

CABINET

11 March 2020

Present:-

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

Apologies:-

Councillors R Gilbert

Members attending in accordance with Standing Orders 8 and 25

Councillors F Biederman, A Dewhirst, B Greenslade, R Hannaford, J Hodgson and C Whitton

* 468

Minutes

RESOLVED that the minutes of the meeting held on 14 February 2020 be signed as a correct record.

* 469

Items Requiring Urgent Attention

(An item taken under Section 100B(4) of the Local Government Act 1972).

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

The Chair had decided that the Cabinet should consider this item as a matter of urgency, in order that the Chief Executive could brief the Cabinet on the latest position regarding Coronavirus (COVID 19).

The Chief Executive advised that the Council was in hourly contact with Public Health England and well as links into the Ministry of Housing, Communities & Local Government in terms of national preparations. The Chief Executive stressed the importance of taking the correct measures at the most appropriate time, based on science and medical evidence. The issue of balance was imperative, especially when considering the potential impacts on education, examinations, business and the economy.

The Council's Head of Service for Education and Learning was also in daily contact with schools.

The Chief Executive confirmed that as soon as advice changed or the Council needed to change its working practices (apart from heeding the most current advice) then both staff and Members would be informed immediately.

* 470

Announcements

There was no announcement by the Chair at this meeting.

* **471** **Petitions**

The Leader was presented, by Mr N Oldridge with a petition containing approximately 3655 signatures (collected between 2010 and 2020) and a number of comments seeking a cycle route and path from Totnes, via Littlehempston.

Whilst the Petition was not in line with the requirements of the [scheme](#) (as addresses and postcodes could not be verified), it was, nonetheless, accepted by the Leader of the Council.

The Chair indicated that the relevant Cabinet Member or Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days.

(NB: The relevant Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days, letting him/her know how long it would take to undertake the requested review in line with the Council's Petition Scheme (<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=132&Year=0>) and when that would be concluded and published and/or considered by the relevant Highways & Traffic Orders Committee thereafter.)

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

There was no question from a Member of the Council.

KEY DECISIONS

* **473** **Budget Monitoring - Month 10**

(Councillors Biederman, Dewhirst, Hannaford and Greenslade attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the County Treasurer (CT/20/37) on the month 10 budget monitoring position, 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 outlined the financial forecast for the Authority at month 10, which was a total projected overspend of £1.3 millions, a £2.1 millions reduction from the £3.4 millions forecast at month 8.

In relation to Adult Care and Health Services, the forecast was an overspend of £6.2 millions, a reduction of £702,000 from month 8. This position included £291,000 of management actions yet to be delivered but which were still considered achievable.

Children's Services were showing a forecast overspend of just under £6 millions, a reduction of £615,000 from month 8. However, this figure did not include projected funding shortfall of £21 millions on SEND, explained in more detail in the Report.

In relation to the DSG High Needs Block, SEND was forecasting a funding shortfall of £21 millions for the current financial year. The High Needs Block continued to be under significant pressure with placements in Independent Special Schools continuing to be the main area of overspending. The number of students with Education and Health Care Plans continued to grow along with the complexity of need of pupils. In line with the outcome of the consultation the SEND funding deficit would not be dealt with at the end of this financial year but held on the balance sheet as a negative reserve.

Highways, Infrastructure Development and Waste showed an underspend of £729,000 at month 10, an increase of £214,000 from month 8.

Communities, Public Health, Environment and Prosperity (COPHEP) were forecasting an underspend of £790,000, an increase of £308,000 from month 8 and in Corporate Services the position was an overspend of £2.2 millions, a similar position to month 8.

Non-service items were forecasting to underspend by £11.4 millions, which would be achieved by not making the planned £8 millions transfer to reserves this year. In addition it recognised underspends on capital financing and interest of £875,000, general grant and other income of £680,000 and an underspend on other expenditure which totalled £1.9 millions.

The approved capital programme for the Council was £150.9 millions, which incorporated amounts brought forward from 2018/19 of £29.5 millions, and in year additions of £10.5 millions. The year-end forecast was £119.8 millions, producing forecast slippage of £31.1 millions. The main areas of slippage could be attributed to variations and programme delays in Planning and Transportation (£23.7 millions net slippage) which reflected the complexity of the major schemes within this service.

The Cabinet Member for Resources Management updated the Cabinet on the current position with outstanding debt, some which had been recovered since the writing of the Report, but other incoming liabilities that needed to be collected.

To summarise, whilst it was pleasing that the projected overspending had reduced to just over £1 million, both the Adult and Children's Social Care Services continued to experience ongoing pressure along with the School's Transport service. The funding shortfall within the Dedicated School's Grant SEND High Needs Block continued to be a significant concern for this year and into the future.

The Cabinet asked for formal thanks be placed on record to the County Treasurer and her team.

The matter having been debated and other relevant factors set out in the County Treasurer's Report and/or referred to above having been considered:

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

RESOLVED that the financial position and forecast for the Authority at month 10 be noted.

* **474** **Flood Risk Management Action Plan 2020/21**

(Councillors Biederman, Dewhirst, Hannaford, Hodgson, Greenslade 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/20/2) on the 2020/21 Flood Risk Action Plan, the Report being 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 highlighted the achievements of Council's Flood & Coastal Risk Management Team in delivering the essential flood improvements approved in the 2019/20 Action Plan and sought approval for the new 2020/21 Action Plan. The Report further detailed how the Council worked in partnership with the other Risk Management Authorities to reduce the risk of flooding to residential and commercial properties across Devon and the level of external funding secured to support delivery of the much-needed improvements.

In reporting the achievements, the Cabinet noted the continued progress on several major flood improvement schemes, the delivery of which could take in excess of 5 years from inception through to construction with complexities such as budget justification, landowner agreements, local expectations, funding limitations and partnership opportunities.

However, the flood improvement scheme for Modbury was completed and was now operational, the first phase of the Northbrook Surface Water Improvements had been completed with the second phase planned for delivery in Spring 2020. 76 properties would benefit from works currently being constructed at Claymans Pathway in Ivybridge and a small scheme at Ugborough would benefit at least 6 properties. There was also a scheme focussing on Natural Flood Management (NFM) measures in Ottery St Mary.

An update was given on schemes that had been delayed due to considerable challenges at Stokeinteignhead and Sidmouth. South Pool and Cullompton were also, unexpectedly, behind schedule due to procurement delays.

The current Devon Local Flood Risk Management Strategy (originally published in May 2014) was due to be updated at the end of the year. It would be aligned with the Environment Agency's National Strategy and its principal focus would be on making communities more resilient to flooding.

Providing advice and comment on surface water management proposals for new major development continued to be a work priority for the team and other statutory functions included Land Drainage Consents and formal enforcement notices at 3 locations, where landowners had failed to maintain a free flow of water in their section of a watercourse.

In relation to 2020/21 the priority was to deliver those projects being support by DEFRA'S Flood Defence Grant in Aid (FDGiA) in the current funding window. Schemes at Ivybridge, Exeter and Stokeinteignhead were set to be completed in the first half of the new financial year and the first phase of Sidmouth Flood Improvements at the Knowle aimed to commence late Spring 2020. A new scheme at Chillington was to be progressed and flood issues at Colaton Raleigh needed to be investigated further. The PFR scheme would continue to deliver flood resilience measures to individual properties unlikely to benefit from any wider catchment improvements in the near future (two community PFR schemes at South Pool and Cullompton, currently awaiting procurement, would be implemented in the new financial year).

There would be ongoing support for Natural Flood Management initiatives, including the Blackdown Hills AONB's Connecting the Culm project and the Northern Devon Nature Improvement Area's Culm Grassland project.

In view of the continued risk of flooding across the County, the preferred option was to consider the scale of affordable flood improvements that could be justified based on known / anticipated priorities and available budgets. It was estimated that £1.032 millions of Defra Flood Defence Grant in Aid would be drawn down to assist the delivery of the 2020/21 Action Plan, supported with £300,000 of Local Levy, over £818,000 of DCC Revenue and £499,000 Capital budget and at least £100,000 in partnership contributions from other Risk Management Authorities. The Flood Risk Action Plan (Appendix 1) showed a financial over-allocation of almost 30% (or £232,000) in the revenue budget which would be monitored throughout the year.

An Equality Impact Assessment had been carried out for the current Local Flood Risk Management Strategy to ensure equality and socio-economic concerns were considered which would be revised and updated for the new Strategy. Consideration would also be given to scheme-specific equality considerations for all relevant flood improvements shown on the Action Plan.

The Report outlined the risk management considerations in light of the high risk of flooding and new climate change predictions and targeting those communities considered to be at most risk. The risk of flooding remained high and investment in flood risk management continued to be a priority.

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 Croad, **SECONDED** by Councillor Hart, and

RESOLVED that the implementation of the County Council's 2020/21 Flood Risk Management Action Plan and associated financial allocations and secured funding to deliver the actions, equating to almost £3million, be approved.

* **475** **A382-A383 Connection (Houghton Barton Link Road) Phases 1 & 2**

(Councillors Dewhirst, Hannaford, Greenslade 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/20/3) on the Houghton Barton Link Road Scheme (Phases 1 & 2) A382-A383 Connection, the Report being 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 objectives of the scheme were to relieve pressure on the existing road network, particularly Highweek Village and to unlock development at Houghton Barton and Forches Cross.

The Report sought approval to enable legal agreements to be signed, tenders to be issued and a contract to be awarded to proceed with the construction of Phases 1 & 2 of the Houghton Barton Link Road scheme connecting the A382 to the A383 to the west of Newton Abbot. Phase 1 was between Forches Cross and Perry Cross and Phase 2 between Perry Cross and Howton Road. This included a 7.3 metre carriageway, 2 metre footway and 3 metre shared use path between the A382 north of Forches Cross and Perry Cross; a new priority junction on the A382; and a 6 metre carriageway and 3 metre shared use path between Perry Cross and Howton Road.

Phase 3, between Howton Road and the A383, was expected to be delivered by developers. Phase 4 was included in the A382 Corridor Improvement scheme and would provide an upgraded roundabout junction of the link road with the A382. The scheme facilitated residential development at Houghton Barton, employment development at Forches Cross, improved the resilience of the local road network and complemented improvements to the A382 which were already underway.

A location plan was shown in Appendix 1 to the Report. However, Houghton Barton covered 160 hectares of land to the west of Newton Abbot and the site was enclosed by the A382, A383 and A38. The area had been allocated for a mix of residential and employment development, including a new local centre, shops and school, as part of the adopted Teignbridge Local Plan. The creation of a vehicular route connecting the A382 and A383 was a requirement of the Local Plan policy NA1 Houghton Barton.

A number of options were considered relating to improvements to the highway to the west of Newton Abbot including upgrading the A383 junction on the A38, increasing capacity through Highweek, widening existing lanes between the A382 and A383 and a new road connecting the A382 and A383. The conclusion was that the Houghton Barton Link was the most appropriate scheme to meet the objectives and provide transport and economic benefits.

The Report outlined the various consultations including that on the Development Framework Plan (DFP) (Teignbridge District Council) which provided detailed and relevant planning guidance for the Houghton Barton development and a statutory consultation as part of the planning permission process in 2019, as well as with the Highweek Residents Association.

The estimated scheme cost of Phases 1 & 2 of the Houghton Barton Link Road was £7.4 millions which included detailed design, development and delivery of the planning application and discharging associated conditions, land acquisition, Statutory Undertakers works, advance works, scheme construction, supervision and contingency. The funding breakdown was shown in full in the table at section 6 of the Report.

For the planning application, environmental considerations for the whole scheme had been assessed through an Environmental Impact Assessment. The scheme had been designed to minimise land-take of key habitats, maintain habitat connectivity and replace any lost key habitat, therefore there was no significant adverse effects on biodiversity. There would be some short-term adverse impact on landscape character, however these would be minimised by mitigation planting providing screening. In terms of road traffic noise, a small number of properties close to the scheme could be adversely affected, however acoustic fencing would be provided where required. Changes in air pollution levels were expected to be neutral.

The scheme, however, would lead to positive social impacts by reducing traffic through Highweek, improved journey time reliability and safety and improved access to and from Newton Abbot. The scheme also included segregated pedestrian and cycle facilities along the length of the road.

The Heads of Service's Report contained a link to the full Impact Assessment at: <https://www.devon.gov.uk/impact/houghton-barton-link-road/>, which Members considered, also noting that a monitoring and evaluation plan had been produced as part of the Business Case which would review the impact of the scheme in 1 year and then 5 years after opening.

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 that subject to appropriate funding agreements, legal agreements, land assembly agreements and planning submissions being completed:

(a) DCC enter into highway agreements with the relevant parties to deliver the Houghton Barton Link Road (Phase 2) scheme and legal agreements to secure the land and minerals in respect of the Houghton Barton Link Road (Phases 1 & 2) scheme;

(b) DCC underwrites £1.25 millions of the proposed developer contribution, subject to a signed Unilateral Undertaking, in advance of this being paid by the developer by a planning agreement subject to planning permission;

(c) the scheme layout shown on drawing B11004/27 (attached to the report at Appendix 2) be approved for tender and construction;

(d) the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the relevant Cabinet Member, be given delegated authority to award the construction contract for Phases 1 & 2 of the Houghton Barton Link Road Scheme subject to the overall scheme cost being within a cost envelope of £7.4 millions; and

(e) the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the relevant Cabinet Member and Local Member, be given delegated authority to make minor amendments to the scheme design.

(The Impact Assessment can be found here <https://www.devon.gov.uk/impact/houghton-barton-link-road/>)

* 476 **Housing and Accommodation Strategy for all Adults**

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

The Cabinet considered the Report of the Joint Associate Director of Commissioning (ACH/20/122) on the Housing and Accommodation Strategy, Healthy Lives, Vibrant Communities, Housing Choices 2020 to 2025 and to agree the proposed next steps, 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 draft Strategy was enclosed at Appendix A, with an Easy Read version of both the Report and Strategy at Appendix B.

The Strategy had been jointly developed by the Council and Devon's Clinical Commissioning Group, in consultation with a range of partners, setting out how the Council would work in partnership to increase the range of housing and accommodation so that more people could live in their own homes and make informed and planned choices about where they lived.

The Strategy was for all adults and included all the types of homes that people might live in, temporarily or permanently during their lives. Good quality housing and accommodation in the right place contributed to health and wellbeing and cohesive communities and opened up opportunities for people to live the independent life that was right for them, noting that people's care and support needs could change over time. The aim was to make it easier for people to move between different housing options and shift away from traditional residential care models and also promote the use of Technology Enabled Care and Support (TECS) and appropriate infrastructure to promote self-care.

The Strategy depended upon effective partnerships and set out priority areas of focus to increase the range of housing and accommodation within the community. The priority areas were included in the table at paragraph 3.7 of the Report and included building a joint understanding of market towns and localities to inform development, increase the supply of accessible homes, housing with support settings being more flexible, residential and nursing homes for those with only the most complex needs and supporting recruitment and retention of the workforce.

The Cabinet noted that the Health and Adult Care Scrutiny Committee, had at its meeting on 23rd January 2020 considered the Report of the Associate Director of Commissioning (Care and Health) (ACH/20/120) on the Draft Housing and Accommodation Strategy (minute *171 referred). The Committee supported the development of a Strategy but resolved that '*Cabinet be asked for the Service to develop a 'Memorandum of Understanding' with District Councils as appropriate to indicate a shared commitment and to engage with all Members to drive the Strategy forward*'.

Advice on the proposal from the Scrutiny Committee had been sought and it was felt that such an agreement was not necessary at the current time. However, this would be kept under review and the proposal would be discussed further by the Health and Wellbeing Board in April 2020.

The Report outlined the next steps in the process, asking Cabinet to endorse them which included a detailed joint action plan being developed to sit underneath the Strategy, taking into account existing and new activity. Governance arrangements were also being refreshed to ensure there was sufficient oversight of delivery of the housing and accommodation pathway and pipeline.

The Joint Associate Director's Report highlighted that the approach would promote the equality of opportunity for people in Devon and for people with health and care needs to have the same opportunities and lead meaningful lives. An equalities impact assessment of the

joint strategy had been published and could be found at <https://www.devon.gov.uk/impact/published/>.

This highlighted that the Strategy strengthened the links between housing and accommodation and health and social care, aiming to improve the combined positive impact on both the population and the economy, therefore no unmanageable impacts had been identified.

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 Joint Associate Director's Report and/or referred to above having been considered:

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

RESOLVED that the Housing and Accommodation Strategy, Healthy Lives, Vibrant Communities, Housing Choices 2020 to 2025 and the next steps (outlined at section 5 of the Report) be adopted and agreed.

[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/>].

* **477** **NHS Long Term Plan and Integrated Care Systems**

(Councillors Biederman, Dewhirst, Hannaford and Greenslade attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Chief Executive (ACH/20/123) on proposals for the Integrated Care System (ICS) Board and establishment in "shadow" form, Memorandum of Understanding and system assurance framework, 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 NHS Long-Term Plan (LTP) had set many national priorities including clinical services, learning disabilities, digital, workforce and care closer to home as well as a fundamental shift towards integrated care, placebased systems and population health. This required all organisations in each health and care system to join forces and offer well-coordinated efficient and sustainable services to those who needed them.

In Devon, the Council's Health and Adult Care Scrutiny Committee had been engaged in the development of the Devon LTP, including a Standing Overview Group session on the 24 February that focussed on the emerging governance and architecture proposals of a Devon ICS, set out in Annexes A, B and C.

All Local Government organisations (Devon, Plymouth and Torbay) plus all NHS organisations were being asked to consider these documents and respond to the proposals so that the Devon ICS could operate in shadow form from April 2020.

The Devon Health and Wellbeing Board (HWB) would have a key role in the Devon ICS alongside the HWBs in Plymouth and Torbay.

It was important to note that an ICS was not a legal entity, rather a "partnership" of the key statutory agencies bound through a Memorandum of Understanding that worked in a collaborative manner. Each sovereign organisation maintained their own statutory accountabilities.

This was clearly highlighted in paragraph 1.7 of the MOU (Annexe B): *'Local government's regulatory and statutory arrangements are separate from those of the NHS. Councils are subject to the mutual accountability arrangements for the partnership. However, because of the separate regulatory regime certain aspects of these arrangements will not apply. Most*

significantly, Councils would not be subject a single NHS financial control total and its associated arrangements for managing financial risk. However, through this Memorandum, Councils agree to align planning, investment and performance improvement with NHS partners where it makes sense to do so. In addition, democratically elected councillors will continue to hold the partner organisations accountable through their formal Scrutiny powers.'

The Cabinet further noted *Paragraph 3.1 of the MOU (Annexe B): 'The Partnership does not replace or override the authority of the Partners' Boards and governing bodies. Each of them remains sovereign and Councils remain directly accountable to their electorates.'*

Cabinet noted that Local Authorities were not within the NHS resources definition and that resource issues with the Council continued to be governed in the same way as now.

The Council had been involved in partnership working for many years, with health and care teams collocated across Devon providing integrated care, a number of joint strategic commissioning strategies, long standing partnership agreement and arrangements and a number of joint posts across both NHS and DCC commissioning and operations.

The matter having been debated and the 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 Executive's Report and/or referred to above having been considered:

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

RESOLVED

(a) that the proposal for the Integrated Care System (ICS) Board and its establishment in "shadow" form from March 2020, as outlined in Annexe A, be approved;

(b) that the Memorandum of Understanding to secure "system" working, outlined at Annexe B, be approved for signature; and

(c) that the system assurance framework as the means of ensuring effective governance of the ICS, as shown in Annexe C, also be endorsed.

MATTERS REFERRED

478 Notice of Motion - Totnes and Littlehempston Cycle / Footpath Scheme and the Council's Cycling and Multiuse Trail

(Councillor Hodgson attended in accordance with Standing Order 8 and as Local Member and Councillors Dewhirst, Hannaford and Whitton attended in accordance with 25(2) and spoke to this item).

Councillor Hawkins had submitted a written response which the Leader read out to the meeting, highlighting that access via Littlehempston and Totnes via the bridge was important to his community.

The Report provided a briefing to support the Cabinet in its consideration of a Notice of Motion on Totnes and Littlehempston Cycle / Footpath Scheme and the Council's Cycling and Multiuse Trail, submitted to Council on 20 February 2020 and in accordance with Standing Order 6(6) had been referred, without discussion, to the Cabinet for consideration (Council Minute 275 refers).

The Notice of Motion is outlined below:

That the proposed Cycle and footpath link scheme between Totnes and Littlehempston be added to the County Council's current Cycling and Multiuse Trail strategy as this will

1. *provide an important non-vehicular link between Totnes and its adjacent parish and village centre in Littlehempston*
2. *support the SHDC A385 Air Quality Management Action Plan (it is listed as an action) to address traffic congestion and air quality in Totnes and environs,*
3. *complete an important missing link of the national NC2 cycle route (which when complete will link Dover in Kent with St Austell in Cornwall) supporting commuters as well as tourism*
4. *thereby support DCC's declaration of a climate emergency*

The Report highlighted the background to the issue including the local aspiration, access to a privately-owned bridge and the strategic need for a scheme. On 29 November 2019, South Hams Highways and Traffic Orders Committee had reviewed the issue of public access across the South Devon Railway (SDR) pedestrian bridge and resolved that '*given the lack of progress over time, Cabinet be recommended to investigate the public use of the pedestrian railway bridge by compulsory purchase if necessary, given its importance and benefit as a public amenity*' (Minute 84 referred).

Cabinet subsequently considered the matter on 15 January 2020 and resolved '*that no further work should be undertaken on investigating whether the footbridge could be used by the public and the development of a multi-use trail and that Compulsory Purchase Order should not be pursued as it cannot be justified*' (Cabinet Minute *450 referred). However, in line with paragraph 10.3 of the Cabinet Procedure Rules, Councillor Hodgson (as Local Member) asked that the matter referred back to the Cabinet for further consideration. At the Cabinet meeting on 14 February 2020, the matter had been deferred given the submission of the Notice of Motion.

The Report then outlined in detail the scheme context, including the geography of Littlehempston, transport links and bus services, the A381 corridor, constraints of the River Dart, the history of the privately owned Bulliver Bridge (including funding of the footbridge), upkeep and maintenance of the bridge, meetings between South Devon Railway, local Members and the over a number of years, storage of rolling stock and antiquities at Totnes station, the Totnes Rare Breeds Farm and access, the animals and current security issues and threats including vandalism.

The Report also referred to wider route development acknowledging that developing a route from Totnes to Littlehempston would be challenging with hilly topography and a narrow lane network. Current data showed that multi-use trails have the greatest usage in coastal locations, with sizeable population catchments, level gradients and a number of attractions en route. It was felt that utility trips on the Totnes to Littlehempston route would be low due to the small number of commuters and students, the rural location, challenging topography and remoteness.

The Council's adopted Multi-Use Trail Strategy, published in March 2015, did not include the Totnes to Newton Abbot route in its current development strategy, the existing strategy also being very oversubscribed, with a lack of external funding opportunities limiting progress. If the route was included in a future strategy, a strategic planning application would be required. However, with the number of landowners affected, and sensitive environment, the process could be costly and potentially contentious.

The Report finally outlined the criteria for Compulsory Purchase Order and highlighted at this stage the bridge on its own did not fulfil these criteria, therefore, a compulsory purchase order should not be pursued as it could not be justified. It was also felt that modal shift as a result of delivering a Totnes to Littlehempston multi-use trail was expected to be limited due to the low forecast usage and as a result, the expected air quality and climate change benefits would be negligible.

The Cabinet Member for Highways Management concluded by acknowledging the long local aspiration for a walking and cycling connection between Totnes and the village of Littlehempston as well as the potential to use the existing (privately-owned) bridge over the River Dart which connected to the South Devon Railway and Totnes Rare Breeds Farm. He commented that despite multiple discussions with the owners, through route access for pedestrians and cyclists had not been agreed due to safety and security concerns.

In addition, he reiterated that a Compulsory Purchase Order could not be justified on this route, due to a lack of inclusion for the route in the Multi-Use Trail Strategy, no funding allocation for its delivery, no planning permission and no certainty that the route could be extended to form a strategic connection to Newton Abbot.

The Cabinet considered the recommendation now before them and the actions now proposed and the other relevant factors (e.g. public health, financial, environmental, risk management and equality and legal considerations and Public Health impact).

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

RESOLVED that Council be recommended;

(a) that no further work is undertaken on investigating whether the footbridge could be used by the public and the development of a multi-use trail to Littlehempston and Newton Abbot; and

(b) that Compulsory Purchase Order for Bulliver Bridge should not be pursued as it cannot be justified.

STANDING ITEMS

* **479** **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 proposed Exeter Transport Strategy, criteria for removal from the Forward Plan and future publication dates.

A copy of the question and answer would be sent to the questioner who was not present at the meeting.

[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>]

* **480** **Minutes**

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

RESOLVED that the Minutes of the following be endorsed and any recommendations to Cabinet therein be approved:

Standing Advisory Council on Religious Education – 13 February 2020
Farms Estate Committee – 24 February 2020.

* **481** **Delegated Action/Urgent Matters**

The Registers of Decisions taken by Members under the urgency provisions or delegated powers were 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 decisions taken since the last meeting had been published with the Agenda for this meeting. 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/>.

* **482** **Forward Plan**

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?RPId=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-i.tv/core/portal/home>*

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

The Meeting started at 10.30 am and finished at 12.53 pm



QUESTIONS FROM MEMBERS OF THE PUBLIC Wednesday 11 March 2020

1. QUESTION FROM KEITH LEWIS (NOT IN ATTENDANCE) Re: Exeter Transport Strategy and Publication

Devon County Council consulted on the proposed Exeter Transport Strategy in the spring of 2019 with an expectation that it would be published later that year. Subsequently it has been published in the Forward Plan, and in the version set before Cabinet in February it was down for submission to Cabinet on 8th April 2020. I have just reviewed the Forward Plan for the Cabinet meeting of 11 March and find that this item is now absent. Why is the Exeter Transport Strategy not being published and why has it been withdrawn from the Forward Plan?

This revised plan is urgently needed for Exeter to help alleviate congestion and to start the process of investing in infrastructure to generate alternatives to car use more attractive, and to support Exeter City Council's statutory duty to improve air quality which exceeds safe levels in several parts of the City.

Why is Devon County Council not making the reduction of car use into Exeter a high priority?

REPLY BY COUNCILLOR HART

The consultation in 2019 stimulated a considerable and varied response with over 1,000 responses. In addition, other local and national transportation related issues continue to occur such as changing in shopping patterns, edge of centre developments, rail (Marsh Barton station) and bus changes including patronage. In particular, the Council has announced a climate emergency, continuing concern regarding air quality and there is a new Government with emerging policies. We are also reflecting how this sits alongside the City Council's emerging Liveable Exeter proposals.

This has resulted in a considerable amount of work and we need to ensure that the supporting documents and emerging strategy will stand up to scrutiny. Whilst the strategy was well supported through the consultation, there is a need for officers and Members to be confident with the content rather than rush it through and be criticised for any potential gaps.

