

CABINET

15 May 2019

Present:-

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

Members attending in accordance with Standing Order 25

Councillors A Connett, R Edgell, B Greenslade, R Hannaford, J Hodgson, P Prowse, C Whitton and J Yabsley.

* **341** Minutes

RESOLVED that the minutes of the meeting held on 10 April 2019 be signed as a correct record.

* **342** Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* **343** Announcements

There was no announcement by the Chair at this meeting.

* **344** Petitions

There was no petition received from a Member of the Public or the Council.

* **345** Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the Leader and relevant Cabinet Member responded to two questions from a Member of the Council on the cost of Ash Die Back and lobbying Government and Devon MP's for a scheme of financial assistance and the superfast broadband programme rollout to rural areas.

[NB: A copy of the questions and answers are appended to these minutes and are also available on the Council's Website at <http://www.devon.gov.uk/dcc/committee/minutes.html> and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]

KEY DECISIONS

* **346** Approval to Revenue & Capital Outturn 2018/2019

(Councillors Connett, Hannaford and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the County Treasurer (CT/19/45) circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 on the outturn position for 2017/2018.

The Cabinet noted that Members had received regular budget monitoring reports throughout 2018/19 in which budget pressures and risks had been identified, the most significant relating

to Children's Services, with overspending steadily increasing to £12.0 millions at month ten (January 2019). With a package of measures proposed, Cabinet (in November 2019) agreed the proposed measures to offset the overspending. In March 2019, the overall position was back in balance and the year-end position now forecast to break-even.

The overspending in Children's services was £9.8 millions and the overall authority position, after transfers to and from Reserves, was a small underspend of £63,000. Detailed explanations of the final financial position for each service area were given in section two of this Report, but high level details included:

- Adult Care and Health Services - overall net underspend of £686,000 after taking into account carry forward requests;
- Children's Services - overspend of £9.8 millions;
- Communities, Public Health, Environment and Prosperity - overall underspend of £1.7 millions after taking into account grants and contributions carry forward and other carry forward requests;
- Corporate Services - overall underspend of £590,000 after taking into account grants and contributions carry forward and any other carry forward requests; and
- Highways and Traffic Management - underspend of £2.4 millions generated, largely through a focus on long-term preventative works that had been funded from the capital programme.

The Report further outlined the position with the Better Care Fund, General Balances and Earmarked Reserves.

Cabinet also noted that the Council along with the other Devon authorities, was selected by Government to join its Business Rate Pilot for that year. This enabled £11.6 millions to be made available for invest to save initiatives within Children's Services. These would be implemented over a four-year timescale and whilst £11.5 millions remained unspent, it had been transferred to a dedicated Earmarked Reserve for future years.

The change to the Minimum Revenue Provision policy agreed by County Council in February had, as planned, delivered a saving of just under £4 millions. Also, a review of the Balance Sheet enabled just under £3 millions to be released from the Financial Instruments Account to the revenue account. This, along with the late notification by Government of its intention to release the Business Rates Levy surplus in 2018/19 enabled £8.2 millions to be added to the Budget Management Reserve.

The mild and storm-free winter meant that the Bellwin emergency budget was not required and £250,000 had been used to create a Climate Change Emergency Reserve and the balance added to the Emergency Reserve to enhance resilience to future events. Details of the overall Reserves position were contained in section five of this Report and the table on page 8.

The Cabinet Member concluded that 2018/19 had been a particularly challenging year for the authority but the final year end position was welcome. The authority's Earmarked Reserves had increased by £25.2 millions, although £18.1 millions was in relation to the Business Rates Pilot (£6.6 millions to manage future risk and £11.5 millions for future invest to save initiatives within Children's Services). The increase in Reserves would help put the authority in a stronger position to deal with the uncertainty that remained around future funding, Brexit and ongoing pressures in Social Care.

The Cabinet placed on record its thanks to the Treasurer and her department for their work in delivering this Outturn Report.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) set out in the County Treasurers Report and/or referred to above having been considered:

it was **MOVED** by Councillor Barker, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that Members note that the draft outturn for 2018/19, after carry forwards and contributions to balances, reserves and provisions, shows an underspend of £63,000 against the approved revenue budget;

(b) that the 2018/19 revenue outturn be approved, including transactions on earmarked reserves and provisions, spending against budget, treatment of over and under spending and the implications for balances, as set out in the tables and the narrative of the Report;

(c) that the 2018/19 capital outturn be approved including spending against budget and proposed carry forwards, in accordance with the tables;

(d) that the use of capital finance as set out in the Determination of Capital Finance section 11 of the Report be approved;

(e) that a total of £15.0 millions is set aside from revenue resources as Minimum Revenue Provision (provision for credit liabilities to repay debt);

(f) that the Prudential Indicators as set out in section 10 of this Report be noted; and

(g) that the total monies owing to the Council as at 31st March 2019 be noted.

* 347

Moor Lane Improvements, Exeter: Approval to Construct

(Councillors Connett, Hannaford and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/19/19) seeking approval to construct the Moor Lane Improvements, Exeter. This was circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet noted that the Moor Lane junction, on the east of Exeter, experienced congestion on most of the approach arms during peak periods due to a mix of through traffic and traffic leaving Sowton Industrial estate. This proposed scheme aimed at relieving this congestion as well as being identified in the Council's Transport Infrastructure Plan, Exeter City Core Strategy and East Devon Local Plan as one of the measures required to accommodate the Exeter and East Devon Growth Point.

The Moor Lane roundabout improvement, along with Park and Change at the Science Park, and Exeter Cycle routes, formed the East of Exeter National Productivity Investment Fund (NPIF) package. The NPIF package was part grant-funded by the Department for Transport and an additional £618,500 of grant funding towards Moor Lane roundabout had been secured from the Highways England Growth and Housing Fund.

The proposed improvements were to widen the Moor Lane approach (from Sowton Industrial estate) to provide an additional lane into Moor Lane Roundabout and increase vehicular capacity at the junction. The northbound exit of the Ambassador Drive / Emperor Way would be widened for a short length to safely provide for the movement north onto Ambassador Drive/Cumberland Way. The lane markings on the Honiton Road westbound approach and circulatory would also be amended to permit two lanes to turn right into Ambassador Drive and reduce the queuing that occurred on this approach.

Facilities for pedestrians and cyclists would also be enhanced including localised widening of shared use paths, removal of current obstructions and widening of the refuge islands on the western arms of the Emperor Way and Oberon Road roundabouts.

An overview of the design for the Moor Lane Improvement Scheme was shown in Appendix A, with Appendices B1, B2 and B3 showing the 3 main areas of works in greater detail as well as being described in full in the Report.

Also highlighted was the consultation processes that had taken place both as part of the Local Plans for Exeter and East Devon District Council which had been scrutinised through the Examination in Public process and that information on the proposed design was sent to local businesses, Chamber of Commerce and key stakeholders in early March 2019.

The overall construction cost of the proposal was estimated at £2,226,578 to be funded as £692,786 from NPIF grant, £618,520 grant received from Highways England Housing and Growth Fund and £915,272 from S106 contributions received from Hill Barton Farm (£750,000 plus indexation).

The Cabinet noted that ecological surveys had been undertaken for areas where trees needed to be removed and vegetation cleared, and no protected species were affected. To mitigate the slight decrease in biodiversity and loss of trees, a planting scheme of native shrubs and trees along the edge of the Honiton Road Park and Ride site had been prepared in liaison with local Members.

The Head of Service's Report contained an Impact Assessment which had been circulated for the attention of Members at the meeting. This noted the improvements that would be realised in terms of unlocking housing at Cranbrook, improved access to employment opportunities and improved journey time reliability as well as better crossing facilities which would help accessibility across side roads for people who used wheelchairs or prams.

The proposals had no adverse impact on a specific audience, although some negative impacts would be realised as a result of traffic management during the construction works. This would be mitigated as far as possible by liaison with the Council's highway co-ordination, local businesses and traffic management groups.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability (including carbon impact), risk management, equality and legal considerations and Public Health impact) set out in the Head of Service's Report and/or referred to above having been considered:

it was **MOVED** by Councillor Davis, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that the construction of a highway junction improvement at Moor Lane Roundabout, as outlined in Appendix A, at an estimated cost of £2,226,578 be approved; and

(b) that delegated authority be given to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Infrastructure, Development & Waste and relevant local Members, to make minor amendments to the scheme details.

[NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available at: <http://new.devon.gov.uk/impact/>].

* 348

A361 North Devon Link Road - Pedestrian Cycle Crossings at Bishops Tawton and Landkey and Advance Planting Works

(Councillors Edgell, Hannaford, Whitton and Yabsley attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/19/20) seeking various approvals in relation to Pedestrian Cycle Crossings at Bishops Tawton and Landkey and Advance Planting Works (North Devon Link Road), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report followed the Cabinet Report of 11 July 2018 regarding the A361/A39 North Devon Link Road (NDLR) project. Since then, planning permission for the main works had been granted and the objection period for compulsory purchase order for land had now passed without objection.

The next major milestone was tendering and the appointment of a contractor which represented a significant achievement for the main scheme. However, to remain on programme some advance planting needed to be undertaken in 2019; to achieve a 12-month establishment period prior to the start of works in November 2020.

In addition, further consultation had been undertaken regarding provision of two further segregated pedestrian cycle facilities at both Bishop's Tawton junction and at Landkey junction in addition to the main scheme and a preferred option for a facility at each location had been reached.

The Report then outlined each of the proposals in detail. In relation to the Advanced Planting Contract, a tender process had been undertaken and a preferred contractor identified. The total cost of the works was estimated to £500k which was in line with the overall scheme cost estimates previously produced. The Cabinet noted that advance works such as these had to be funded by the Council from its capital fund.

The Segregated Pedestrian & Cycling Facility at Bishop's Tawton Roundabout proposals were consulted upon between 12 October 2018 and 23 November 2018. The report could be found at <https://www.devon.gov.uk/ndlr/project-documents>. The responses provided valuable insight to the impact of the proposals and several suggestions for improvements to the design. The recommendation for an underpass placed to the west of the roundabout remained the preferred option with designs for the recommended underpass option and an indicative design of the rejected overbridge option were shown as an Appendix to the Report. The Report also explained the additional recommendations as part of the scheme. A final layout with a 3D flythrough was available on the [scheme website \(https://www.youtube.com/watch?v=2h26YXYamTA&feature=youtu.be\)](https://www.youtube.com/watch?v=2h26YXYamTA&feature=youtu.be). Residents had suggested that a planning application for the scheme should be submitted giving stakeholders further opportunity to comment, particularly on any environmental impacts associated with the scheme.

With regard to the segregated Pedestrian & Cycling Facility at Landkey Junction, suggestions raised by Landkey Parish Council were reviewed and it was subsequently agreed that a segregated crossing here would be in-line with the Council's ambition to segregate, where possible, all pedestrian movements from the live carriageway for safety reasons.

The Report outlined the programme of works. With the advanced planting, this was planned to commence in Autumn 2019, continuing over the winter planting season. A planning application for the Bishop's Tawton scheme would be submitted in summer 2019, with a plan to begin procurement in winter 2019 with construction likely to begin in 2021. The planning application for the Landkey scheme would be submitted in 2019.

Funding for the proposed improvements was through the Department for Transport Local Majors funding package for the North Devon Link Road of £93 million (including £10 million of local contributions). The Full Business Case would be submitted in August 2020, with the advance planting and proposals at Bishop's Tawton and Landkey forming part of the scheme.

It was recognised that the underpass and overbridge would have some localised negative impact on existing vegetation and landscape, but this would be mitigated as far as possible with new planting, specific ecological mitigation measures and high-quality landscaping (to be developed as part of the planning application). Any outstanding negative impacts were offset by the safety benefits of the proposals.

The Head of Service's report included an Impact Assessment which had been circulated separately to Cabinet Members for their attention at this meeting (also available at <https://www.devon.gov.uk/impact/north-devon-link-road/>). The main scheme would affect everyone travelling along the NDLR between Bideford and South Molton and all users of the side roads adjoining the NDLR. It would also affect local residents directly affected by land acquisition and those indirectly affected by visual impact and noise. Given the nature of the scheme, it would have no impact on the diversity profile of affected people. Consideration had been given to non-motorised users, rather than focussing on vehicles alone and the adequacy of current proposals had been tested through public consultation, the results of which influenced the selection of the scheme and changes to the detailed design of the scheme. Therefore, no unimaginable consequences had been identified. National guidance and procedures had been followed to carefully define and assess a wide range of environmental risks, which guided the scheme development and assessment and included the identification of avoidance, mitigation, compensation and enhancement measures and any monitoring requirements.

The Report also highlighted that in terms of risk management, all necessary safeguards had been taken/included to safeguard the Council's position with relevant mitigation measures for each risk identified.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability (including carbon impact), risk management, equality and legal considerations and Public Health impact) set out in the Head of Service's Report and/or referred to above having been considered:

it was **MOVED** by Councillor Davis, **SECONDED** by Councillor Hart, and

RESOLVED

- (a) that the appointment of a contractor to undertake advance planting and associated works to an estimated value of £500k from the County Council's capital budget be approved;
- (b) that a pedestrian and cyclist underpass at Bishop's Tawton Junction be progressed through to planning application, land acquisition and tender;
- (c) that a pedestrian and cyclist bridge at Landkey Junction also be progressed through to planning application, land acquisition and tender; and
- (d) that delegated authority be given to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Infrastructure, Development and Waste and relevant local Member(s), to make minor amendments to the scheme details and to progress towards a Full Business Case.

[NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available at: <https://www.devon.gov.uk/impact/north-devon-link-road/>].

* 349 **Western Road, Ivybridge Parking Relocation**

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/19/21) seeking approval and authority to go to tender on the Western Road, Ivybridge Parking Relocation scheme, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Cabinet noted that Western Road in Ivybridge was the main arterial entry and egress from the town which currently suffered from congestion and was an Air Quality Management Area (AQMA). A public consultation was held from 14 January 2019 to 3 March 2019 to consider a scheme which relocated the existing on-street car parking on Western Road, Ivybridge to alleviate these problems.

The scheme proposal was to introduce double yellow lines where parking was removed on Western Road. The 22 on-street car parking spaces would be relocated to the verge between Wayside and Western Road. A footway would be provided as well as a new footway to connect to the Western Road footway. The new spaces would be retained in the existing Ivybridge zone 'C' permit area. The Report further outlined the proposals for the northern footway along Western Road and Marjorie Kelly Way roundabout, zebra crossings etc which would improve the environment for pedestrians. In addition, proposals for the reduction of the new Western Road carriageway to provide the space for footway widening. A preliminary scheme plan was provided in Appendix I to the Report.

The consultation process was outlined in full and 102 questionnaires had been received showing overall support for the need to improve traffic flow along Western Road (77% agreeing with this). A Public Consultation Report had been prepared and was available on the [website](#). This outlined responses in terms of parking layout, the permitting and management options of parking spaces, the potential relocation of the Rose Cottage westbound bus stop and design amendments.

The overall construction cost of the proposal was estimated at approximately £450,000, however, the scheme would not commence until the package of funding had been confirmed and agreed with the County Treasurer.

The Cabinet noted that the key objective was to improve the air quality of the Western Road AQMA through improved traffic flow and increasing the attractiveness of walking and facilities for a range of other users, allowing better access to the town centre, discouraging short distance vehicle trips, reducing carbon emissions and improving air quality in the area.

The Head of Service's Report incorporated an Impact Assessment which had been circulated for the attention of Members at this meeting <https://www.devon.gov.uk/impact/western-road-ivybridge/>. There were many positive impacts that the proposal would achieve such as those highlighted above, however the Impact Assessment referred to those negative impacts that may be realised such as potential increased speeds, short term traffic management issues during construction, cars parked further away from homes and the relocation of one disabled bay further away from the registered property. No unimaginable consequences had been identified.

The Report further outlined the risk management considerations including a 20% contingency fund, road safety audit, consultation with Western Power and agreements to be made with South Hams District Council regarding transfer of land for the car park and permitting arrangements of the new spaces.

The Cabinet acknowledged the options and alternatives that had been considered included doing nothing, the delivery of a southern link road, a new east of Ivybridge A38 Junction and the Promotion of Ultra Low Emission Vehicles (ULEVs), Green Travel Vouchers and Green Travel Planning. The scheme proposed would significantly improve the air quality of the designated AQMA and construction of a new car park would ensure those who used the

Western Road parking had a suitable alternative. It would further enhance provisions for active travel.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability (including carbon impact), risk management, equality and legal considerations and Public Health impact) set out in the Head of Service's Report and/or referred to above having been considered:

it was **MOVED** by Councillor Hughes, **SECONDED** by Councillor Croad, and

RESOLVED

(a) that the preferred scheme be approved to proceed to tender;

(b) that the Head of Planning, Transportation and Environment be given delegated powers, in consultation with the Cabinet Member for Highway Management and the local Member, to make minor amendments to the scheme details;

(c) that the required Traffic Regulation Orders be advertised and, if no objections are received, be made and sealed; and

(d) that the scheme be approved for construction at an estimated cost of £450,000, subject to the funding being confirmed.

[NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available at: <https://www.devon.gov.uk/impact/western-road-ivybridge/>].

MATTERS REFERRED

* **350** **Exeter Highways and Traffic Orders Committee - Residents Parking Extensions - Duryard and Pennsylvania**

(Councillors Hannaford and Prowse attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that the Exeter Highways and Traffic Orders Committee, at its meeting on the 9th April, in considering the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/42) relating to Residents Parking Extensions in Duryard & Pennsylvania, had RESOLVED (Minute 98 refers); '*(c) that a new Residents Parking Zone for Horseguards be supported, but in view of the proposal not being fully compliant with current Council policy, Cabinet be asked to consider and determine the proposal*'.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Hughes and

RESOLVED that Cabinet agrees to re-advertise a traffic order with a separate Residents Parking Zone for Horseguards.

OTHER MATTERS

* 351 Public Health Annual Report

(Councillors Connett, Hannaford and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Chief Officer for Communities, Public Health, Environment and Prosperity (PH/19/01), presenting the Public Health Annual Report for 2018/19, which was available on the [website](#).

The Cabinet noted that the Director of Public Health had a statutory duty to write an annual report, and the local authority has a statutory duty to publish it (section 73B [5] & [6] of the 2006 NHS Act, inserted by section 31 of the 2012 Health and Social Care Act).

The Annual Public Health Report was the twelfth in a series of annual reports on the health of the population of Devon which began in 2007/08. Each Report covered the general health of the population of Devon; increasingly the detail about health and wellbeing could be found in the annual Joint Strategic Needs assessment available at: www.devonhealthandwellbeing.org.uk/jsna.

The current Report focussed on the mental health and wellbeing of the population. It was recognised that the same priority should be given to mental health as physical health in terms of prevention, early intervention, treatment and rehabilitation.

Health inequality persisted and similarly existed between physical and mental health.

There were ten recommendations set out in the report:

1. Communities in Devon adopting a positive approach to mental health, recognising how common mental health issues were among the population;
2. Promotion of mental health and wellbeing in schools and educational settings;
3. Wider recognition of, and action to address, the inequality that existed for people with serious mental health issues in terms of physical health, employment and housing;
4. Recognition of, and action to address the mental ill-health risks associated with poverty, poor housing and lack of decent employment;
5. Ensuring that a 'Health in all policies' approach embraced mental health as well as physical health;
6. Action to prevent, recognise and treat the symptoms of trauma (including as a result of adverse childhood experiences) to prevent inappropriate and/or ineffective use of resources, whether they be health, social care or criminal justice;
7. Sufficient expert support available within community settings to complement national and local developments in home-based and community-based care;
8. Recognition of the importance of formal and informal caring responsibilities at all ages and information and practical support for carers, particularly in the light of the potential impact of caring on carers' own mental health and wellbeing;
9. Implementation of the recommendations of the fifth annual MBRRACE-UK ('Mothers and Babies: Reducing Risk through Audits and Confidential Enquiries') report, particularly those concerning maternal mental health and women from vulnerable groups; and

10. The Devon Health and Wellbeing Board continued to have mental health as one of its top priorities and to work, as a partnership, to achieve both measurable improvements in outcomes and also improvement in local authority comparator group rankings over the next five years.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability (including carbon impact), risk management, equality and legal considerations and Public Health impact) set out in the Chief Officer's Report and/or referred to above having been considered:

it was **MOVED** by Councillor Croad, **SECONDED** by Councillor Hart, and

RESOLVED that the annual report of the Director of Public Health 2018-19 be received and the recommendations, as outlined above, be noted.

* **352** **Question(s) from Members of the Public**

In accordance with the Council's Public Participation Rules, the Leader responded to one question from a Member of the public on the announcement by the Committee for Climate Change and lobbying of the Government by the Council.

The Member of the public was not at the meeting; therefore the response would be forwarded to them.

[NB: A copy of the questions and answers are appended to these minutes and are also available on the Council's Website at <http://www.devon.gov.uk/dcc/committee/minigifs.html> and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]

* **353** **Forward Plan**

(Councillor Hannaford and Hodgson attended in accordance with Standing Order 25(2) and spoke to this item).

In accordance with the Council's Constitution, the Cabinet reviewed the Forward Plan and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (at <http://democracy.devon.gov.uk/mgListPlans.aspx?RPIId=133&RD=0>)

NOTES:

1. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.
2. 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.
3. The Minutes of the Cabinet are published on the County Council's website.
4. A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-tv/core/portal/home>

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

The Meeting started at 10.30 am and finished at 12.04 pm



QUESTIONS FROM MEMBERS OF THE COUNCIL Wednesday 15 May 2019

1. QUESTION FROM COUNCILLOR GREENSLADE Re: Lobbying and Ash Die Back

Following the recent report which suggests dealing with ash dieback could cost some £15bn, Devon will obviously be facing a considerable bill. Does the Leader have any estimate as to the likely cost to DCC?

Secondly does he agree that like with storm damage costs Government should be stepping in with some form of financial assistance perhaps like a Bellwin type arrangement to help fund the cost of this natural disaster?

Lastly does the County Council have plans to lobby Government for financial help Including lobbying Devon MP's for support?

REPLY BY COUNCILLOR HART

A comprehensive report on the likely implications of ash dieback for Devon was presented to Cabinet at its meeting of 16 May 2018 (Minute * 176). This included an estimate of the likely cost to DCC of dealing with this tree disease on the county road network and its own estate.

This initial estimate (i.e. £2.5m for manual felling of trees where Devon County Council has direct responsibility, with up to an additional £100k/annum to administer this activity, plus provision of £250k to fund replacement planting) is very significantly less than the costs estimated by the recent national research. The reasons for the discrepancy in the DCC cost estimate and those set out in the recently published research include the following:

- The majority of the national quoted figure is due to the loss of 'ecosystem services' provided by ash (i.e. costs incurred by society in general), rather than directly incurred costs;
- The estimate cost for each felled tree, on which the research is understood to have been based, far exceeds the typical costs currently incurred by DCC through its tree framework contract;
- The national research appears to ignore the fact that the great majority of all roadside trees are the responsibility of private landowners, rather than Devon County Council.

Notwithstanding these points, the potential financial implications of dealing with ash dieback for this Authority are of significant concern. On this basis, a communications campaign will shortly be launched to highlight private landowners' tree safety responsibilities. Devon County Council is already working very closely with others, including the Devon Ash Dieback Resilience Forum and The Tree Council, to highlight the huge threats of this disease. This work includes regular liaison with Defra and representatives of Government Agencies, through which the need for financial and practical support for local government and others most significantly affected by ash dieback is addressed.

2. QUESTION FROM COUNCILLOR GREENSLADE

Minute Item 345

Re: Connecting Devon and Somerset and Rural Areas

What is the DCC response to recent complaints by a group of Parish Council's that 50,000 homes and businesses in the rural south west are effectively on Indefinite hold with the programme to bring superfast broadband to these rural Area's.

Why as the Connecting Devon and Somerset organisation put out little public information about the seven month contractual hold up which comes on top of five years of previous delays?

I hope the Cabinet Member will agree with me that completing the roll out of super fast broadband is a priority in attempts to regenerate the rural economies?

REPLY BY COUNCILLOR GILBERT

The Member for Barnstaple North will recall that when the Coalition Government set out its objective for the rural broadband programme it anticipated that only a third of rural England would require publicly-funded intervention to deliver superfast broadband. The Coalition Government assumed that two-thirds of rural areas would benefit from wholly commercially-funded broadband infrastructure.

That did not prove to be the case in Devon and Somerset where the challenging terrain and sparsely populated countryside was less attractive to commercial investors.

Happily, the Connecting Devon and Somerset programme stepped up and quite literally went the extra miles. To date, thanks to CDS it is not just a third of our sparsely populated rural areas that have access to publicly-subsidised superfast broadband, but actually a half and in North Devon it is now over 55%. Over 250,000 miles of optical fibre has been laid by the CDS programme, enough to circle the Earth ten times, in what continues to be one of the biggest mass digital engineering ventures of its kind. The commercial market is playing its part and it is good to see positive signs that our region is becoming more attractive to private sector investment in broadband in the wake of CDS' ground-breaking roll-out, but the commercial market should do more to provide broadband to areas without a service. It is not enough to simply overbuild on existing provision.

It is CDS that continues to make the hard yards to ensure our rural communities and businesses benefit from the digital revolution. Over 300,000 homes and businesses now have access to superfast broadband entirely thanks to the CDS programme. Nearly 40,000 more have access to improved broadband connections because of CDS. Every month hundreds more homes and businesses are getting access to superfast broadband thanks to CDS. That vital work is continuing and CDS is committed to helping communities get superfast broadband if the commercial market won't. To provide additional opportunities for people to access broadband CDS has joined the national Better Broadband Voucher Scheme, which mean any home or business with less than 2 Mbps and not part of planned deployment from another publicly funded scheme within the next 12 months can request a voucher.

The public take up of broadband services as a result of CDS is nearly 55%, in line with the UK average, and that is generating millions of pounds of additional investment back into the CDS programme thanks to the Government's gainshare deal with BT. There is benefit too for the Heart of the South West economy. The CDS programme is boosting productivity, generating hundreds of millions of pounds in business growth, increasing jobs and prosperity, and transforming the prospects of our rural and coastal communities.

CDS takes a proactive, hands-on approach with its contractors, supporting them and also challenging them where necessary. Airband is making good progress across northern and western Devon and the National Parks. BT has entered into a new collaboration with CDS that will see the programme expand coverage into some of our hardest to reach and most deprived areas. Gigaclear is continuing to build a new full fibre network for communities across the CDS area at its own cost, backed by the company's owners Infracapital, part of M&G Prudential.

Gigaclear has by its own admission incurred a number of delays which were no fault of CDS and were set out in a joint briefing for Members in November, last year. A further update was

provided to Members in March. Briefings are also provided to unitary and district councils, Members of Parliament and published on the CDS website. Press releases have been issued and Gigaclear, in close consultation with CDS, has notified affected parishes and issued public apologies. Residents and businesses have been let down as a result of these delays and CDS has made it clear to Gigaclear that the situation cannot continue indefinitely. The company is on notice of default and CDS is withholding public funding to Gigaclear pending receipt of a recovery plan that is satisfactory both to CDS and the Government. CDS will not shrink from taking further tough action if that is deemed necessary. CDS is not the only programme affected by delays and Gigaclear is not the only contractor to have run into problems, but CDS' top priority is and always will be delivering digital connectivity to our rural communities and businesses.

It is pleasing that the Department of Digital, Culture, Media and Sport backed CDS' bid to extend over £18 million of Government funding for superfast broadband in Devon and Somerset to March 2023. There has been a positive response from HM Treasury which is finalising an agreement for the funding extension with DCMS subject to the Spending Review process. I am grateful for the support CDS has received from DCMS officials and particularly the Digital Minister Margot James and Liz Truss, Chief Secretary to the Treasury.

It underlines the confidence in CDS and the vital work the programme is doing in often very challenging conditions. It means CDS has the flexibility to either agree an acceptable revised timetable with Gigaclear to complete a new ultrafast full-fibre network or CDS can pursue alternative full-fibre solutions for our residents and businesses. CDS has begun the process of testing the market to properly assess not only what alternative options there may be if required, but also to assess what potential exists to extend broadband coverage to the most difficult to reach areas of our region.



QUESTIONS FROM MEMBERS OF THE PUBLIC Wednesday 15 May 2019

1. **QUESTION FROM MR PETER SCOTT (NOT IN ATTENDANCE)** **Re: Lobbying of Committee for Climate Change**

In the context of DCC's declaration of a Climate Emergency, and following the announcement by the Committee for Climate Change of the new recommended target for emissions reduction of Zero Emissions by 2050, will the leader of the Council consider lobbying the CCC to:

- move the target earlier than 2050 on the basis that Zero Emissions by 2050 is estimated by the CCC to only have a 50% chance of achieving a rise of 1.5 degrees C or less, and is therefore an inadequate target to keep us within the terms of the Paris Agreement
- include air travel emissions, sea transport emissions and embodied emissions from goods we purchase from China and other places in the calculations on the basis that not including them makes the calculations meaningless and opens the UK to Greta Thunberg's charge of 'creative accounting'

and also consider lobbying the UK Government to

- immediately cancel Heathrow expansion, Fracking, new oil exploration off Poole Harbour and new coal mining in Cumbria as simply absurd if we are to have any meaningful idea of what constitutes a Climate Emergency

REPLY BY COUNCILLOR HART

The recommendation from the Committee on Climate Change is advice that Government will consider in reviewing the decarbonisation targets within the Climate Change Act. Lobbying Government to ensure that national targets are strengthened would therefore be more appropriate, which is one of the actions that will be taken forward by the newly-formed Devon Climate Emergency Response Group. This is a partnership of almost 20 public service organisations, chaired by the County Council, that have come together to tackle the climate emergency jointly. Specific lobbying activity will be agreed collectively.

