

CABINET

12 February 2021

Present:-

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

Members attending in accordance with Standing Orders 8 and 25

Councillors F Biederman, A Connett, A Dewhirst, B Greenslade, G Gribble and R Hannaford

* 620

Minutes

RESOLVED that the minutes of the meeting held on 13 January 2021 be signed as a correct record.

* 621

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 622

Announcements

The Chair welcomed Melissa Caslake (Chief Officer for Children's Services) to her first meeting of the Cabinet.

* 623

Petitions

The Leader received a petition organised by residents of Kentisbury containing in the region of 80 signatures seeking a speed limit in the parish, due to the high speed being travelled by vehicles making it unsafe for pedestrians, children and horse riders.

The Cabinet Member for Highways Management and Chief Officer for Highways, Infrastructure Development and Waste 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, in line with the [Council's Petition Scheme](#)].

* 624

Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the Leader and relevant Cabinet Members responded to five questions from Members of the Council on the following;

- the Community Connectors project and delays in funding;
- Flash Flooding in Barnstaple, priority protection of central Barnstaple and timescales for prevention work;
- Traffic Data for Barnstaple Taw Bridge for December 2007, December 2019, and December 2020;
- Funding Level Per Devon School Pupil in light of updated budget figures for 2021/22; and
- Costs of the Covid 19 Pandemic and Reimbursement

The Leader and Cabinet Members responded orally to supplementary questions arising from the above.

[NB: A copy of the questions and answers are available on webpage for meeting and any supplementary questions and answers may be observed through the webcast of this meeting]

FRAMEWORK DECISION

625 Revenue Budget, Medium Term Financial Strategy 2021/2022 - 2024/2025 and the Capital Programme for 2021/2022 - 2025/2026

(Councillors Biederman, Connett, Dewhirst, Greenslade and Hannaford attended remotely in accordance with Standing Order 25(2) and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and spoke to this item).

The Cabinet considered and had regard to:

(i) the Report of the Chief Executive (CSO/21/5) summarising the outcomes of and comments/observations made at consultation meetings with representatives of Devon's Business Community, Trades Unions, representatives of Older People and the Voluntary Sector;

(ii) the discussions of the Council's Scrutiny Committees (CSO/21/6) held on 25th January, 26th January and 28th January 2021, the recommendations being summarised and attached to the agenda;

(iii) a revised 2021/22 Budget Impact Assessment, which had been circulated to all Members of the Council prior to the meeting and available at <https://www.devon.gov.uk/impact/budget21-22/> undertaken as part of the budget's preparation;

(iv) the Report of the County Treasurer (CT/21/16) (also circulated prior to the meeting in line with Regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)) on the Revenue Budget for 2021/22, Medium Term Financial Strategy to 2024/25 and Capital Strategy 2021/22 to 2025/26, including an assessment

of the adequacy of reserves, a range of prudential indicators concerning the financial implications of the capital programme and an assessment that identified risks associated with the budget strategy, together with how the risks would be managed. The budget book contained details of the Council's revenue and capital budgets together with associated financial and operational information.

The Cabinet noted that the Council's financial plans had been drawn up with reference to the Council's major policies and objectives, its performance framework, demographic changes and consultation with local residents, businesses and other stakeholders.

The Cabinet noted the role of the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 28 January 2021 (Minute 215) in reviewing and endorsing the Report of the County Treasurer (CT/21/14) on the Treasury Management and Investment Strategy for 2021/22, which had been prepared in accordance with the revised Treasury Management Policy Statement and revised CIPFA Code of Practice for Treasury Management. The Treasury Management and Investment Strategy set out the minimum revenue provision (MRP) policy, capital expenditure funding, prudential indicators, the current treasury position, debt and investments; prospects for interest rates; the borrowing strategy; and the investment strategy.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee had endorsed and commended the Treasury Management and Investment Strategy 2021/22 to the Cabinet.

The final Local Government financial settlement (Settlement Funding Assessment) for 2021/22 had been announced and was £103.2 millions which was the same as 2020/21. The settlement was for one year only and was based on the Spending Round 2020 (SR20). The main points of the SR20 being set out below:

- Council Tax –the council tax referendum limit would be 2% for local authorities with social care authorities allowed a 3% social care precept. The settlement confirmed districts would be allowed to apply the higher of the referendum limit or £5;
- Business Rates Retention – the business rates multiplier had been frozen for 2021/22;
- Revenue Support Grant – increased by 0.55%;
- Social Care Funding –there had been an increase to the Social Care Support Grant of £300 millions nationally, allocated on Adult Social Care relative need (£60 millions) and the ability to raise resources through the social care precept (£240 millions). There had been no change to the Improved Better Care Fund Grant;
- Rural Services Delivery Grant – There had been an increase of £4 millions nationally (£85 millions in 2021/22), the methodology for distribution remained unchanged;

- Covid-19 Funding – £2.2 billions of funding had been announced to support Local Government in 2021/22, alongside support for local tax income and the spreading of deficits; and
- Local Government Funding Reform – no papers had been published relating to the Fair Funding Review or the Business Rates Reset.

The Budget Book circulated with the agenda contained;

- Revenue Budget Overview;
- Statement on the Robustness of the Budget Estimates, the Adequacy of Reserves and Affordability of the Capital Strategy;
- Capital Strategy and Programme Overview 2021/22 - 2025/26;
- Service Budgets;
- Fees & Charges;
- Medium Term Financial Strategy 2021/22 - 2024/25;
- County Fund Balance and Earmarked Reserves 2021/22;
- Treasury Management Strategy 2021/22 - 2024/25 and Prudential Indicators 2021/22 - 2025/26;
- Capital Strategy; and
- Risk Analysis of Volatile Budgets; and Abbreviations.

The targets set for each service area had been subject to different pressures and influences.

The table on page 7 showed the 2021/22 Budget Targets by service area.

	2020/21 Adjusted Budget* £000	Inflation & Pressures £000	Savings & Additional Income £000	2021/22 Base Budget £000	Net Change	
					£000	%
Adult Care & Health	260,757	26,235	(4,557)	282,435	21,678	8.3%
Children's Services	146,869	13,787	(2,389)	158,267	11,398	7.8%
Communities, Public Health, Environment & Prosperity	39,792	1,039	(958)	39,873	81	0.2%
Corporate Services	37,566	4,436	(1,615)	40,387	2,821	7.5%
Highways, Infrastructure Development & Waste	57,827	1,804	(2,111)	57,520	(307)	(0.5%)
	542,811	47,301	(11,630)	578,482	35,671	6.6%

* Adjusted for permanent virements

Revenue Expenditure Detailed budgets had been produced within the Targets set by Cabinet (as above) in January 2021 and were shown on pages 39 to 89. The risks associated with the delivery of the 2021/22 budget and the mitigating action needed was detailed on pages 150 to 166.

Key Table 1 on page 9 showed the estimated level of spending on services and other items such as Capital Financing and interest on Balances. The Authority's Capital Programme was explained on pages 19 to 39. Factors that influenced the income gained from balances were set out on pages 122 to 138 which also explained the Authority's Treasury Management Strategy.

Key Table 2 set out the Council Tax Requirement, Tax Base, Council Tax by band and individual District Precepts. Pages 114 to 121 explained the

Authority's strategy for its reserves and balances. Key Table 3 summarised the Authority's Reserves and Balances. The Authority's approach to the Medium Term Financial Strategy (MTFS) was detailed on pages 91 to 113.

The Authority had not only received Core Funding but also specific grants that related to particular activities and these were detailed in Key Table 5 on page 13 and 14, the most significant specific grant was the Dedicated Schools Grant. For 2021/22 the Dedicated Schools Grant had increased to £589.1 millions from £539.9 millions in 2020/21.

The Leader thanked the Scrutiny Committee's for their hard work in scrutinising the budget proposals and added that an additional sum of money (£1.3 millions) had been put into the Budget. This included £600,000 for highways, specifically potholes and drainage works, £600,000 for District Council's to support emergency funds and crisis funding and a £100,000 fund for Town and Parish Councils to bid from for cyclical maintenance works (match funded). The Leader also said the budget had been based on a Council Tax increase of 4.99%.

The Leader also joined with other Members speaking under Standing Orders and paid tribute to the hard work of the Finance Team in putting together a budget, with added complexity in these challenging times.

In summary, the Budget for 2021/22 included significant investment in core services to support the most vulnerable people in Devon. It was noted however that the Council was in unprecedented times and the Authority faced significant risk of increased demand for services, increased costs and reducing funding.

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

RESOLVED

(a) that full regard is given to the responsibilities placed upon the Council in the exercise of its Public Sector Equality Duty under s149 of the Equality Act 2010 (as set out in the 'Budget 2021/22 Impact Assessment' circulated previously for the purposes of this meeting, and specific impact assessments undertaken as part of the budget's preparation) in considering the proposals and their impact, before making a decision;

(b) that the views of the Council's Scrutiny Committees, the Devon Education Forum, the Business Community, the Voluntary Sector, and the Trades Unions and other consultees on the budget (set out elsewhere on the agenda) be noted;

(c) that the Final Settlement Funding of £103.2 millions be noted;

(d) that the budgets (pages 42 to 89) within the targets set be approved;

(e) that the Net budget of £545.505 millions as set out in Key Table 1 on page 9 be recommended to the Council;

(f) that Council be recommended to set a 3% Adult Social Care Precept, as set out in Key Table 2 page 10;

(g) that the Council Tax requirement be set at £440,441,821.24 as set out in Key Table 2 page 10 be recommended to Council;

(h) that the precepts required from each District Council and the levels of County Council Tax for each of the eight property valuation bands consequent upon the budget as amended by adjustments in collection in the current year, as set out in Key Table 2 on page 10 be recommended to Council;

(i) that it be noted there are no new Fees & Charges proposed for 2021/22;

(j) that in line with financial regulations, the changes to existing charges to be agreed by the appropriate Cabinet Member and Chief Finance Officer via a Delegated Decision be noted;

(k) that the Medium Term Financial Strategy 2021/22 - 2024/25 as set out on pages 91 to 113 be noted;

(l) that the final service budgets, levels of reserves and Council Tax figure, taking account of the risks outlined on pages 150 to 166 be recommended to the Council;

(m) that the County Fund Balance and Earmarked Reserves 2021/22 as set out on pages 114 to 121 be noted;

(n) that the Capital Programme Overview 2021/22 - 2025/26 set out on pages 19 to 37 be recommended to the Council;

(o) that the Capital Programme for 2021/22 of £147.355 millions and its financing as shown in Summary Table D on page 27 be recommended to the Council;

(p) that for planning purposes, the indicative Capital Programmes for 2022/23, 2023/24, 2024/25 and 2025/26 shown in summary Table D on page 27 be approved and it be noted that these levels will be reviewed in the light of the overall level of revenue and capital resources available to the Council for each year;

(q) that the Treasury Management Strategy 2021/22 - 2024/25, as set out on pages 122 to 138, be recommended to the Council for adoption;

(r) that the Prudential Indicators for 2021/22 to 2025/2026 contained in pages 122 to 138 be recommended to the Council;

(s) that delegated authority be given to the County Treasurer to effect movements between the separately agreed limits for borrowing and other long-term liabilities; and

(t) that the Capital Strategy 2021/22 - 2025/26 contained on pages 139 to 149 be recommended to the Council.

KEY DECISIONS

*** 626 Admission and Education Transport Policies for Subsequent Academic Year (2022/2023)**

(Councillors Biederman, Connett, Dewhirst and Hannaford attended remotely in accordance with Standing Order 25(2) and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and spoke to this item).

The Cabinet considered the Report of the Head of Education and Learning (CS/21/03) which asked the Cabinet to approve the recommendations outlined in Section 2 of the Report. The Report had been 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 Local Authority had a statutory responsibility to propose, consult on and determine admission arrangements for Community and Voluntary Controlled (VC) schools and co-ordinated admission schemes for the normal round of admissions to all state-funded schools. Consultation in Devon had been held ahead of the statutory deadline for annual determination by Cabinet. Schools that were their own admissions authority (Foundation, Voluntary Aided, Academies and Free schools, University Technical Colleges and Studio Schools) were responsible for their own arrangements and determined by the governing boards and academy trusts.

The Report outlined the process, scope and outcome of the consultation on primary and secondary school admission arrangements for 2022-23 and the co-ordination of primary and secondary school admissions and sought approval of the schemes. Admission to special schools and fee-paying independent schools fell outside the of scope the arrangements.

It was noted that the number of responses received to the consultation remained low and the School Admissions Codes left limited scope for a wide variety of lawful arrangements. Arrangements had been consistent for a number of years and feedback from schools suggested they were largely content with matters such as oversubscription criteria, Published Admission Numbers (PAN), catchment areas and the application process.

Devon was required under the School Admissions Code to co-ordinate all normal round admissions to state-funded schools.

The Report recommended the Education Transport Policies for 2022-23 and Relevant Area for school admissions for Devon for 2023-24 and 2024-25 and an amendment to previously determined policies with regard to applications from overseas.

The proposed amendments to each policy were outlined in the Appendices to the Report, but the full policies could be viewed from the link in the Report (<http://devon.cc/lapolicies>), with changes annotated in red.

- Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools. This could also be found in the individual admissions policy document for each school at <http://devon.cc/schoolpolicy>;
- Appendix 2 - the proposed catchment areas for community and VC schools included two amendments (a) the northern section of the catchment area for Bishopsteignton School and the eastern side of the catchment area for Chudleigh Church of England Primary School and (b) the eastern boundary of the catchment for Modbury Primary School, to the south of Boarshill.
- Appendix 3 - the statutory deadlines and timetable for primary and secondary co-ordination schemes.
- Appendix 4 – the recommended amendments to the Co-ordinated Admissions Schemes including the 2022-23 Normal Round Admissions Scheme, 2021-22 In-Year Co-ordinated Admissions Scheme and 2022-23 In-Year Co-ordinated Admissions Scheme. All policy documents could be viewed at <http://devon.cc/lapolicies>;
- Appendix 5 - the recommended amendments to the Education Transport Policy, including the 2022-23 Education Transport Policy and 2022-23 Post-16 Education Transport Policy. All policy documents could be viewed at <http://devon.cc/lapolicies>

The Cabinet noted that the Council's Fair Access Protocol provided for vulnerable children who otherwise would be out of school. It was continually reviewed, but work was ongoing with head teachers and governing boards to review the Protocol. Significant changes to Fair Access requirements had been proposed by Government in a national consultation and the final version of the Code would inform Devon's revision and Cabinet would be asked to consider a revised version at the end of the process.

In conclusion, the Council had a broad role in school admissions, the overall aim being to provide a comprehensive support service for its own admission authority schools and academies and minimise instances where admission authorities introduced unlawful and unfair arrangements, so parents had confidence that the admissions process was fair, transparent and consistent, regardless of the school's designation.

The Cabinet noted that equality of access to education opportunities was a fundamental feature of school admission arrangements and the education transport policies. All policies for consideration had been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements.

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 McInnes, **SECONDED** by Councillor Hart, and

RESOLVED

- (a) that the Published Admission Numbers for community and VC schools for 2022-23 (Appendix One) be approved;
- (b) that the catchment areas for community and VC schools for 2022-23 set (Appendix Two) also be approved;
- (c) that approval also be given to the admissions timetable for the next year (Appendix Three);
- (d) that the normal round co-ordinated admissions scheme for 2022-23 and the in-year co-ordinated admissions scheme for 2021-22 and for 2022-23 (both at Appendix Four) be determined;
- (e) that the Education Transport Policies for 2022-23 summarised in section 6 (Appendix Five) be approved;
- (f) that the Relevant Area for Admissions for 2023-24 and 2024-25 (section seven) be approved; and
- (g) that the amendments to the Normal Round Co-Ordinated Admissions Scheme for 2021-22 and the In-Year Co-Ordinated Admissions Scheme for 2020-21 and 2021-22 and individual school policies for 2020-21 and 2021-22 with regard to the management of applications received from another country as summarised at **sections 4.8-4.9** of the Report, also be agreed.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available at www.devon.gov.uk/admissionarrangements

* **627** **Formal Consultation Response on the Interim Devon Carbon Plan**

(Councillors Biederman, Connett, Dewhirst and Hannaford attended remotely in accordance with Standing Order 25(2) and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and spoke to this item).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/4) giving a proposed response to the consultation on the Interim Devon Carbon Plan, 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 Council was the founding partner of the Devon Climate Emergency project, which convened an [independent Net-Zero Task Force](#) of specialists who had subsequently involved the public in the preparation of a [consultation draft Interim Devon Carbon Plan](#).

An [independent Net-Zero Task Force](#) of specialists had been set up by the initiative, who had subsequently involved the public in the preparation of a [consultation draft Interim Devon Carbon Plan](#). The consultation had been opened from the 7th December 2020 and closed on the 15th February 2021. All Councillors were notified by email of the consultation period, which also included a webinar session for local authority members.

The Task Force would consider the consultation responses and also work with the Devon Climate Emergency Response Group to prepare a post-consultation version of the Interim Devon Carbon Plan, which would be available for organisations to consider adopting in late summer/autumn 2021.

Alongside the preparation of the Interim Devon Carbon Plan (post consultation), in July 2021 an online Citizens' Assembly would deliberate some of the more controversial issues highlighted by the consultation and suggest actions for implementation in Devon. The recommendations from the Citizens' Assembly would be considered and used to update the Interim Devon Carbon Plan into a Final Devon Carbon Plan for further consultation in 2022.

The Cabinet noted that the Net-Zero Task Force had prepared a comprehensive roadmap showing the extensive technological, infrastructure and behavioural changes required to achieve net-zero carbon in Devon and as such endorsed the draft Interim Devon Carbon Plan.

The Plan showed that the transition to net-zero would have far reaching and profound implications for how communities functioned and how behaviours needed to change. All parts of Devon's communities, including businesses, would need to feel invested in the transition and would need time to adapt.

However, this was an emergency, and time was of the essence and the Council was committed to playing its part in achieving net-zero in Devon by 2050 at the latest. Government action was also necessary to deliver many of the transformations necessary at the speed required.

The Report commented on the co-benefits available to Devon through achieving net-zero and the Council had been furthering its plans to achieve net-zero within its own operations and supply chain by 2030. The reduction of carbon emissions needed to fit alongside a broader consideration of the unavoidable climate change impacts for Devon and the Council was working with other DCE colleagues and broader Local Resilience Forum partners to assess risks and to produce and support the implementation of a Climate Adaption Plan for Devon, Cornwall and the Isles of Scilly.

The Cabinet noted that the Council looked forward to continuing the formal collaboration with partners on the Devon Climate Emergency Response Group and working in partnership with everyone to continue the reduction of Devon's greenhouse gas emissions and the required adaptation to the inevitable impacts of climate change.

An Impact Assessment had been attached to the agenda for the attention of Members at the meeting and was available on the [Impact Assessment webpages](#). This highlighted that climate change would affect everybody in the County, and it would affect those people less able to adapt the most (for example the less affluent, those living with physical and mental health conditions, those living in coastal communities or areas prone to flooding and young people who would live climate change impacts becoming worse over their lifetimes). Implementing the recommendation's in the Report would help grow efforts to reduce international carbon emissions and minimise these impacts on everyone.

In mitigation, the Plan had been designed with an overarching principle (Principle 9) that:

"A just transition is required to ensure that:

- a) Vulnerable and low-income segments of society and rural communities are not disadvantaged.*
- b) The differing impacts of climate change on different groups e.g. disabled, minorities, gender, are addressed.*
- c) Actions to decarbonise Devon must not be at the expense of other communities or ecology globally"*

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 proposed formal consultation response from the Council to the Devon Climate Emergency partnership on the Interim Devon Carbon Plan be approved.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).

* **628** **Lee Mill Eastbound Off-slip Improvements**

(Councillors Connett and Hannaford attended remotely in accordance with Standing Order 25(2) and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and spoke to this item).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/5) on the Lee Mill East Bound Off-Slip Improvements, 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 evolution of Lee Mill had resulted in substantial development which was accessed off the Strategic Road Network (A38) from a junction layout which lacked a conventional full all-movement junction, in particular it utilised a road (Plymouth Road) with village features as the eastbound off-slip. The Report sought approval to progress proposals for the provision of a new A38 eastbound off-slip at Lee Mill to the next stage of design and towards the submission of a planning application. Initial design had been undertaken on a preferred option, which informed the proposals presented during a public consultation held between 17 November and 18 December 2020. The consultation demonstrated strong support for the scheme. Details of the method of consultation, representation and feedback were presented in full in the Report.

Following the purchase of a key land parcel, it was proposed to construct a new A38 eastbound off-slip to the east of the existing slip road, which would connect vehicles exiting the A38 to the industrial estate and village, whilst avoiding unnecessary trips through Lee Mill Village. Initial design work had been undertaken and an early annotated drawing was at Appendix 1 of the Report. Further detailed design work would be required at a later date.

The new slip road would leave the elevated A38 and descend towards a new roundabout, providing a tie-in with the existing local road network. The existing slip road would be stopped up, with access along Plymouth Road retained. The impact of local public transport would need to be considered to ensure an adequate solution was found at the next stage of design as well as

further design work and consultation with local stakeholders to identify a solution which enhanced cycle connectivity and safety at the location.

The alternative options included a link road which had been rejected due to the significant additional land take required and resultant environmental impact or to do nothing which meant the existing slip road via Plymouth Road would continue to be a constraint on the highway network and future planning could exacerbate existing issues such as air quality, noise and road safety.

An Impact Assessment had been attached to the agenda for the attention of Members at the meeting and was also available on the [Impact Assessment webpages](#). This reported that the scheme would have a number of environmental, social and economic impacts. Whilst the relocation of the eastbound off-slip would result in slightly longer journey lengths to Lee Mill village, the locality would benefit from reduced traffic noise and pollution and improved road safety on Plymouth Road. In addition, the improved access to Lee Mill Industrial Estate would create improved employment opportunities and the potential for improved associated active travel elements which would be explored at the next stage of design.

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 approval be given for the scheme to proceed towards outline design and securing planning consent; and

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

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).

* **629** **Local Flood Risk Management Strategy for Devon and Annual Action Plan**

(Councillors Biederman, Dewhirst, Greenslade and Hannaford attended remotely in accordance with Standing Order 25(2) and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and spoke to this item).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/6), presenting the Local Flood Risk Management Strategy for Devon and Annual Action Plan, 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 revised Devon Local Flood Risk Management Strategy covered the period 2021-2027 and the Report also highlighted the achievements in flood risk management over the past year and detailed the investment proposed for the next financial year through its Annual Action Plan.

Over the past year the Flood & Coastal Risk Management Team had been working on the revisions, the main purpose being to set out how flood risk would be managed in Devon, including organisations / RMAs and relevant responsibilities. However, it had to align with the National Strategy, which the Environment Agency had updated and published in July 2020.

A draft version of the Local Strategy was released for public consultation in August 2020, the final version having been amended to take account of the key points arising from the consultation. A copy was attached at Appendix A and of the Report and could be viewed at: <https://www.devon.gov.uk/floodriskmanagement/document/devon-local-flood-risk-management-strategy-2021-2027/>. The necessary assessments of its environmental and equality considerations had been undertaken.

Despite a highly challenging year due to COVID-19, a full programme of flood improvement schemes had been successfully delivered, including a major scheme at Ivybridge protecting 76 properties, the second phase of flood attenuation in the Northbrook catchment in Exeter, Stokeinteignhead Property Flood Resilience measures which were supported by additional Highway drainage improvements and in Sidmouth (through the first of two planned phases of work to protect 100 properties). Further schemes at Beeson, Broadhempston, Chillington and Colaton Raleigh were currently being investigated and developed for delivery.

In August 2020, residents of Barnstaple suffered flooding to 118 residential and 46 commercial properties. In response, a Section 19 flood investigation report had been produced and the list of highest priority communities had been amended to include Barnstaple.

A more detailed and illustrated paper describing the Team's achievements had been produced to support the Report and could be accessed at <https://www.devon.gov.uk/floodriskmanagement/document/devon-county-council-flood-coastal-risk-management-achievements-in-2020-21/>.

The ambitious programme of delivery was set out in the draft Annual Action Plan for 2021/22, attached as Appendix B.

An Impact Assessment had been circulated with the agenda for the attention of Members at this meeting and could also be found on the [Impact Assessment Webpages](#). The Cabinet noted that all flood risk management activity would be assessed and prioritised based on risk and would be equally available to all, subject to cost benefit justification and approval of funding.

As a summary and in line with the Flood and Water Management Act, the Council had to maintain a Local Strategy through its cyclical review and updating. The revised and updated Local Strategy aligned with the Environment Agency's National Strategy. It highlighted the highest priority catchments that would be considered during the next 6-year period. With the risk of flooding high across the County and set to worsen with the effects of climate change it was essential that investment in flood risk management remained 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

(a) that the updated Local Flood Risk Management Strategy for Devon, attached in Appendix A to the Report, be approved and adopted; and

(b) that the Annual Action Plan, attached in Appendix B of the Report, with the proposed investment in flood risk management in 2021/22, also be approved.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).

MATTERS REFERRED

* **630** **Teignbridge Highways and Traffic Orders Committee - 30mph speed limit in Monks Way, Bovey Tracey**

(Councillors Biederman, Connett, Dewhirst, Gribble and Hannaford attended remotely in accordance with Standing Order 25(2) and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and spoke to this item).

The Cabinet noted that at the meeting of the Teignbridge Highways and Traffic Orders Committee, the Committee had considered a Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/3939), recommending a 40mph speed limit to reduce traffic speeds around the new junction and signal controlled pedestrian crossing as part of the new Challabrook housing development. The Committee had RESOLVED (minute *103 refers) that (a) the County Council's policies on speed limits and wider impacts of health, sustainable travel and whole environment be noted; and (b) that the Committee supports a 30mph speed limit on Monks Way, Bovey Tracey and refers this matter to the Cabinet as a departure from policy.

The Cabinet considered this matter on the 9th December 2020 (minute 596 refers) and RESOLVED that the matter be deferred pending a site visit to meet the Local Member and consider the impact of future development and that the site visit include officers from the Road Safety Team.

The Cabinet Member for Highways Management thanked those who had attended the virtual site meeting and commented it had been important to listen to the views of the local community and concerns of the Town Council.

He had taken a number of different professional opinions on board, for example, on pedestrian crossings and from police officers and research on the safety record of pedestrian crossings in 30mph limits and 40 mph limits.

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

RESOLVED that two departures from policy be agreed, to permit the advertising of a Traffic Regulation Order;

(a) to introduce a section of 40mph speed limit from the existing 30mph terminal point to the South of Station Road Roundabout past the Challabrook development to a point approximately 120m south of the turning into the Challabrook development (a section of national speed limit will be retained from that point to the 30mph terminal at the Pottery Road roundabout); and

(b) that the section of new 40mph speed limit be introduced below the normal minimum length of 600m.

STANDING ITEMS

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

There was no question from a Member of the public.

* 632 **Minutes**

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

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* 633 **Delegated Action/Urgent Matters**

The [Registers of Decisions taken by Members and under the urgency provisions or delegated powers](#) were available for inspection, in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. [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.

* 634 **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.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

DENOTES DELEGATED MATTER WITH POWER TO ACT

The Meeting started at 10.30 am and finished at 12.16 pm