This decision recognises the valuable role that the current delivery model has played in successfully delivering a significant infrastructure programme since its establishment in 2001, together with the importance of remaining an intelligent client.

8.2.3 The Project Board also decided to shortlist delivery model 2B which, at a high level, is most similar to option 2A such that further investigations around the framework option could be undertaken.

8.3 Delivery Model Option 1 - Full In-house Service Delivery

8.3.1 It was decided against shortlisting delivery model option 1, despite it having second best alignment with the delivery model objectives, for the following reasons:

Agility and Flexibility:

8.3.2 Full in-house service delivery would reduce DCC's ability to cope with a fluctuating infrastructure programme.

8.3.3 It is recognised that external providers can complement internal resources whilst also providing significant reach-back potential and specialist services that are not currently available in-house.

Managing DCC's exposure to the risks associated with changing staff resource requirements and funding changes:

8.3.4 The agility and flexibility issues outlined above could be mitigated through the expansion of the internal team however this would increase DCC's exposure to employment liabilities in the event of a downturn in the infrastructure programme.

8.3.5 To limit this exposure, temporary employment contracts could be used however this could detract potential applicants in what is currently a challenging recruitment market. Agency workers could also be considered for short term assignments however this would adversely affect quality, due to an increased staff turnover, and would also add cost due to the associated agency fees.

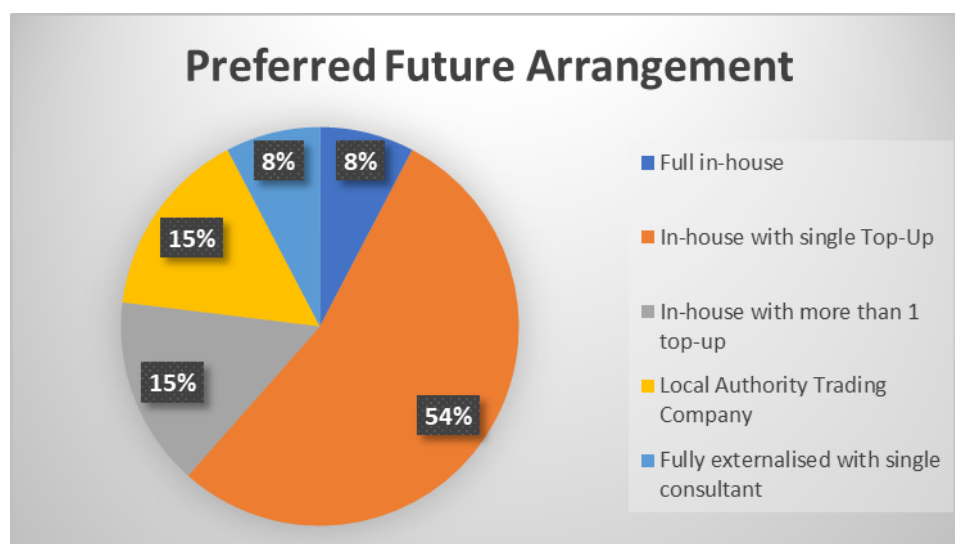
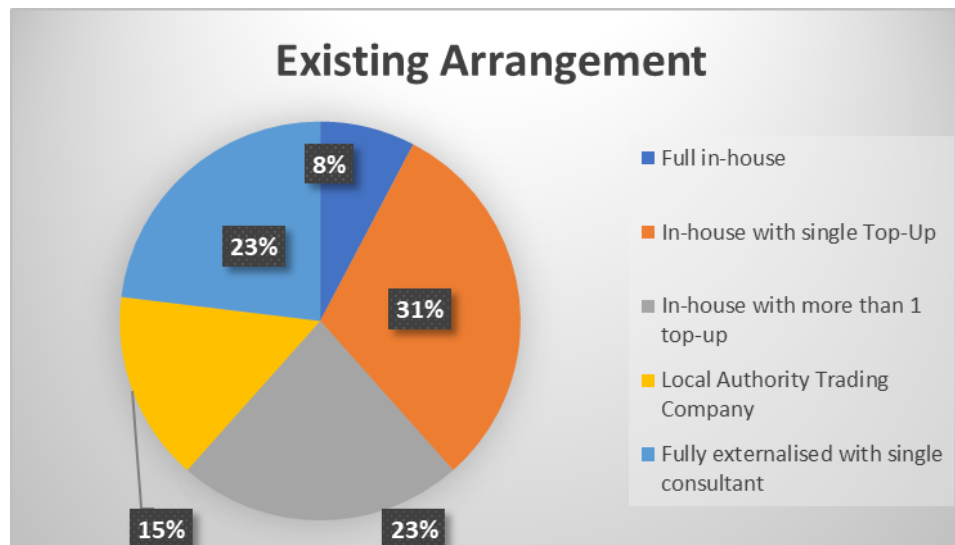
Stable platform for staff recruitment, retention, training & development

8.3.6 Provision of a stable platform for staff recruitment, retention, training and development is important to enable organisations to plan for the future and to support staff recruitment and development in what is currently a challenging recruitment market.

- 8.3.7 Whilst delivery model option 1 would avoid the need for a cyclical change of external providers, there are many other considerations.
- 8.3.8 The fluctuating infrastructure programme is largely dictated by central government's funding priorities over which DCC has very little control.
- 8.3.9 Selection of delivery model option 1, would require the EDG to take on significantly more staff in order to meet the demands of DCC's current infrastructure programme. Staffing levels would need to be constantly monitored and aligned with the anticipated demands of the forthcoming infrastructure programme, and the outcomes from DCC's funding bids could result in the need for drastic changes within short time periods.
- 8.3.10 Adoption of delivery model option 1 would therefore be detrimental to this delivery model objective.

9 Feedback from Other Local Authorities

- 9.1.1 The Project Board agreed at an early stage that engagement with other Local Authorities would be beneficial in helping to identify the most appropriate delivery model.
- 9.1.2 The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) provides an ideal network for establishing contacts with other Local Authorities.
- 9.1.3 The questionnaire that is shown in Appendix E was sent to a number of ADEPT contacts, with responses being received from the following organisations.
 - 1. Cumbria Council
 - 2. East Essex County Council
 - 3. Gloucestershire County Council
 - 4. Gwynedd Council
 - 5. Hampshire County Council
 - 6. Lincolnshire County Council
 - 7. Newcastle City Council
 - 8. Nottinghamshire County Council
 - 9. Perth & Kinross Council
 - 10. Salford City Council
 - 11. Somerset County Council
 - 12. South Gloucestershire Council
 - 13. Sussex County Council
 - 14. Transport for London
 - 15. Warrington Borough Council
 - 16. Worcestershire County Council
- 9.1.4 Response to the survey was 59%.
- 9.1.5 The pie chart below shows the spread of options and indicates Option 2A as the model used by most responders and the preferred model for future delivery.



- 9.1.6 A face to face meeting with Worcestershire County Council (WCC) was also undertaken when we identified that WCC use a NEC3 Term Service Contract which is one option we will be considering. The delivery model at WCC is different from DCC's current one as the professional and technical service has been fully externalised. The discussions did reveal that WCC use Target Cost (as opposed to Time Charge) for much of their scheme delivery which is something the evaluation team will investigate.

10 Market Engagement

10.1 Scope of Market Engagement

- 10.1.1 As part of the Market Engagement exercise, the evaluation team developed a questionnaire template for completion by interested organisations, a copy of which is available within Appendix F.
- 10.1.2 The purpose of the questionnaire was to identify any issues which could deter the market from expressing an interest in the planned procurement and to identify issues which the market could or could not provide solutions to. This would assist the Council in determining the most appropriate procurement strategy to use and to ensure that the specification and tender documents would be written in a way that would bring as much interest as possible to the procurement opportunity.
- 10.1.3 The initial market engagement plan was to meet face to face with up to 8 suppliers of different sizes to work through the questionnaire. In the event, the evaluation team met separately with 6 supplier representatives during the period 30 August – 19 October 2018.
- 10.1.4 To enable the market to provide feedback electronically, a Prior Information Notice (PIN) with the market engagement questionnaire was also published through the ProContract procurement portal. The PIN was published on the portal on 6th September 2018, and the closing date for submissions of the completed questionnaires was 8th October 2018.
- 10.1.5 Devon County Council obtained a total of 14 questionnaires, with 3 of these completed by EDG and Procurement Officers following face-to-face meetings with those organisations.

10.2 General Trends emerging from Market Engagement

10.2.1 The following Market Engagement questions are considered pertinent to selection of the most appropriate Delivery Model. General trends emerging from each of these questions shall be summarised within this section of the report.

Question Category:	Question Reference:
Delivery Model	D1, D2, D3, D4
Contract	C1, C3
Risks	R1
Location	L1, L3
Innovation	I1

D1. Would you be interested in tendering for this work with DCC?

All suppliers that the Council met face to face and those that submitted questionnaires stated that they would be interested in expressing an interest in this opportunity. One supplier indicated a willingness to tender as part of a consortium with a Tier 1 supplier or lead a consortium that includes a Tier 1 supplier.

D2. Do you have any thoughts on our proposed delivery model objectives?

There was a mixture of thoughts here. Some suppliers considered that the Option 2A model would provide the best outcome to the Council, while others considered Option 2B would provide more scope in terms of skills, value for money and flexibility.

Other thoughts to include under the objectives were:

- Add 'safety' as a key requirement when delivering value for money.
- Place some emphasis on providing a platform to enable the recruitment, retention, training and development of locally based staff.
- Consider including further thinking around partnership/collaboration, safety & wellbeing, innovation and social value.
- Place some emphasis on continuous improvement.
- Suggest an objective to support SME's.

Overall, the objectives were considered to be in alignment with those produced by other public-sector organisations.

D3. How would your organisation cope with potential peaks and troughs in workload from DCC?

The majority of responses accepted that the nature of the business across the wider public sector resulted in fluctuations of workload. Many of the responses referred to the use of resource management tools to identify how best to allocate resources at appropriate times. Others stated they had dedicated staff at a senior level that would take an overview to allocate resources as required.

It was interesting that nearly all the responses stated that they would be able to transfer work across their organisation in the event of workload fluctuations. In the case of a number of suppliers that favoured Option 2B (internal team with framework of suppliers),

it was considered this could be a very flexible approach to manage those resources as required.

D4. Do you have a view on whether the Council's business need would be best suited by a single 'top-up' consultant or a framework of multiple consultants?

From the 14 questionnaires, 8 favoured Option 2A, 5 favoured Option 2B, while one was undecided.

Those that selected Option 2A were consistent in their reasons:

- Early engagement.
- Rapid commissioning.
- Cost and Quality consistency.
- Ability to develop long term and mutually beneficial relationships.
- Frameworks would reduce the amount of investment to be made locally.
- Limited pipeline of opportunities with frameworks.
- Different values and approaches would make collaborative working challenging and inconsistent.

Those that selected Option 2B were also consistent in their reasons:

- Price and quality competitiveness
- Alternative supplier options in the event one supplier's performance deteriorates
- Access to a larger and diverse resource pool through multiple suppliers
- Allows DCC to be flexible in its approach as individual opportunities may require specialisms unavailable to a main supplier

C1. What are your thoughts on contract duration and extension options? Would, for example, an initial 5 years duration with an option to extend annually to provide an overall 10 years be appropriate? What extension options would incentivise consultants to deliver an ever-improving service?

From a procurement perspective, it was interesting to note that for those suppliers that favoured Option 2B (internal team with framework of suppliers) there seems little appreciation of the current Public Contracts Regulations (2015) which generally limits the use of frameworks as defined by Regulation 33 to a maximum of 4 years, as a number of these supported durations of frameworks in excess of that stated in Regulation 33.

For Option 2A, the general view is that an initial duration of 5 years is the minimum that would make the opportunity effective, as there needs to be an adequate period to allow any successful tenderer time to recoup any investment costs and to make a reasonable profit.

In regard to any extension periods, these ranged from 3 to 6 years. Generally, if the initial contract period is 5 years, then there should be the possibility to extend by up to an equal duration subject to satisfactory performance based on effective key performance indicators.

C3. The fluctuating infrastructure programme would make it very difficult for DCC to guarantee a minimum workload? What are your thoughts on this?

All bar one of the responses indicated that they all had experience of working in this sector where there was no guarantee of a minimum workload. Many suppliers indicated that they would be able to redeploy staff or transfer work across their organisations to ensure the right allocation of resources at the appropriate time using various resource management techniques.

A key issue to assist with the management of resources would be the exchange of information relation to the Council's pipeline of planned works.

R1. Has your organisation any experience of TUPE and what do you think are the key considerations for both the Client and Professional Services Provider?

The majority of suppliers have extensive experience in TUPE management however two responses indicated a lack of experience in implementing TUPE.

Key considerations for a successful TUPE implementation were identified as follows:

- Provision of accurate TUPE data at tender stage from the incumbent supplier.
- Clear and consistent communications through the tender stage and during the mobilisation period.
- Robust consultation with affected staff by both the incumbent & incoming supplier.

L1. What would your organisations thoughts be on co-locating within DCC's offices?

Co-location at DCC offices was generally considered to be the best approach to develop strong working relationships, but mainly on a project-by-project basis rather than having a full-time presence at DCC offices. This would enable building strong business relationships.

Some suppliers expressed their strong presence within the Exeter area which would provide a greater level of flexibility in support of projects.

L3. Do you see a remote location being an advantage, disadvantage or would make no impact on delivery?

Generally, there seemed to be no consensus as to whether this was an advantage or disadvantage. However, many of the suppliers indicated that remote working would have no impact on service delivery and would not be a barrier in delivering results. One supplier provided an example of undertaking design work in the UK for a client in Australia.

The issue of making potential savings based on working locally was questioned as rates may have to include costs relating to travelling time and associated costs for staff that may have to travel to Devon to perform their role in a co-location environment.

I1. Are there any innovations or efficiencies that you think DCC should be considering as part of this project?

There were no consistent innovations or efficiencies that suppliers identified. As such, a number of those identified were:

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TEPS Beyond 2020
Delivery Model Review

- Weight the tender scoring to promote and encourage innovation, added value and efficiencies.
- Use the principles of the [Highways England Lean Maturity Assessment](#).
- Use of drone surveys to save time and improve safety.
- Use of virtual reality to test environments and review designs.
- Integration of asset database into a 3D BIM compliant environment.
- Implementation of BIM and digital systems.
- Establishment of a continuous improvement forum to share lessons learned on DCC projects and the wider industry.

11 Detailed Evaluation of Shortlisted Delivery Models

11.1 Introduction

- 11.1.1 Section 5 of this report identified a range of delivery model options which were subsequently sifted in section 6 and then compared against their alignment with the delivery model objectives in section 7.
- 11.1.2 Based upon this analysis and for the reasons documented in section 8, the Project Board decided to shortlist the following delivery models for further evaluation as part of the market engagement exercise:
- Delivery Model 2A – In-house team with top-up consultant;
 - Delivery Model 2B – In house team with top-up consultants (i.e. framework).
- 11.1.3 In addition to the market engagement exercise outlined in section 10, the project team have obtained feedback from a range of other local authorities. The results of this feedback are presented in section 9.
- 11.1.4 This section of the report therefore focuses on the shortlisted delivery models, taking into consideration the following:
- Alignment with Delivery Model Objectives;
 - Feedback from other Local Authorities;
 - Findings from Market Engagement;
 - Other Relevant Factors

11.2 Alignment with Delivery Model Objectives

Agility and Flexibility

- 11.2.1 When comparing the shortlisted delivery models, option 2A was found to offer greater agility and flexibility than option 2B. The reasons for this are as follows:
- Agility - the commissioning of work packages under option 2A could be done more swiftly, without the need for a fully developed brief or mini-competition process.
 - Flexibility – option 2B could require work packages to be awarded following a mini-competition process. This would require the scope (i.e. design brief) to be more fully developed by the Clients in advance of the mini-competition, and would require the cost and time implications of every scope change to be assessed (i.e. multiple NEC Compensation Events).

Value for Money

- 11.2.2 Delivery model 2A is considered to offer better value for money than delivery model 2B for the reasons outlined below:
- Option 2B would involve additional resources. DCC would need additional resources to manage the mini-competition process, to evaluate the tender submissions and to publish each call-off on Contracts Finder. Similarly, the mini-competition process would involve framework consultants spending time and

money bidding for work which they may not win, with these costs being recouped from the Client through their successful tenders.

- Option 2B is more likely to involve the use of a lump sum payment mechanism. Use of this payment mechanism could adversely affect quality of the professional services which would affect whole life costs. During construction, design changes would be compensation events and during operation maintenance issues may arise.

Understanding DCC's strategies & client satisfaction

- 11.2.3 Alignment with this delivery model objective is more likely to be achieved by establishing a long-term relationship with a single partner, rather than by commissioning a range of suppliers to undertake smaller values of work.
- 11.2.4 Delivery model 2A is therefore better aligned with this objective, particularly seeing as the Public Contract Regulations 2015 limit framework arrangements to a maximum of 4 years unless there are exceptional and justifiable circumstances.

Managing DCC's exposure to the risks associated with changing staff resource requirements and funding changes

- 11.2.5 Delivery models 2A and 2B are considered to offer similar alignment with this objective. Both options would retain a similarly sized internal team and would secure the additional 'top up' resources from the private sector.

Stable platform for staff recruitment, retention, training & development

- 11.2.6 Delivery model 2B would involve a framework arrangement which, as previously stated, would typically be limited to a maximum of 4 years whereas delivery model 2A could enable the establishment of a longer-term partnership.
- 11.2.7 The framework constraint, along with the smaller proportion of DCC's professional service work, would make it harder for framework suppliers to recruit, train and develop staff for DCC's benefit.

Effective Project Risk Management

- 11.2.8 On balance, delivery models 2A and 2B were considered to offer similar alignment with this delivery model objective.
- 11.2.9 A single supplier who has a long-term relationship with DCC is more likely to gain a better understanding of DCC's risk management strategy and its appetite for risk whilst also feeling more willing to share project issues with DCC's Client teams.
- 11.2.10 Conversely, a framework of suppliers may offer a greater pool from which to resource projects which could help to minimise the risk of insufficient project resources.

11.3 Feedback from Other Local Authorities

- 11.3.1 Sixteen other Local Authorities completed questionnaires about their current and preferred future delivery models.
- 11.3.2 From the responses received, 31% of these authorities currently use delivery model 2A whilst only 23% use delivery model 2B.
- 11.3.3 When asked to advise which would be their preferred future delivery model, 54% of the Local Authorities would favour delivery model 2A whilst only 15% would favour delivery model 2B.

11.4 Findings from Market Engagement

- 11.4.1 A total of 14 supplier organisations provided feedback, either through face-to-face meetings or in response to the advertised PIN.
- 11.4.2 8 suppliers felt that DCC's needs would be best served by delivery model 2A whilst 5 suppliers favoured delivery model 2B. It was unclear which option was favoured by one of the suppliers.
- 11.4.3 Importantly, none of the suppliers that favoured delivery model option 2B seemed to appreciate the maximum time period for framework arrangements imposed through the Public Contract Regulations 2015.

11.5 Other Relevant Factors

Moving from Delivery Model 2A to 2B

- 11.5.1 Should DCC chose to alter their current delivery model then all appropriate HR legislation would need to be followed.

11.6 Recommendation for DCC

- 11.6.1 In view of the above considerations, it is recommended that DCC adopt Delivery Model 2A (internal team with top up consultant) rather than Delivery Model 2B (internal team with top up consultants) for the following reasons:
 - It has the best alignment with the delivery model objectives;
 - The majority of other local authorities favour this delivery model;
 - The supplier market feel that it would best serve DCC's needs;
 - It has played a key role in successfully delivering DCC's significant infrastructure programme since its inception in 2001.
 - If the incumbent supplier were to be unsuccessful with their tender, it would potentially allow their staff who have been engaged on DCC projects to TUPE to the new supplier – bringing with them an inherent knowledge of DCC.

12 Consideration of Wider Synergies

12.1 Opening up Contract(s) to Other Local Authorities

- 12.1.1 Some of Devon's other Local Authorities (LAs) are likely to require professional services, such as those offered by the EDG, on an occasional basis depending upon the scale of their infrastructure programme and assets.
- 12.1.2 The Local Authorities (Goods & Services Act) 1970 allows local authorities to trade in goods and services provided that the trade is with a public body. This has previously enabled the EDG to provide professional services to other public bodies such as Highways England and Exeter City Council.
- 12.1.3 It would also be possible for other LAs to access DCC's professional services contract(s) provided that certain conditions are met, although there are practical considerations that need to be weighed up.
- 12.1.4 The procurement documents, including the published contract, would need to clearly set out / reflect the arrangements with the LAs, which would basically consist of one of two options:
- Option A - LAs will be able to access the services being procured only if they enter into their own contracts with the successful bidder (which would be on equivalent terms); or
 - Option B - DCC will enter into the contract(s) on behalf of itself and the LAs.
- 12.1.5 In terms of risk exposure, Option A would be preferable from DCC's perspective – the supplier and LA would have a direct contractual link and DCC could expressly carve out its own liability in relation to the LA contract(s). The OJEU Contract Notice would need to clearly state which other LAs could access the contract and the advertised value would need to include an allowance for their spend. This approach has been adopted for Torbay Council's involvement in both the current and previous partnerships.
- 12.1.6 Option B would make DCC the contracting authority and the LA would not have a direct contractual relationship with the supplier. DCC would therefore need to establish a back-to-back user/access agreement with each LA, to protect DCC and to govern the arrangement between DCC and the LA. In this scenario, the TEPS Specification should make it clear that from time to time DCC may be providing engineering support to other local authorities and, as part of that support, DCC may require the TEPS Provider to deliver certain services to DCC to enable/assist DCC in providing those engineering support services to the other local authorities. It would also be advantageous to make mention of this in the OJEU Contract notice.
- 12.1.7 For both Options A and B, all relevant Procurement Legislation would need to be followed in order to achieve a compliant process.
- 12.1.8 If DCC wished to open up its contract to other Local Authorities, the recommendation from DCC's Legal Services team is for DCC to enter into a legally binding Pre-Procurement Collaboration Agreement with each LA. This would help to mitigate some of the issues outlined above by setting out each parties obligations, levels of commitment and the consequences of failing to comply (e.g. indemnities). This would add additional complexity and risk to the project.

- 12.1.9 Allowing Devon's other LAs to access DCC's contract(s) would increase the local workload of the professional services supplier(s) which could mean that projects commissioned by other LAs are given priority over some of DCC's lower priority projects. This should be considered against the backdrop of skills shortages and recruitment difficulties within the profession.
- 12.1.10 Conversely, a greater workload may allow the successful provider(s) more stability and the opportunity to expand local service provision with positive impacts for DCC itself.

Recommendation

- 12.1.11 The current professional services contract is due to expire in March 2020 and the procurement of a replacement supplier(s) is of strategic importance to DCC, particularly when considered alongside its emerging capital programme and its ongoing recruitment difficulties.
- 12.1.12 Opening up the contract to other local authorities in the region, such as District councils, may be beneficial to Devon when commissioning works. In these instances, a legal agreement with the relevant district council(s) would be needed to indemnify DCC.
- 12.1.13 Torbay Council have been part of a tripartite arrangement with DCC and the top-up consultants since establishment of the current delivery model in 2001. The Project Board may therefore wish to make special dispensation to include this LA or they may be treated similarly to other LAs described in paragraph 12.1.12.

12.2 Wider Collaboration

- 12.2.1 DCC have procured professional services, for delivery model 2A, on two previous occasions and have successfully managed these contracts since 2001. The organisation is therefore considered to have a substantial base of knowledge, experience and documentation which can be used throughout the project.
- 12.2.2 In addition to this, there is the potential to collaborate with Hampshire County Council (HCC). HCC currently deliver their professional services through the following Delivery Model:
- Internal Engineering Consultancy (approximately 100 staff, c. £7m/annum);
 - Strategic Supplier currently Atkins, (c. £5m/annum. Due to expire in 2020 with option to extend by a further 2 years, extension to be decided in 2019);
 - Technical Resources Framework (TRF) (c. £5m/annum, due to expire in 2020).
- 12.2.3 It is understood that HCC are not undertaking a review of their current delivery model, and that they shall be seeking Cabinet Member approval to commence re-procurement of their TRF in November 2018.
- 12.2.4 HCC's Contract's Team have advised that their current Gen3 TRF comprises 17 no. SMEs who are available to support its in-house team through bespoke commissions and secondments across a variety of disciplines.
- 12.2.5 It has been agreed with HCC to share documentation at the various stages of our respective projects and a copy of HCC's procurement documents from their 2012 to 2016 TRF have been received. DCC have also requested a copy of HCC's contract documents for their Strategic Supplier.

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- 12.2.6 Lancashire County Council have also provided DCC with copies of their procurement documents for their Professional/Technical Services framework contract. This commenced in May 2017 and is due to expire in 2020, with the option to expend until May 2021.

Appendix A - Transport Infrastructure Plan

Approved by Cabinet on 8 March 2017 (Minute *167(e) refers)

Plan is available from the following page:

<https://democracy.devon.gov.uk/mgAi.aspx?ID=4435>

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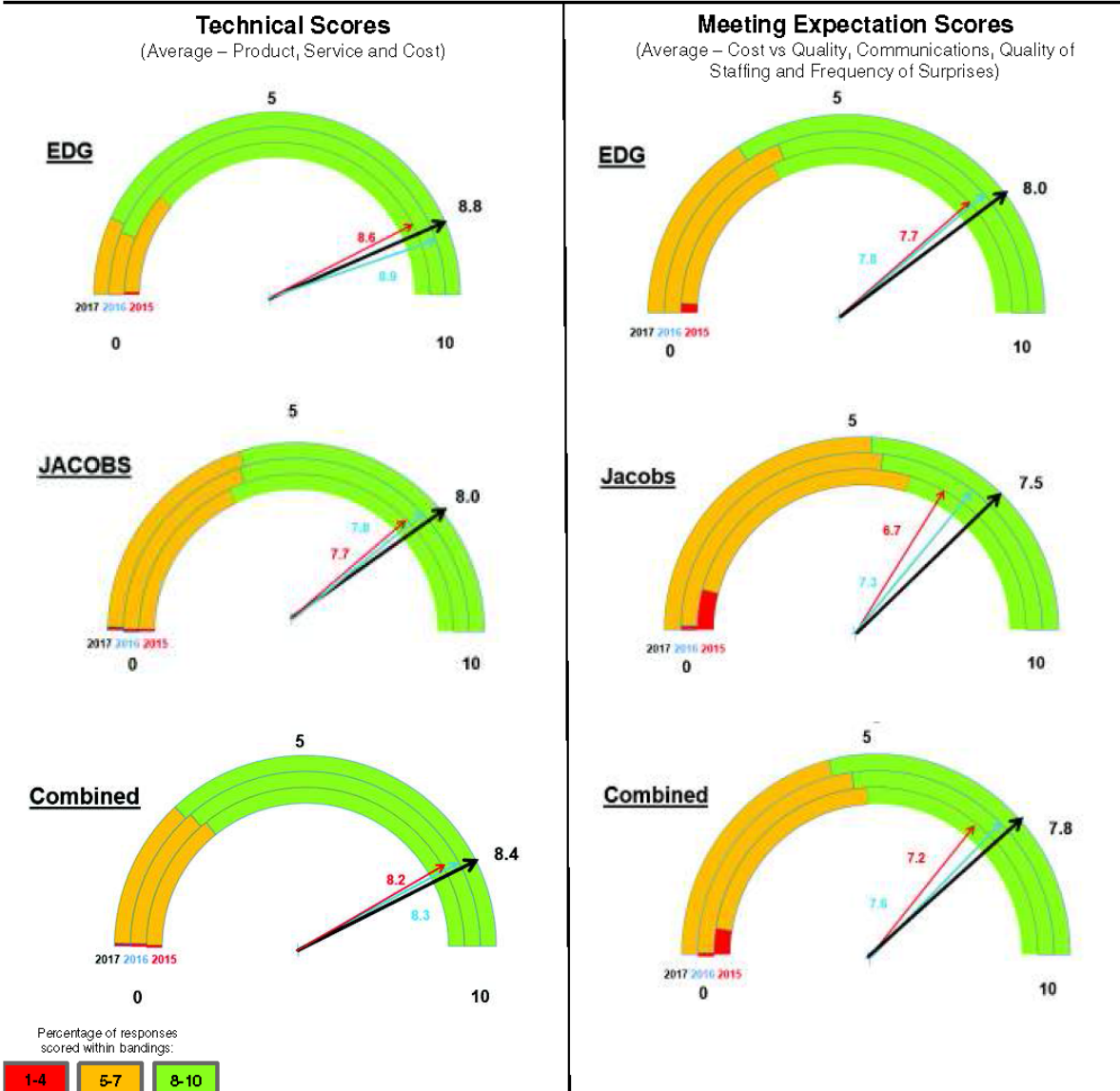
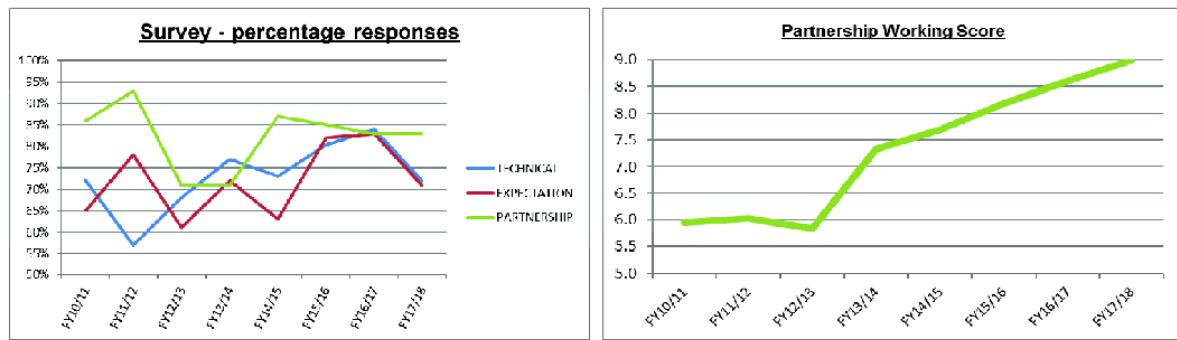
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Appendix B – 2017/18 KPI Report Executive Summary

Devon County Council and Jacobs Partnership
Transportation and Engineering Consultancy Services (TECS) Contract



KPI Executive Summary



Appendix D – Company Profit Margins

Company	Summation of 5 years Accounts*		Profit Margin (%)
	Profit/Loss before Tax (£k)	Turnover (£k)	
A	70,480	N/A	N/A
B	145,831	4,272,276	3.41
C	35,252	1,156,195	3.05
D	274,600	4,205,300	6.53
E	188,422	2,971,354	6.34
F	18,924	446,380	4.24
G	2,557	20,226	12.64
H	142,463	7,492,347	1.90
I	-30,385	N/A	N/A
J	-22,084	853,596	-2.59
K	21,359	361,224	5.91
L	5,747	96,311	5.96
M	-60	480,084	-0.01

(* Information supplied by DCC Procurement Services from Mint credit reports)

Appendix E – Local Authority Feedback

Devon County Council

Transport & Engineering Professional Services (TEPS) Contract

Introduction

Devon County Council's current Professional Services Contract ends in 2020 and this information gathering exercise is to assist in determining which professional services delivery model provides the best option for Devon County Council. A number of local authorities of similar size to Devon will be asked to complete a short questionnaire asking what delivery model they currently use and, if they were to change in the next two years, what their preferred option would be and why.

Background to current delivery model

Devon County Council (DCC) currently have an internal Engineering Design Group (EDG) who are responsible for the design, project management, procurement, supervision and contract management for a range of infrastructure schemes across the authority. Such projects are primarily funded from DCC's Capital Programme although revenue schemes are also undertaken. The EDG consists of 83 full-time professional and technical staff capable of delivering a wide range of highway related engineering activities.

Since 2001, the EDG has had a Transport and Engineering Consultancy Services (TECS) contract in place which allows it to manage the fluctuating workload resulting from a varying capital programme and to provide specialist services which are not available in-house (mainly relating to railways, environmental assessments and hydraulic & transport modelling)

The current contract commenced in 2010 and was initially for a 5-year period, with the option to extend this incrementally until 2020. The contract with has now been extended to its maximum and is currently due to expire on 31 March 2020.

Why a questionnaire? The purpose of the questionnaire is to establish from others within the industry if the current delivery model remains the best option for Devon County Council and will continue to deliver the key operating principles of:

- **Agility and flexibility** to meet changing needs;
- Delivering **value for money** in programme and project management, design and contract supervision;
- **Understanding, and helping deliver DCC's strategies**, and achieving **high customer satisfaction** levels;
- **Managing DCC's exposure to the risks** associated with changing staff resource requirements and funding changes.
- To provide a **stable platform to enable the recruitment, retention, training and development of staff**;
- To create **an environment which effectively identifies and manages project risks**

Option	Description	Please indicate your Current Model	Please indicate Your preferred model if you were renewing in 2020	Reasons for stating preference
1	Full in-house service delivery.			
2A	In-house team with single top-up consultant.			
2B	In-house team with several top-up consultants			
3A	Local Authority Trading Company (LATC)			
3B	Public-Public Joint Venture (JV)			
4	Public-Private Joint Venture (JV)			
5A	Fully externalised service with single external consultant.			
5B	Fully externalised service with several external consultants.			
6	Other.....(please state)			

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Specific Questions

1) How satisfied are you with the performance of your current delivery model?	Not satisfied Satisfied Very satisfied
2) What were your organisations reasons for adopting your current delivery model?	
3) What do you consider to be the key considerations if DCC were to consider adopting your current delivery model?	
4) Which of the other delivery models has your authority previously used and what was your experience of it/them?	
5) Please provide any other comments you feel would be appropriate for this assessment	

Survey Results

Existing Arrangement		Preferred Future Arrangement	
Model	Number	Model	Number
1	1	1	1
2A	4	2A	7
2B	3	2B	2
3A	2	3A	2
5A	3	5A	1

Responses Received

Local Authority	Current Model	Preferred Model 2020
1	No response	
2	2A	2A
3	No response	
4	No response	
5	3A	3A
6	2A	2A
7	2B	
8	2B	2A or 2B
9	2A	2A
10	2B	2B
11	3A - Teckal	3A
12	1 In-house when possible	Assume 1
13	No response	
14	No response	
15	No response	
16	No response	
17	5A	2A
18	No response	
19	No response	
20	2A	2A
21	5A	2A
22	5A	5A

Appendix F – Market Engagement Questionnaire

TEPS – Market Engagement Questions

Introduction to DCC

- EDG is DCC's in-house engineering service with approx. 80 engineers and technicians – we deliver schemes with values from a few thousand to multi-million highway improvement projects. We also have a large structures team who have an asset management function so undertake bridge inspections and assessments. The current consultant is heavily involved in these areas. We also have a Waste management and flood risk management role and will deliver new recycling centres and flood defence schemes
- Clients are Planning and Transportation, Highway Management, Bridges asset Management and Waste Manager
- This will be the third Professional services Contract we have let and the purpose is really to provide flexibility for the Council so as well as being a top-up service for EDG it also provides access to skillsets that we may not have, ie Railways expertise.
- Other information will be available with the ITT

Delivery Model:

D1	Would you be interested in tendering for this work with DCC?
D2	Do you have any thoughts on our proposed delivery model objectives?
D3	How would your organisation cope with potential peaks and troughs in workload from DCC?
D4	Do you have a view on whether the Council's business need would be best suited by a single 'top-up' consultant or a framework arrangement of multiple consultants?

Procurement:

P1	Which of the procurement procedures described in the Public Contracts Regulations (2015) do you consider to be most appropriate and are there any of those procedures that may deter you from bidding?
P2	Are there any other potential risks or issues that we should be aware of that may deter you from bidding?

Tender Evaluation Criteria:

T1	What are your thoughts on tender evaluation criteria (i.e. cost and quality split)? What, in your view, is the most appropriate percentage split, e.g. 50/50 or something different, and why?
T2	Are there any areas that you think we should explore as part of a quality questionnaire?

Contract:

C1	What are your thoughts on contract duration and extension options? Would, for example, an initial 5 years duration, with an option to extend annually to provide an overall 10 years be appropriate? What extension options would incentivise consultants to deliver an ever-improving service?

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C2	DCC is considering using the NEC3 or NEC4 Professional Services or Term Service contract. Which standard form of professional services contract do you consider to be most appropriate and why?
C3	The fluctuating infrastructure programme would make it very difficult for DCC to guarantee a minimum workload. What are your thoughts on this?
C4	From your experience in delivering these services elsewhere, what do you consider to be the appropriate Key Performance Indicators to use and why? What do you consider are appropriate levels of performance that would determine if DCC would offer an extension to the initial contract duration?

Risks:

R1	Has your organisation any experience of TUPE and what do you think are the key considerations for both the Client and Professional Services Provider?

Payment:

P1	What should DCC consider when deciding upon the payment mechanism?

P2	If payment were to be made on the basis of hourly rates, how do you think DCC could best structure this arrangement?
P3	Are there any specialisms or circumstances that you think should warrant special rates (e.g. railways, night working etc)?
P4	Are there any specific indices that you consider should be used in determining price increases during the lifetime of the contract?

Location:

L1	What would your organisations thoughts be on co-locating within DCC's offices?
L2	How do you think this would affect the cost effectiveness of your tendered rates?
L3	Do you see a remote location being an advantage, disadvantage or would make no impact on delivery?

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Transition Arrangements:

T1	Do you have any suggestions as to how DCC could best handle the transition to a potentially new consultant?
T2	What sort of mobilisation timescales do you consider appropriate?

Innovation:

I1	Are there any innovations or efficiencies that you think DCC should be considering as part of this project?
I2	How does your organisation manage both professional fees and total project costs?
I3	What opportunities do you consider there are to offer apprenticeships to people as part of delivering these services to DCC? How would you advertise these and where?

James Stanley
6 September 2018

CSO/19/9
Cabinet
13 March 2019

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, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) Public Health (Councillor Connett)**

*Devon County Council notes:*

*\* the vital role played by Public Health in helping Devon residents to lead healthier lives by, for example, avoiding diseases, unwanted pregnancies, support to stop smoking, and eating better;*

*\* with grave concern the announcement of a further £85m cut to the Public Health Budget, as one of 12 Ministerial statements published by the Government on the last day of the Parliamentary term before Christmas, only weeks after the Secretary of State for Health described prevention as his priority; and*

*\* this is on top of cuts to the Public Health budget announced since Summer 20*

*\* 15, now totalling just over £600 million.*

*This Council meeting further notes:*

*\* the comments of the Health Foundation, who described these cuts as a false economy and who have calculated that an additional £3bn a year is required to reverse the impact of government cuts to the Public Health grant to date and have called for this increased budget to be allocated according to need; and*

*\* the warnings from the King's Fund that such cuts could put pressure on councils to cut non-statutory sexual health prevention services, which could lead to more sexually transmitted infections and unplanned pregnancies.*

*\* This Council believes that our Public Health team perform vital work to help keep the residents of Devon healthy and to avoid more costly admissions to hospital and other*

# Agenda Item 13

*interventions by our NHS and that this should be properly funded by central Government.*

*This Council meeting resolves to:*

- thank our Director of Public Health and her team for the great work they do across Devon despite continued financial challenges;*
- condemn the Government's use of the time just before Christmas to make announcements such as this;*
- call on the Leader of the Council and the Cabinet Member to consider carefully the required cuts to services will be implemented; and*
- ask the Leader and Chief Executive to write to the Secretary of State for Health, calling on the Government to deliver increased investment in Public Health and to support a sustainable health and social care system by taking a "prevention first" approach*

## **Briefing Note / Position Statement from the Chief Officer for Communities, Public Health, Environment and Prosperity**

### **Background**

The Comprehensive Spending Review announced the Government's intention to reduce the public health grant to local authorities over five years. In 2015/16 the grant was subject to a 6.4% clawback, in year, and it is from this already reduced baseline that further reductions would be applied. The impact nationally is a reduction of 2.2% in 2016/17, a further 2.5% in 2017/18 and 2.6% in each of the two following years.

The 2019/20 allocation for Devon County is £26,786,000. This is equivalent to £34 per head of population, which is significantly less than the national average of £59 per head and places Devon near the bottom of all local authorities in the country in terms of public health grant per head and the second lowest in the South West. The highest is City of London with £172 per head. The settlement represents a significant reduction in cash terms which continues to fall as costs such as salaries increase, and other cost pressures arise for example increased demand for sexual health services and increasing costs for medicines.

A savings plan to deliver the necessary financial savings was agreed by the Council on 18th February 2016 and this has been implemented and supported by impact assessments, action was taken to end contracts where feasible and considering mitigation to minimise impact. Many of the funded programmes that are left are mandated and commissioned as long-term contracts which leaves no flexibility in public health spend. Devon County Council has been very supportive of the work of public health and its financial position.

In making the savings over time, the priority for Devon County Council has been to protect public health services and programmes for the most vulnerable and disadvantaged people in Devon, and for children and young people, but some very difficult decisions had to be made that have had an impact on other public health services, and we have tried to mitigate these as much as possible. Having said that, Public Health Devon continues to work with partners and stakeholders to improve the

health of the population and tackle health inequalities and there has been significant investment to the area for example, the Sport England Delivery Pilot for Exeter and Cranbrook and several grants awarded for new programmes which will improve health outcomes for the residents of Devon.

## **Issues raised by the Motion**

The issues raised are recognised and Devon County Council would support and wholly endorse the importance of prevention and early intervention and a need to invest in this approach. The Council has sought to minimise the impact of the budget reductions over time in a managed way so that there has not had to be cuts to significant services such as mandated sexual health services and 0-19 Public Health Nursing.

However, the Council recognises that further cuts to the budget or increases to costs will reduce the ability to continue to maintain all services at current levels. To further mitigate this and to take the opportunity that arises from the NHS commitment to prevention public health and colleagues will seek to maximise the impact of interventions for prevention in the NHS 10 year forward plan. For example, there are commitments to provide support to stop smoking in acute settings which will bring extra capacity to stop smoking services.

Overall Devon County Council residents achieve comparatively good health outcomes in many areas (for example smoking rates have reduced to 13.5%) it is recognised for some indicators and for some groups this is not always the case.

If there were to be any service changes as a result of budget restrictions, these would be impact assessed and reported to Cabinet as part of normal procedures.

## **(b) Boniface Patron Saint of Devon (Councillor Way)**

*There is increasing interest in Crediton-born Winfrith, who became Saint Boniface, being recognised as Patron Saint of Devon. The Boniface Link Association is a secular organisation campaigning for the adoption of Boniface as Patron Saint of Devon. With links to Fulda in Germany and Dokkum in Holland, this initiative has gained letters of support from many churches and prominent civic figures from across the county.*

*Devon's most famous native-born saint, Boniface was born in the Crediton area circa 680AD. He is highly regarded for his missionary work across a large part of Europe. A significant historical figure he is often referred to as the First European. He studied at the monastery at Exeter, then at the monastery at Nursling, near Southampton.*

*In 716 he set sail to convert the tribes in Frisia (now Friesland) in the Netherlands to Christianity. Subsequent work in Frisia and Hesse gave him a reputation as an outstanding missionary and administrator. In 722, Pope Gregory made him Bishop of all Germany East of the Rhine. Much of his later work laid the foundations of Charlemagne's Holy Roman Empire 50 years later. In 754 he was martyred at Dokkum and buried at Fulda in Hesse.*

*The national shine to Boniface is at the Roman Catholic church at Crediton and the many references to him in Crediton's Parish church attract visitors to the town. A blue plaque can be seen at Tolleys, Crediton traditionally regarded as his birth place. An impressive statue of St Boniface is located at Newcombes Meadow.*

*Proud of Devon's heritage and recognising Boniface as a significant historic figure this Council supports the initiative to adopt Saint Boniface as Patron Saint of Devon.*

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

'Saint' comes from the Latin word sanctus, meaning 'holy'. More particularly a saint is usually defined as a Christian who has shown heroic virtue in some respect. A 'saint', is a Christian whom the Church knows and agrees has lived and died faithfully. A 'canonized' saint, recognised by the Church, does not differ really from many unknown saints except in recognition and therefore, the feast of All Saints' Day (November 1st) honors not only the canonized saints, but the countless men and women of faith who died in obscurity.

The Roman Catholic Church has an elaborate, formal, canonization process for investigating claims of sanctity, yet for the Eastern Orthodox and Anglican Catholic Churches the process of canonization is much less formal. The Church of England has no mechanism for canonising saints and avoids the use of the prenominal title "Saint" with reference to uncanonised individuals.

The practice of adopting patron saints goes back to the building of the first public churches in the Roman Empire.

The patron saints of churches, and more broadly of regions and countries, have generally been chosen because of some connection of that saint to that place – (preached the Gospel and / or died there / relics transferred there).

Patron saints tend to differ in importance from the general calendar of saints because they are, or become, cultural icons as well as religious figures.

In relation to St Boniface, the idea of St. Boniface as Patron Saint of Devon originated with a group in South Zeal who suggested that St. Boniface could be adopted as Patron Saint of Devon and his feast day, 5th June, should also be celebrated as Devonshire Day. Boniface believed that church and state should work together and was dedicated to a peaceful co-existence among the peoples with whom he worked.

The Boniface Link Association (Crediton) believe that celebrating St. Boniface as Devon's patron saint could celebrate its Saxon heritage, to encourage tourism and support the economy.

The idea of Boniface as Patron Saint of Devon has gained the support of all the main churches and letters of support have been received from the Bishop of Plymouth, Bishop of Exeter, Senior Pastor at Crediton Congregational Church, Crediton Methodist Church and Rector of the Orthodox Parish of the Holy Prophet Elias.

The medal of St Boniface is conferred personally by the Bishop of Exeter in recognition of their outstanding service to the Church and wider community. This celebrates faithful and sacrificial service, generous self-giving, and imaginative and innovative work in response to the commission to make new disciples.

It is understood that Boniface is honoured in the national church calendar on 5th June and most especially in Crediton. The Bishop of Exeter has also said that in the coming months, he shall be in a position to make an announcement about an initiative that honours and commemorates St Boniface.

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                            |                    |                              |



## STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION

5 February 2019

Present:-

Group A: Christian and Other Religion and Belief Communities (with the exception of the Church of England)

B Becher, K Denby, R Halsey, H Hastie, B Lane and M Miller, Becher and Randall

Group B: The Church of England

J Roberts (Chair), S Gill, C Hulbert, R Ingrouille and T Wilson

Group C: Teachers' Associations

J Goody, P Hammett, W Harrison, L Clay and P Randall

Group D: The County Council

E Brennan, C Channon, I Chubb and P Colthorpe

Co-opted Members

S Spence and B Twiggs

Advisor

E Pawson

Apologies:-

M Hext, J Taylorson, Parks, Flanagan, S Shute, G Winnall and M Squires

**65      Minutes**

**RESOLVED** that the Minutes of the Meeting held on 15 November 2018 be signed as a correct record.

**66      Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

**67      Devon SACRE Membership**

Mr Pawson reported on vacancies representing the Baptist, Roman Catholic and Sikh communities. Respective representative organisations would be contacted requesting nominations.

The Chair and Mr Pawson would also contact the Mosque about the Islam Community Representation seeking a meeting about a way forward, including a protocol for school visits (and other community groups) to the Mosque which in the past had proved positive and educational.

**68      Devon SACRE Annual Report 2017/8**

The Council received a draft Annual Report including a forward by the Chair. The draft covered Membership, activity and updates, interfaith work, holocaust Memorial Day and events in 2018, standards in Religious Education and collective worship.

Members' comments and discussion points with Ed Pawson included:

- the need for further discussion with Babcock about the timing and availability of the short course data (which was only made available the morning of this meeting);
- the positive progress and valued work of the Learn Teach Lead RE (LTLRE) Hubs across Devon with the Hubs providing decentralised leadership in the support of RE teaching noting some gaps in school engagement;
- dissemination of the half termly newsletter, including the possibility of providing a link within the LTLRE material
- the gratitude of members for Claire Hulbert and Ed Pawson and the HMD Working Group in partnership with Exeter City Council for the HMD events in 2018;
- need for further analysis in the differences in school performances across Devon compared against national data and with other similar local authorities; and the likely future impact of the new Agreed Syllabus; data relating to individual school performances in Devon, the level of availability and take up of the short and full courses across Devon and reasons behind the differing performance and attainment figures and the complexities involved in making direct comparisons;
- the work to monitor RE in Schools including visits by the Chair and Ed Pawson;
- confirmation by the Minister for Schools regarding the legal requirement for all schools to offer RE as part of a 'broad and balanced' curriculum and the role of Ofsted in ensuring compliance;
- the lack of RE performance data relating to special schools, PRUs and Free Schools in Devon, which required further investigation with Babcock, alongside future data requirements in respect of Home Schooling;
- requirements for all Schools to outline online on their websites their RE offer [on-line tool available - copy in the school's URL and then the following including quotation marks into Google (or preferred search engine) "Religious Education" Site: then paste in the School's URL and press enter];
- unvalidated provisional data relating to KS4 Full Course Entries and Outcomes by individual Schools in Devon and reasons behind the different outcomes and interpretation of the data;
- the need for 'progress' data to assist with interpretation noting the availability of very good data via the SW Teacher/School alliance and the work of John Lang in this area; and
- the late arrival (received during the meeting) of the Short Course data (entries and outcomes), which showed a large drop in entries; and more time was required for analysis and interpretation.

When finalised the Report would be sent to the DfE and Devon's Schools.

69

## **Agreed Syllabus Review**

Ed Pawson reported that following a recommendation by the Agreed Syllabus Conference to adopt the RE Today proposed Agreed Syllabus, he was now seeking the approval from Devon County Council's Head of Education and Learning for the Syllabus and to offer it to community schools free of charge. Torbay SACRE had accepted the RE Today Syllabus and Plymouth was expected to approve it shortly.

This SACRE meeting was now being asked to consider whether to offer the Syllabus to all schools in Devon free of charge or to charge the Academies, subject to approval of the Syllabus by the County Council. It was envisaged that delegate fees for attendance at the launch events organised by RE Today (when take-up in other areas had been good) would cover the cost of the Syllabus.

Members referred to the advantages of one single RE Syllabus available for all schools (irrespective of status) in Devon, helping ensure good quality, consistency and inclusivity, associated cost benefits and this would also assist effective monitoring by SACRE responsible for the overview of RE learning in all Schools.

It was **MOVED** by Tatiana Wilson, **SECONDED** by Claire Hulbert and



**RESOLVED** that the RE Today RE Syllabus be accepted as the Agreed Syllabus and that it is offered to all Schools in Devon free of charge, subject to ratification by Devon County Council.

70

## **Learn Teach Lead RE Updates**

Tatiana Wilson gave an update on Learn Teach Lead RE (LTLRE):

- Hubs continued to meet in North Devon (Barnstaple), East Devon (Exmouth), South Devon (Newton abbot), West Devon (Tavistock) and Exeter;
- the Hub leaders had completed the Farmington Scholarships and organised a A Level RE Conference and led the sessions;
- 4 Devon teachers were now members of the NATRE Executive, a positive reflection of the standing of the LTLRE Hubs;
- there was an on-line presence on twitter #REChatuk with this month's focus on Hinduism;
- the coaching and mentoring course in RE continued with schools buying in support from hub leaders to induct new RE leaders and it was hoped that this programme would help develop better affordable 1:1 support across the region;
- new leadership over the Devon/Torbay and Plymouth and the LTLRE was offering support for the induction of the new RE Adviser in Cornwall and the Hub Leaders were involved in planning and delivery for the Local Authority;
- whilst St Luke's was funding residential places for hub leaders and student places at conferences there was still a need for financial support from SACRE to enable hub leaders to meet for retraining throughout the year; and
- a conference was planned for October 2019 on the new Agreed Syllabus implementation in St Mellion.

The Chair thanked Tatiana for the update.

71

## **National Developments: RE Commission report**

Ed Pawson reported on national developments in RE covering:

- the Schools Minister's recent statement '*it is compulsory to teach RE in state funded schools at all key stages up to 18, even if pupils have not chosen to study religious education at GCSE or A Level. Schools that are not teaching RE are acting unlawfully or, in the case of academies, are in breach of their academy funding agreements. Where the Department is informed that a school is not fulfilling their legal duty, they will investigate accordingly*';
- the final report of the Commission on RE 'Religion and Worldviews: The Way Forward, A national plan for RE' and the shift in language from 'religion' to worldview';
- new proposed change of the name of the SACRE to Local Advisory Network for Religion and Worldview's; and
- NASACRE's response to the CRE's final report, including its disappointment with recommendation 8, to rename and reconstitute SACREs to become Local Advisory Networks and the change of status this implied.

Members' discussion points included:

- the view that what really mattered was what happened in the classroom in the teaching of RE and the wider meaning of spirituality and different world cultures;
- the need for clarification of the legal role of the proposed new Local Advisory Network, its funding and democratic input noting the active work of this SACRE which was effective in networking in Devon across schools, local authorities, faith communities and organisations; and
- the term 'Worldview' whilst to some appeared 'woolly' its meaning and emphasis on the plural and diverse nature of worldviews beyond the six major world faiths and humanism promoting greater understanding, perspectives and acceptance was supported; and the narrower interpretation of RE to some was not relevant or inclusive.

**72      Interfaith Developments**

The Chair reported that, whilst the event last year 'Dying Matters' had been successful with good participation, another Interfaith and Belief Forum conference would not be held this Spring, but consideration would be given to two events later in the year, one in northern Devon and the other in the south to facilitate access and greater school participation.

**73      Holocaust Memorial Day Events 2019**

The Chair reported on the events (details attached).

Members referred to the success of the events noting that the Buckfast Abbey event had raised £1700 for the Holocaust Education Trust, and the involvement of pupils which they had found stimulating and rewarding, and a suggestion from members to consideration of further participation with more student presentations at future events. Lorna Clay reported that a pupil from her school had also been appointed a pupil ambassador.

Agnes Grunwald-Spier was giving a Holocaust Survivor talk on Women's Experiences in the Holocaust on Thursday, 7 February 2019 at the URC Southernhay, Exeter to which SACRE members were invited (details attached).

Members commended the work of Ed Pawson and the HMD working group in partnership with Exeter City Council and local Schools in organising the events.

**74      SW SACRE conference Mon 4th March 2019**

Ed Pawson reported that 6 places were available for SACRE Members (details attached).

[N.B. places subsequently taken by Keith Denby, John Gooddy, Ed Pawson, Jeremy Roberts, Belinda Twiggs and Tatiana Wilson]

**75      Future SACRE Meetings**

Friday, 7 June 2019 and Tuesday, 19 November (both at 10 am)

The Meeting started at 10.00 am and finished at 12.25 pm

## FARMS ESTATE (INTERVIEWING) COMMITTEE

8 February 2019

Present:-

County Councillors

Councillors R Edgell (Chair), J Brook and C Whitton

Co-opted Members

Mrs L Warner (Tenants' representative)

\* **75**      **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* **76**      **Exclusion of the Press and Public**

**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.

\* **77**      **Farm Relettings: Moorhouse Farm, Bovey Tracey and Coppa Dolla Farm, Denbury**

*(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)*

(a)      **Moorhouse Farm, Bovey Tracey**

The Head of Digital Transformation and Business Support reported on the circumstances of this reletting.

The Committee then considered the rent for the holding and interviewed prospective tenants.

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

**RESOLVED** that the tenancy of Moorhouse Farm, Bovey Tracey be offered to Mr PW and Ms SM subject to the terms and conditions proposed and, in the event that Mr PW and Ms SM should not take up the offer of tenancy, the farm be offered in the alternative to Mr RM and Mrs RM.

(b)      **Coppa Dolla Farm, Denbury**

The Head of Digital Transformation and Business Support reported on the circumstances of this reletting.

The Committee then considered the rent for the holding and interviewed prospective tenants.

# Agenda Item 15b

2

FARMS ESTATE COMMITTEE

8/02/19

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

**RESOLVED** that the tenancy of Coppa Dolla Farm, Denbury be offered to Mr SB and Ms SP subject to the terms and conditions proposed and, in the event that Mr SB and Ms SP should not take up the offer of tenancy, the farm be offered in the alternative to Mr RM and Mrs RM.

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

The Meeting started at 9.00 am and finished at 5.00 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.*

## FARMS ESTATE COMMITTEE

25 February 2019

### Present:-

#### County Councillors

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

#### Co-opted Members

Mrs L Warner (Tenants' representative)

### Apologies

Councillor J Berry

\* 78

### **Minutes**

**RESOLVED** that the minutes of the meetings held on 3 December 2018 and 8 February 2019 be signed as a correct record.

\* 79

### **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

\* 80

### **Announcements**

(a) The Chair welcomed Mrs Mayes who was attending the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

(b) The Devon Federation of Young Farmers Clubs' new representative on the Farms Estate Committee was Helen Bellew in place of Edward Quick.

\* 81

### **Revenue Monitoring (Month 10) 2018/19**

The Committee received the Report of the County Treasurer (CT/19/29) on the County Farms Estate Revenue Monitoring (Month 10) 2018/19, noting the target surplus of £414,000 and providing a summary of the annual budget and detailing income and expenditure to date.

It was noted that NPS fees had increased as a result of a particularly busy year that included work with e.g. parish councils on wayleaves/leases; Airband (Broadband provider), six farm lettings, additional 1954 Act lettings and Common Law Tenancies, Farmwise Devon, Tenants' Training Academy, and on the repairs and maintenance programme.

\* 82

### **Capital Monitoring (Month 10) 2018/19**

The Committee received the Report of the County Treasurer (CT/19/28) on the County Farms Estate Month 10 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.

Forecasts anticipated spend of £1,552,587 at the end of 2018/19 with an unspent balance of £352,369 to be carried forward to 2019/20.

# Agenda Item 15c

2

FARMS ESTATE COMMITTEE  
25/02/19

## \* 83 Tenants' Training Academy (Minute \*25/11 December 2017)

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/19/01) on a Tenants' Training Academy. At the Farms Estate Committee on 11 December 2017 at Minute \*25 it was resolved:

- (a) *that support for development by the Estates Land Agents, working with Alison Rickett, Managing Director of Fresh Start Land Enterprise Centre, of a Fresh Start Academy and an individual mentoring scheme, open to all County Farms Estate tenants be approved; and*
- (b) *that funding from the County Farms Estate revenue budget for sponsorship of the cost of running the Fresh Start Academy up to a cap of £5,000 per annum with the intent that attendance by County Farms Estate tenants should be free or substantially subsidised be approved.*

Ongoing discussions with Fresh Start Land Enterprise Centre did not materialise and contact was then made with the Princes Countryside Trust, who had agreed to contribute up to £5,000 worth of funding support for the initiative. Appendix 1 to the Report set out the inaugural programme of training events which included speakers from Promar, Kite, Savills and Bateman Hosegood, and solicitors from Michelmores. So far 26 tenants and/or their partners had signed up to the programme.

The Head of Digital Transformation and Business Support reported that the first event had already taken place and had received excellent feedback. Members were welcome to attend the initial half hour opening *only* of any event.

The Committee commended the work of NPS on the Tenants' Training Academy which would benefit not just Tenants, but the whole County Farms Estate.

## \* 84 Exclusion of the Press and Public

**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.

## \* 85 Holdings and Tenancies etc.

*(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)*

(a) The Head of Digital Transformation and Business Support updated the Committee on matters regarding East Hill Farm, Knowstone.

### (b) Monitoring of Tenants on an Initial Farm Business Tenancy

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/19/02) on the Monitoring of Tenants on an Initial Farm Business Tenancy.

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

**RESOLVED** that the sending of letters to the tenants of Higher Leigh Farm, Churchstow, Lower Chitterley Farm, Bickleigh and Middle Yeo Farm, Down St Mary recording the current and satisfactory level of competency attained to date be endorsed.

(c) **Request for Extension of Tenancy**

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/19/03) on a request for an extension of tenancy.

Members requested that legal advice be sought regarding the tenant's occupation.

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

**RESOLVED** that approval be given to a site visit to Higher Bradaford Farm, Virginstow before formally considering a request for an extension of tenancy by the Tenant of the holding.

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

The Meeting started at 2.15 pm and finished at 3.10 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.*

# Agenda Item 15c



| <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> |
| Resources management                                                     | Approval to variation of the Capital Programme 2018/19 and other property matters                                        | 18 February 2019      |
| Community, Public Health<br>Transportation & Environment                 | Approval and adoption of the Tamar Valley AONB Management/Partnership Plan 2019/24                                       | 20 February 2019      |
|                                                                          | Approval and adoption of the South Devon AONB Management/Partnership Plan 2019/24                                        | 20 February 2019      |
|                                                                          | Approval of the East Devon AONB Management/Partnership Plan 2019/24                                                      | 20 February 2019      |
|                                                                          | Approval to the detailed schedule of fees and charges for Planning, Transportation and Environment and Library Services. | 11 March 2019         |
|                                                                          | Approval of the North Devon AONB Management Plan 2019-24                                                                 | 11 March 2019         |
| Economy and Skills                                                       | Approval to the detailed schedule of fees and charges for Trading Standards                                              | 11 March 2019         |
| Infrastructure Development<br>and Waste                                  | Approval of the detailed schedule of fees and charges for Infrastructure Development and Waste                           | 12 March              |

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 be 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 4.30pm 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/mingifs.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)

| 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> |                                                                                                                                                                                                             |                                       |                                                  |                                                                                                                                                                                                                  |                                                         |
| 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                                           |

|                                           |                                                                                                                     |                                                                                                                                       |                                                                                          |                                                                                                                                                                                                  |                        |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 10 April 2019                             | Transport Capital Programme 2019/20: For approval                                                                   | Public, HoSW LEP\LTB, District Councils, Stakeholders and Delivery Partners.                                                          | LTP 2011-2026 consultation, meetings, planning applications and local plan consultation. | 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          |
| 15 February 2019<br><br>14 February 2020  | 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          |
| <b>Specific Matters for Consideration</b> |                                                                                                                     |                                                                                                                                       |                                                                                          |                                                                                                                                                                                                  |                        |
| 13 March 2019                             | Budget Monitoring: Month 10 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          |
| 13 March 2019                             | Cullompton Eastern Relief Road: Approval to preferred route and development/submission of planning application      | Public and stakeholders                                                                                                               | 6-week public consultation in Sep/Oct 2018 with public exhibitions and questionnaires    | 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. | Cullompton & Bradninch |
| 13 March 2019                             | Proposed Long Lane widening and new link road on Silverdown Office Park, near Exeter Airport, Broadclyst            | Representatives from East Devon District Council. Exeter Airport, Landowners, Flybe, the Hampton by Hilton hotel and FAB Link project | Stakeholder Meetings                                                                     | 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             |

|               |                                                                                                                                            |                                                                |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                  |                                                    |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| 13 March 2019 | Transport and Engineering Professional Services Contract: Approval of model for civil engineering design services and to proceed to tender | Other local Authorities and potential suppliers                | Combination of, face to face (suppliers), and e-surveys (other LA's and suppliers)                                                                                                                                                                         | 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                                      |
| 13 March 2019 | Teign Estuary Trail - strategy update and approval to progress a planning application for the route                                        | Public and stakeholders                                        | Ongoing liaison with local stakeholders                                                                                                                                                                                                                    | 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.                 | Dawlish; Kingsteignton & Teign Estuary; Teignmouth |
| 10 April 2019 | E4 (Section 10) Cycle route along Pinhoe Road and Exhibition Way, Exeter                                                                   | Public consultation, Statutory consultees, Exeter City Council | 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 Dog representatives | 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                                      |

|               |                                                                                          |                                                                      |                                                                                                                                                                                                                         |                                                                                                                                                                                                  |                                                               |
|---------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 10 April 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 |
| 10 April 2019 | Park and Change facility, nr Exeter Science Park: 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                                                    |
| 10 April 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                                                 |
| 10 April 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                                                 |

|                 |                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                             |                                               |                                                                                                                                                                                                                  |               |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 10 April 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 |
| 10 April 2019   | Skypark Development Partnership, Clyst Honiton<br><i>This matter will be considered in Part 2, on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of a third party and of the County Council.</i> | N/A                                                                                                                                                                         | N/A                                           | Report of the Head of Economy, Enterprise and Skills outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                           | Broadclyst    |
| 10 July 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 |
| 10 October 2019 | Streetworks Permitting Scheme – Full Plan Proposal for approval                                                                                                                                                                                                                                                            | All companies that undertake works on the highway including DCC contractors, Utility companies, parish, town and district councils, transport operators, emergency services | Have your say page / formal TRO advertisement | 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 |



| <b>PART B -FRAMEWORK DECISIONS</b><br>(Requiring approval of the County Council)         |                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                |                                                                                         |                                                                                                                                                                  |                                                         |
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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 |
| 15 January 2019<br><br>21 February 2019<br><br>22 January 2020<br><br>18 February 2020   | 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                                           |
| 18 February 2019<br><br>21 February 2019<br><br>14 February 2020<br><br>20 February 2020 | 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<br>(i.e. Neither Key Nor Framework Decisions)             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                  |                         |                                                                                                                                                                                                                          |                                                         |
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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 |
|                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                  |                         |                                                                                                                                                                                                                          |                                                         |
|                                                                                  | Regular / Annual Matters for Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                  |                         |                                                                                                                                                                                                                          |                                                         |
| Between 13 March 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 18 March 2019 and 1 May 2021<br><br>Between 13 March 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 Chief Officer for Communities, Public Health, Environment and Prosperity 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 |
| <i>Specific Matters for Consideration</i> |                                                                                                                                                                                                                                                           |                                                                     |     |                                                                                                                                                                                |               |

## Agenda Item 17