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To: The Chair and Members
of the Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

Date: 4 February 2021

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CABINET

Friday, 12th February, 2021

A virtual meeting of the Cabinet is to be held on the above date at 10.30 am to consider the following matters. To you can also [view the meeting as a live stream](#).

Phil Norrey
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 13 January 2021 (previously circulated).

3 Items Requiring Urgent Attention

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

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

7 Revenue Budget, Medium Term Financial Strategy 2021/2022 - 2024/2025 and the Capital Programme for 2021/2022 - 2025/2026 (Pages 1 - 6)

Report of the County Treasurer (CT/21/16) on the Council's Budget and Cabinet Service Budgets for 2021/2022, will follow, due to the final settlement not yet having been received.

The Cabinet will accordingly also consider the outcome of the Budget Consultation Meetings with representatives of the Devon Business Community, Older People and the Voluntary Sector and Trade Unions (CSO/21/5) and the Overview and Scrutiny Budget Recommendations (CSO/21/6).

Cabinet are also asked to note 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.

Electoral Divisions(s): All Divisions

KEY DECISIONS

8 Admission and Education Transport Policies for Subsequent Academic Year (2022/2023) (Pages 7 - 28)

Report of the Head of Education and Learning (CS/21/03) which asks the Cabinet to note that the admission arrangements were proposed and consulted on for the Local Authority and to approve the recommendations outlined in Section 2 of the Report, attached.

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

Electoral Divisions(s): All Divisions

9 Formal Consultation Response on the Interim Devon Carbon Plan (Pages 29 - 50)

Report of the Head of Planning, Transportation and Environment (PTE/21/4) outlining a proposed formal consultation response on the Interim Devon Carbon Plan, attached.

An Impact Assessment is also attached for the attention of Members at this meeting and is also available on the [Impact Assessment webpages](#).

Electoral Divisions(s): All Divisions

10 Lee Mill Eastbound Off-slip Improvements (Pages 51 - 76)

Report of the Head of Planning, Transportation and Environment (PTE/21/5) seeking approval for Lee Mill Eastbound Off-Slip Improvements, attached.

An Impact Assessment is also attached for the attention of Members at this meeting and is also available on the [Impact Assessment webpages](#).

Electoral Divisions(s): Bickleigh & Wembury; South Brent & Yealmpton

11 Local Flood Risk Management Strategy for Devon and Annual Action Plan (Pages 77 - 174)

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, attached.

An Impact Assessment is also attached for the attention of Members at this meeting and can also be found on the [Impact Assessment Webpages](#).

Electoral Divisions(s): All Divisions

MATTERS REFERRED

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

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 the site visit should also include officers from the Road Safety Team.

Recommendation:

That two departures from policy are 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 is introduced below the normal minimum length of 600m.

Electoral Divisions(s): Bovey Rural

STANDING ITEMS

13 Question(s) from Members of the Public

14 Minutes

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein (i.e. any unstarred minutes):

(a) Devon Education Forum - 20 January 2021 (Pages 175 - 182)

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:
Minutes of the [Devon Education \(Schools\) Forum](#):

15 Delegated Action/Urgent Matters

The Register of Decisions taken by Members under the urgency provisions or delegated powers is available on the website in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decisions taken and associated information can be found [here](#).

16 Forward Plan (Pages 183 - 192)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

The [Forward Plan is available on the Council's website](#).

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

NIL

Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.

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Induction Loop available



Cabinet
12 February 2021
CSO/21/5

COUNTY COUNCIL BUDGET CONSULTATION 2021/22 WITH DEVON'S REPRESENTATIVES OF OLDER PEOPLE AND THE VOLUNTARY SECTOR, TRADE UNIONS AND BUSINESS COMMUNITY

- 1.0 Recommendation:** that the contents of the report and the representations of the consultees be noted.
- 2.0 Introduction**
 - 2.1 The Leader of the Council, Group Leaders and other Members and officers met with the representatives of the Business Community, organisations which champion the cause of older people and the voluntary sector, and Trade Unions. This was to discuss the County Council's budget for 2021/2022 in line with statutory requirements and previous good practice.
- 3.0 Budget Consultation with Parish and Town Councils**
 - 3.1 The Leader of the Council attended 8 meetings during November and December 2020 as part of the budget consultation process. Due to social distancing guidelines, all meetings were held remotely, some with support from the Devon Association of Local Councils, with each of the 8 districts in Devon having a dedicated meeting. The meetings were attended by a total of approximately 150 local representatives.
 - 3.2 At each meeting the Leader gave a short presentation of key issues affecting the Council before inviting open questions.
 - 3.3 The impact of the COVID-19 pandemic was a key area of consideration across these meetings, with each presentation highlighting the inflexibility of the budget largely due to the financial impact of the pandemic. Discussion on this point included the steps taken by central government to support local government and how funds received were being distributed by Devon County Council; the impact of COVID-19 on businesses, schools, care homes and public transport, among others, in incurring additional costs and the support available to cover such costs; the impact of the pandemic on the tourism and hospitality sector; and the long-term budget considerations relating to changes in working styles that had taken place during the pandemic and the resulting savings.
 - 3.4 The other key themes that emerged included: Highway maintenance, including pothole repair and reporting, and flood risks in various districts; Traffic management, including greater development of cycle paths and walking routes; Broadband roll-out especially in the light of increased numbers of people working from home; and the importance of Free School Meals and similar programmes.
 - 3.5 Other discussion points included: the potential of Devon becoming a unitary authority; changes to working relationships and delegation of responsibilities between Devon County Council and the Districts; Parking problems in various districts; 20mph speed limits; public transport development; Libraries Unlimited and its impact; and the Council's climate change strategy.
 - 3.6 Issues and suggestions related directly to the budget and efficiency included: the need to raise Council Tax to fund essential local services; use of reserves; concerns surrounding the Council's SEND overspend; lobbying Central Government to provide essential support such as to businesses; and potential solutions to managing the costs of Devon's unique rural road network.

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4.0 Budget Presentation

- 4.1 The Deputy County Treasurer gave a presentation on the 2021/2022 budget at each of the three consultative meetings.
- 4.2 The presentation first outlined the large-scale reduction in Core Funding from 2010 in the wake of the financial crisis. Also highlighted was the year-on-year reduction in overall savings from 2011 and the impact on staffing and available funds.
- 4.3 The presentation also covered the current position in terms of the revenue budget for 2021/2022 as well as the County Fund and Schools balances, alongside earmarked reserves for the upcoming financial year. These reserves were placed in the national context alongside other County Councils' reserves.
- 4.4 The presentation then highlighted some of the key funding provided to the Council in response to COVID-19, totalling over £80 millions of additional funding. This included large sums for Care Homes and Social Care alongside several other, smaller grants, including winter support.
- 4.5 Looking forward, it was highlighted that the uncertainty surrounding Brexit and the impact of the Coronavirus pandemic had meant that the targets for 2021/22 have been carried over from the 2020/21 budget. The Provisional Settlement (announced on 17th December 2020) outlined the funding available to local authorities for the upcoming financial year. Key points from this included: additional COVID-19 funding of £14.8 million; a 2.2% increase in the National Living Wage; a Public Sector pay freeze, with some exceptions; the continuation of the New Homes Bonus and of the Better Care Fund; and Council Tax support totalling £6.4 million. The basic increase in Council Tax that will trigger a referendum will remain at 2%.
- 4.6 Finally, the presentation outlined the budget targets for 2021/2022 and the budget timetable. As part of these budget targets, an 8.3% increase in spending on Adult Care and Health and a 7.8% increase in Children's Services were highlighted.

5.0 Representatives of Older People and the Voluntary Sector: 11 January 2021

- 5.1 Representatives at this meeting included David Incoll (CAB Devon), Diana Crump (Living Options Devon), Revd Iain McDonald (Devon Faith & Belief Forum and Equality Reference Group), Shirley Fewings (Assist Teignbridge), Deborah Fisher (Caritas, Diocese of Plymouth), Andy Bowman (UNISON), Nina Parnell (Westbank Community Health and Care), Kev Henman (Space), Sophie Littlewood (Age UK), Andrew Moreman (Young Devon), Karen Evans (North Devon Voluntary Services), Roberto Franceschini (UNISON).
- 5.2 Issues and questions raised by the group and discussed with County Council representatives included:
 - concern over the impact of the Council Tax increase on older people and the most vulnerable;
 - how COVID-19 support grants are distributed amongst the voluntary sector;
 - the process by which any additional funding that may be received once the budget is agreed for the financial year will then be allocated amongst the voluntary sector;
 - the impact of COVID-19 on the voluntary sector both in terms of funding and social distancing regulations severely limiting the kinds of support that can be offered, and in terms of the increased difficulties of meeting targets;

- concern surrounding the 'reactive' approach to COVID-19 and the importance of undertaking a more 'proactive' approach especially in supporting younger people who are more likely to breach social distancing guidelines;
- how Devon County Council can support efforts and maximise opportunities to increase revenue for community work;
- the timescale for the release of business rate calculations; and
- the importance of the voluntary sector and the County Council maintaining a close working relationship to meet the needs of the people in Devon.

6.0 Representatives of Trade Unions: 11 January 2021

6.1 Representatives at this meeting included Paul Gosling (NAHT), Nigel Williams (NASUWT), Darienne Flemington (UNISON), Steve Ryles (UNISON), Mark Richards (UNITE), Katherine Darcy (GMB).

6.2 Issues and questions raised by the group and discussed with County Council representatives included:

- the financial impact of increasing numbers of people working from home and potential savings, such as in terms of building leases and travel;
- the potential of spending some of the Council's reserves to ensure targets are met given the unprecedented national situation owing to COVID-19 pandemic and uncertainties around Britain's leaving the EU;
- the positive aspects of the budget such as the increased funding being given to Children's Services;
- areas of the Council and its responsibilities that may require further funding and the budget's flexibility to meet such requirements;
- challenges to the public sector pay freeze by Union members and the County Council's capacity to meet pay requirements where any challenges may be successful;
- concern surrounding Devon County Council's SEND spending gap which is projected to exceed £50 millions by the end of the 2021/22 financial year; and
- the national context regarding SEND spending where many Councils are facing similar problems and where it is unclear what solutions will be put in place by Government.

7.0 Representatives of the Business Community: 12 January 2021

7.1 Representatives at this meeting included Sue Wilkinson (Federation of Small Businesses), Andrew Dean (University of Exeter), Nicola Allen (Office of the Police and Crime Commissioner) and Dirk Rohwedder (Dartington Trust).

7.2 Issues and questions raised by the group and discussed with County Council representatives included:

- sports grants and how these are being distributed;
- what modelling had been done surrounding the pandemic's impact on Council Tax payments and the support available to those struggling to meet payments;

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- the change in funding for Universal Credit recipients and what measures are available in the case of the expected 1% decrease;
- the level of flexibility built into the budget given the possibility of COVID-19 restrictions changing at various points throughout the year where such changes may not be predictable; and
- the Council's commitments to working with businesses where there are wider interests and relationships to preserve outside more immediate concerns, such as COVID-19 support.

8.0 Conclusion

The consultations carried out provided a positive opportunity for the people of Devon to specify their priorities in future service delivery. Much attention was given to the impact of the COVID-19 pandemic, with the data collected and feedback received providing a valuable snapshot of current opinion on where resources should and should not be allocated in future.

Scrutiny Budget recommendations 2021/22

Welcomes and supports:

1. The endeavours taken in effective running and financial planning by this Council and the subsequent 6.6% increase in budget, specifically the 8.3% increase in budget for Adult Care and Health and 7.8% increase for Children's Services.
2. The focus on planning transitions for children and young people with disabilities to adult services and the capital spend to create 300 additional places for children with Special Educational Needs.
3. The lobbying efforts of this Council to receive fair funding for Devon Schools.

Record concern:

4. Cabinet to satisfy itself that based on the uncertainties, both short and long term, around the covid-19 pandemic that sufficient funds are in place to ameliorate any shortfall in funding or necessary increase in spend, with particular comments on:
 - a) The anticipated increase in mental health provision required because of the pandemic
 - b) The future of Public transport, particularly buses, with dwindling numbers due to the pandemic.
5. That the budget savings planned are achievable particularly those projected from services for adults with a disability and those from highways winter operations and the reduction in capital funding from central government.
6. This Council's ability to recruit to social care vacancies in light of Brexit and covid-19. Scrutiny calls for national recognition for the valued role domiciliary care workers provide to society. Calls for the Proud to Care recruitment campaign to continue.

Cabinet be asked to:

7. Support Health Scrutiny to carry out its statutory function of public accountability by detailing how NHS funds are included within the DCC budget for future budget consideration. This is necessary in moving to Integrated Care Systems with a joint approach for service planning.

8. Continue to maintain support for prevention and innovation work across the Council including proactive exploration of opportunities to increase funding through specific grants. Specifically, but not limited to:
 - a) Public health initiatives
 - b) Climate change and active travel
 - c) Connectivity of public transport
 - d) digitisation of communities –with possible opportunities in shared prosperity and levelling up funding.
9. Specify that all new contracts for social care providers uphold the Council's commitment for national living wage at £10 per hour as a minimum for everyone employed in care.
10. Continue to reduce the vacancy rate for public health nursing with a view to achieve a full complement of staff.
11. Explore future opportunities for in-house provision for residential children's care.
12. Consider rurality when funding school transport.
13. Find savings by more streetlights having part night lighting and use these savings to invest in road safety defects.
14. To prioritise further investment road maintenance if there is the opportunity to do so.
15. Consider greater work on modelling determinants of demand in future years to support more accurate predictions in areas of spend; whilst acknowledging difficulties associated with demand led services. To support this endeavour call for Cabinet to clearly demonstrate impact and value for money for residents in services with high spend.
16. Lobby Government to:
 - a) commit to multi-year funding settlements and simpler grant-based initiatives to support financial certainty and longer-term planning.
 - b) Provide additional support for public health nursing
 - c) Address the SEND high needs funding block deficit and amend the funding allocation to reflect the number of EHCPs not solely on deprivation.
 - d) Deliver on promises made about the need for social care reform as soon as possible.
 - e) Adequately fund climate change to enable local authorities to deliver substantial measures mitigate climate change and ecological emergency.

ADMISSION & EDUCATION TRANSPORT POLICIES FOR 2022-23

Report of the Head of Education and Learning

The following recommendations are subject to approval by the Cabinet and confirmation under the provisions of the Council's Constitution before taking effect.

1. Note the admission arrangements were proposed and consulted on for the Local Authority.
2. Approve the recommendations as laid out in section 2

1. PURPOSE OF REPORT

- 1.1 The Local Authority (Devon LA) has 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 is held ahead of the statutory deadline for annual determination by Cabinet. Schools that are their own admissions authority (Foundation, Voluntary Aided, Academies and Free schools, University Technical Colleges and Studio Schools) are responsible for their own arrangements and determined by the governing boards and academy trusts.
- 1.2 This paper is to report the 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 to seek approval to the schemes. Admission to special schools and fee-paying independent schools fall outside the of scope these arrangements.
- 1.3 This paper recommends:
 - 1.4 Education Transport Policies for 2022-23.
 - 1.5 Relevant Area for school admissions for Devon for 2023-24 and 2024-25.
 - 1.6 an amendment to previously determined policies with regard to applications from overseas.

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2. RECOMMENDATIONS

2.1 Members are requested to:

- a) approve the Published Admission Numbers for community and VC schools for 2022-23 (see **Appendix One**)
- b) approve the catchment areas for community and VC schools for 2022-23 set (see **Appendix Two**)
- c) approve the admissions timetable for the next year (see **Appendix Three**)
- d) determine the normal round co-ordinated admissions scheme for 2022-23 (see **Appendix Four**)
- e) determine the in-year co-ordinated admissions scheme for 2021-22 and for 2022-23 (see **Appendix Four**)
- f) approve the Education Transport Policies for 2022-23 summarised in section 6 below (see **Appendix Five**)
- g) approve the Relevant Area for Admissions for 2023-24 and 2024-25 (see **section seven**)
- h) Approve 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**.

3. CONSULTATION ON ADMISSION ARRANGEMENTS

- 3.1 Education Authorities are required to consult annually on their admission arrangements and to determine them by 28 February. Devon consulted on the proposed admission arrangements for community and VC schools for which it is the admission authority and on the proposed co-ordinated admission schemes for primary and secondary schools. Where a school converts to academy status after determination, the published admission arrangements for them will remain in place.
- 3.2 Consultation took place from the beginning of November 2020 on the admission arrangements. It was open to all own-admission authority schools to participate in the consultation through an Admissions Traded Service. Joint consultation allows for as many admission arrangements in one place as possible for the benefit of consultees.
- 3.3 An email was sent to schools at the beginning of November 2020, notifying them that the consultation website was live. Details of the consultation were also sent electronically to all neighbouring LAs, Church of England and Roman Catholic Dioceses, relevant Trades Unions, local Members of Parliament, the Children's Education Advisory Service, community groups and Early Years settings. The Devon Education Forum has been consulted through reporting to the School Organisation, Capital and Admissions Forum.
- 3.4 The consultation website set out all aspects of the proposed admission arrangements and enabled schools and other consultees to respond to the proposals online via email direct to Devon. Responses were required by 8 January 2021 in order to allow consultees time in which to respond and a full assessment of those consultations.
- 3.5 An advert was also placed in the Western Morning News in November 2020.

- 3.6 All community and voluntary controlled schools were sent a link to an admissions policy document for the school for 2022-23, drafted on the same lines as those for own-admission authority schools.
- 3.7 The number of responses received remains low. The School Admissions Codes leave limited scope for a wide variety of lawful arrangements. Devon's arrangements have been consistent for a number of years with substantive amendments being introduced gradually and with consultation. Feedback from schools suggests that they are largely content with matters such as oversubscription criteria, Published Admission Numbers, catchment areas and the application process. The LA works closely with Diocese, headteacher and governor representatives throughout the year, discussing policy matters. A number of responses were received with regard to specific, local admissions issues, detailed at www.devon.gov.uk/admissionarrangements This is in common with neighbouring LAs.

4. CO-ORDINATED ADMISSION ARRANGEMENTS 2022-23

- 4.1 Devon is required under the School Admissions Code to co-ordinate all normal round admissions to state-funded schools, with the exception of new Free Schools where the Department for Education's instruction may be to not coordinate in the first year of opening. Devon has consulted annually on co-ordinated admissions schemes for primary and secondary schools; the proposed scheme for 2022-23 was a combined scheme for the Normal Round of Admissions into all state-funded schools. Normal round is the first opportunity to be admitted into any school, such as at the beginning of Reception, Year 3 for junior schools and Year 7 for secondary schools. It also includes Year 7 for all-through schools. It brought forward the arrangements from the previous academic year, with some amendments, detailed at **Appendix Four**. On average, the co-ordinated schemes manage 7,500 primary admissions, 7,000 secondary admissions and 6,500 in year admissions each year.
- 4.2 Devon's arrangements oversaw 15,006 applications for Devon-resident children for the 2019-20 normal round of admissions for all schools and academies. The percentage of children who received a place at the school most preferred by the parent increased in Devon and remains significantly above the most recent national averages¹.

	2019-20		2020-21	
	Nationally	Devon	Nationally	Devon
Secondary				
Applications	604,500	7346		7475
First preference offered	80.9%	94%		92.6%
Any preference offered	93%	98%		97.4%
Primary				
Applications	609,000	7272		7581
First preference offered	90.6%	97%		94.6%
Any preference offered	97.5%	99%		98.3%

The data for national allocations for 2020 have not yet been released.

- 4.3 Local Authorities are not required to co-ordinate in-year admissions to all state-funded schools. Devon manages in-year applications for community and VC schools and extends this facility to all state-funded mainstream schools. The purpose is to enable

¹ Taken from <https://www.gov.uk/government/statistics/secondary-and-primary-school-application-and-offers-2018> and <https://www.gov.uk/government/statistics/secondary-and-primary-school-application-and-offers-2019>

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parents to apply for one or more schools at the same time and promote a fair, transparent and lawful admissions process for all children in the county. By doing so, Devon seeks to minimise instances where children are missing education and ensure compliance with the School Admissions Code and School Admissions Appeals Code. Devon has consulted annually on an in-year co-ordinated admissions scheme; the proposed scheme for 2021-22 was brought forward from the previous academic year. A scheme for 2022-23 is also prepared in order to bring arrangements in line with the normal round and enable own-admission authority schools to better understand the arrangements they commit to in their own admissions policies for 2022-23. As an integral part of a fair, legal and transparent admissions service, Devon-wide in-year co-ordination is supported by funding from the Dedicated Schools' Grant for all state-funded, mainstream schools.

- 4.4 Published Admission Numbers (PANs) were proposed for community and VC schools, taking into account the accommodation available, expected local demand, sensible organisation, a strategic overview of the number of places in an area, the constraints of Key Stage One Class Size Legislation and the flexibility to increase PANs where this becomes necessary. The proposed PANs are listed at **Appendix One** and can be found in the individual admissions policy document for each school at <http://devon.cc/schoolpolicy>
- 4.5 The proposed catchment areas for community and VC schools were brought forward from the previous academic year with 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. The amendments are detailed at **Appendix Two**.
- 4.6 Devon's Fair Access Protocol provides for vulnerable children who otherwise would be out of school. It is continually reviewed in consultation with Devon schools and must reflect local circumstances. Work is ongoing with head teacher and governing board colleagues to review the Protocol although we are mindful of a revised School Admissions Code which is anticipated later in this term or the summer term. Significant changes to Fair Access requirements were proposed by Government in a national consultation and the final version of the Code will inform Devon's revision. Cabinet will be invited to consider a revised version at the end of this process.
- 4.7 The primary and secondary co-ordination schemes have statutory deadlines. They must be determined by the end of February ahead of applications in September (2021) for admission the following September (2022). This has been taken into account in a timetable for the admissions process which is detailed at **Appendix Three**.
- 4.8 The latest [Guidance from the Department for Education](#) has clarified an expectation that applications submitted from another country will be managed without reference to a child's nationality or right of entry into the country. Admission authorities for schools may not refuse admission to a child on the grounds that the application was submitted from overseas. The LA may advise parents of children who are overseas nationals to check that they have a right of abode in this country or that the terms of their immigration status permit them to access a state-funded school. This advice is to assist parents rather than to monitor or place limitations on their applications.
- 4.9 In Devon, the approach to applications from overseas has been not to offer admission to a state-funded school where that offer might be used to influence a visa application or other decision whether a child may enter the country. In order to ensure compliance with the intent of the School Admissions Code, as indicated in the above new

Guidance, determined co-ordinated admissions schemes and individual community and VC school policies for 2020-21 and 2021-22 have been amended. Reference to overseas applications has been removed and a note inserted in each document to record the change.

- 4.10 Few applications are received by the Devon Admissions Service each year where evidence of a right of entry is requested.
- 4.11 The community and VC schools below requested that they be able to prioritise children from the school nursery. For this to progress, information was requested regarding the size of their nursery cohorts and, from that, whether any “Other children” would have a realistic prospect of being admitted. This information is yet to be confirmed; if it is ahead of the Cabinet meeting, this report will be updated accordingly with a recommendation specific to each school. At the time of writing, the recommendation has to be not to include priority for nursery children for these schools without evidence that the interests of local children would be protected

Brampford Speke Church of England Primary School (PAN 10)
Cheriton Fitzpaine Primary School (PAN 15)
Newton St Cyres Primary School (PAN 20)
Silverton Church of England Primary School (PAN 20)
Thorverton Church of England Primary School (PAN 15)

5. OWN ADMISSION AUTHORITY SCHOOLS

- 5.1 Many schools in Devon are responsible for their own admissions policy and decisions in response to admissions applications. These are academy, free, studio, voluntary aided and foundation schools and university technical colleges (UTCs). At the time of writing, there were²:

Academy schools	176
Foundation schools	36
Free schools	8
Studio schools	1
University Technical College	1
Voluntary Aided	28
	250

There remain, a number of schools for which Devon is the admissions authority:

Community	73
Voluntary Controlled	31
	104

- 5.2 All LAs have a responsibility under the School Admissions Code to collate and publish the admission arrangements of all schools, including own admission authority schools. Devon meets this requirement by publishing a copy of all policies at <http://devon.cc/schoolpolicy> and reviews the policies of all schools to ensure that they are legally compliant. Where the DCC Admissions Service identifies that any part of a school's admission arrangements may be unlawful, it will raise the issue with the

² School types data is taken from the Department for Education's *Get Information About Schools* website for Devon schools and academies.

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school's admissions authority and seek amendments to make the arrangements lawful. Where agreement is not reached, a decision on whether to formally object to the arrangements to the Office of the Schools' Adjudicator will be made and also, where appropriate, representations are made to the Regional School Commissioner and Education & Skills Funding Agency.

- 5.3 The first stage of the compliance process is to work closely with own admission-authority schools with their admissions policies. Where amendments are made to policies for community and VC schools, they are recommended to all own-admission authority schools. In most cases, Devon formulates the policy for own-admission authority schools to consider and approve. Support for own-admission authority schools has included scrutiny, advice and challenge as necessary.
- 5.4 With regard to overseas applications (see sections 4.8-4.9), own-admission authority schools have been advised to make the same amendment and this has been drafted where necessary for all schools whose 2020-21 and 2021-22 policies have been formulated by the LA for their approval. Where this affects academies neighbouring LA areas, those LAs have been informed.

6. EDUCATION TRAVEL ARRANGEMENTS

- 6.1 In previous years, the Education Transport Policy has been included in the admissions consultation and Members have been requested to consider them at the same time. The arrangements proposed for 2022-23 for statutory age children and Post-16 students are those previously determined for 2021-22 with changes proposed to wording to improve understanding, indicated by tracked changes in highlighted text.
- 6.2 There are minor proposed changes to wording recommended to Cabinet for determination. They are set out at **Appendix Five**.

7. RELEVANT AREA

- 7.1 The Relevant Area is the geographical area within which a school and the LA must consult on its proposed admission arrangements. The Relevant Area proposed for Devon for the next two years remains unchanged. This applies to the consultations which take place in 2021 and in 2022 for admission to school in 2023 and 2024 respectively.

- 7.2 The Devon Relevant Area will reflect statutory requirements which are:

For the Local Authority:

- the administrative area of Devon County Council (not including the administrative areas of Torbay Council or Plymouth City Council) and
- An area within 3 miles of the border with the local authorities of Cornwall, Dorset, Plymouth, Somerset and Torbay.

For own-admission authority **academy, free, foundation and voluntary aided infant, junior and primary schools** located within the Devon LA administrative area:

- a 10-mile radius of the school, or,
- where this covers a neighbouring authority area, up to 3 miles into that area.

For own-admission authority **academy, free, foundation and voluntary aided**

secondary schools, studio schools and university technical colleges located within

the Devon LA administrative area:

- a 15-mile radius of the school, or,
- where this covers a neighbouring authority area, up to 3 miles into that area.

8 FINANCIAL CONSIDERATIONS

- 8.1 There are no direct financial considerations of this report. Further to the report to Cabinet last February on this matter, Devon has revised its Traded Service arrangements in response to the increased numbers of own admissions schools.
- 8.2 The proposal to increase the amount the Transport Officer Appeal Panel can approve for discretionary travel from £35 to £80 per day acknowledges the existing costs already being met within the current policy and the general cost of daily transport. The numbers accessing discretionary funding is very low and this procedural change will not result in an additional budget pressure.

9 SUSTAINABILITY CONSIDERATIONS

- 9.1 The admissions policy supports the principle of providing local places at local schools.

10 EQUALITY CONSIDERATIONS

- 10.1 Equality of access to education opportunities is a fundamental feature of school admission arrangements and the education transport policies. All policies for consideration have been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements.
- 10.2 Increasingly in a more autonomous school system, all LAs will need to ensure schools comply with the admissions code and be prepared to challenge practice that is neither legal nor inclusive.

11 LEGAL CONSIDERATIONS

- 11.1 School admission arrangements are a statutory function of Devon County Council. Setting fair, transparent and legal co-ordinated admission arrangements ensures that Devon meets its duty and enables parents, schools and other interested parties to have confidence in them.
- 11.2 The admission arrangements have been proposed and the subject of consultation under requirements of the statutory School Admissions Code 2014. Arrangements must be determined by Devon by 28 February and must be compliant with the statutory requirements of the Code. The amendments to policies are compliant with the Code.

12 RISK MANAGEMENT CONSIDERATIONS

- 12.1 The key risk is that admission arrangements are not determined by the statutory date of 28 February. This would mean that Devon County Council was not compliant with the requirements of the Code. It would be liable to censure from the Department for Education and the Office of the Schools' Adjudicator (OSA).
- 12.2 By not determining compliant arrangements, Devon parents and schools would be a) unable to plan effectively for the next school admissions round in 2022-23, applications for which will open in the autumn 2021 or b) to effectively plan for in-year admissions during 2021-22 and 2022-23. This would be a failure of Devon to formulate and manage a fair and transparent admissions system. Furthermore, Devon's neighbours would have cause for concern that Devon may not meet its duty to co-ordinate

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arrangements for admissions across local authority boundaries. Action on the recommendations addresses this risk.

12.3 During restrictions in place during the covid-19 pandemic, the risk of children not accessing appropriate education has been managed by the Admissions Service working alongside other teams within Education and Learning. The LA has continued its work through the usual School Admissions annual cycle on a “business as usual” basis during the restrictions under covid-19. All statutory deadlines have been met – consultation and determination of policies, application windows for normal round admission into schools and appeals have been scheduled within the required timescales. The allocation of in-year admission places has worked within Department for Education guidance and allowed for vulnerable and key worker children to access new schools as necessary for continued education on site while other children have been offered remote learning by their schools.

12.4 Eligibility to transport to and from school has continued to be managed by the Transport Co-ordination Service which has worked to reduce the risk of transmission among passengers and vehicle operators. Those children who have been able to access on-site education have had continued provision with all concerned introducing processes to socially distance as far as possible and to initiate enhanced cleaning schedules.

13. CONCLUSION

13.1 Devon County Council has a broad role in school admissions. It must set admission arrangements for those schools where it is the admissions authority and it must manage normal round admissions for all state-funded schools and children within its area. Where it believes that the arrangements for own admission authority schools are unlawful, it has a further duty to seek a local agreement for them to be lawful or make a formal objection. The approach is to provide a comprehensive support service for own admission authority schools and academies to minimise instances where admission authorities introduce unlawful and unfair arrangements, whether or not inadvertently. The aim is to enable parents to have confidence that the admissions process in Devon is fair, transparent and consistent, regardless of the school’s designation. The statutory responsibilities of the LA are much greater than the setting of these arrangements requiring day to day review and assessment of admissions decisions for all school, no matter their governance.

The recommendations in this paper will ensure Devon County Council meets its statutory responsibilities in respect of school admissions.

Dawn Stabb
Head for Education and Learning

ELECTORAL DIVISION: All

Cabinet Member for Children, Schools and Skills: Councillor James McInnes

Contact for enquiries: Andrew Brent, Senior Policy Officer 01392 383000

Local Government Act 1972. Background Papers:

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Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

Published Admission Numbers can also be viewed as part of each school's admissions policy for each academic year, published at <http://devon.cc/schoolpolicy>

			PAN 2021	PAN 2022
2400	Community	Abbotskerswell Primary School	15	15
2201	Community	Ashwater Primary School	8	8
2206	Community	Beaford Community Primary & Nursery School	15	15
3101	Voluntary Controlled	Berry Pomeroy Parochial Church of England Primary School	15	15
3053	Voluntary Controlled	Berrynarbor Church of England Primary School	12	12
2210	Community	Bishops Nympton Primary School	10	10
2402	Community	Bishopsteignton School	30	30
2717	Community	Bolham Community Primary School	16	16
2404	Community	Bovey Tracey Primary School	40	40
2002	Community	Bow Community Primary School	20	20
2472	Community	Bradley Barton Primary School and Nursery Unit	60	60
3001	Voluntary Controlled	Brampford Speke Church of England Primary School	10	10
3002	Voluntary Controlled	Branscombe Church of England Primary School	10	10
3003	Voluntary Controlled	Broadhembury Church of England Primary School	8	8
3004	Voluntary Controlled	Burlescombe Church of England Primary School	12	12
2476	Community	Canada Hill Community Primary School	45	45
2007	Community	Cheriton Fitzpaine Primary School	15	15
3105	Voluntary Controlled	Chudleigh Church of England Community Primary School	60	60
3777	Community	Clyst Heath Nursey and Community Primary School	45	45
2009	Community	Clyst St Mary Primary School	30	30
3152	Voluntary Controlled	Cornwood Church of England Primary School	15	15
2025	Community	Countess Wear Community School	45	45
2015	Community	Culmstock Primary School	20	20
3107	Voluntary Controlled	Dartington Church of England Primary School	50	50
2431	Community	Decoy Primary School	60	60
2416	Community	Denbury Primary School	17	17
2223	Community	East Anstey Primary School	7	7
2207	Community	East-The-Water Community Primary School	60	60

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Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

2603	Community	Ermington Primary School	25	25
2420	Community	Exminster Community Primary	60	60
3059	Voluntary Controlled	Georgeham Church of England (VC) Primary School	15	15
3060	Voluntary Controlled	Goodleigh Church of England Primary School	10	10
3061	Voluntary Controlled	Great Torrington Bluecoat Church of England Primary School	75	75
2604	Community	Gulworthy Primary School	12	12
2228	Community	Halwill Community Primary School	15	15
2605	Community	Hatherleigh Community Primary School	30	30
3779	Community	Haytor View Community Primary School	30	30
2012	Community	Hayward's Primary School	60	60
2448	Community	Hazeldown School	60	60
2432	Community	Highweek Community Primary and Nursery School	60	60
3063	Voluntary Controlled	Holsworthy Church of England Primary School	45	45
2048	Community	Honiton Primary School	60	60
2231	Community	Horwood and Newton Tracey Community Primary School	14	14
3065	Voluntary Controlled	Ilfracombe Church of England Junior School	105	105
2232	Community	Ilfracombe Infant and Nursery School	120	120
3013	Voluntary Controlled	Kentisbeare Church of England Primary School	25	25
2234	Community	Kentisbury Primary School	8	8
2050	Community	Kilminster Primary School	15	15
2425	Community	Kingsbridge Community Primary School	60	60
3112	Voluntary Controlled	Kingskerswell Church of England Primary School	60	60
2026	Community	Ladysmith Infant and Nursery School	90	90
2027	Community	Ladysmith Junior School	90	90
3154	Voluntary Controlled	Lamerton Church of England Voluntary Controlled Primary School	8	8
2079	Community	Landscore Primary School	60	60
2237	Community	Langtree Community School and Nursery Unit	12	12
2612	Community	Lifton Community Primary School	25	25
3028	Voluntary Controlled	Littleham Church of England Primary School	30	30
2428	Community	Loddiswell Primary School	15	15

Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

3014	Voluntary Controlled	Lympstone Church of England Primary School	30	30
3114	Voluntary Controlled	Malborough with South Huish Church of England Primary School	15	15
2610	Community	Manor Primary School, Ivybridge	40	40
2622	Community	Mary Tavy and Brentor Community Primary School	15	15
2614	Community	Milton Abbot School	15	15
2715	Community	Modbury Primary School	30	30
2239	Community	Monkleigh Primary School	15	15
2054	Community	Newton Poppleford Primary School	30	30
2055	Community	Newton St Cyres Primary School	20	20
2029	Community	Newtown Primary School	30	30
3015	Voluntary Controlled	Offwell Church of England Primary School	17	17
3066	Voluntary Controlled	Parracombe Church of England Primary School	8	8
3016	Voluntary Controlled	Payhembury Church of England Primary School	15	15
2205	Community	Pilton Infants' School	60	60
3017	Voluntary Controlled	Plymtree Church of England Primary School	15	15
2059	Community	Sandford School	30	30
2060	Community	Seaton Primary School	60	60
2618	Community	Shaugh Prior Primary School	10	10
2243	Community	Shebbear Community School	10	10
2244	Community	Shirwell Community Primary School	8	8
2062	Community	Shute Community Primary School	12	12
4011	Community	Sidmouth College ³	150 (10)	150 (10)
3022	Voluntary Controlled	Silverton Church of England Primary School	20	20
2245	Community	South Molton Community Primary School	30	30
2242	Community	St Giles-on-the-Heath Community School	15	15
3069	Voluntary Controlled	St Mary's Church of England Primary School, Bideford	60	60
3128	Voluntary Controlled	St Michael's Church of England Primary School	60	60
3024	Voluntary Controlled	Stoke Canon Church of England Primary School and Pre-school	20	20
2033	Community	Stoke Hill Infant and Nursery School	90	90
2034	Community	Stoke Hill Junior School	90	90
2445	Community	Stokeinteignhead School	15	15

³ PAN 150 at Year 7 and PAN 10 at Year 12 for external students

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Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

2446	Community	Stokenham Area Primary School	30	30
2609	Community	The Erme Primary School	25	25
2461	Community	The Grove Primary School	45	45
2090	Community	The Topsham School	30	30
3025	Voluntary Controlled	Thorverton Church of England Primary School	15	15
2710	Community	Ugborough Primary School	25	25
3026	Voluntary Controlled	Uplowman Church of England Primary School	8	8
2073	Community	Upottery Primary School	15	15
2209	Community	West Croft School	90	90
2249	Community	West Down School	15	15
2074	Community	Whimple Primary School	20	20
2075	Community	Willand School	60	60
2724	Community	Willowbrook School	60	60
3011	Voluntary Controlled	Withycombe Raleigh Church of England Primary School	90	90
3375	Community	Wynstream School	60	60

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Appendix Two – Proposed amendments to Catchment areas for Community and Voluntary Controlled schools

1. The proposed 2022-23 catchment areas for community and voluntary controlled schools include one amendment from the previous academic year.
2. It has been proposed to reduce the catchment area for Bishopsteignton School (community). This current area is shown with a yellow background and the area to be reduced is circled by a red line. The northernmost boundary is over 7 miles from the school itself. There are no records of children from this area choosing to attend Bishopsteignton or its linked secondary school, Teignmouth Community School, Exeter Road. It does not, therefore, form part of either school's local community. There are other schools closer to this area. It would be a significant expense were a child from this area require new transport to be put in place on catchment grounds to Bishopsteignton or Teignmouth.



The area has been proposed for inclusion in the catchment areas for Chudleigh Church of England Primary School (Voluntary Controlled) and a number of own-admission authority schools: Teign School, Dawlish College, Kenn Church of England Primary School, Kenton Church of England Primary School and Westcliff Primary Academy.

The area to be redistributed is sparsely populated. In previous years, residents have been educated at the closer schools and not at Bishopsteignton. This amendment to Bishopsteignton and Chudleigh's areas seeks to reflect patterns of parental preference and also remove a liability to transport on catchment grounds that could be called upon while there are reasonable alternatives significantly closer.

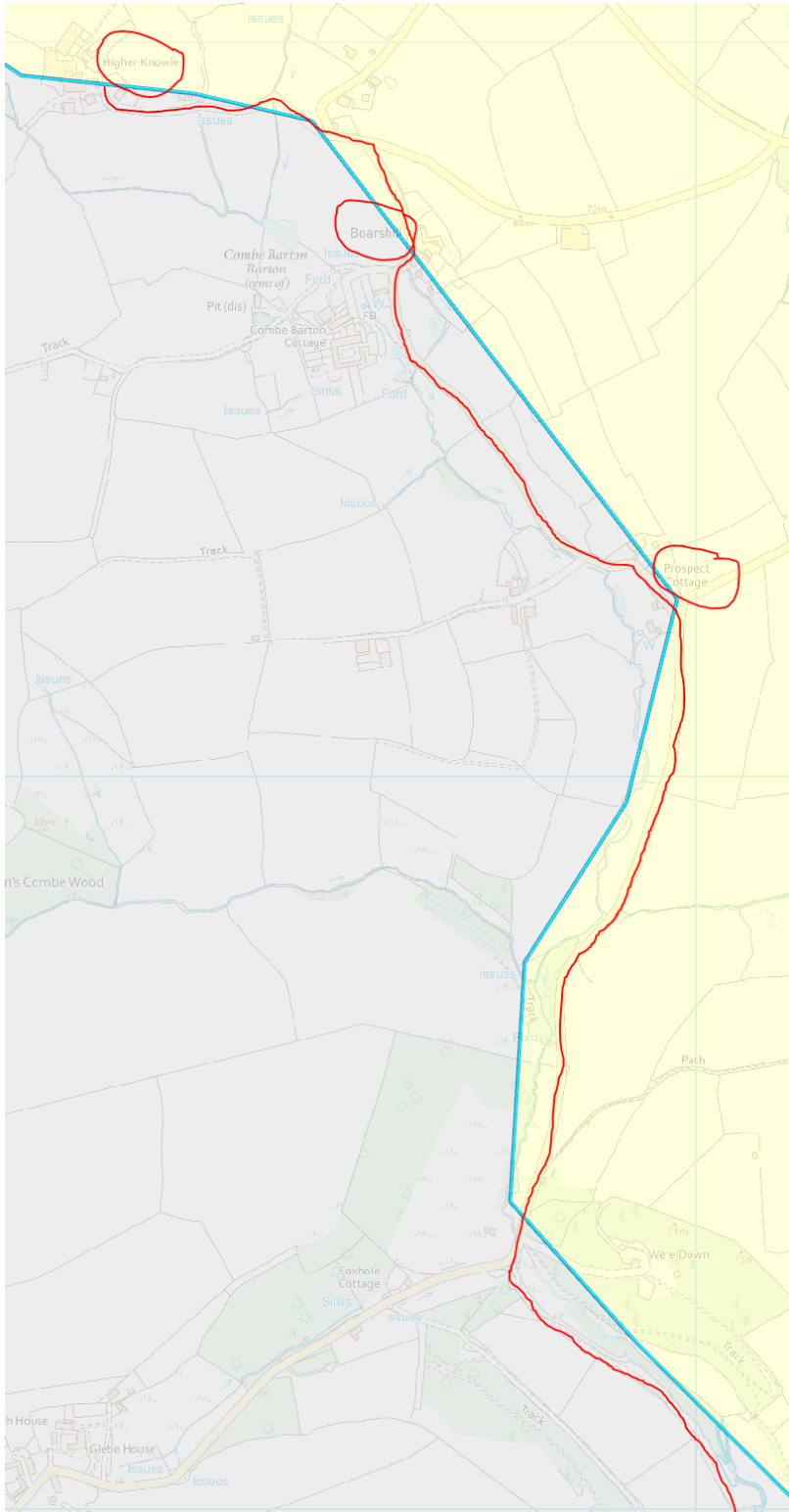
3. A member of the public suggested that the boundary between Kingsbridge and Ivybridge Community Colleges be amended in order to make clearer the boundary position; and have the effect of moving the family residence from one catchment to the other. As linked primary school catchments combine to form the catchments of these secondary schools, this could have an impact on the area for Modbury Primary School (community). From discussion with Kingsbridge Community College, a minor amendment will be made to the College's catchment in order to follow the road closest to the current boundary so that it is clear to all parties where the boundary is at this point, close to Prospect Cottage as marked on the map. No residences will be moved from one catchment area to another. The boundary for Modbury will be adjusted to the same degree. Changing the catchment area boundary to follow the road, as described above, will see no change to admissions priority or the current entitlement to free school transport entitlement.

The area is shown below:

The current boundary is shown by a blue line with the catchment area of Kingsbridge Community College and Aveton Gifford Church of England Primary School to its right, with a yellow background and the

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Appendix Two – Proposed amendments to Catchment areas for Community and Voluntary Controlled schools



catchment area of Ivybridge Community College and Modbury Primary School to its left with a grey background. This boundary has been in place since the pre-existing paper maps were digitised in 2003. There was no intent to amend the boundary at that time.

The new boundary at this point would follow the roadway as it travels northwards from the river, past Prospect Cottage, Boarshill, to Higher Knowle (locations circled in red). This follows the current boundary to within 15 and 66 metres and is a clear, geographical marker beyond the point where the watercourse is no longer visible or marked on a map. The watercourse lies up to 147 metres from the current boundary.

Further work to follow catchment area boundaries could be undertaken in the future for the remainder of the region in order to remove uncertainty.

4. Catchment area maps for the whole of Devon can be viewed at [School designated \(catchment\) areas - Education and Families \(devon.gov.uk\)](https://www.devon.gov.uk/school-designated-catchment-areas)

Timetable for the admissions cycle for 2021 and 2022

Statutory dates are in bold.

	Action	Action by
15 January 2021	Deadline for timely applications for the normal round of admissions to primary, infant and junior schools.	Admissions service
31 January 2021	Deadline for the completion of the consultation on proposed admission arrangements	Admission Authority
28 February	All policies to be formally determined – including the date of determination in the Policy version section.	Admission Authority
28 February	Appeals timetable to be published	Admissions Service Admissions authority
1 March	National Offer Day for the normal round of admissions to secondary schools.	Admissions Service
15 March	All policies to be published on school websites All faith policies to be forwarded to Diocese All policies to be forwarded to LA Policy Officer.	Admission Authority
16 April	National Offer Day for the normal round of admissions to primary, infant and junior schools.	Admissions Service
By 15 May	Deadline for objections to the OSA	
Summer term 2021	Review content and presentation of policies for 2023-24	Admissions Service
By 1 September	All faith own admission authority schools will receive a suggested new document for consideration	Admissions Service
By 15 September	All other own admission authority schools will receive a suggested new document for consideration	Admissions Service
By 30 September	Faith schools to meet and agree a proposed policy then forward to Diocese (CE confirmed timescale)	Admission Authority
31 October	Deadline for timely applications for the normal round of admissions to secondary schools.	Admissions Service
By 31 October	Diocese to forward proposed policies to LA Policy Officer	CE Diocese Catholic Diocese (if required)
By 31 October	All other own admission authority schools to return proposed policies to LA Policy Officer	Admission authority
1 November	LA-hosted consultation live for proposed admission arrangements for 2022-23	Admissions Service
7 January 2022	LA-hosted consultation ends	Admissions Service
31 January	Deadline for the completion of the consultation on proposed admission arrangements	Admission Authority
28 February	All policies to be formally determined – including the date of determination in the Policy version section.	Admission Authority
28 February	Appeals timetable to be published	Admissions Service

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Appendix Three – admission arrangements timetable

		Admissions authority
15 March	All policies to be published on school websites All faith policies to be forwarded to Diocese All policies to be forwarded to LA Policy Officer.	Admission Authority
By 15 May	Deadline for objections to the OSA	

1. The policy documents can be viewed at <http://devon.cc/lapolicies>:
 - Recommended 2022-23 Normal Round Admissions Scheme.
 - Recommended 2021-22 In-Year Co-ordinated Admissions Scheme
 - Recommended 2022-23 In-Year Co-ordinated Admissions Scheme
2. Amendments to wording are highlighted in red text.
3. Dates have been rolled forward for the new academic year.
4. Wording added at section 2.2 to note that a revised School Admissions Code in 2021 may require amendment to the Scheme in order to maintain compliance.
5. Clarification at section 4.7 – children are taken off roll from schools at the end of Year 11 but will still have an entitlement to attend that school's Year 12 without making a formal application for readmission. They must meet the school's academic requirements to pursue specific courses but cannot be refused admission on the grounds that the sixth form is oversubscribed.
6. Footnote 19 at section 4.7 is amended to clarify that a school's published admission arrangements must make provision if there is an intention to waive its academic requirements in exceptional circumstances.
7. At section 9.2 it was proposed to add priority for children who, as it appears to the admission authority, have been adopted from state care in another country. This was included in a proposed revised Admissions Code which was the subject of a national consultation in the autumn. It has since become clear that a revised Code will not be in force before the end of February by which time all admission arrangements must be determined. It would be unlawful to include this provision as drafted until the revised Code is in force. If, as anticipated, it comes into force in the spring or summer term, admission arrangements will be amended as necessary for each academic year. This would be for 2022-23 but may also be for 2021-22 and 2020-21. All amendments will be made under the terms of the Admissions Traded Service on behalf of all schools and academies.
8. Footnote 21 at section 9.2 has been amended to note that Children in Care or previously in Care will be considered to be permitted exceptions to Infant Class Size Legislation where they are admitted after the first offer of places to Reception on 16 April as they will have been allocated after the normal round. This will enable offers to be confirmed earlier so that schools can work with children ahead of the summer holidays as part of their induction.
9. Footnote 30 to section 13.2 added to note that some academies in other LA areas use the Devon Independent Appeals Panel as part of the Devon Admissions Traded Service.
10. Wording added at section 13.6 to note that an admissions appeals timetable will be included in each school admissions policy and at Appendix 11 of the scheme.
11. At section 15.1 wording added to emphasise that a school decision in response to a request to teach a child out of their chronological year group will be made in what it considers to be the child's best interests. This is a requirement of the Admissions Code and reflects existing practice in schools.

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Appendix Four – recommended amendments to the Co-ordinated Admissions Schemes

12. At section 17.2, the list of selective schools and schools with aptitude testing in a neighbouring LA area has been updated. This has not been done in the In-Year Scheme as Devon does not co-ordinate in-year applications for selective schools in other LAs.
13. At section 19.1, a national identity card has been added as evidence of age.
14. Section 20.1 has been rewritten. This reflects new guidance from the Department for Education that all applications submitted from outside of the United Kingdom must be considered in the same way, regardless of nationality or the immigration status of a child. Places will be offered or refused according whether there are vacancies and the child's priority according to the school's oversubscription criteria as necessary. Where a school has reason to question a pupil's immigration status, it should raise its concerns with the immigration authorities. A child must not be refused admission or required to leave the school on these grounds. As this amendment is required to comply with intent of the School Admissions Code, it will be reflected in the previously determined schemes for 2020-21 and 2021-22. References to this issue have been removed from the glossary in the determined school policies for 2020-21 and 2021-22 and recommended policies for 2022-23.
15. Similarly, sections 20.2 and 20.4 have been removed. Section 20.3 has been renumbered as 20.2; section 20.5 has been renumbered as 20.3. The new section 20.3 has been amended to remove reference to the previous limitations. For the In-Year Scheme, this applies to section 19.
16. A new section 30.5 has been included to clarify that internal candidates for sixth forms – those students who completed Year 11 at the school and wish to study in Year 12 – may only be refused admission on academic grounds while external candidates may be refused on academic grounds or because the sixth form is oversubscribed.
17. In Appendix 2. The glossary for the In-Year and Normal Round Schemes 2021-22 match each other; the glossary for the In-Year and Normal Round Schemes 2022-23 match each other.
18. In the entry for **Published Admission Number**, wording has been inserted to confirm that the PAN for a school relates only to external candidates and not younger children moving up within the school.
19. In then entry for **Application**, wording has been inserted to confirm when an application is considered to have been made when submitted or when further information is received that was required to verify the application and its priority. An example in practice is where two applications are received but one hasn't provided evidence of a new address. That application is considered to have been made when the evidence is received. The other application will be considered and, potentially offered, first.
20. Further, a note was added to confirm that a sixteen-year old may apply for admission in their own name. He or she may also submit admission appeals.
21. Caveats were included in the definitions for catchment area, **faith priority**, **priority for children of staff**, **nursery attendance**, **pupil premium**, **linked school priority**, **Children in Care** or **siblings** that eligibility for each oversubscription criterion is not a guarantee of admission.

22. A new D-CAF7 **application form** was introduced for use only where a Devon-resident child seeks admission out of county to a Middle or High school in another LA area.
23. Entries to explain **deferred** admission and delayed **admission** were included for all schools as a means to give consistent and comprehensive advice to readers of any school policy formulated by the LA.
24. Information specific to sixth form students was included in the entry for **Education Transport**.
25. A note was included in the entry for the **Fair Access Protocol** to clarify that it does not apply to sixth form admissions.
26. The entry for **General Data Protection Regulation** has reference to sharing information with another school when a place has been offered. This is to make it clear that the new school will receive information about the child and the application. Further, it is clarified that – unless otherwise established - while both parents are entitled to know an application has been made and its outcome, the reasons one parent gave in the application will not be shared with the other parent.
27. In the entry for **home address**, a note was added to clarify that the home address is only relevant for external candidates. This is because internal candidates must be able to study in the sixth form if they wish, subject to meeting the course academic requirements.
28. In the entry for **linked school**, a note was added to clarify that sixth forms do not give priority for children at a linked school. This is because internal candidates must be able to study in the sixth form if they wish, subject to meeting the course academic requirements.
29. An entry was made for **nodal points**. Although not currently in use for any Devon school, it is a lawful option for prioritising applications where straight-line measurement may cause anomalous results.
30. The entry for **overseas children** was rewritten to reflect recent guidance that all applications from abroad must be considered without reference to nationality.
31. In the entry for **service families**, the measurement point for distances to school has been clarified as the main entrance to the residential property or the centre of the front gate of the unit address where that is necessary. This is to reflect the different circumstances there may be for children of service personnel posted to a new area.
32. In the entry for **waiting lists**, wording was added to set out when sixth forms are likely to keep waiting lists. This differs from schools for children below the school leaving age.
33. At **Appendix 3**, the proposed inclusion of priority for children adopted from state care outside of England and has been removed as detailed above. An associated footnote to the criterion alerted consultees to this. The provision will be reinserted in due course when the revised School Admissions Code is in force.
34. At **Appendix 7**, reference to the new D-CAF7 has been inserted.

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Appendix Four – recommended amendments to the Co-ordinated Admissions Schemes

- 35. At **Appendix 9**, dates for the selective testing for schools in other LA areas and their outcomes will be inserted when the respective policies have been determined.
- 36. A new **Appendix 11** has been inserted with an appeals timetable.

Additionally, in the In-Year Schemes

- 37. At section 3.9, the time for decisions to be made is reduced from 15 to 10 school days. This is in anticipation of the revised Admissions Code, its inclusion here being compliant with the existing Code.
- 38. At sections 3.9 and 8.3, 6pm is the cut-off time each day for applications to be considered together. This is in place of 2pm and removes potential issues with postal deliveries arriving at different times.
- 39. At sections 3.9 and 11.2, the timescale for the LA to notify schools of applications is reduced from 5 to 2 school days and to process decisions is reduced from 5 to 3 school days. This allows for the whole application process to fall from an expected 15 to 10 school days without putting additional pressure on schools.
- 40. At section 3.9, wording is amended from 'a reasonable timescale' with an associated footnote to refer to the timescale set out immediately above.
- 41. Footnote 13 at section 3.9 has the addition of a note that the timescales set out are shorter for Children in Care.
- 42. 2021-22: Footnote 16 at section 3.12 has been inserted to confirm that a parent may make an application on the common application form in all cases and to note that schools may choose to participate in in-year co-ordination where they have previously taken applications direct.
2022-23: it is anticipated that the schools named will be taking part in in-year co-ordination under their own published admission arrangements.
- 43. A new section 5.4 has been included to emphasise the requirement for parents to complete a Supplementary Information Form if they are seeking priority for admission on the grounds of an exceptional need to attend that particular school.
- 44. At section 11.3, clarification is made that the LA will not inform parents of other vacancies at the point when it makes an offer in the in-year scheme.
- 45. At section 13.4, clarification is inserted that in-year admission appeals can be submitted by a parent at any time. There is no deadline for timely appeal submissions as there is at the normal round of admissions.
- 46. A new section 27.3 is inserted which clarifies that an in-year admission to sixth form, that is after the normal round into Year 12, will be considered as an external candidate, even for those students who completed Year 11 at the school.
- 47. A new section 31 is included to advise that emergency circumstances, as with the first national lockdown may impact on the operation of admission arrangements and admissions appeals in the interests of public health and safety.

Appendix Five – recommended amendments to the Education Transport Policy

1. The proposed policy documents can be viewed at <http://devon.cc/lapolicies>:
 - Recommended 2022-23 Education Transport Policy
 - Recommended 2022-23 Post-16 Education Transport Policy.
2. Amendments to wording are highlighted text. There are no amendments to the policies or entitlement to education transport support.
3. Dates have been rolled forward for the new academic year.
4. At appendix 3, the DELEGATED upper limit FOR THE OFFICER APPEAL PANEL WHERE discretionary transport is provided in a LIMITED number of circumstances is raised from £35 to £80 per day. This reflects the UPDATED costs the LA routinely faces. Where the cost of transport would be higher than this, authority is sought from the Portfolio Holder, as set out in section 8.54 of the policy
5. The upper limit for transport provided to support Managed Moves for children at the risk of Permanent Exclusion is removed to support inclusive practice. This transport provision is more usually by lower-cost routes such as existing transport.
6. At Appendix 5, transition arrangements for catchment-area transport entitlement is removed as both primary schools in South Molton are fully open.
7. At Appendix 5, information regarding the propose relocation of Tipton St John Church of England Primary School is removed following the East Devon District Council planning decision.

Formal Consultation Response on the Interim Devon Carbon Plan

Report of the Head of Service for Planning, Transportation and Environment

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

Recommendation: that the Cabinet be asked to approve the proposed formal consultation response from Devon County Council to the Devon Climate Emergency partnership on the Interim Devon Carbon Plan.

1. Summary

Devon County Council was the founding partner of the Devon Climate Emergency project, which convened an [independent Net-Zero Task Force](#) of specialists who have subsequently involved the public in the preparation of a [consultation draft Interim Devon Carbon Plan](#). This report presents a proposed consultation response to the Interim Devon Carbon Plan.

2. Introduction

Devon County Council (DCC) has declared a climate emergency and is a founding partner and principal funder of the [Devon Climate Emergency \(DCE\) initiative](#). In signing the [Devon Climate Declaration](#), DCC has committed to working collaboratively with partners to engage Devon's residents, businesses and visitors to develop and implement a plan to achieve the reduction of greenhouse gas emissions across the area to net-zero by 2050 at the latest.

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

The Net Zero Task Force will consider the consultation responses and work with the Devon Climate Emergency Response Group to prepare a post-consultation version of the Interim Devon Carbon Plan, which will be available for organisations to consider adopting in late summer/autumn 2021. The exact timetable depends upon how significant the consultation comments are and how many comments are received.

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

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This twin-track process is a symptom of COVID-19 which cancelled the Citizens' Assembly that would have otherwise occurred in July 2020.

3. Proposed Consultation Response

DCC ("the Authority") is hugely grateful to the Net-Zero Task Force for preparing such a comprehensive roadmap showing the extensive technological, infrastructure and behavioural changes required to achieve net-zero carbon in Devon, and to the community who participated in the Call for Evidence and Thematic Hearings.

The Authority endorses the draft Interim Devon Carbon Plan ("the Plan") and will do what it can to implement relevant actions within its areas of responsibility, including enabling and encouraging Devon's citizens to play their part in the transition. Feedback on matters of detail have been provided to the DCE secretariat, which does not materially affect DCC's support for the Plan.

The Plan makes clear that new or changed regulation at national level and enhanced resources are necessary to address many of the challenges of achieving net-zero. DCC will continue to pursue additional resources and work with Government to put in place the framework necessary to accelerate carbon emissions reductions.

The Plan shows that the transition to net-zero will have far reaching and profound implications for how communities function and how behaviours will need to change. DCC aims to ensure that nobody's needs are overlooked during the descent to net-zero and that the wide-ranging opportunities to improve health, wellbeing and social justice are seized. All parts of our communities, including businesses, will need to feel invested in the transition and will need time to adapt behaviours, change practices and adopt different technology. However, this is an emergency, and time is of the essence, which is why the Authority agrees with the recommendation for the UK's Sixth Carbon Budget from the Committee on Climate Change (December 2020) which declares that the decade from 2025 will be incredibly important to see accelerated effort to meet net-zero by 2050.

For these reasons, DCC continues to be committed to playing its part in achieving net-zero in Devon by 2050 at the latest and urges every individual, community and organisation to act to reduce carbon emissions within their own influence as quickly and as early as they are able to. As previously stated, national Government action is necessary to deliver many of the transformations necessary at the speed required. The Authority therefore welcomes the 2030 UK emissions target introduced by Government in December 2020 (54% reduction on 2010 levels) which aligns with the target proposed in the Interim Devon Carbon Plan for the same date (50% reduction).

The funding of the Citizens' Assembly, expected to operate online in summer 2021, remains a pledge by the Authority on behalf of the whole DCE partnership. Having actions carefully informed by the people of Devon to address some of the most challenging issues for Devon's journey to net-zero will be valuable to ensure the solutions are right for our communities. DCC understands that the Citizens' Assembly is unlikely to have sufficient time to deliberate all of the challenging issues identified within the Interim Devon Carbon Plan. The Authority is content for the design of the Assembly to be informed by the consultation results and the expertise

of the Net-Zero Task Force and is therefore not providing comment on the prioritisation of those issues in this response.

The Authority fully believes in the co-benefits that are available to Devon through achieving net-zero and, over the past year, has been furthering its plans to achieve net-zero within its own operations and supply chain by 2030 and has been forging ahead with developing projects to help implement actions in the draft Interim Devon Carbon Plan.

The reduction of carbon emissions needs to fit alongside a broader consideration of the unavoidable climate change impacts for Devon and associated action to achieve resilience and adaptation to deal with these. The Authority is pleased to be working with other DCE colleagues and broader Local Resilience Forum partners to assess these risks and to produce and support the implementation of a Climate Adaption Plan for Devon, Cornwall and the Isles of Scilly.

4. Options/Alternatives

DCC has three options available:

- a. Endorse the consultation draft Interim Devon Carbon Plan and provide feedback on matters of detail that do not materially affect DCC's support for the Plan (the recommendation of this report).
- b. Endorse the intent of the Plan but provide comment on fundamental elements which DCC cannot support. This is not recommended because feedback from officers across the Authority's responsibilities have not identified fundamental concerns that would warrant withholding support at this stage of the Plan's preparation.
- c. Do not endorse the Plan. This is not recommended for the same reason as option b and would add substantial delay to the DCE process.

5. Financial Considerations

The Plan makes clear that new, substantial financial resources are necessary to address many of the challenges of achieving net-zero and that much of these new resources will need to come from the community and private sectors (where investment opportunities exist) and national government. DCC will continue to pursue additional resources and work with Government to put in place the framework necessary to accelerate carbon emissions reductions.

DCC continues to financially support the work of the Devon Climate Emergency Response Group in preparing the Devon Carbon Plan and Devon, Cornwall and Isles of Scilly Adaptation Plan and has proposed a budget of £150,000 to be agreed as part of the 2021/22 budget setting process. This is on top of the £250,000 already committed. This funding is providing a full-time project manager and communications officer, enabling research and staging the citizens' assembly.

At this time there are no new financial requests on DCC for the implementation of the Plan. Once in the implementation phase, individual projects to be led by DCC may approach the Authority for funding if deemed appropriate.

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6. Legal Considerations

There are no specific legal considerations for DCC. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 requires the UK to become carbon neutral by 2050. DCC has a moral obligation to demonstrate local leadership towards achieving this requirement.

7. Environmental Impact Considerations (Including Climate Change)

The Interim Devon Carbon Plan is explicitly designed to reduce carbon emissions to net-zero by 2050 at the latest across Devon, including substantial nature improvement (on land and in rivers, estuaries and coastal waters) to absorb carbon. The Plan advocates taking whole catchment approaches to land management to ensure that opportunities to improve the full spectrum of services provided by the environment (e.g. clean air and water, flood risk reduction, healthy soil, nutritious food etc.) are taken advantage of whilst meeting the need to store carbon.

There is scope for the transition to net-zero to negatively affect landscape quality and character and wildlife (for example due to the potential for inappropriate tree planting or siting of low-carbon infrastructure projects) and elements of the historic environment (for example due to the need to reduce the energy consumption of heritage buildings). However, these issues are acknowledged by the Plan and actions to work collaboratively with communities and statutory bodies to navigate them, and indeed turn these potential negative effects into opportunities for positive effects, are proposed.

Potential environmental impacts of specific projects arising from the implementation of the Plan will be managed on an individual basis.

8. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment / Impact Assessment or other form of options/project management appraisal that achieves the same objective.

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

Climate change will affect everybody in the county, and it will affect people less able to adapt the most. These include less affluent people, those living with physical and mental health conditions, those living in coastal communities or other areas prone to flooding and young people who will live with the effects becoming worse over their lifetimes. Implementing the recommendation will help grow efforts to reduce international carbon emissions and minimise these impacts on everyone.

Implementing the Interim Devon Carbon Plan will require fundamental changes to the way the Authority's services are provided, which has the potential to impact negatively and positively on service users depending on the specifics of the proposals. Tactical-level changes to services will need their own impact assessment to consider their effect on equality characteristics.

The Plan has 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"*

9. Risk Management Considerations

The potential risks to Devon's communities from climate change are profound e.g. extreme sea level rise, health effects (heat stress, anxiety, vector-borne diseases etc.), increased flood risk, economic shocks and a breakdown of environmental services that provide food, fuel and pharmaceuticals to name just a few.

The effort to minimise these impacts must occur at all scales from the individual to the global. Whilst DCC is unlikely to influence emissions elsewhere in the world by itself, it is vital that the Authority demonstrates local leadership alongside the DCE partners and communities throughout the county and our partners in the wider southwest.

The corporate and community risk registers have been updated as appropriate.

10. Public Health Impact

Encouraging everyone to be more active by walking and cycling; improving air quality through the electrification of vehicles; insulating our homes to make them warmer; and eating more balanced diets are example of the co-benefits arising from the transition to net-zero carbon that will all improve public health.

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11. Summary

The consultation draft Interim Devon Carbon Plan provides a comprehensive roadmap showing the extensive technological, infrastructure and behavioural changes required in communities to achieve net-zero carbon in Devon by 2050 at the latest. The Authority endorses the Plan and will do what it can to implement relevant actions within its areas of responsibility. Feedback on matters of detail have been provided to the DCE secretariat, which does not materially affect DCC's support for the Plan.

DCC looks 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.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: All

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

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Doug Eltham, Environment and Sustainability Policy Officer
Tel No: 01392 383000 Room: County Hall, Room 120

Background Paper

Nil

Formal Consultation Response on the Interim Devon Carbon Plan - Final

Impact Assessment



Assessment of: Devon County Council's endorsement of the consultation draft Interim Devon Carbon Plan

Service: Planning, Transportation and Environment

Head of Service: Dave Black

Version / date of sign off by Head of Service: 13/01/21

Assessment carried out by (job title): Doug Eltham, Environment and Sustainability Policy Officer

1. Description of project / service / activity / policy under review

Devon County Council (DCC) has declared a climate emergency and is a founding partner and principal funder of the [Devon Climate Emergency \(DCE\) initiative](#). In signing the [Devon Climate Declaration](#), DCC has committed to working collaboratively with partners to engage Devon's residents, businesses and visitors to develop and implement a plan to achieve the reduction of greenhouse gas emissions across the area to net-zero by 2050 at the latest.

An [independent Net-Zero Task Force](#) of specialists was set up by the initiative who have subsequently involved the public in the preparation of a [consultation draft Interim Devon Carbon Plan](#). The consultation has been open from the 7th December 2020 and closes on the 15th February 2021. The consultation draft Interim Devon Carbon Plan provides a comprehensive roadmap showing the extensive technological, infrastructure and behavioural changes required in communities to achieve net-zero carbon in Devon by 2050 at the latest.

Climate change is bringing warmer, wetter winters; hotter, drier summers; more intense storm events; and rising sea levels. To minimise the impacts, local leadership is necessary to encourage individuals, communities and organisations in Devon to reduce their carbon emissions which in turn can help influence national and international efforts.

2. Reason for change / review

A Devon-wide plan has not previously been prepared.

3. Aims / objectives, limitations and options going forwards (summary)

Insert text here]

4. People affected and their diversity profile

Climate change will affect everybody and therefore the result of implementing the recommendation will also affect everybody.

Climate change will affect people less able to adapt the most. These include less affluent people, those living with physical and mental health conditions and those living in coastal communities or other areas prone to flooding and young people who will live with the effects becoming worse over their lifetimes.

5. Stakeholders, their interest and potential impacts

Climate change will affect everybody in the county, and it will affect people less able to adapt the most. These include less affluent people, those living with physical and mental health conditions and those living in coastal communities or other areas prone to flooding and young people who will live with the effects becoming worse over their lifetimes. Implementing the recommendation will help grow efforts to reduce international carbon emissions and minimise these impacts.

Implementing the Interim Devon Carbon Plan will require fundamental changes to society, including for example the way public services are provided, how energy is used in buildings, how transport services operate and how food is grown and distributed. This has the potential to impact negatively and positively on different communities.

DCC aims to ensure that nobody's needs are overlooked during the descent to net-zero and that the wide-ranging opportunities to improve health, wellbeing and social justice are seized. All parts of our communities, including businesses, will need to feel invested in the transition and will need time to adapt behaviours, change practices and adopt different technology.

6. Research used to inform this assessment

United Nations' Intergovernmental Panel on Climate Change, 1.5-Degree Special Report, 2018

7. Description of consultation process and outcomes

This assessment has not been the subject of consultation. The Interim Devon Carbon Plan is currently open for public consultation and has been consulted with the Corporate Infrastructure and Regulatory Services Climate Change Standing Overview Group and officers across the Authority.

8. Equality analysis

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

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

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)
 - Fair
 - Necessary
 - Reasonable, and
 - Those affected have been adequately consulted.

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>All residents (include generic equality provisions)</p>	<p>The Plan shows that the transition to net-zero will have far reaching and profound implications for how communities function and how behaviours will need to change.</p> <p>Implementing the recommendation will encourage further action locally that in turn can build momentum for national and international action on decarbonisation to reduce the impacts of climate change on all characteristics.</p> <p>The Plan has been designed with an overarching principle (Principle 9) that:</p>	<p>DCC aims to ensure that nobody's needs are overlooked during the descent to net-zero and that the wide-ranging opportunities to improve health, wellbeing and social justice are seized. All parts of our communities, including businesses, will need to feel invested in the transition and will need time to adapt behaviours, change practices and adopt different technology.</p> <p>However, this is an emergency, and time is of the essence, which is why the Authority agrees with the recommendation for the UK's Sixth Carbon Budget from the Committee on Climate Change (December 2020) which declares that the decade from 2025 will be incredibly important to see accelerated effort to meet net-zero by 2050.</p> <p>For these reasons, DCC continues to be committed to playing its part in achieving net-zero in Devon by 2050 at the latest and urges every individual, community and organisation to act to reduce carbon emissions within their own influence as quickly and as early as they are able to.</p> <p>There will be opportunities to advance equality through the tactical-level</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<div>Page 40</div>	<p>"A just transition is required to ensure that:</p> <ol style="list-style-type: none"> Vulnerable and low-income segments of society and rural communities are not disadvantaged. The differing impacts of climate change on different groups e.g. disabled, minorities, gender, are addressed. Actions to decarbonise Devon must not be at the expense of other 	<p>changes to DCC's services over the next decade. These opportunities will need to undertake their own impact assessment to consider their effect on the equality characteristics of service users.</p>

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Page 41	<p>communities or ecology globally"</p> <p>Tactical-level changes to DCC's services over the next decade will need to undertake their own impact assessment to consider their effect on the equality characteristics of service users.</p>	

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	In what way will you: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy ?
Age	See above	See above
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	See above	See above
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	See above	See above
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	See above	See above

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	In what way will you: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy ?
Sexual orientation and marriage/civil partnership	See above	See above
Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban	See above	See above

9. Human rights considerations:

The Plan shows that the transition to net-zero will have far reaching and profound implications for how communities function and how behaviours will need to change.

The Plan has 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”

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

This will need to be considered at the tactical level as the Authority’s services implement carbon reduction opportunities.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

This will need to be considered at the tactical level as the Authority’s services implement carbon reduction opportunities.

In what way can you help people to be connected, and involved in community activities?

This will need to be considered at the tactical level as the Authority’s services implement carbon reduction opportunities.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

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

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:		Achieving net-zero across Devon is likely to involve using resources more efficiently and thinking about the circular economy.
Conserve and enhance wildlife:	Potential negative effects on wildlife from new technology and land use changes, however planning policies and procedures, environmental assessment regulations relating to agricultural land and constraints linked to grant funding mechanisms exist to avoid or minimise such impacts.	Building a market for carbon offsets in Devon will provide opportunities to restore and extend habitats.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	Building a market for carbon offsets in Devon and the need for new technology will provide opportunities to introduce features into the landscape, such as trees, renewable energy and features associated with less intensive agricultural techniques. These will need to be managed appropriately, taking into account existing landscape quality and character.	Building a market for carbon offsets in Devon will provide opportunities to enhance landscape, taking into account existing landscape quality and character.
Conserve and enhance Devon's cultural and historic heritage:	Potential negative effects on the historic built environment from new technology, however planning policies and procedures exist to safeguard	

	these.	
Minimise greenhouse gas emissions:		Achieving net-zero across Devon will minimise greenhouse gas emissions.
Minimise pollution (including air, land, water, light and noise):		There will be opportunities alongside net-zero to improve air quality (e.g. sustainable transport), water quality (e.g. re-wetting peatlands) and light pollution (e.g. upgraded street lighting technology).
Contribute to reducing water consumption:		Consuming water emits carbon emissions due to the electricity required to pump and treat the water. Achieving net-zero across Devon may involve consuming less water.
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		Through carbon offsetting projects in Devon, there is an opportunity to use habitat restoration to reduce flood risk and provide summer shading.
Other (please state below):		

12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	None	There is considerable potential for the transition to clean technologies and sustainable practices to create new skills requirements.
Impact on employment levels:	Employment levels in carbon intensive and unsustainable sectors will decline, but these are expected to be outweighed by increased opportunities for employment in other sectors. The Interim Devon Carbon Plan includes an action to support people to transition into employment in emerging sectors.	There is considerable potential for the transition to clean technologies and sustainable practices to create new jobs.
Impact on local business:	Relocalisation is a theme within the Interim Devon Carbon Plan. There are opportunities for food and energy to be relocalised in particular and for large organisations to use their purchasing power to support the net-zero transition by purchasing services from local community companies.	There is considerable potential for the transition to clean technologies and sustainable practices to increase economic prosperity – nationally and locally in Devon.

13. Describe the linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

The impacts of climate change will affect society, the environment and the economy. Reducing greenhouse gas emissions globally will minimise its

effects.

Committing to achieve net-zero across Devon will create a fairer, healthier, more resilient and more prosperous society. Those most affected by climate change need more of a say in how we respond, and our actions to mitigate climate change must be aligned with goals for public health improvement, green growth and the reduction of social vulnerability.

Encouraging everyone to be more active by walking and cycling; improving air quality through the electrification of vehicles; insulating our homes to make them warmer; and eating more balanced diets will all improve public health and reduce pressures on the NHS.

There is considerable potential for the transition to clean technologies to create new jobs and skills requirements, improve our national energy security and increase economic prosperity - nationally and locally in Devon. Retrofitting energy efficiency measures into existing housing will reduce fuel poverty and illnesses associated with cold homes and subsequently provide enhanced opportunities for work and study.

Enhancing the ability of habitats along our coast, in our countryside and in our villages, towns and cities to store carbon offers tremendous opportunities to reverse the decline of biodiversity and restore the benefits healthy ecosystems provide. These include reduced flood risk, improved water and air quality, nutritious food, timber and fuel, and accessible greenspace.

4. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

See 13. Procurement is non-applicable.

15. How will impacts and actions be monitored?

Individual projects arising from the Interim Devon Carbon Plan will need to monitor their impact on social, economic and environmental indicators.

Lee Mill Eastbound Off-slip Improvements

Report of the Head of Planning, Transportation and Environment

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

Recommendation: that the Cabinet be asked

- (a) To give approval for the scheme to proceed towards outline design and securing planning consent;
- (b) The Head of Planning, Transportation and Environment, in consultation with the Local Member and Cabinet Member for Infrastructure, Development and Waste, be given delegated authority to make minor amendments to the scheme design.

1. Summary

The evolution of Lee Mill has resulted in substantial development which is accessed off the Strategic Road Network (A38) from a junction layout which lacks a conventional full all-movement junction, in particular it utilises a road (Plymouth Road) with village features as the eastbound off-slip. This report seeks 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 has 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 and as such it is recommended that the project continues to progress through the next stages of design and to a planning application.

2. Introduction

Lee Mill is a village located in the South Hams, immediately to the north of the A38 and approximately 6 miles east of Plymouth (see Figure 1). The dwellings are located in the west of the village, with a large industrial estate located in the east.

In recent years, Lee Mill has evolved as a bigger and more sustainable Devon village and the large industrial estate has gradually increased in size. The estate has approximately 400,000 sqm gross of employment, including a Tesco Extra with approximately 700 parking spaces. As a result, Lee Mill has emerged into an 'out of city' employment and retail centre in close proximity to Plymouth. This is served predominantly by an existing eastbound off-slip that is not fit for purpose.

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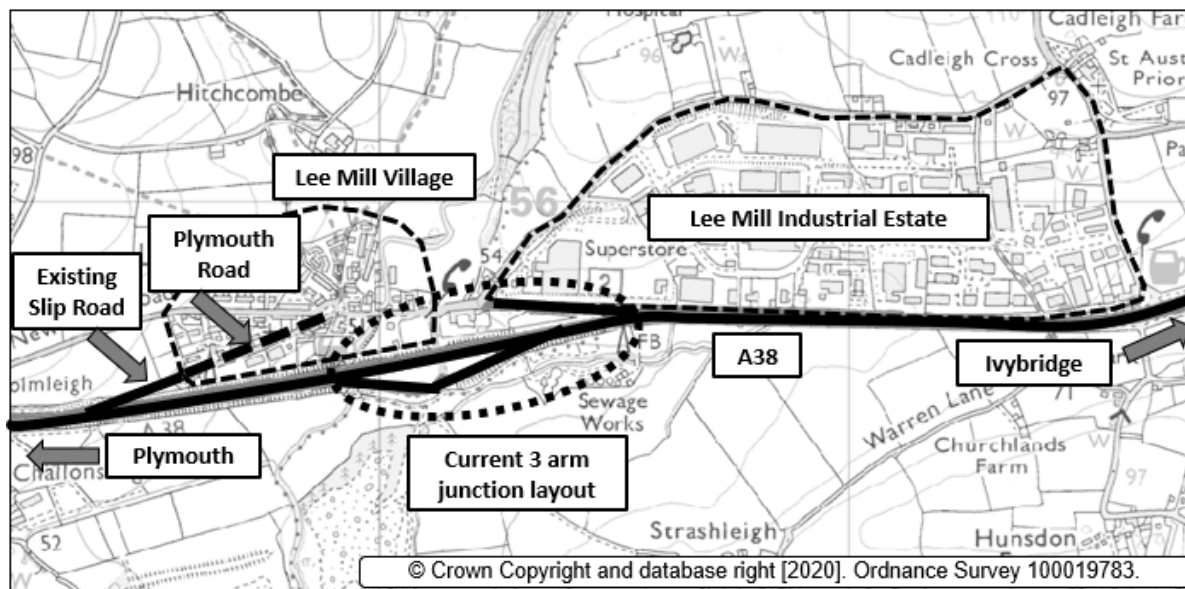


Figure 1: Local Geography

When the A38 Lee Mill junction was built, a formal eastbound off-slip was not constructed. Instead, the historic Plymouth Road has been used for access. This road has village features such as frontage development on both sides with a mixture of private and commercial premises, traffic calming and narrow pavements. It is inappropriate for slip road traffic, leading to concerns over noise, air quality and safety.

These effects are exacerbated by the fact that Plymouth is the main traffic generator for Lee Mill, providing employment opportunities for the residents and important connections for the businesses located in the village and industrial estate.

A number of traffic counts have been undertaken in Lee Mill to understand the travel patterns in the area. These have demonstrated that Plymouth Road currently carries approximately 5,400 vehicles per day. In the AM peak only 5% are accessing the village itself. In the PM, this rises to 16% as commuters return at the end of the working day. Nearly two thirds of all trips associated with the industrial estate traffic utilise the Plymouth Road slip road. In addition, 25% of the daily vehicles along Plymouth Road are Heavy Goods Vehicles. This is significantly higher than would be expected along what would otherwise be a minor urban road in both character and function.

This data demonstrates the significant volume of traffic demand travelling along the Plymouth Road off-slip which are not directly associated with the village of Lee Mill. The village features of the road is designed to operate a different function to that of a slip road connecting to the Strategic Road Network. As future developments come forward, these issues will be further exacerbated.

3. Proposal

The problems at Lee Mill have been under consideration for a number of years, but any scheme development was constrained by a land ownership issue. Following the purchase of a key land parcel, it is proposed to construct a new A38 eastbound off-slip to the east of the existing slip road, this would connect vehicles exiting the A38 to the industrial estate and village, whilst avoiding unnecessary trips through Lee Mill Village. The objectives of these proposals are included in Devon County

Council's Transport Infrastructure Plan (March 2020), which seeks to improve Strategic Road Network access to the Lee Mill industrial estate.

Initial design work has been undertaken and an early annotated drawing may be found in Appendix 1. These are indicative designs of the type of scheme that is intended to be delivered, further detailed design work will be required at a later date.

Under these designs, 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. This would allow Plymouth Road to return to an appropriate function. The impact of local public transport, including the strategic South West Falcon coach service would need to be considered to ensure that an adequate solution is found at the next stage of design.

The National Cycle Network Route 2 currently crosses the access to the industrial estate at Beech Road. This represents a strategic active travel corridor which Devon County Council will seek to protect and improve as part of these proposals. Further design work and consultation with local stakeholders will be undertaken to identify a solution which enhances cycle connectivity and safety at the location.

The timescale for delivery is yet to be determined; approval of the preferred option will enable further design work to be undertaken and for the scheme to progress towards securing planning approval.

4. Options/Alternatives

Alternative Option: Link Road

A similar scheme seeking to address the issues with the existing eastbound off-slip at Lee Mill was previously considered as part of the New England Quarry planning application. As well as the current scheme for a new slip road in the vicinity of Beech Farm, it also included an alternative option which retained the existing eastbound slip road and provided a new link road between the turning head and Beech Farm. Whilst this option would divert slip road traffic away from Plymouth Road and minimise impact on public transport services, it has been rejected due to the significant additional land take required and resultant environmental impact.

Do Nothing

Should a scheme not progress to address the issues with the eastbound off-slip at Lee Mill, the existing slip road via Plymouth Road will continue to be a constraint on the highway network. In addition, the expected highway impact of any local planning applications is likely to exacerbate any existing issues such as air quality, noise and road safety.

5. Consultations

Consultation Method

A public consultation was held between 17 November and 18 December 2020. The consultation was posted on the Have Your Say website (<http://devon.cc/leemill>) and residents/businesses were notified via a letter drop to approximately 450 addresses. Additionally, an advert was placed in the Ivybridge & South Brent Gazette and a DCC press release was issued. Stakeholders were contacted separately and included Highways England, public transport providers, South Hams District Council, Lee Mill Industrial Estate Group and Sparkwell Parish Council.

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Consultation materials set out an explanation of the current problem, a summary of work to date and an overview of proposals. Responses could be given via an online questionnaire, by email, post or phone. A virtual webinar was hosted by the project team which included a short presentation of proposals and a question and answer session. A recording of this presentation was later published online. A separate virtual “drop-in” event was also delivered to create a forum for further questions.

Consultation Representation

A total of 147 online questionnaire responses were received, alongside 5 emails and 2 phone calls with the public. Separate meetings were held with Stagecoach and Plymouth City Bus and 5 emails were received from stakeholders. Approximately 60% of the online responses were given by those in Lee Mill Village (excluding the Industrial Estate) and a further 20% from Ivybridge, demonstrating that the consultation was comprehensive in its representation of local opinion.

Consultation Feedback

The feedback was overwhelmingly positive; 93% of respondents recognise the need for a new eastbound off-slip at Lee Mill and 89% supported the proposals. Support increases to 98% for Lee Mill Village online responses. This demonstrates overwhelming public support to progress the preferred option to further design.

The consultation highlighted a number of issues which would need further consideration at the detailed design stage. The continued provision of local bus services and the strategic South West Falcon coach service is critical to both the public and service providers. The next stage of design will consider how to incorporate suggestions of how to achieve this into the scheme.

Responses also highlighted the importance of improving National Cycle Network Route 2 connectivity at Beech Rd. Sustrans support the scheme and welcome the opportunity improve provision. There were also concerns about environmental issues, particularly relating to any impacts on the River Yealm. These issues will be given further consideration at the detailed design stage.

Highways England also provided comment as proposals impact the Strategic Road Network, and gave their conditional support subject to design compliance, safety, capacity, environmental assessment and funding.

6. Financial Considerations

The scheme is at an early stage of design and construction cost estimates will be produced as the scheme proceeds.

The scheme is included in the current Transport Capital Programme, funds for scheme development will be allocated as the Programme rolls forward. Subject to the approval of the preferred option, this funding, plus developer contributions, will be used to undertake the further progress of the preferred option, incorporating suggestions and amendments received during public consultation.

7. Legal Considerations

There are no specific legal considerations.

8. Environmental Impact Considerations (Including Climate Change)

The delivery of a new slip road connecting the A38 to Lee Mill will require planning approval. As part of the next stage of design, environmental surveys will be commissioned to better understand the likely environmental impact of the scheme and identify potential mitigation opportunities.

Fundamentally, the scheme seeks to address environmental concerns related to the existing slip road arrangement such as air quality, noise and safety. This will bring significant benefits to the Lee Mill village environment by the removal of through traffic, whilst also offering travel time and efficiency benefits to those using the slip road. The environmental benefits will be balanced against the impacts of constructing the road.

Whilst primarily a highway scheme, the next stage of design will also explore what enhancements can be delivered as part of the scheme to the active travel network. The National Cycle Network is located in close proximity to the proposed roundabout, and opportunities to include cyclist and pedestrian facilities will be considered. This would encourage potential modal shift towards active travel modes for short distance trips to the village or industrial estate.

9. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment / Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this particular scheme/proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at: <https://www.devon.gov.uk/impact/lee-mill-slip-road/>, which Councillors will need to consider for the purposes of this item.

The Impact Assessment reports that the scheme will have a number of environmental, social and economic impacts. Of particular note, whilst the relocation of the eastbound off-slip will result in slightly longer journey lengths to Lee Mill village, the locality will benefit from reduced traffic noise and pollution and improved road safety on Plymouth Road. In addition, the improved access to Lee

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Mill Industrial Estate will create improved employment opportunities and the potential for improved associated active travel elements will be explored at the next stage of design.

It should be noted that the Impact Assessment highlights the importance of ensuring that there are suitable provisions incorporated within the next stage of scheme design to enable bus services to continue serving Lee Mill.

12. Summary

The current conditions of the A38 eastbound off-slip at Lee Mill are incompatible with the village nature of the road, with high levels of traffic travelling along Plymouth Road. An improvement scheme is required to provide a suitable off-slip from the Strategic Road Network, as identified in Devon County Council's Transport Infrastructure Plan. Following the purchase of a key land parcel, a preliminary scheme was designed which seeks to provide a new slip road to the east of the village, removing significant volumes of traffic from the village and improving access to the industrial estate. A public consultation was undertaken in November and December 2020 which demonstrated overwhelming support for the proposed scheme and it is therefore recommended that the preferred option proceeds to further design and seeks to secure planning approval.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Bickleigh & Wembury, South Brent & Yealmpton

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

Local Government Act 1972: List of Background Papers

Contact for Enquiries: [Hannah Clark](#)

Tel No: 01392 383000

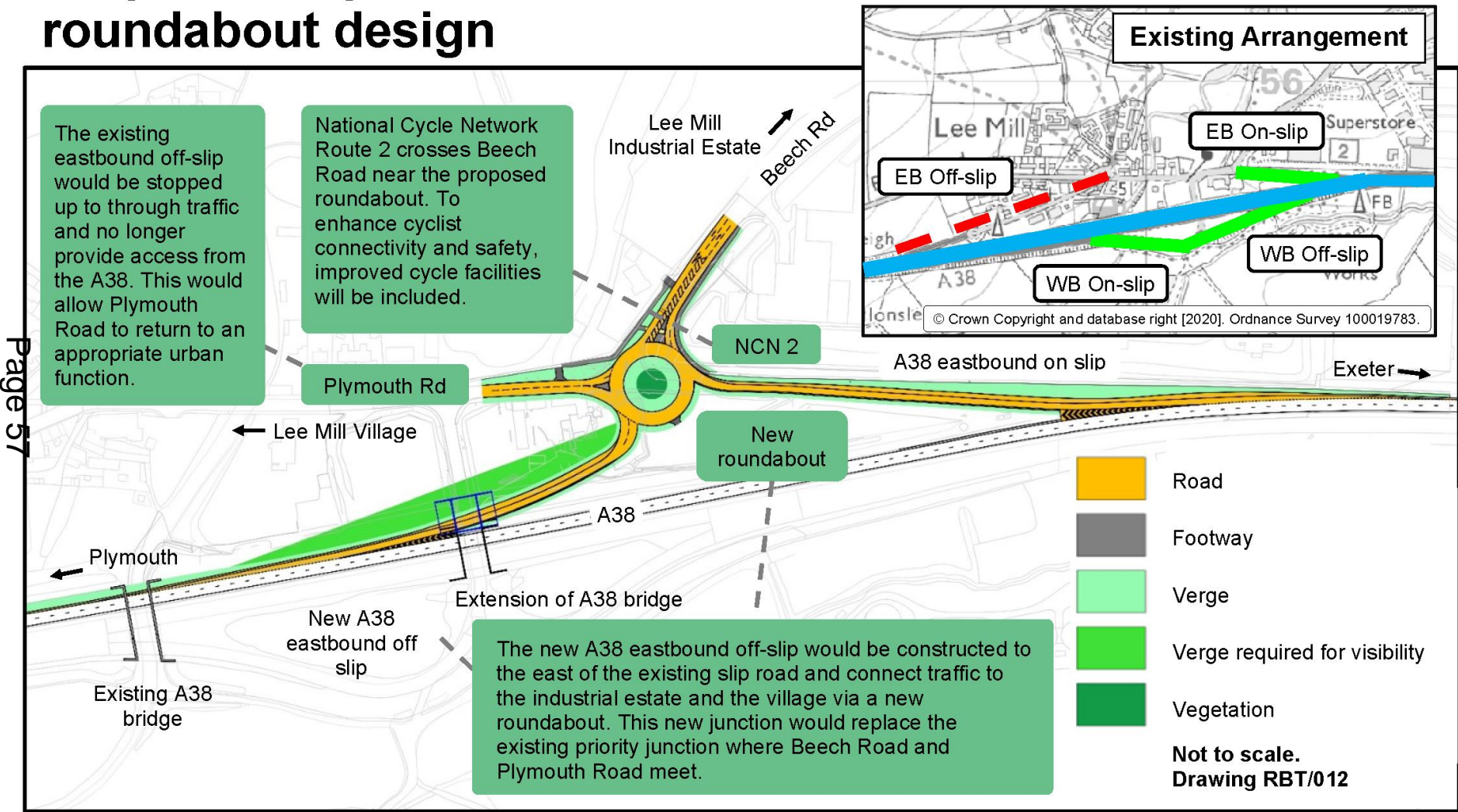
Room: County Hall, Exeter. EX2 4QD

Background Paper	Date	File Reference
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Nil

Lee Mill Eastbound Off-slip Improvements - Final

Proposed slip road and roundabout design



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Impact Assessment



Assessment of: Lee Mill A38 Eastbound Off-Slip

Service: Planning, Transportation & Environment

Head of Service: Dave Black

Version / date of sign off by Head of Service: January 2021

Assessment carried out by (job title): Chris Burridge-Barney (Assistant Transport Planner)

1. Description of project / service / activity / policy under review

It is proposed to construct a formal eastbound (EB) off-slip at the A38 Lee Mill junction, and stop up the existing EB off-slip, which uses Plymouth Road, to through traffic. The new off-slip would join the local road network at the junction of Plymouth Road and Beech Road, which is proposed to be upgraded from a priority junction to a roundabout, with cycle facilities at the junction also being improved.

2. Reason for change / review

The existing EB off-slip is not fit for purpose, insofar as traffic exiting the A38 at this location must travel along the historic Plymouth Road through Lee Mill village to reach the industrial estate and wider destinations. This channels significant traffic volumes (25% HGVs) along a road with frontage development (including private residences) on both sides, traffic calming measures and narrow pavements, leading to concerns over

noise, air quality and safety. These issues are expected to be exacerbated as future developments come forward. Therefore, it is proposed to construct a new EB off-slip to the east of the village, enabling traffic from the west to bypass the village.

3. Aims / objectives, limitations and options going forwards (summary)

Aims/objectives

The aims of improving the eastbound off-slip include:

- Improving the environment within Lee Mill village, through measures such as improved air quality and reduced noise;
- Improving road safety, both for those living within Lee Mill village, due to the reduction in traffic volumes, and for those using the EB off-slip, as the new slip road will be of a higher standard than the existing arrangements;
- Reducing journey times for road users exiting the A38 EB at Lee Mill junction, by eliminating the need to travel along Plymouth Road, which has on-street parking and numerous traffic-calming measures, which can cause delays;
- Improving access to local businesses within the Lee Mill industrial estate, and reducing travel costs for local businesses and employers (by virtue of reducing journey times), thus improving the performance of the local economy; and
- Reducing the impact of future development on the local road network and residents of Lee Mill village, by enabling potential development sites to be accessed without the need to travel along Plymouth Road.
- Improving connectivity and safety for those using National Cycle Network Route 2, which crosses Beech Road near the junction;
- Encouraging the use of active modes of transport, thus improving public health, reducing air pollution and traffic noise, and helping tackle the Climate Emergency.

An additional aim of the overall scheme is to reduce any adverse environmental impacts, and maximise opportunities to deliver a betterment in environmental terms, e.g. through the use of mitigation and compensation.

Limitations

Whilst initial design has been undertaken on a preferred option, detailed designs are yet to be produced. Therefore, it will be necessary to undertake site surveys (e.g. environmental surveys) to better understand the existing conditions, which may identify factors which may make delivery of the scheme more difficult/costly.

Options going forwards

As well as the preferred option (described above), other options have been considered and rejected. These include:

- Retaining the existing EB off-slip, and providing a new link road between the turning head (at the western end of Plymouth Road) and Beech Road; and
- Doing nothing, i.e. retaining the existing arrangements.

The link road option was rejected due to the significant additional land take required, and the resultant environmental impact.

Doing nothing was rejected as this would mean the existing EB off-slip via Plymouth Road would continue to be a constraint on the highway network. Future local development would be expected to exacerbate existing issues such as air quality, noise and road safety, as Plymouth Road would continue to be used to access these developments.

4. People affected and their diversity profile

Those affected by the proposals are likely to include residents of Lee Mill, who are likely to benefit from the reduction in traffic along Plymouth Road, and those exiting the A38 EB at Lee Mill junction, who are likely to include both local residents making return journeys, and those living to the west (i.e. in Plymouth or Cornwall) making outbound journeys. Therefore, the populations of the civil parish of Sparkwell, which contains Lee Mill village, and the local authority areas of the South Hams, Plymouth and Cornwall, have been used as the basis of this diversity profile.

Demographic information has been sourced from the 2011 Census.

Age

Sparkwell, the South Hams and Cornwall all had an older population than the national average, with lower proportions of residents in younger (0-17 and 18-24) age groups, and higher proportions in older (65+) age groups. The age profile of Plymouth is more in line with the national average, albeit there was a greater proportion of residents in the 18-24 age group (12.9% versus a national average of 9.4%), likely partially due to Plymouth being home to two universities.

Health and disability

The proportions of people limited 'a little' or 'a lot' in their day-to-day activities and in 'bad' or 'very bad' health in Sparkwell and the South Hams were in line with the national averages (18% limited in day-to-day activities, 5% in (very) bad health). However, for Cornwall and Plymouth, these figures were slightly above average, at 20-21% and 6-7%.

Ethnicity

The populations of the geographies considered here were less ethnically diverse than England as a whole, with 96% of Plymouth residents and 98% of Sparkwell, Cornwall and South Hams residents identifying as 'White', compared to a national average of 85%. The non-white residents of the areas potentially impacted by the proposals were split fairly even between those identifying with 'Mixed/multiple ethnic groups' and those identifying as 'Asian/Asian British'.

Religion

The proportions of people identifying as religious in the geographies considered here were slightly lower than the national average, ranging from 60% (in Plymouth) to 64% (in Sparkwell), compared to a national average of 68%.

Gender

As with England as a whole, slightly more residents of the smaller geographies considered here were female (51-52%) than male (48-49%). The 2011 Census considered only two genders, male and female, so no data is available on those identifying with other genders or no gender.

Marital and civil partnership status

In Sparkwell, Cornwall and the South Hams, a higher proportion of the population was married than the national average (50-54% versus national average of 47%), and a lower proportion was single (25-28% versus 35%), whilst in Plymouth, the opposite was true, i.e. a lower proportion of the population was married (43%), and a higher proportion was single (37%). The proportions of people separated, divorced or widowed were more in line with the national averages, whilst a very small proportion of the populations were said to be in same-sex civil partnerships (0.0-0.2%).

Car/van availability

The proportion of households without access to a car or van was slightly higher than the national average in Plymouth (28% versus national average of 26%), but significantly lower in Cornwall (17%), the South Hams (13%) and Sparkwell (10%). Conversely, the proportion of households with multiple (i.e. 2 or more) cars or vans in the latter three areas was significantly above the national average, whereas the figure for Plymouth was below the national average.

Deprivation

According to the 2019 English Indices of Deprivation¹, Plymouth is in the most deprived quintile of local authorities in terms of employment- and health/disability-related deprivation, whilst the South Hams 001D Lower-layer Super Output Area (LSOA), which contains Lee Mill village, is in the top 10% most deprived LSOAs in terms of barriers to housing and services. Across the South Hams overall, deprivation is below the national average by most metrics, whereas in Cornwall, deprivation is generally above average, though not as severe as in Plymouth.

5. Stakeholders, their interest and potential impacts

Key stakeholders include:

- South Hams District Council;
- Sparkwell Parish Council;
- Highways England;
- Local bus operators;
- Lee Mill residents;
- Lee Mill Industrial Estate businesses; and
- Local Members of Devon County Council and Members of Parliament.

Residents of Lee Mill stand to be positively impacted by reductions in traffic volumes, noise and air pollution within the village, due to the removal of traffic from Plymouth Road. However, some journeys to residences in Lee Mill from the west may slightly increase in length, due to the A38 off-slip being shifted eastwards.

¹ <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>

Owners of businesses based on the Lee Mill industrial estate could also be impacted by the proposals, as the scheme will provide a more suitable route to the estate from the Plymouth direction, thus reducing journey times and costs for customers, employees and suppliers. By making the estate a more attractive destination for consumers, the scheme may increase businesses' turnover, possibly facilitating business expansion.

Operators of local buses serving Lee Mill, namely Stagecoach South West and Plymouth Citybus, may be impacted by the proposals, due to the closure of the route into the village from the A38 EB. The next stage of design will consider how this can be managed and mitigated to ensure sustainable travel options within Lee Mill remain viable.

The charity Sustrans oversees the National Cycle Network (NCN), Route 2 of which crosses Beech Road near its junction with Plymouth Road. As this scheme will include improvements to facilities for users of the route, it is likely to accord with Sustrans' objectives, particularly their desire for the NCN to "be fully accessible to everyone" and "feel safe"².

Certain governmental and non-governmental organisations concerned with the environment and countryside, such as the Environment Agency, may have an interest in the scheme, insofar as the proposed construction works could impact nearby flora and fauna and the local landscape. To better understand the likely environmental impacts of the scheme, and identify potential mitigation opportunities, environmental surveys will be undertaken during the detailed design phase.

6. Research used to inform this assessment

As noted above, demographic data has been sourced from the 2011 Census, using the Nomis website³, along with the English indices of deprivation dataset¹. Details of the proposals have been obtained from the consultation website⁴ and private communications with the project team. Data from the National Travel Survey 2019⁵ has been used to evaluate the propensity of different social groups to use different modes of transport, and understand any implicit advantages or disadvantages to certain groups which may arise due to interventions advantaging or disadvantaging certain modes of transport, e.g. car, bus, cycle.

² See <https://www.sustrans.org.uk/national-cycle-network>

³ <https://www.nomisweb.co.uk/>

⁴ <https://www.devon.gov.uk/haveyoursay/consultations/lee-mill-slip-roads/>

⁵ <https://www.gov.uk/government/collections/national-travel-survey-statistics>

7. Description of consultation process and outcomes

Public consultation on an initial design was conducted between 17 November and 18 December 2020. Due to the COVID-19 pandemic, no physical consultation events were held, but an online webinar and 'drop-in' session was held, and members of the public and organisations were able to provide feedback by email, letter, telephone or via the questionnaire hosted on the consultation website⁴.

146 consultation responses were received, of which 93% supported the principle of a new EB off-slip. 90% supported adoption of the design consulted on, and 86% supported the construction of a roundabout at the Beech Road/Plymouth Road junction.

Those supporting the proposals commonly cited the heavy traffic in Lee Mill village arising from the existing arrangements, which leads to concerns about road safety. Those who disagreed predominantly felt that the resources and time required to deliver this scheme would be better utilised on other schemes elsewhere.

Several of the stakeholders referenced in Section 5 above provided feedback on the consultation proposals. For example, Sustrans supported the scheme, on the basis of its potential to improve the crossing of Beech Road on NCN Route 2, whilst Stagecoach South West highlighted the need to ensure their Falcon coach service (Plymouth-Exeter-Bristol) can continue to serve Lee Mill following the delivery of the scheme, so options to reduce impacts on this service will be explored during the next stage of design.

In summary, therefore, the consultation outcomes are considered to support the continuation of the development of this scheme, albeit with refinements to mitigate potential adverse impacts.

8. Equality analysis

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

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

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

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

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

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
All residents (include generic equality provisions)	<ul style="list-style-type: none"> Due to the A38 EB off-slip being shifted eastwards under these proposals, those travelling to Lee Mill village from the west will experience slightly increased journey lengths. 	<ul style="list-style-type: none"> Residents of Lee Mill village are likely to benefit from reduced traffic noise and pollution and improved road safety due to the predicted reductions in traffic on Plymouth Road, reducing the likelihood of these residents suffering from pollution-related illnesses and the disadvantages associated with such illnesses; The improved access to the Lee Mill industrial estate may increase the viability of local businesses, enabling them to expand and creating employment opportunities for local residents; The improved cycle facilities proposed at the Beech Road/Plymouth Road junction will ensure the local road network better caters for non-motorised road users, reducing disadvantages they experience compared to motorised road users. <p>Therefore, it is considered that the benefits to Lee Mill residents will be significantly greater than the adverse impacts arising from the closure of the existing off-slip.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Age	<ul style="list-style-type: none"> According to Table NTS0601a of the National Travel Survey⁵, younger (aged 0-20) and older (aged 70+) people make a greater proportion of trips by local bus than the general population, so these age groups may be particularly impacted by any changes to bus routes necessitated by the closure of the existing A38 EB off-slip. 	<ul style="list-style-type: none"> Younger people (aged 0-20) make a greater proportion of trips by active modes (walking and cycling) than the general population, so this age group could be expected to particularly benefit from the improved non-motorised user facilities to be provided at the Beech Road/Plymouth Road junction; During the next stage of design, options to reduce any adverse impacts on bus services will be explored, to ensure as far as possible that impacts on bus users (who are disproportionately in the 0-20 and 70+ age groups) are minimised. <p>Therefore, as those in all age groups are also expected to benefit from the reductions in traffic within Lee Mill village, it is expected that the net impact on all age groups will be positive.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	<ul style="list-style-type: none"> According to Table NTS0709 of the National Travel Survey⁵, people with mobility difficulties make a greater proportion of trips by local bus than the general population, so these individuals may be particularly impacted by any changes to bus routes necessitated by the closure of the existing A38 EB off-slip. 	<ul style="list-style-type: none"> Removing through traffic from Plymouth Road may particularly benefit those with certain sensory disabilities (e.g. blindness, deafness), who may be less able to sense the approach of motor vehicles, and so may be more vulnerable to the existing road safety issues; Lee Mill residents suffering from long-term ill health may be particularly susceptible to the adverse health impacts of air pollution, so may particularly benefit from the reduction of traffic on Plymouth Road; During the next stage of design, options to reduce any adverse impacts on bus services will be explored, to ensure as far as possible that bus users (who disproportionately have mobility difficulties) are not disadvantaged. <p>It is therefore expected that the net impact on people with various disabilities will be positive.</p>
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	N/A	N/A

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	N/A	<ul style="list-style-type: none"> According to Table NTS0601a of the National Travel Survey⁵, females typically make more total trips by car/van (including trips as a passenger) than males, so could particularly benefit from reduced travel costs and journey durations, which may improve access to opportunities for these individuals.
Sexual orientation and marriage/civil partnership	N/A	N/A

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban	<ul style="list-style-type: none"> According to Table NTS0705 of the National Travel Survey⁵, people in the lowest income quintile make a greater proportion of trips by local bus than the general population, so these individuals may be particularly impacted by any changes to bus routes necessitated by the closure of the existing A38 EB off-slip. 	<ul style="list-style-type: none"> According to Table NTS0705 of the National Travel Survey⁵, those in the lowest income quintile use active modes of transport for a greater proportion of trips than those in higher income quintiles, hence those in the most disadvantaged income group could be expected to particularly benefit from the improved non-motorised user facilities to be provided at the Beech Road/Plymouth Road junction; Those without access to a car are likely to rely on active modes of transport for a greater proportion of trips than those with access to a car, hence this group could also be expected to particularly benefit from the improved non-motorised user facilities; During the next stage of design, options to reduce any adverse impacts on bus services will be explored, to ensure as far as possible that bus users (who are disproportionately in lower income groups) are not disadvantaged. <p>Therefore, as those in all socio-economic groups are also expected to benefit from the reductions in traffic within Lee Mill village, it is expected that the net impact on all socio-economic groups will be positive.</p>

9. Human rights considerations:

The scheme may enable road users to more easily exercise certain human rights, such as the right to work (as outlined in Article 23 of the Universal Declaration of Human Rights, UDHR), as the scheme is expected to reduce travel costs and journey durations for journeys to the Lee Mill industrial estate, which is a significant employment site. Additionally, the contractor(s) delivering the scheme will be expected to comply with all relevant legislation with human rights implications, such as the Modern Slavery Act 2015

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

Opportunities for people to access jobs will be enhanced by the scheme, due to the reduction in travel costs and journey durations, thus enabling people to become more independent and empowered.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

Removing through traffic from Plymouth Road is likely to protect Lee Mill residents from harm due to road traffic collisions and air pollution.

Providing improved cycle facilities at the Beech Road/Plymouth Road junction is likely to encourage more people to cycle, improving their health and wellbeing.

By reducing travel costs and journey durations, the scheme may grant local residents easier access to employment, and gaining employment is associated with better health and wellbeing.

In what way can you help people to be connected, and involved in community activities?

N/A

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

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

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	N/A	N/A
Conserve and enhance wildlife:	N/A	N/A
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/A	N/A
Conserve and enhance Devon's cultural and historic heritage:	N/A	N/A
Minimise greenhouse gas emissions:	N/A	N/A
Minimise pollution (including air, land, water, light and noise):	N/A	N/A
Contribute to reducing water consumption:	N/A	N/A
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	N/A	N/A
Other (please state below):	N/A	N/A

12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	N/A	N/A
Impact on employment levels:	The reduction in passing trade for businesses located on Plymouth Road may require them to make staff redundant.	The improved access to businesses on the Lee Mill industrial estate may improve business sufficiently to enable them to recruit additional staff.
Impact on local business:	Some businesses located on Plymouth Road may experience a reduction in passing trade, as traffic towards the Lee Mill industrial estate will now bypass Lee Mill village.	Access to the Lee Mill industrial estate will be improved, as traffic from Plymouth will no longer have to travel through Lee Mill village via Plymouth Road, which features frontage development (including private residences) on both sides, traffic calming measures and narrow pavements. By making the estate a more attractive destination for consumers, the scheme may increase businesses' turnover, possibly facilitating business expansion.

13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

Whilst constructing the new EB off-slip and upgrading the Beech Road/Plymouth Road junction may have some adverse environmental impacts, the scheme will also address local environmental issues, such as traffic noise and pollution, by removing traffic from Lee Mill village. In addition,

continuing with the status quo would cause the social impacts of traffic on Plymouth Road, such as impacts on public health, to persist, and mean the access to Lee Mill industrial estate from the west continues to be unfit for purpose, making the estate a less attractive destination for shopping and business trips. Therefore, not proceeding due to the environmental impacts of the construction works required to deliver the scheme would hamper attempts to tackle the localised environmental issues within Lee Mill village, and prevent the realisation of the potential social and economic benefits of the scheme.

14. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

Those living in the area will gain easier access to jobs through reductions in journey times, thus benefitting local residents and improving the competitiveness of the local economy, as employers will conversely gain access to a larger labour market.

Removing traffic from Plymouth Road will reduce the social and environmental impacts of traffic within Lee Mill village, such as air pollution, noise and road safety issues.

It is likely that during procurement of the works, tenderers will be assessed according to the quality of their submission as well as their tender price, increasing the likelihood of the winning contractor being able to deliver works of acceptable quality and thus enhancing prospects of the potential scheme benefits being realised. The contractor will also be required to participate in the Considerate Contractors Scheme, thus reducing the likelihood of the construction works having negative impacts on local residents.

15. How will impacts and actions be monitored?

During construction, a regular dialogue will be maintained with the local Member, South Hams District Council and local residents, to ensure any adverse impacts are identified and remedied as quickly as practicable. Following construction, the transport impacts of the scheme will be monitored using traffic counts, journey time data and collision data, whilst noise monitoring could be conducted to quantify the extent of any noise impacts arising from the scheme.

PTE/21/6
Cabinet
12 February 2021

Local Flood Risk Management Strategy for Devon and Annual Action Plan

Report of the Head of Planning, Transportation and Environment

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

Recommendation: that the Cabinet be asked to:

- (a) approve and adopt the updated Local Flood Risk Management Strategy for Devon, attached in Appendix A; and
- (b) approve the Annual Action Plan for proposed investment in flood risk management in 2021/22, attached in Appendix B.

1. Summary

The purpose of this report is to present to Cabinet the revised Devon Local Flood Risk Management Strategy for the period of 2021-2027. The report also highlights the achievements in flood risk management over the past year and details the investment proposed for next financial year through its Annual Action Plan.

2. Introduction

Under Section 9 of the Flood and Water Management Act 2010 Devon County Council (DCC), as the Lead Local Flood Authority (LLFA), must develop, maintain, apply and monitor a strategy for local flood risk management in its area. The first Local Strategy was published in 2014 and is required to be reviewed after 6 years. Following a formal public consultation, this report presents to Cabinet the revised Local Strategy which sets out how the Risk Management Authorities (RMAs) in Devon will work together to reduce the ongoing risk of flooding.

The Local Strategy will be supported by an Annual Action Plan for each of the next 6 years to identify the prioritised investment proposals, showing how the available budgets will be allocated and the additional external funding to be obtained from other sources, including Defra's Flood Defence Grant in Aid. The Action Plan for 2021/22 will build on the significant achievements resulting from this year's programme of works.

3. Revised Local Strategy

In 2014 DCC produced its first Local Flood Risk Management Strategy for Devon, which was due to be reviewed after 6 years. Over the past year the Flood & Coastal Risk Management Team has been working on the next revision to cover the period 2021 to 2027. A project board, comprised of the Head of Planning, Transportation

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and Environment, the Environment Manager and the elected members who represent DCC at the South West Regional Flood & Coastal Committee, was set up to oversee and advise on the approach taken to this review.

The main purpose of the Strategy is to set out how flood risk will be managed in Devon. It does this by outlining the following:

- which organisations / RMAs have responsibilities for which flood risk roles;
- how they will work together, the current initiatives that are being delivered and what more will be done to reduce flood risk;
- the key priorities for investment and the associated funding opportunities available to support these;
- and the many and varied sources of information relating to flood risk management in Devon.

The Local Strategy must align with the National Strategy, which the Environment Agency recently updated and published in July 2020. Its key focus is on resilience and contains three high-level, long term ambitions of: climate resilient places, today's growth and infrastructure resilient in tomorrow's climate and a nation ready to respond and adapt to flooding and coastal change.

A draft version of the Local Strategy was produced in partnership with a working group of representatives from other RMAs and key stakeholders and released for public consultation in August 2020. Information on the consultation responses is set out in this report. The final version of the Local Strategy has been amended to take account of the key points arising from this consultation, including the incorporation of further detail on climate change and sea level rise, greater inclusion of community involvement and clarification on how flood risk is managed for new development. A copy is attached in Appendix A and can be viewed at the following link: <https://www.devon.gov.uk/floodriskmanagement/document/devon-local-flood-risk-management-strategy-2021-2027/>. The necessary assessments of its environmental and equality considerations have been undertaken.

4. Review of Current Year and Annual Action Plan for 2021/22

Despite a highly challenging year because of COVID-19, a full programme of flood improvement schemes has been successfully delivered by the Flood & Coastal Risk Management Team. The Team has also continued to offer Property Flood Resilience funding for individual properties to provide essential protection measures in lieu of any catchment wide scheme in the near future. The achievement of the 2020/21 programme have included:

- i. A major scheme at Ivybridge protecting 76 properties at a cost of £650,000, the effectiveness of which was proven during the severe rainfall over the Christmas period;
- ii. The second phase of flood attenuation in the Northbrook catchment in Exeter, costing £175,000, to protect a further 20 properties on top of the previous 35 properties benefitting from the first phase completed last year;
- iii. Stokeinteignhead Property Flood Resilience measures, supported by additional Highway drainage improvements, benefitting 45 properties at a cost of £750,000 and which are due for completion in the next couple of months, once the listed building requirements are delivered;

- iv. In Sidmouth, through the first of two planned phases of work to protect 100 properties, based on the installation of a storage attenuation area at the grounds of the Knowle in Station Road, designed as a multi-functional amphitheatre, costing £850,000 and which is, also, due for completion in the next couple of months.

Further schemes at Beeson, Broadhempston, Chillington and Colaton Raleigh are currently being investigated and developed for delivery and are included in the Annual Action Plan for 2021/22.

In addition to the delivery of essential flood improvements, the Team has also been very busy fulfilling its statutory LLFA responsibilities. This included: the consultation responses for the surface water management on major development applications, with over 450 reviewed this year; the approval of 106 Land Drainage Consents, which is an increase of 10% on last year; and serving 3 legal enforcement notices instructing landowners to clear obstructions within their section of watercourse.

It should also be highlighted that in August 2020, Devon experienced its worst flood event in a single location since the establishment of the LLFA, when residents of Barnstaple suffered flooding to 118 residential and 46 commercial properties. A Section 19 flood investigation report has been produced and, as a result, the list of highest priority communities in the Local Strategy has been amended to include Barnstaple. A study is already underway to investigate the risk and consider what surface water improvements could be developed.

A more detailed and illustrated paper describing the Team's achievements has been produced to support this report and can be accessed via the following link:

<https://www.devon.gov.uk/floodriskmanagement/document/devon-county-council-flood-coastal-risk-management-achievements-in-2020-21/>.

A further ambitious programme of delivery is set out in the draft Annual Action Plan for 2021/22, which is attached as Appendix B. This proposes investment in the full range of flood risk management approaches set out in the Local Strategy. It is focussed on progressing or completing some of these works already commenced in the current year (e.g. at Sidmouth and Stokeinteignhead), whilst also addressing flood issues in new priority communities (e.g. Ilfracombe, Teignmouth and Newton Ferrers). It also continues ongoing programmes of Property Flood Resilience work and support for Community Resilience measures. Also shown is core funding for the Flood Risk Management Team and the ongoing implementation of its statutory functions.

5. Options/Alternatives

The ever-increasing risk of flooding due to the impacts of climate change is evident across the county. As such the options of 'do nothing' or 'do minimum' are discounted as inappropriate; instead, the Strategy aims for betterment through the maximum achievable reduction of flood risk to people's properties. All flood improvements will undergo a thorough options appraisal to ensure the most appropriate and cost beneficial scheme can be justified and delivered. Where this

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can't be achieved, consideration will be given to alternative and affordable measures that can still provide a significant level of flood protection.

All options will consider the scope for partnership working with other RMAs, non-government organisations and interested parties to maximise funding opportunities and achieve multiple benefits. The inclusion of natural flood management measures will be evaluated for all schemes to enhance and improve the environment.

The currently proposed adoption of the revised Local Flood Risk Management Strategy for Devon is necessary to achieve compliance with the requirements set out in the Flood and Water Management Act to review such strategies every six years.

6. Public Consultation

The Local Strategy has undergone a full public consultation through which 31 responses were received from individual members of the public, flood action groups, Parish Councils, key stakeholders and other RMAs. Most responses were relatively short and generally supportive of the draft strategy, highlighting parts of the document requiring minor amendment or further clarification. A few others suggested the inclusion of significantly greater detail in some areas. All comments and suggestions have been reviewed and the draft document amended appropriately, whilst avoiding any overall skewing of the document to emphasise any one particular interest.

There is an ongoing need to consult and engage with relevant parties when considering flood improvements in any specific area, from initial investigations through to scheme delivery. The level of consultation will depend on the scale of works and the area affected, starting with individual landowners, local residents and communities, through to larger organisation, key stakeholders and other RMAs.

The transparent sharing of data with other RMA's and partners helps maximise multiple benefits and funding opportunities to deliver a more holistic scheme, that will not only reduce flood risk but will also enhance and protect the natural and historic environment.

7. Financial Considerations

We are now entering the first year of Defra's new 6-year funding programme for 2021-27 and DCC has already submitted an advance programme of works, in line with Part 2 of the new Local Strategy, to enable this Authority to draw on this national funding support. The overall programme of priority schemes for DCC over the next 6 years has an estimated cost of £16.5 million and an indicative request for £9.9million of Defra Grant-in-Aid has been made. As the request is not yet final, this budget is not yet included in the 2021/22 and future years Medium Term Capital Programme. Further requests to support scheme delivery will be made to the South West Regional Flood & Coastal Committee for Local Levy and other funding opportunities will be sought from partnering authorities, key stakeholders, businesses and property / landowners where possible and appropriate. Schemes will only be progressed where they can be shown to achieve a robust cost beneficial solution.

The attached Action Plan, Appendix B, for 2021/22 sets out our priorities for the next financial year and provides an indication of how the Revenue and Capital budgets are to be allocated, once awarded. As per usual we have shown an overallocation of approximately 20% to account for the uncertainties with scheme delivery and potential delays, such as landowner agreements, notice periods, service clashes, alignment of other funding sources, the weather and of course the current pandemic. The budgets will be monitored throughout the year and adjusted accordingly to ensure they remain within the available totals.

8. Legal Considerations

The lawful implications/consequences of the proposals/recommendations/proposed course of action have been considered and taken into account in the preparation of this report/formulation of the recommendations set out above and will be adhered to accordingly. In terms of flood risk management activities all legal powers and duties available to Devon County Council as the Lead Local Flood Authority are set out in the Flood and Water Management Act 2010 and the Land Drainage Act 1991.

For the delivery of flood improvements to reduce the risk of flooding in an area, there are powers of entry onto private land, whereby access can be gained subject to the relevant compensation paid, which may actually be the reduction of flood risk to the landowners property. Powers of enforcement are also available to ensure a freeflow is maintained in a watercourse and ensure the risk of flooding is minimised.

9. Environmental Impact Considerations (Including Climate Change)

A high level Strategic Environmental Assessment has been carried out to support the revised Local Strategy and will be used when considering flood risk management activities to ensure any impact on the environment is kept to a minimum and where possible is enhanced. Detailed Environmental Assessments will be carried out for specific flood improvement schemes to consider opportunities for providing betterment to the environmental surroundings, including increased biodiversity, water quality and amenity. The assessment will also ensure that historic assets are not compromised by any works and where possible will improve their flood protection or mitigate against any such effects.

With the ever-changing impacts of climate change and increased number of intense rainfall events all flood risk management activities must take account of current predictions to future proof the standard of protection being offered. This will include the delivery of flood improvements as well as the mitigation for new development through our statutory consultation role for surface water management of major development.

The Flood Risk Management team are also committed to support the County's climate emergency to achieve a net zero carbon. All FRM activity will aim to reduce carbon emissions through careful design, material use and construction methods.

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10. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment / Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this review of the Local Strategy, an Impact Assessment has been prepared which has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at:

<https://www.devon.gov.uk/impact/flood-risk-management-strategy/>, which Councillors will need to consider for the purposes of this item.

All flood risk management activity will be assessed and prioritised based on risk and will be equally available to all, subject to cost benefit justification and approval of funding.

11. Risk Management Considerations

Flooding is identified as a high risk in the corporate risk register and with the effects of climate change the risk will continue to increase. This revised Local Strategy sets out how all Risk Management Authorities, key stakeholders and affected property owners must work together to mitigate the risk.

All schemes need to be prioritised in terms of risk and must have a robust justification of cost benefit. The funding mechanism for flood improvements does not provide 100% of the required budget and, therefore, relies on a partnership approach to secure the necessary funding for scheme delivery. Programme alignment and available budgets are essential for progressing the vital flood improvements within specific areas.

Many communities in Devon have small numbers of properties at risk of flooding compared to larger urbanised areas. It is not possible to reduce the risk of flooding in all locations known to be at risk within this next 6-year programme, therefore the management of expectations is an important consideration. Those areas considered

to be of highest priority have been identified in the revised Local Strategy, however this will need to be continually assessed and opportunities for helping other communities taken up where possible.

The Annual Action Plan sets out the investment programme for 2021/22 and, as each scheme is progressed, they will be assessed to ensure that all necessary actions are carried out to safeguard the Council's position.

12. Public Health Impact

The effects of flooding have a significant impact on public health as well as the mental and physical damage on individuals. This is recognised in the formula for calculating benefits for the delivery of essential flood improvements. The floodwater is often contaminated with sewage which can cause serious illness and also the depth of flooding creates a significant risk of drowning. The ongoing programme of flood improvements being promoted by DCC will help reduce the risk to public health and continue to make Devon a better place to be.

13. Summary/Conclusions/Reasons for Recommendations

In line with the Flood and Water Management Act, DCC as the Lead Local Flood Authority must maintain a Local Strategy through its cyclical review and updating. This revised and updated Local Strategy aligns with the Environment Agency's National Strategy and sets out how all those interested parties will work together to reduce the risk of flooding in Devon. The Strategy also highlights the highest priority catchments that will be considered during this next 6-year period and is supported with a new Action Plan which outlines delivery against some of these priorities in 2021/22. With the risk of flooding still very high across the County and set to worsen with the effects of climate change it is essential that investment in flood risk management remains a priority for this authority and its partners.

Dave Black
Head of Planning Transportation and Environment

Electoral Divisions: All

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

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Martin Hutchings

Tel No: 01392 381909 Room: 120, County Hall, Exeter EX2 4QD

Background Paper	Date	File Reference
<u>National Flood & Coastal Erosion Risk Management Strategy</u>		July 2020

Local Flood Risk Management Strategy for Devon and Annual Action Plan - Final

Appendix A to PTE/21/6 - Devon Local Flood Risk Management Strategy 2021 – 2027 Post-Consultation draft

<https://www.devon.gov.uk/floodriskmanagement/document/devon-local-flood-risk-management-strategy-2021-2027/>



Devon Local Flood Risk Management Strategy 2021 – 2027

Post-Consultation draft

Revision Schedule

Version	Prepared by	Reviewed by	Approved by	Date
Consultation draft	Jessica Bishop, Senior Flood and Coastal Risk Officer	Martin Hutchings, Flood and Coastal Risk Manager	Dave Black, Head of Planning, Transportation and Environment	August 2020
Post consultation draft	Mikaela D'Souza / Martin Hutchings	Martin Hutchings		Jan 2021
Final report				

Foreword

In line with the Flood and Water Management Act 2010 Devon County Council, as the Lead Local Flood Authority, must develop, maintain, apply and monitor a strategy for local flood risk management in its area. This Local Strategy replaces the previous document published in 2014, which required a review after 6 years. The emphasis remains on the 'local sources' of flood risk defined in the Act as ground water, surface water and ordinary watercourse but continues to recognise how this interacts with other risks from Main Rivers and the sea.



The Environment Agency published the National Flood and Coastal Erosion Risk Management Strategy in July 2020 and this Local Strategy is aligned to the key national theme of improving resilience of our communities within Devon. In order to achieve this all Risk Management Authorities must work together in partnership as well as with all the key stakeholders, communities and individual property/landowners.

The main purpose of the Strategy is to set out how flood risk will be managed in Devon. It will identify who has responsibilities for what element, how they will work together and what will be done to reduce the risk. Throughout the document there is a set of Principles to guide flood risk management practitioners on what is expected of them and interactive links to relevant information outside of the Strategy.

The effects of climate change, with more intense rainfall events are a growing concern and are considered for all flood risk management activity. This is particularly relevant for the reviewing of development proposals to ensure flood risk is not increased as a result. The use of sustainable drainage and natural flood management measures will be encouraged for all development and flood improvement works.

A new addition to this revised Local Strategy is an indication of our highest priority communities that we aim to investigate over this next 6 year period. Opportunities for other communities will also be considered where possible and the Annual Action Plan will support the delivery of this Local Strategy.

Councillor Roger Croad

Devon County Council Cabinet Member for Community, Public Health, Transportation and Environmental Services

Executive Summary

Why Devon needs a Local Flood Risk Management Strategy

Under Section 9 of the Flood and Water Management Act 2010 Devon County Council (DCC), as the Lead Local Flood Authority (LLFA), must develop, maintain, apply and monitor a strategy for local flood risk management in its area. The first Local Strategy was published in 2014 and is required to be reviewed after 6 years. This document sets out our updated strategy for the period 2021-2027.

Devon is considered to be a very rural county with many steep sided catchments and two coastlines. As such the risk of flooding can be from all sources of pluvial, fluvial and tidal events. A large percentage of communities are relatively small in terms of property count and commercial businesses, compared to other more urban areas with larger cities. This provides further challenges in obtaining levels of funding, which is predominantly focused on the reduction of risk to residential property, although other environmental and infrastructure benefits that can be achieved will enhance the funding opportunities.

Our Vision

To be a leading authority in the management and reduction of flood risk in the County of Devon. We will work efficiently and collaboratively with our partners and engage with communities to make Devon more resilient to flooding and ready to adapt to climate change by promoting sustainable flood risk management and using natural solutions where possible. In response to the climate and ecological emergency, flood risk infrastructure will play its part in achieving a net-zero carbon Devon and protecting and enhancing the natural environment – indeed natural flood risk management solutions will be considered before hard engineering. Additionally, flood risk infrastructure will take opportunities to improve communities’ access to and enjoyment of green spaces, and to conserve and enhance local landscape and heritage assets.

Who does what?

Risk Management Authorities (RMAs), Local Planning Authorities (LPAs) and riparian landowners have statutory or legal responsibilities for flood risk management. This strategy summarises the roles and responsibilities under current legislation with a particular focus on the role of Devon County Council, as the Lead Local Flood Authority and the other RMAs. It will also consider the roles of other key stakeholders, such as non-government organisations, Parish/Town Councils, Communities and the property owners themselves and how they should all work together to manage the risk of flooding.

What we will do

To achieve the vision and objectives in this strategy, we have set out a series of Principles to guide the Risk Management Authorities in Devon:

Table 1. Devon Local Flood Risk Management Strategy principles

Principle 1: Integrated Flood Risk Management and Partnership Working
Through collaborative working, Devon Risk Management Authorities will consider opportunities for multiple benefits and the alignment of programmes to maximise funding availability, delivering effective, consistent and integrated flood risk management.

Principle 2: Addressing the Skills Gap

Where skills gaps are identified in local flood risk management, we will seek opportunities through internships, apprenticeships and graduate programmes, in addition to specialist consultants when required. Ongoing training and upskilling of existing staff will also be maintained.

Principle 3: Improving Data Quality and Management

Devon Risk Management Authorities will keep up to date and accurate records of flood risk data and will ensure government guidance is followed on the use of geographical information systems and maintaining metadata, enabling efficient data use and storage, sharing with partners when appropriate.

Principle 4: Maintaining an Asset Register and Record

Devon County Council will continue to populate its asset register with flood risk features thought to have a significant impact on flood risk, ensuring that this is up to date with national developments and guidance and that the assets recorded are used as a vital part of assessing local flood risk.

Principle 5: Designating Flood Risk Features

Devon Risk Management Authorities will use the powers to designate any structures and features that are considered to affect flood risk, including those which were not necessarily designed or constructed for that purpose.

Principle 6: Investing in Local Flood Risk Management

All Risk Management Authorities in Devon will work in partnership to deliver local flood management schemes and initiatives. An investment plan will be developed through collaborative working and will be outlined in our list of Priority Communities, the South West Flood Risk Management Plan and flood risk management measures outlined in Part 2 of this Strategy. Funding will be sought through the relevant opportunities such as FDGiA, Local Levy, local authority capital budgets and private contributions.

Principle 7: Sharing of Investment Programmes

The South West Flood Risk Management Plan will pull together the investment programs of Risk Management Authorities (RMAs) and signpost to more details on individual RMA action plans. The sharing of investment programmes and project plans will be encouraged between all of the RMAs, using the already established Devon Flood and Water Management Group and the new South West Integrated Framework Team (SWIFT) to discuss and prioritise investment in local flood risk management.

Principle 8: Seeking additional funding

Devon Risk Management Authorities will seek additional funding from the national, regional and local sources and take the opportunity to obtain funding through other government initiatives, as they arise, to implement location-specific actions identified in the Action Plan.

Principle 9: Flood Risk Management Studies

Devon Risk Management Authorities will continue to work in partnership and develop studies in order to better understand and reduce flood risk and improve community resilience.

Principle 10: Encourage Sustainable Drainage Systems (SuDS)

Devon Risk Management Authorities will encourage the use of SuDS and promote the benefits, such as improving water quality, biodiversity and amenity, channeled throughout various groups, development management and through advice on Local Authority Core Strategies, development plans and policies. Devon County Council will give guidance to Planning Authorities and the development industry as a Statutory Consultee, fulfilling a duty to check and approve sustainable drainage system designs for major developments.

Principle 11: Consenting to works on Ordinary Watercourses

Devon County Council will regulate works on ordinary watercourses, ensuring that any activity will not increase flood risk and will encourage sustainable measures and methods in doing so. This will be in line with the regulation of main rivers by the Environment Agency maintaining a consistent approach across Devon.

Principle 12: Natural Flood Management

Risk Management Authorities will promote natural flood management measures (where appropriate) in all flood investigations and improvement projects, either as sole measures or in combination with hard engineering solutions, including supporting NFM initiatives throughout Devon. We will also promote sustainable land management which seeks reduced rates and volumes of surface runoff, erosion and sediment transport by endorsing education and awareness campaigns as part of community engagement projects.

Principle 13: Sustainable Management of Local Flood Risk

We will reduce the risk of flooding to property and significant infrastructure to enable resilient economic activity that provides for communities' needs whilst conserving, enhancing and providing access to Devon's natural environment, green spaces, landscapes and heritage assets and demonstrating progress towards net-zero carbon emissions from LFRMS activity by 2050 to contribute to Devon's response to the climate and environmental emergency.

Principle 14: Adapting to Climate Change

Devon Risk Management Authorities will use the latest UK Climate Projections to make resilient flood risk management decisions for the effects of climate change. Where necessary difficult choices about the future protection of property and infrastructure will need to be made.

Principle 15: Raising Awareness and Improving Communication and Involvement

Through collaboration with other Risk Management Authorities and the Devon Community Resilience Forum, all Partners will work together towards raising public awareness (including those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation) about flood risk and the roles of the Risk Management Authorities, providing clear and up to date information.

Principle 16: Property Flood Resilience

When wider flood alleviation schemes for a community or individual property are not viable or unable to be delivered in the foreseeable future, Risk Management Authorities will remain committed to making properties more resilient to flooding through the installation of Property Flood Resilience measures where possible.

Principle 17: Working with Emergency Responders

The Lead Local Flood Authority and District Councils of Devon, through their Emergency Planning services, will continue to work with emergency responders to develop plans and provide information to inform operational decisions in support of a Devon that is resilient to flooding.

Principle 18: Recording and Investigating Flood Events

Devon County Council, in partnership with the Environment Agency, will record local flood incidents reported through Risk Management Authorities and the public in order to build up a picture of risk for current and future work. Those that reach Devon's significance thresholds will be investigated under Section 19 of the Flood and Water Management Act and the reports will be published online.

What we will do over the next 6 years:

Part 2 of Devon's local strategy sets out the prioritised areas to be considered within the next 6 year investment period, in line with Defra's national funding program. Here we show how communities have been prioritised and what options for investment will be considered. The annual action plan detailing specific investment will be updated each year to form Part 3 of this strategy.

To address the priority communities, a hierarchy of flood risk management measures will be used that follows the principles of promoting more sustainable natural processes in the first instance, either as sole measures or in combination with hard engineered solutions. The introduction of natural flood management measures will help to

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reduce the scale, or need, of hard engineered solutions. Community resilience and preparedness will always be fundamental for all communities, by managing local flood risk and preparing for future climate change impacts and adaptation.

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Glossary

Abbreviation	Definition
ASA	Association of SuDS Authorities
DCC	Devon County Council
Defra	Department of Environment, Flood and Rural Affairs
EA	Environment Agency
EU	European Union
FDGiA	Flood Defence Grant in Aid
FORT	Flood Online Reporting Tool
FRMP	Flood Risk Management Plan
GIS	Geographic Information System
HRA	Habitat Regulations Assessment
LLFA	Lead Local Flood Authority
LPA	Local Planning Authority
LRF	Local Resilience Forum
NFM	Natural Flood Management
PFR	Property Flood Resilience
RBMP	River Basin Management Plan
RMA	Risk Management Authority
SEA	Strategic Environmental Assessment
SuDS	Sustainable Drainage System
SWW	South West Water

Part 1: Strategic vision and objectives: Why we are producing this strategy

Introduction

Why Devon needs a Local Flood Risk Management Strategy

Under Section 9 of the Flood and Water Management Act 2010 Devon County Council (DCC), as the Lead Local Flood Authority (LLFA), must develop, maintain, apply and monitor a strategy for local flood risk* management in its area (Figure 1). The first Local Strategy was published in 2014 and is required to be reviewed after 6 years. This document sets out our updated strategy for the period 2021-2027.

A map showing South West River Basin District, with Devon's District Councils and National Parks. Devon's LLFA area consists of the District Council areas shown.

*Local Flood Risk is defined in the Flood and Water Management Act 2010 as flooding from Surface runoff, ground water and Ordinary watercourses.

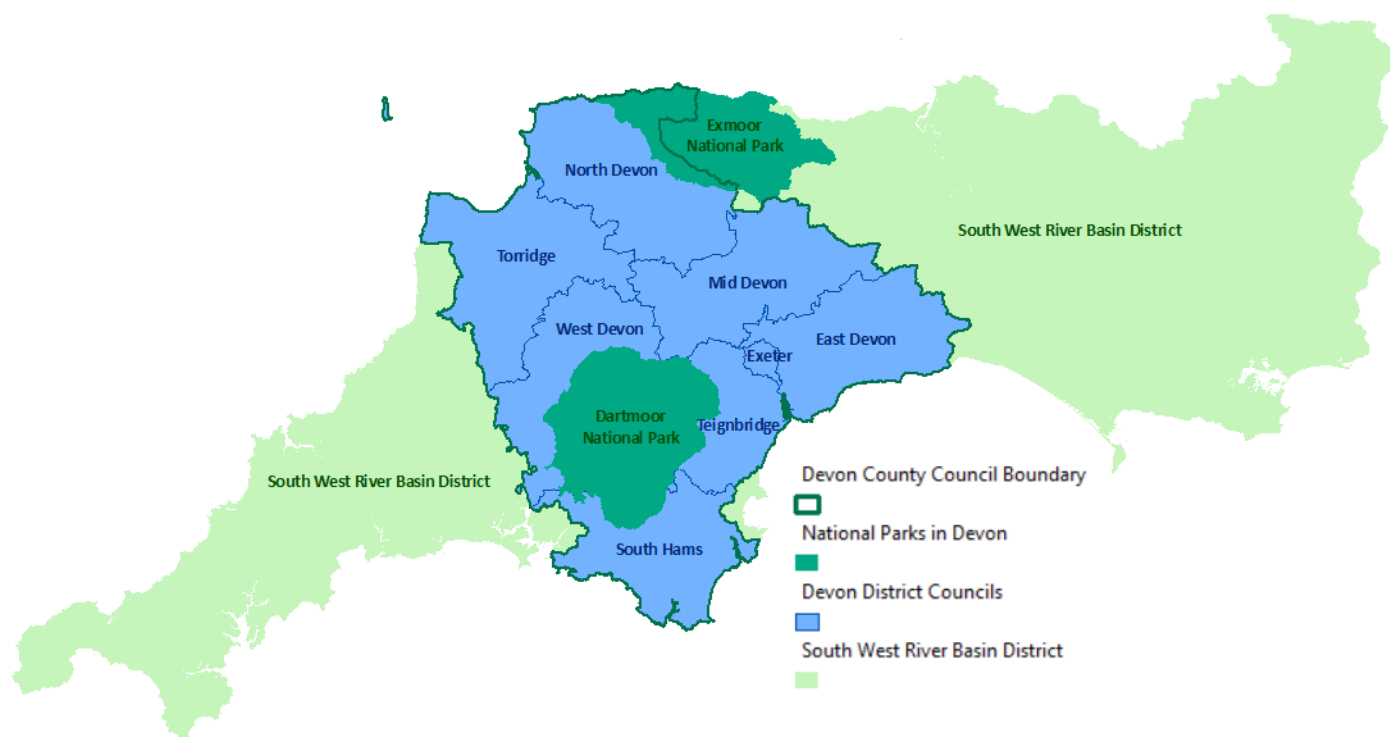


Figure 1. South West River Basin District, with Devon's District Councils and National Parks. Devon's LLFA area consists of the District Council areas shown.

Table 2. Historic Acts of parliament, European legislation and national policy that have influenced current flood risk policy and legislation governing this strategy.

European legislation	Acts of parliament	National Policy	Current flood risk policy
EU Water Framework Directive 2000		The Water Environment Regulations 2017	River Basin Management Plans
EU Floods Directive 2007		Flood Risk Regulations 2009	Preliminary Flood Risk Assessments Flood Risk Management Plans
	Public Health Act 1936 Reservoirs Act 1975 Water Resources Act 1991 Water Industry Act 1991 Land Drainage Act 1991 Flood and Water Management Act 2010 Environment Bill 2020 Agriculture Bill 2019-2021	National Planning Policy Framework 2012 25 Year Environment Plan 2018 Drainage and Wastewater Management Plan Framework	Local planning policy National Flood and Coastal Erosion Risk Management Strategy* Local Flood Risk Management Strategies* *Requirement under the Flood and Water Management Act 2010 Drainage and Wastewater Management Plans
			Shoreline Management Plans
	Civil Contingencies Act 2004		Multi Agency Flood Framework Community Level Plans

Devon County Council's Vision for flood risk management

To be a leading authority in the management and reduction of flood risk in the County of Devon. We will work efficiently and collaboratively with our partners and engage with communities to make Devon more resilient to flooding and ready to adapt to climate change by promoting sustainable flood risk management and using natural solutions where possible. In response to the climate and ecological emergency, flood risk infrastructure will play its part in achieving a net-zero carbon Devon and protecting and enhancing the natural environment – indeed natural flood risk management solutions will be considered before hard engineering. Additionally, flood risk infrastructure will take opportunities to improve communities' access to and enjoyment of green spaces, and to conserve and enhance local landscape and heritage assets.

Our vision and objectives will be achieved through a series of **Devon Flood Risk Management Principles**, which can be found throughout this document. All Devon Risk Management Authorities should follow these principles

Devon County Council's objectives for flood risk management

Our objectives fall under the three high level ambitions of the [National Flood and Coastal Erosion Risk Management Strategy](#):

National Strategy Ambitions	Devon local flood risk management strategy objectives
Climate resilient places	<ol style="list-style-type: none"> We will reduce flood risk to properties and significant infrastructure, and enhance the local economy <i>Measured by the number of communities, properties and significant infrastructure with reduced flood risk as a result of intervention by Risk Management Authorities and key stakeholders.</i> We will co-ordinate Risk Management Authorities and encourage collaborative working <i>By the successful delivery of Devon's Flood Risk Management Action Plan collaborated through the Devon Flood and Water Management Group</i> We will protect and enhance the natural environment, landscape and heritage assets, providing opportunities for carbon storage, energy generation and access and recreation where appropriate <i>By following a formal environmental review processes and measuring environmental net-gain and change in the condition of heritage assets as a result of intervention by Risk Management Authorities and key stakeholders.</i> We will prioritise high risk communities <i>Through our prioritisation criteria to identify at risk communities</i>
Today's growth and infrastructure resilient in tomorrow's climate	<ol style="list-style-type: none"> We will influence the planning process through statutory consultations <i>Measured by the volume of planning applications assessed</i> We will set out a clear strategy <i>Evidenced by the production of this document</i>
A nation ready to respond and adapt to flooding and coastal change	<ol style="list-style-type: none"> We will ensure the latest climate change predictions are incorporated into flood schemes and development proposals <i>By following the latest UK Climate Projections</i> We will improve resilience through community engagement and education <i>Measured by the number of communities positively engaged and with emergency plans</i>

Strategic plans and assessments

25 Year Environment Plan

The government's [25 year plan to improve the environment](#) gives some direction to national and local flood risk management strategies. It recognises the implications of future climate change on flood risk and outlines sustainable measures to reduce the risk from flooding. The plan promotes expanding the use of natural flood management solutions, putting in place more sustainable drainage systems and making 'at risk' properties more resilient to flooding.

Our Local Strategy objectives align with the goals of the 25 year plan, including raising awareness of flood risk in communities and working with them to increase resilience, through increased preparedness and implementing flood alleviation schemes. It also highlights the importance of influencing decisions on land use and development, achieved through our role as a statutory consultee and through our involvement with Natural Flood Management initiatives.

National Flood and Coastal Erosion Risk Management Strategy

[The National Strategy](#) has three high level, long term ambitions:

Climate resilient places; today's growth and infrastructure resilient in tomorrow's climate and; a nation ready to respond and adapt to flooding and coastal change. The strategy calls for the nation to embrace a broad range of resilience actions including better protection to flooding and coastal change.

A series of medium-term strategic objectives focus on how the ambitions will be reached and a series of short-term measures outline the actions that will be taken to reach these objectives. Devon's local strategy will align with the national measures, setting out what we will aim to achieve over the next six-year investment period, as well as considering the longer-term impacts and fulfilling the national objectives and ambitions.

Climate resilient places

This high level national ambition considers ensuring places and communities are resilient to flooding now and in the future with climate change impacts. The natural, built and historic environment needs to be protected through a mix of solutions, including hard engineering, making greater use of natural flood management measures and appropriate emergency planning and adaptation plans. Innovative ways to invest in long term flood risk management are required, considering new sources of funding. Alongside these defences a wider range of actions need to take place including avoiding inappropriate development on the floodplain and following a flood event helping communities to 'build back better' so that properties are more resilient to future flooding. 'Adaptive pathways' will enable local areas to create better plans for future flooding and adapting to future climate hazards.

Today's growth and infrastructure resilient in tomorrow's climate

This considers the need for planning and development to be resilient to climate change, where strategic plans have an important role to play in long term flood resilience. This can help to protect people, infrastructure, and enhance the natural environment and local economy. Property owners should be encouraged to 'build back better' after flooding to reduce future flood damages and to enable a faster recovery in the future.

A nation ready to respond and adapt to flooding and coastal change

Involving individuals and communities in local decision making processes is an important part of improving resilience. Through raising awareness and ensuring the risks are better understood, communities can be better prepared for flood and coastal change and the need for possible tough decisions to be made as we adapt for the future. Devon has a role in engaging and improving communication and communities have a role to respond proactively to this engagement.

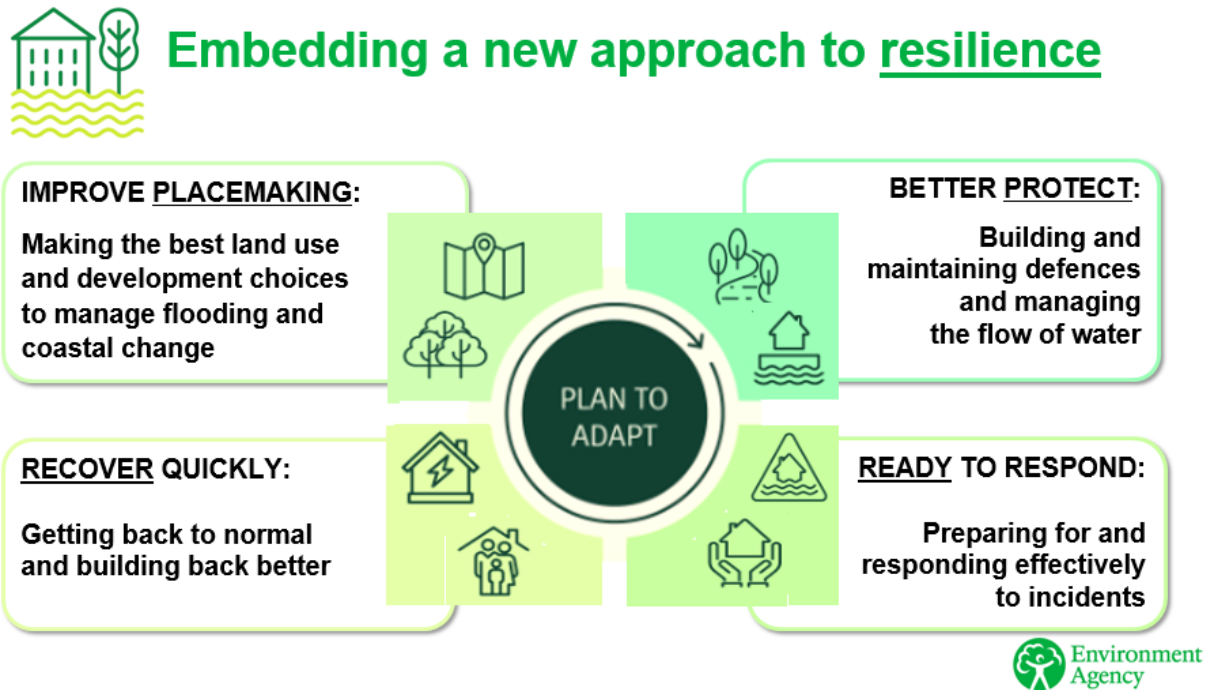


Figure 2. The different components of resilience as outlined in the national strategy

[Flood Risk Management Plans](#)

The Flood Risk Regulations 2009 require the production of Flood Risk Management Plans (FRMPs) to set out at a high level how organisations, stakeholders and communities will work together to manage flood risk. These plans are being delivered by the Environment Agency and are set at a River Basin Management Plan catchment level, of which Devon sits in the South West catchment.

The Environment Agency has delivered a series of [River Basin Management Plans](#) (RBMPs), which are a requirement of the Water Framework Directive. These plans focus on water quality and improvement, including the importance of managing flood risk, reducing pollution from runoff and increasing the use of sustainable drainage.

The first Flood Risk Management Plan for the South West was produced for the period 2015 to 2021 and included a long list of all known risks and potential improvements for future consideration. The new revised plan, set to be published in 2021, has been developed with closer communication between RMAs to include a more targeted and realistic plan of action for the 6 year funding programme.

Devon's local strategy focusses on the management of risk from surface water, ground water and ordinary watercourses and will closely link with the FRMP and RBMP for the South West in terms of the

catchment-based approach, multiple benefits to be achieved and partnership working. Devon's High-Risk Communities and annual Action Plan will be reflected in the FRMP, which will provide a more holistic view of all flood risk activity being considered by all of Devon's Risk Management Authorities.

[National Flood Risk Assessment \(NaFRA2\)](#)

The Environment Agency are reviewing the National Flood Risk Assessment in partnership with other Risk Management Authorities. The original NaFRA, published in 2004, included risk from rivers and the sea, however this revision will now include the risk from surface water also. The NaFRA2 system will be the first cloud-based system designed to store, process and manipulate input data and manage outputs to help build a full picture of the nature of flood risk.

To assist RMAs in managing flood incidents, modelling scenarios will be created to show different ways of defending against various flood events, breaching of defences, blockages and/or the effects of climate change. This project will be ongoing through the early stages of this Local Strategy and is planned to be rolled out in 2024. All relevant data and information gathered during the Local Strategy period will be fed into the NaFRA2 project.

[Shoreline Management Plans](#)

A Shoreline Management Plan (SMP) is a large-scale assessment of the risks associated with coastal processes and helps reduce these risks to people and the developed, historic and natural environments. The SMPs set the strategic policy direction for coastal management and identify the most sustainable approaches to managing the risks to the coast in the short, medium and long term. A set of preferred policies are identified and assigned to 'policy units' for each SMP epoch. These policy options are: Hold the Line (HTL), Advance the Line (ATL), Managed Realignment (MR) and No Active Intervention (NAI).

[Drainage and Wastewater Management Plans](#)

DWMPs provide the basis for more collaborative and integrated long-term planning by organisations that have interests and/or responsibilities relating to drainage, flooding and protection of the environment. Whilst the production of DWMPs will be led by water companies, all other Risk Management Authorities have a part to play in their creation. [Link to SWW's DWMP page]

[Strategy assessments](#)

As part of this strategy, we are required to complete a range of assessments to consider environmental, social and socio-economic impacts as options are developed for improving and managing flood risk in Devon. Therefore, this strategy is accompanied by a Strategic Environmental Assessment, a Habitat Regulations Assessment (to ensure that this strategy will not adversely affect European protected sites) and an Equality Impact Assessment. All of which can be found in the [supporting documents](#).

Roles and Responsibilities- Who Does What?

Risk Management Authorities (RMAs) in Devon

RMAs have responsibilities for managing the risk of flooding from different sources, as summarised in **Table 3** below and detailed on Devon's Flood and Coastal Risk Management [web pages](#).

Table 3. Risk Management Authorities in Devon and flood risk source responsible for.

Risk Management Authority:	Manages flood risk from:
Lead Local Flood Authorities Devon County Council Plymouth and Torbay Unitary Councils	Ordinary Watercourses - surface water - groundwater <i>'Local' Flood Risk</i> <i>As LLFAs, Plymouth and Torbay each have their own Local Strategy</i>
District Councils of Devon East Devon District Council Exeter City Council Mid Devon District Council North Devon Council South Hams District Council Teignbridge District Council Torridge District Council West Devon Borough Council	Coastal erosion <i>Discretionary powers to carry out works on ordinary watercourses</i> <i>Managing and maintaining flood defence assets under their control</i> <i>Local Planning Authority role to manage flood risk from all sources through appropriate planning policy and guiding development (Inc National Parks for their areas)</i>
Environment Agency	Main Rivers* - the sea - reservoirs <i>Strategic Overview of all flood risk</i> <i>Statutory advisory role for planning applications in Flood Zones for both main rivers and ordinary watercourses</i>
South West Water	Public sewers (surface water, foul and combined) <i>manholes, covers, pumping stations, combined storm overflows</i>
Highway Authorities Devon County Council Plymouth and Torbay Unitary Councils Highways England	Surface water originating on the highway <i>Highway drainage, gullies and culverts with riparian responsibilities</i>
Braunton Internal Drainage Board	Ordinary Watercourses - surface water - groundwater <i>Only within their area</i>
Others:	
Individual landowners	Surface water from own land Private sewers, drains and septic tanks <i>Watercourse maintenance/riparian responsibilities⁺</i>
*To determine if a watercourse is a Main River go to Devon's online Environment Viewer ⁺ Rights and responsibilities of land owners with watercourses can be found in Devon's leaflet Living With Water	

Individual Landowners

A person owning land whether with or without a watercourse has certain duties and responsibilities in managing water. When dealing with surface and/or groundwater a landowner has the right to allow natural flows onto lower ground and a duty to accept those from higher ground. With regards to a watercourse passing through or adjacent to their land they have riparian responsibilities to manage the bed and banks and maintain a free flow of water. Full details can be found in DCC's leaflet: [Living With Water](#).

Other Key Stakeholders

As well as those listed above with statutory or legal responsibilities there are a much wider group of organisations and individuals that come together to manage flood risk in their area. These include non-government organisations, parish/town councils, local flood action groups, the communities themselves and individual property/landowners. The local knowledge, awareness, understanding and ownership of their risk is critical in managing and reducing the effects of flooding. Key stakeholders are an integral part of the team.

What DCC will do as the LLFA

In accordance with the Flood & Water Management Act DCC will:

- *Develop and maintain a Local Strategy for Flood Risk Management in Devon*
- *Land Drainage Consent to works on Ordinary Watercourses*
- *Enforce removal of unconsented works*
- *Maintain a freeflow of water in an Ordinary Watercourse through enforcement*
- *Develop and maintain a Register/Record of significant flood risk assets*
- *Designate structures/features with significant flood risk benefits*
- *Carry out flood investigations following significant flood events*
- *Provide comments on surface water management proposals for new major development applications as statutory consultee*

In addition to the duties above DCC will:

- *Explore opportunities for funding towards flood risk management activities*
- *Subject to funding, carry out detailed flood assessments, studies and surface water management plans*
- *Subject to cost benefit justification and funding, develop and deliver flood improvements and resilience measures*

Partnership and joint working

Flood risk management in Devon involves a wide range of organisations and authorities with different roles and responsibilities, making it essential to have an effective partnership working approach. **Table 4** outlines the governance structure in Devon.

Principle 1: Integrated Flood Risk Management and Partnership Working

Through collaborative working, Devon Risk Management Authorities will consider opportunities for multiple benefits and the alignment of programmes to maximise funding availability, delivering effective, consistent and integrated flood risk management.

Principle 2: Addressing the Skills Gap

Where skills gaps are identified in local flood risk management, we will seek opportunities through internships, apprenticeships and graduate programmes, in addition to specialist consultants when required. Ongoing training and upskilling of existing staff will also be maintained.

[South West Regional Flood and Coastal Committee](#) covers the LLFA areas of Devon, Cornwall, Isles of Scilly, Torbay and Plymouth and provides a link between RMAs to understand flood and coastal erosion risks across the region and to encourage efficient, targeted risk based investment to benefit local communities. It also sets direction for the region's drainage and coastal groups.

The Devon Flood and Water Management Group provides a forum, attended by officers from all Risk Management Authorities and key stakeholders in Devon, to discuss current and future affairs and share best practice to aid the delivery of efficient and high-quality flood risk management services in Devon.

Members of the group include representatives from:

- Devon County Council (LLFA and Highway Authority representatives)
- Devon District and Unitary Councils
- Cornwall Council
- Environment Agency
- South West Water
- Highways England
- Network Rail

Further information on the [Devon Flood and Water Management Group](#) and its Terms of Reference can be found on the DCC Flood Risk Management web pages.

South West Integrated Framework Team (SWIFT)

A new collaborative partnership is being established between all of the South West Risk Management Authorities. Led by South West Water, in conjunction with their Drainage and Wastewater Management Plan, the group will share and align programmes to maximise funding opportunities and achieve multiple benefits.

Devon Community Resilience Forum is supported by the Environment Agency, Devon County Council, Emergency Services and community members. It promotes and supports community resilience in Devon. More information about this valuable resource is provided under the Community resilience and engagement section.

Association of SuDS Authorities (ASA) is a member organisation for Local Authorities, to promote and provide national consistency on SuDS. ASAs aim is to promote and develop the use of sustainable drainage within all new developments, including:

- To share and promote good practice to enhance the effectiveness of sustainable drainage.
- To own and develop the guidance for the Non-Statutory Technical Standards for Sustainable Drainage Systems.
- To engage with Government in developing policy and regulation for surface water management.

Table 4. Governance structure for local flood risk management in Devon.

Project board
<p>Senior users: South West Regional Flood and Coastal Committee County Council Members</p> <p>Senior suppliers: Head of Service for Planning, Transportation and Environment and Environment Manager</p> <p>Executive: Cabinet Member for Community, Public Health, Transportation and Environmental Services</p>
Delivery
<p>Project assurance: DCC Place Scrutiny Committee</p>
<p>Project support: Environment Agency; District Councils; South West Water; Braunton Internal Drainage Board; Devon County Council; National Farmers Union; Planning Authorities; Emergency Planning; Highway Authority; Natural England.</p>
<p>Project manager: Flood and Coastal Risk Manager</p> <p>Flood and Coastal Risk Management Team, Linking in with specialist sub-groups and partnerships</p> <p>Specialist sub-groups: Devon Flood and Water Management Group; Devon Community Resilience Forum; External Consultants; Other project support groups</p> <p>Partnerships and informative groups: Association of Directors of Environment, Economy, Planning & Transport Flood and Water Management Group; Local Government Association Coastal Special Interest Group; Association of SuDS Authorities; South West Coastal Group; South West Flood Risk Managers; Catchment Partnerships (East Devon, North Devon, Tamar and South Devon); Areas of Outstanding Natural Beauty (Blackdown Hills, East Devon, North Devon, Tamar and South Devon).</p>

Flood risk management in Devon- What do we do?

Table 5. Processes followed in local flood risk management issues

Flood Risk Management Issue	Step 1	Step 2	Step 3	Step 4
Identified flood risk	Consider the source of flooding. Liaise with relevant Risk Management Authority in <u>Table 3</u>	Consider appropriate opportunities and measures for delivering flood risk management, following <u>hierarchy</u> in Part 2	Prioritise community as detailed in <u>Part 2</u> and <u>Table 7</u>	Create annual Action Plan <u>Part 3</u>
Flood event <i><u>Responding to flood events</u></i>	Understand what has happened. Does it reach the threshold for investigation? <u>Significance thresholds</u>	If yes, produce S.19 Investigation Report and recommend actions <u>Investigating flood events</u>	If no, keep details on record to feed into prioritisation in <u>Table 7</u>	Run through steps above for 'identified flood risk' in this table to consider further actions
Land drainage	Consider if the issue can be resolved by liaising with Risk Management Authority and/or landowner direct	If yes, take <u>enforcement</u> action if appropriate	If no, site visit, letter or appropriate advice to be given	If intervention required then run through steps above for 'identified flood risk' in this table
<u>Watercourse regulation</u>	Receive <u>Land Drainage Consent</u> application, enquiry or notification of activity in a watercourse.	Consider if the proposal or activity requires <u>Land Drainage Consent</u> or an <u>Environmental Permit</u>	Consult with any relevant parties, such as the Environment Agency fisheries and biodiversity experts	Process the application within 2 months or take appropriate <u>enforcement</u> action against activities contravening the Land Drainage Act 1991
Planning <i><u>Planning, development and infrastructure</u></i>	Receive consultation request from the Local Planning Authority (LPA) or direct from developer if Pre-App Request	Review surface water management proposals and provide consultation response to LPA or advice to Pre-App requestor	Have all statutory bodies required commented on flood risk aspects?	LPA to consider responses and set out any specific conditions required to satisfy flood risk and surface water management

Flood risk data

Sharing accurate and up to date flood risk information between RMAs enables us to work efficiently in assessing flood risk, developing investigation reports and creating solutions to reduce flood risk. All Devon RMAs should follow a data management plan to ensure that data records are collected, stored and maintained appropriately, updating metadata as necessary when using Geographical Information System (GIS) data sets.

Principle 3: Improving Data Quality and Management

Devon Risk Management Authorities will keep up to date and accurate records of flood risk data and will ensure government guidance is followed on the use of geographical information systems and maintaining metadata, enabling efficient data use and storage, sharing with partners when appropriate.

We analyse all available flood risk data to assess specific areas for their vulnerability to flooding. This can be from individual properties up to whole Parish and Town areas. [Part 2](#) of this strategy details how this assessment process is used to prioritise the investment of flood risk management in Devon. When assessing the vulnerability of communities, future climate change impacts are also considered to ensure the level of flood protection is maintained for the design life of any improvements that are delivered.

[Flood incident data](#)

[FORT](#), the Flood Online Reporting Tool enables the collation of flooding information from the public and RMAs during and post flood event. Access is available via an open website enabling anyone affected or concerned about a current or recent flood event to report an incident. This will not generate an immediate response but will feed into our internal records that may lead to future investigation and potential investment. More information about how we use FORT can be found in [post flood event community engagement](#).

[Flood risk management asset data](#)

DCC must maintain a register of structures or features which, in the opinion of DCC are likely to have a significant effect on flood risk in its area. In addition to this a record must be kept about each of these assets, including ownership and state of repair. The register is available to view on the [Environment Viewer](#), our online mapping service, alongside other publicly available local flood risk and environmental data. This register will also record any structures or features designated, under Schedule 1 of the Flood and Water Management Act 2010, as a Flood Risk Feature, meaning permissions from the designating authority would then be required to carry out any works or alterations to that feature.

LLFA'S must develop and maintain a Register and Record of significant flood risk assets. They also have powers to designate structures or features with significant flood risk benefits

Principle 4: Maintaining an Asset Register and Record

Devon County Council will continue to populate its asset register with flood risk features thought to have a significant impact on flood risk, ensuring that this is up to date with national developments and guidance and that the assets recorded are used as a vital part of assessing local flood risk.

Principle 5: Designating Flood Risk Features

Devon Risk Management Authorities will use the powers to designate any structures and features that are considered to affect flood risk, including those which were not necessarily designed or constructed for that purpose.

Investment and funding

Investment in flood risk management

All Risk Management Authorities in Devon have a responsibility to investigate and promote opportunities to deliver flood risk management activities that will aim to reduce the number of properties at risk of flooding. There is one main source of funding available to RMAs from the government to deliver all flood and coastal erosion risk management projects, therefore, in line with the system for national allocation of capital funding, all RMAs are encouraged to prioritise those activities using a risk-based approach. Details of how we prioritise our communities for investment and our current Action Plan is covered in [part 2](#) and [part 3](#) of this strategy.

Principle 6: Investing in Local Flood Risk Management

All Risk Management Authorities in Devon will work in partnership to deliver local flood management schemes and initiatives. An investment plan will be developed through collaborative working and will be outlined in our list of Priority Communities, the South West Flood Risk Management Plan and flood risk management measures outlined in Part 2 of this Strategy. Funding will be sought through the relevant opportunities such as FDGiA, Local Levy, local authority capital budgets and private contributions.

Principle 7: Sharing of Investment Programmes

The South West Flood Risk Management Plan will pull together the investment programs of Risk Management Authorities (RMAs) and signpost to more details on individual RMA action plans. The sharing of investment programmes and project plans will be encouraged between all of the RMAs, using the already established Devon Flood and Water Management Group and the new South West Integrated Framework Team (SWIFT) to discuss and prioritise investment in local flood risk management.

Flood risk management funding

The main source of funding for all flood and coastal erosion risk management activity is through Defra's Flood Defence Grant in Aid (FDGiA) and in most cases this requires additional partnership contributions to achieve the required funds. These can be gained from various sources including Devon County Council's allocated budget toward flood improvement measures, Local Levy which is administered by the South West Regional Flood and Coastal Committee, contributions from other

Risk Management Authorities or private contributions from local businesses or property owners benefitting from the scheme. Opportunities through planning conditions such as Section 106 or Community Infrastructure Levy (CIL) should also be explored. As part of the role DCC perform, we will approach affected stakeholders in order to coordinate contributions and produce business case documents to support flood defence scheme applications.

The Defra document [Central Government Funding for Flood and Coastal Erosion Risk Management in England](#) provides further details on funding routes for flood risk management.

Table 6 summarises the main funding pathways.

Principle 8: Seeking additional funding

Devon Risk Management Authorities will seek additional funding from national, regional and local sources and take the opportunity to obtain funding through other government initiatives, as they arise, to implement location-specific measures identified in the Action Plan.

Table 6. Funding mechanisms available to support flood risk management works and schemes.

Main source of funding:	Flood Defence Grant in Aid (FDGiA)
Can be ‘topped up’ by Partnership funding:	Risk Management Authorities Other local funding sources: Residents Businesses Parish/Town Councils Local Enterprise Partnerships Planning: Community Infrastructure Levy Section 106 agreements
Can be supported by:	Local levy
Funding provides:	Flood risk management works and studies

Flood risk assessments and studies

Flood investigations, risk assessments and studies are the first steps in understanding the risks associated with problem areas and determining potential solutions. These should be used as tools to implement this Local Strategy and support the Annual Action Plan for flood risk management works and measures.

High level assessments feeding into the flood risk prioritisation for Devon and the South West Flood Risk Management Plan:

- [Preliminary Flood Risk Assessment for Devon, 2011](#)
- [Strategic Surface Water Management Plan for Devon, 2012](#)

Further and more detailed location specific Surface Water Management Plans and studies have subsequently been carried out in areas of Devon, identified in the above assessments as being at a high risk of flooding or as a result of major flooding incidents. These studies aim to determine hydrological and hydraulic characteristics, the main causes of flooding, and also identify any possible solutions to reduce the risk of further flooding. We will try to work to resolve all sources of flooding wherever possible and integrate the design of our schemes to minimise impact on communities and the environment. All published reports are available on our [web pages](#).

Principle 9: Flood Risk Management Studies

Devon Risk Management Authorities will continue to work in partnership and develop studies in order to better understand and reduce flood risk and improve community resilience.

Development control and infrastructure

Planning, development & infrastructure

Historically, planning regulation and building control has not always considered the impact of development on flood risk in urban and rural areas of Devon. Therefore, we are now faced with resolving some of these historic flood risk issues, such as the culverting of many rivers and ditches to allow for buildings and roads; which can restrict the flow of water and can become blocked with silt and debris. The increase in impermeable surfaces over the years has contributed to additional surface water runoff, increasing the catchment response to rainfall. Legislation is now in place to ensure that flood risk is managed as a result of new development and to provide betterment where possible.

The government's 25 year Environment Plan highlights the commitment to building more homes whilst supporting the environment, with the principle that new development should result in net environmental gain.

With the impacts of climate change, these existing issues will be exacerbated. Adaptation is essential here so that development and infrastructure planning regimes can help ensure our communities are more resilient for the future. [Current climate change predictions](#) should always be considered as part of any development proposals.

Sustainable drainage

Sustainable drainage systems (SuDS) manage surface water on, or as is practicably close to the ground surface, in a way that mimics natural hydrological processes. Managing surface water in this way controls the rate and quantity of surface water runoff, and importantly improves its quality, provides visual amenity and biodiversity benefits too. The provision of SuDS for new development ensures that the surface water generated from increased impermeable areas, such as roofs and roads, will be controlled in such a way as to mimic greenfield runoff rates and therefore not increase flood risk to the surrounding area.

The [CIRIA SuDS Manual](#) and Defra's [non-statutory technical standards for sustainable drainage systems](#) are available for guidance when designing SuDS. At Devon County Council we also promote our own [guidance](#) to developers to incorporate the multiple benefits of SuDS.

Principle 10: Encourage Sustainable Drainage Systems (SuDS)

All Risk Management Authorities in Devon will encourage the use of SuDS and promote the benefits, such as improving water quality, biodiversity and amenity, channeled throughout various groups, development management and through advice on Local Authority Core Strategies, development plans and policies. Devon County Council will give guidance to Planning Authorities and the development industry as a Statutory Consultee, fulfilling a duty to check and approve sustainable drainage system designs for major developments.

Devon Case study: Sustainable Drainage Systems – Redhayes Tithebarn Green Corridor

This residential development in East Devon is drained into a series of cascading attenuation basins which form a green corridor dissecting the development. During rainfall events, the basins fill up and provide storage for runoff from the roads and houses at the development. The basins are designed to be multi-functional as they provide habitat creation benefitting local wildlife and biodiversity. Furthermore, they provide benefits to water quality with the runoff being treated as it passes through the cascading system. This example of sustainable drainage systems (SuDS) also provides amenity value to the residents as seating areas have been installed so people can admire the open space. The green corridor cascading basins clearly fulfil all the four pillars of SuDS: water quality, water quantity, amenity and biodiversity. In addition, signage adjacent to the basins provides engagement with the local community and opportunities for education.



Community signage explaining the functionality of the basins



Detention basin with planting



Inlet at detention basin

National planning policy for flood risk management

[The National Planning Policy Framework](#) sets out the Government's planning policies for England and how these are expected to be applied. [The Flood risk and coastal change planning practice guidance](#) should be followed to achieve the national policies.

The duty of local authorities and risk management authorities to cooperate in relation to the planning of sustainable development and the exercise of their flood risk management functions appears across several acts of parliament and legislation. As stated in the National Planning Policy Framework, public bodies have a duty to cooperate on planning issues that cross administrative boundaries. This particularly highlights strategic priorities such as infrastructure for flood risk and climate change mitigation. Devon has its own [Duty to Cooperate Protocol](#).

Local planning roles in flood risk management

Local Planning Authorities (LPAs) determine minor developments where the LLFA and Environment Agency are not statutory consultees. The cumulative flood risk impact of these developments is an important consideration. They must also ensure sequential development to help steer it towards areas with low risk of flooding, as well as considering safe access and egress from sites with flood evacuation and warning plans. Online guidance is available on [flood risk emergency plans for new development](#).

As a LLFA, DCC provides comments on surface water management proposals for new major development applications as a statutory consultee

LPAs also prepare Local Plans to provide a strategic vision for development, addressing housing needs and other economic, social and environmental priorities. Sustainable drainage is a requirement of Local Plans in Devon and should be considered at the earliest opportunity in any development, so there is space for water and that SuDS are appropriately integrated at individual sites and strategically.

Neighbourhood planning is led by Town or Parish Councils and gives communities direct power to help shape development in their local area through a Neighbourhood Plan. This should meet local needs whilst aligning with strategic needs and priorities of the wider local area, including flood risk considerations.

The Environment Agency is a statutory consultee on all planning applications within Flood Zones 2 and 3. They provide detailed flood risk technical advice on applications and associated Flood Risk Assessments, so that the LPA can make informed decisions. They support the LPA on the application of the national planning policy framework guidance on flood risk, coastal change and climate change. They also ensure that developments do not negatively impact Flood Defences, Main Rivers and the wider environment through the planning and permitting systems. They also provide a pre application service to developers to help avoid delays at the planning application stage.

Through their Strategic Overview role, they contribute to the product of sustainable Local Plans and development management policies, ensuring they are compatible with national flood risk strategies (e.g. Flood Risk Management Plans & Shoreline Management Plans).

Devon County Council is a statutory consultee for all major planning applications in Devon regarding the provision of surface water management on and adjacent to the development site and we promote our own [guidance](#) for developers to follow, in addition to providing technical advice to LPAs to help them make informed decisions. To fulfill this role DCC has a dedicated team to review the surface water management proposals for all major planning applications ensuring they are robust and fit for purpose, in accordance with the four pillars of SuDS to reduce quantity, improve quality, provide amenity and enhance biodiversity. Outside of our statutory role, we offer a [pre-application advice](#) service, designed to streamline the application process for everyone involved.

As the LLFA, Devon County Council also contributes to the preparation of strategic planning policy, helping to embed sustainable flood risk management considerations from the start of the planning process and ensure there is a consistent flood risk message across Devon. This includes the review of Local and Neighbourhood Plans, strategic flood risk assessments and also the influencing of policy and development management to support DCC's role as a Minerals & Waste Planning Authority.

Water and sewerage companies are not statutory consultees. However, the Codes for Adoption are outlined in the [Water UK's new Sewer Sector Guidance](#). English water and sewerage companies will

be able to adopt a wide range of sewer types, including those with sustainable elements. Only certain types of SuDS components are sewers and are therefore adoptable, and so early consultation between developers and the sewerage company is recommended. In Devon this will be South West Water.

Green Infrastructure

Devon County Council promotes its own [Green infrastructure Strategy](#) (as do many individual District Councils). The guiding principles promotes a joined-up approach to planning and delivery of green infrastructure across local authority boundaries as part of sustainable development delivery. Flood risk management and green infrastructure should be considered together as part of a greater emphasis on place making and design in developments, achieving multiple benefits (e.g. Garden Communities agenda).

Highway infrastructure

The Highway Authorities (Devon County Council and Highways England) must ensure that roads are maintained in such a way so as to ensure the risk associated with surface water on the highway is kept to an acceptable level.

With an extensive network of roads and drainage within the County, Devon County Council's highway gully cleaning strategy is based on increased frequencies for rural gullies over urban locations. In addition, those locations with known problems are also visited more frequently.

See the responsibility of Highway Authorities for surface water flooding on the highway in **Table 3**.

New highway developments

As with all developments, new highway developments and schemes must adhere to planning regulation and ensure that any extra surface water generated will not increase flood risk, by providing sufficient and sustainable drainage systems.

Transport planning and networks

To meet the needs of the people now and in the future, the transport system must support and assist economic development and growth and enable safe, sustainable travel. The transport network must also be resilient to the future impacts of climate change at the local and strategic levels. This requires flood risk from all sources to be taken into account so that transport networks can be planned appropriately to be resilient to the increasing flood risk and key links maintained during flood conditions.

Devon County Council Highways operates a resilient network, a high priority highway network regularly reviewed to ensure connectivity across the County is maintained and resilient to impacts such as adverse weather and the increasing severity with future climate change.

Railway infrastructure

Network Rail is responsible for maintaining the railway network across Devon and owns many flood risk assets, such as culverts, sea defences and storage lagoons. As the landowner where structures and watercourses are located, Network Rail has the responsibility to maintain these as any other riparian landowner would, keeping culverts and ditches clear so as not to increase flood risk and enable flow to freely pass through the railway embankments.

Network Rail is also a key stakeholder in the development of major flood improvements, particularly where the current and future flood risk has an impact on the railway.

Historic Assets

Devon has a large number of fine and irreplaceable heritage assets, which include two world heritage sites and two national parks. Such assets can be affected by flooding but also by the carrying out of flood improvements, Natural flood management measures, as well as hard engineered flood alleviation schemes, may directly affect some heritage assets, e.g. historic bridges, or their settings, as well as the character of wider areas, such as historic townscapes, landscapes and/or seascapes. The risk of damage to any historic asset needs to be appraised when considering flood improvement works.

Historic England has prepared guidance on [flooding and historic buildings](#) and there is other useful information on their [website](#), including [flooding and older homes](#) and [remediation](#). Other types of heritage assets, including archaeological sites and buried and/or waterlogged archaeological and palaeoecological resources, for example, may be affected by schemes or associated changes in hydrology. Other relevant advice may be found in [The Settings of Heritage Assets \(2017\)](#) and [Preserving Archaeological Remains \(2016\)](#), particularly Appendix 3 on [Water Environment Assessment Techniques](#) and Appendix 4 on [Water Monitoring for Archaeological Sites](#).

Regulation of works on watercourses

Works in, or close to watercourses designated as a Main River are regulated by the Environment Agency ([Main River Map](#)) through the [Flood Risk Activities Environmental Permits](#) process. All other watercourses are classified as ordinary watercourses and these are regulated by Devon County Council as the Lead Local Flood Authority through [Land Drainage Consents](#). Failure to obtain the relevant consent may involve a notice being served for the removal of any structure if it is deemed to increase flood risk and the legislation does not provide the opportunity for retrospective consent. Enforcement powers are also available to ensure that obstructions are removed in order to maintain a freeflow of water. These regulations under the [Land Drainage Act 1991](#) are in place to ensure that there is no increase in flood risk and to minimise impacts on people and the environment.



Devon County Council (as do the Environment Agency) has a strict [culverting policy](#), where they are permitted for essential access purposes only. Devon County Council has also made available good practice guidance for when working on watercourses, available as [supporting documents](#) to this strategy.

Riparian landowners, i.e. where a watercourse flows through or adjacent to their land, have duties and responsibilities to receive and pass on a flow of water in its natural state without undue interference in quantity or quality. More information is

available on [owning a watercourse](#) and DCCs [Living with Water](#) leaflet. Landowners are also responsible for the drainage of surface water on their land in such a way so as to not cause nuisance to others and must accept natural land drainage from higher land.

As LLFA, DCC provide Land Drainage Consent to works on ordinary watercourses and have powers to maintain a free flow of water in an ordinary watercourse through enforcement. Furthermore, DCC have powers to enforce removal of any unconsented works

Principle 11: Consenting to works on Ordinary Watercourses

Devon County Council will regulate works on ordinary watercourses, ensuring that any activity will not increase flood risk and will encourage sustainable measures and methods in doing so. This will be in line with the regulation of main rivers by the Environment Agency maintaining a consistent approach across Devon.

Climate change, adaptation and natural, sustainable solutions

Natural Flood Management and sustainability

Natural Flood Management (NFM) is the implementation of nature-based solutions which help to alleviate the risk of flooding. To support this strategy DCC has produced a [NFM Guidance Document for Devon](#), to guide and inform landowners engaged with managing flood risk. Further guidance is available online, providing information on the evidence behind NFM: [Working with Natural Processes – Evidence Directory](#) and where to find opportunities for maximising the benefits of NFM through the [Working With Natural Processes mapping tool](#).

This strategy document not only sets out the strategy for reducing flood risk in Devon, but encourages it is done in a sustainable way that will minimise the negative impacts on the natural, built and historic environment. It also seeks to achieve wider improvements where possible, such as biodiversity gain, taking into account mitigation against the effects of climate change. Through NFM, sustainable land management, investment in natural capital and opportunities for net gain and biodiversity enhancements should be sought and delivered to achieve multiple benefits for Devon's communities and natural environment. This is an essential part of a resilient future, as hard defences alone cannot protect us from the changes we will face this century.

Principle 12: Natural Flood Management

Risk Management Authorities will promote natural flood management measures (where appropriate) in all flood investigations and improvement projects, either as sole measures or in combination with hard engineering solutions, including supporting NFM initiatives throughout Devon. We will also promote sustainable land management which seeks reduced rates and volumes of surface runoff, erosion and sediment transport by endorsing education and awareness campaigns as part of community engagement projects.

To achieve sustainable flood risk management, an internal DCC environmental review process is followed. This will identify the likely negative and positive effects of any flood alleviation works, schemes and studies so that appropriate mitigation and enhancement measures can be incorporated into the design at an early stage. By following this process we will enhance Devon's valuable agricultural land and incorporate its exceptional landscapes, biodiversity, cultural and historic environment and natural resources.

Devon Case study: Natural flood management – Ottery St. Mary

Working with the East Devon Catchment Partnership, DCC investigated the significant surface water flow paths that exacerbated the existing surface water and Main River flood risk within the town.

Given the significant investment by the Environment Agency in previous years to mitigate the risk from Main River flooding, the decision was made that DCC should instead focus on an approach that utilised Natural Flood Management techniques to reduce peak flow heading into the catchment.

Multiple interventions were identified ranging from improvements soil husbandry, installations of leaky woody dams and re-establishing a wooded pond to not only give flood risk benefits, but also biodiversity and amenity value. The works were completed in March 2020.



Surface water entering Ottery St Mary



Pond area post clearance and woody dam installation



Pond area in flood

Principle 13: Sustainable Management of Local Flood Risk

We will reduce the risk of flooding to property and significant infrastructure to enable resilient economic activity that provides for communities' needs whilst conserving, enhancing and providing access to Devon's natural environment, green spaces, landscapes and heritage assets and demonstrating progress towards net-zero carbon emissions from LFRMS activity by 2050 to contribute to Devon's response to the climate and environmental emergency.

Climate change and adaptation

The effects of climate change are considered to be a very high risk to the increased threat of flooding with many drainage systems and historic flood defences at risk of being overwhelmed as a result.

We recognise that flood risk to property and infrastructure is increasing as a result of climate change, and will seek to proactively manage this with relevant partners, in a way that is underpinned by appropriate science; in particular catchment hydrology, the latest climate change projections and local expertise and knowledge specific to our context in Devon.

[Current climate change predictions](#) are always considered in any flood risk study or catchment modelling used to develop improved flood defences and also in our role as statutory consultee for all major planning applications. The effects of climate change are causing an increase in extreme rainfall events which is increasing the risk of overwhelming many drainage systems and historic flood defences leading to a greater risk of flooding.

Another significant effect of climate change is sea level rise due to ocean warming and the melting of land-based ice. This will have a major impact on the risk of coastal flooding and also fluvial flooding due to tide-locking for greater periods. Further information on the rate of sea level rise can also be found in the Environment Agency's [Current climate change predictions webpage](#).

Devon County Council (along with other Devon RMAs) has declared a climate emergency and has committed to facilitating the reduction of Devon's carbon emissions to net-zero by 2050 at the latest and has collaborated with other organisations in Devon to implement a response to the [Devon Climate Emergency](#). Further information can be read in the [Devon Carbon Plan](#). All flood risk activities will need to take this into consideration and design appropriate solutions to minimize the carbon footprint during construction and throughout its operation.

Principle 14: Adapting to Climate Change

Devon Risk Management Authorities will use the latest UK Climate Projections to make resilient flood risk management decisions for the effects of climate change. Where necessary difficult choices about the future protection of property and infrastructure will need to be made.

Increasing community resilience and awareness

Community resilience and engagement

With increasing flood risk and climate change predictions for the future, it is important that our communities are resilient to the resulting impacts. A resilient community should be aware of the risks and be prepared, with precautionary measures in place to limit potential damages. In terms of flood risk this could include any flood warnings or emergency plans that are aligned to the Local Strategy. Communities can help to improve their resilience by setting up local flood groups and becoming flood wardens. They must also be prepared for adapting their way of life to accommodate some impacts of future climate change and understand where tough decisions may have to be made. The Environment Agency, Devon County Council and District level Emergency Planning also have a role to support communities in raising awareness, becoming resilient and adapting for the future.

Help and guidance is available for local communities from the [Devon Community Resilience Forum](#), which is supported by the Environment Agency, Devon County Council, Emergency Services and community members. Facilitated by the charity Devon Communities Together, the forum supports communities to build their resilience and provides a platform for professional and peer to peer support, both online and through regular forum events.

The forum can assist local communities with the development of their community emergency plans; a document that guides community response in an emergency and helps them to prepare for such eventualities. A prioritised list of high-risk communities are being targeted by the forum to encourage the development of their plans. These can be led by Flood Action Groups or Parish Councils, for example and others are encouraged to contact the forum for further advice and support.



Community emergency plans are not only invaluable to local residents and groups but can also be uploaded to a secure website where they can be viewed by the emergency services. If there is an emergency in your community, they will be able to view your plan and understand how the community may already be responding, where there is high risk, and what resources the community has. View a map of current [Devon communities with completed plans](#).

The Devon, Cornwall and Isles of Scilly [Multi Agency Flood Framework](#) sets out the principles that govern the multi-agency response to a significant flood incident. The purpose of the Framework should not be confused with the purpose of this strategy and should be used in conjunction with this document as it contains important and relevant information for an emergency flooding situation.

Devon Case Study: Community Resilience – Lymestone Flood Resilience Group

Lymestone Village is situated in East Devon on the eastern shore of the Exe Estuary. With a long history of flooding, Lymestone Flood Resilience Group was formed by existing flood wardens in 2017 due to growing concerns about the combined risk of tidal, fluvial and surface water flooding.

The Group established the *Lymestone Flood Risk Management Project* in 2018 with the support of the Environment Agency. The project has a Steering Group including representatives of all of the flood risk management authorities and the Parish Council, with objectives to gain a more accurate understanding of the flood risk, and ensure that appropriate and effective action is taken to minimise the risk - using a combination of prevention, protection and preparedness measures.

Progress to date includes:

- Development of an integrated hydraulic model for Lymestone (funded by the Environment Agency), completion 2021
- Investigation of surface water runoff from the rural catchment and NFM opportunities (funded by DCC and East Devon District Council's Parishes Together and Communities Together Funds)
- Investigation of flood hotspots and working with partners to tackle the priorities
- Review of existing flood defences to strengthen them where feasible
- Increase in the number of flood wardens (now totalling 24), and strengthening of the preparedness and response procedures
- Promoting awareness among local property developers

Key success factors of the project:

- Strong partnership approach
- Holistic strategy with a strong project plan to drive and monitor practical action.



Exe Estuary



Lymestone flood warden operating flood gate



River level monitoring

Principle 15: Raising Awareness and Improving Communication and Involvement

Through collaboration with other Risk Management Authorities and the Devon Community Resilience Forum, all Partners will work together towards raising public awareness (including those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation) about flood risk and the roles of the Risk Management Authorities, providing clear and up to date information.

Flood forecasting and warnings



Flood forecasting is undertaken by the Flood Forecasting Centre, a partnership between the Met Office and the Environment Agency. Flood guidance statements are regularly sent out to Risk Management Authorities when the risk of flooding is increased. [The Multi-Agency Flood Framework](#) details sources of flooding and how the risk of these are communicated.

In England and Wales the Environment Agency operates a flood warning service in areas at risk of flooding generally from Main Rivers or the sea. Using the latest available technology, Environment Agency staff monitor rainfall, river levels and sea conditions 24 hours a day and use this information to forecast the possibility of flooding. [Find out more and sign up for flood warnings in the Devon area.](#)

Self-help measures

In the event of a flood warning or imminent flood, property owners may find themselves in a position where action must be taken by them to defend their property. Help will not always be immediately available from the authorities and residents at risk must be prepared to put resilience measures in place to protect their homes and businesses. View [flood risk maps](#) to find out if you are at risk of flooding.

Sandbags

No authorities are responsible for the provision of sandbags, however, some District Councils and Parish or Town Councils do provide sandbags to protect homes and property. This level of service differs across the County. Details of the service available in specific areas can be found on the [Devon County Council website](#) and on individual authority websites.


It should also be noted that the Fire and Rescue Service do not have a statutory responsibility to protect property from flooding; **it is the responsibility of the property owner to prepare their properties with the necessary flood resilience measures in advance of any storm event.**

Further guidance is available on the [use of sandbags](#).

Property Flood Resilience (PFR)

Property owners need to be proactive in obtaining resilience measures and where appropriate more robust products such as flood gates and flood doors. There are many types of these alternative products available depending on the nature of the flooding and requirements of temporary defences. Further information on these products is available from the [National Flood Forum](#) and the [Blue Pages](#) directory.

For support with obtaining PFR measures on your home, DCC's bespoke [Property Flood Resilience funding scheme](#) is available for those living in properties at risk of flooding. This scope of funding will include an initial survey of the property to identify the required resilience measures that can then be procured and installed.



Devon Property
Flood Resilience
funding scheme

Principle 16: Property Flood Resilience

When wider flood alleviation schemes for a community or individual property are not viable or able to be delivered in the foreseeable future, Risk Management Authorities will remain committed to making properties more resilient to flooding through the installation of Property Flood Resilience measures where possible.

Who to contact about flooding

Your guide on who to call

If it is an **emergency** and there is danger to life as a result of flooding you should not hesitate to call **999**

To report flooding of the highway and blocked drains contact Devon County Council's Highway Customer Service Centre on **0345 155 1004** or [report a problem online](#). Office hours are Monday to Friday 8am – 8pm and Saturdays 9am – 1pm. For emergencies outside of these hours call **0345 155 1008**

For any flooding on major trunk roads (the M5 A30, A38, A35 and A303) contact the Highways Agency on **0300 123 5000** (24 hour service)

To report flooding from sewers and water pipes contact South West Water on **0344 346 2020** (24 hour service)

For enquiries about flood warnings contact the Environment Agency's Floodline on **0345 988 1188** (24 hour service)

For general queries about Main River or flooding from the sea contact the Environment Agency on **03708 506 506**, email enquiries@environment-agency.gov.uk or visit www.gov.uk/environment-agency

For all other flooding queries contact Devon County Council Flood Risk Management Team on **01392 383000** (ask for 'flood risk'), email floodrisk@devon.gov.uk or visit www.devon.gov.uk/floodriskmanagement

Preparing for a flood

Please refer to Devon County Council and Environment Agency web pages for advice on what to do before, during and after a flood.

In the first instance of local flooding and sandbag requests contact your local District Council or Parish Council to determine the availability of sandbags in your area.

Responding to flood events

When a flood event occurs, it is immediately followed by an emergency response and then recovery phase. There are many roles involved in this process, covered by the Emergency services, Environment Agency and local authorities. Details of this are included in the [Multi-Agency Flood Framework](#). As LLFA, DCC's Flood & Coastal Risk Management team becomes involved at the recovery phase, through recovery coordination, community engagement and investigation.

The response phase encompasses the decisions and actions taken to deal with the immediate effects of an emergency. At a high level the response will be to protect life, contain and mitigate the impacts of the emergency and create the conditions for a return to normality. In many scenarios it is likely to be relatively short and to last for a matter of hours or days.

The recovery phase can start at or shortly after the declaration of a major incident and may take months or even years to complete. It should be an integral part of the response from the beginning, as actions taken during the response phase can influence the longer-term outcomes for a community.

The Devon Flood Recovery Coordination Group may be formed during a major flood event. Once there is no longer threat to life and property and the response phase is complete, the responsibility for coordination of multi-agency recovery will transfer from the Police to a local authority. This process is detailed in the [Multi-Agency Flood Framework](#) and the [Combined Agency Emergency Response Protocol](#). Typical members of this group are the Environment Agency, emergency services, District Councils, South West Water, Network Rail and Highways England (when disruption to the trunk road and rail network) and other utilities when appropriate. Devon County Council also has a role on the recovery group as a [Category 1 Responder](#), Lead Local Flood Authority and Highways

Principle 17: Working with Emergency Responders

The Lead Local Flood Authority and District Councils of Devon, through their Emergency Planning services, will continue to work with Partners' emergency responders to develop plans and provide information to inform operational decisions in support of a Devon that is resilient to flooding

Authority.

Post flood event community engagement

Following any flood event, we will engage with relevant District Councils, Risk Management Authorities, local Parish and Town Councils and community members to gather information. This information is shared with other agencies to determine the extent of impact.

Information within the community is critical to understanding the cause and impact of any flood event, therefore it is essential to liaise closely with the local community to gather all of this data. This is sometimes gathered through local community events where members of the public can 'drop in' to supply details on flooded properties.



Anyone with details of flood events can submit their information anytime via the [Flood Online Reporting Tool](#).

Investigating flood events

Gathering information on flood events is important so that we can build up a picture of flood risk in Devon and determine the causes and possible solutions. As an LLFA DCC have a duty to investigate significant flood events. For those flood events that reach our significance thresholds in **Table 7** investigation reports and recommended actions will be published on our [website](#). These reports together with an accurate database of flood events across Devon assists us with prioritising and investing in flood risk management measures. See [Part 2](#) and [Part 3](#) of this strategy for more details.

LLFA's must carry out flood investigations following significant flood events

Principle 18: Recording and Investigating Flood Events

Devon County Council in partnership with the Environment Agency will record local flood incidents reported through Risk Management Authorities and the public in order to build up a picture of risk for current and future work. Those that reach Devon's significance thresholds will be investigated under Section 19 of the Flood and Water Management Act and the reports will be published online.

Table 7. Flooding significance thresholds

Investigation reports under Section 19 of the Flood and Water Management Act will be considered by DCC for events with a significance threshold level of:

- 5 or more residential properties internally flooded (in one area, e.g. one street)
- 2 or more commercial properties internally flooded.
- Critical infrastructure affected (e.g. roads or rail links closed).
- Critical services affected.

OR if the above criteria are not met:

- History of repeated flooding. The frequency of flooding greater than 3 occurrences of internal property flooding within 5 years or similar frequency felt to be significant.
- The incident is part of a widespread flood event.
- The vulnerable are particularly at risk, such as the elderly, young children, those living with a disability or living in areas of deprivation.
- Significant negative impact on the natural environment.

Reviewing the strategy

Parts 1 and 2 of this strategy document will be reviewed in line with the National Flood and Coastal Erosion Risk Management Strategy and 6 year investment cycle. Therefore, it is anticipated that this document will be reviewed in 2027. We will maintain this strategy throughout the 6 year period to ensure the embedded links and signposting are to the most up to date and relevant guidance/policies. Part 3 of this strategy, the Action Plan will be continually updated as priorities and funding opportunities change and improvements are delivered, most likely on an annual basis.

Performance evaluation

In order to measure the performance of flood risk management in Devon and the effectiveness of this Strategy, the Action Plan will be monitored. Progress can be measured by monitoring the number of properties that are no longer in areas classed as at high risk or those that are at lower risk than before, as a result of flood alleviation measures put in place as recommended in the Action Plan.

Since the first publication of our Local Strategy in 2014, flood risk management measures implemented as a result of our investment program and action plan, have resulted in the reduction in flood risk to over 750 properties from schemes delivered by DCC and a further 6124 properties where DCC have provided significant financial contributions towards schemes delivered by others. In addition to this, over 80 community emergency plans have been registered and uploaded to the Devon Community Resilience Forum.

Part 2: Priority Communities and Investment- What will we do and how?

Part 2 of Devon's local strategy looks ahead over the next investment period of 2021-2027, in line with the national funding program and in accordance with the Principles and Objectives within this Local Strategy. Here we show how this work is prioritised, including the current priority communities.

How communities are prioritised

Prioritising communities at risk of flooding for investment is a challenging task for Devon as there are many more communities at risk of flooding than can be realistically reviewed during the next funding period. Flooding is very stressful to all concerned, causing significant mental health but we need to be realistic in what can be delivered and manage expectations. There are a number of factors that must be considered, which need to be carefully balanced with potential opportunities, such as working in partnership with others to realign programmes and maximise funding sources.

We use a GIS tool (**Figure 3**) to analyse our spatial flood risk data and assess the vulnerability to flooding of Parish and Town areas, following the prioritisation criteria in **Table 8**. This high level analysis provides an indicative level of risk, which can then be considered by DCCs Flood and Coastal Risk Management team alongside local knowledge and 'quick win' opportunities.

This process drives the compilation of the priority communities identified in this part of the strategy and furthermore to the action plan in Part 3. It will be continually reviewed and updated to account for any significant incidents, greater knowledge and additional funding opportunities, enabling other communities to be considered during this period.

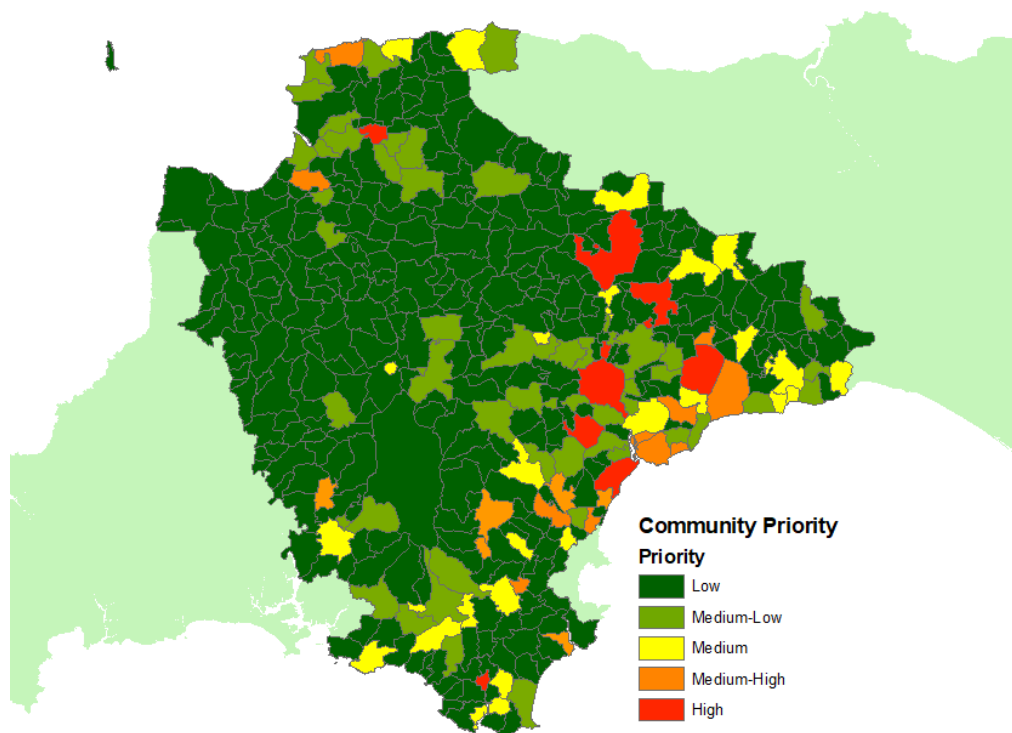


Figure 3. Example output from DCCs GIS flood risk

<p>Table 8. Criteria used for GIS analysis to prioritise communities and Devon’s Local Flood Risk Management Strategy Action Plan</p> <ul style="list-style-type: none">• Number of properties affected or at high risk in any one community• Frequency of flooding to that community• Depth/Severity of flooding experienced or at high risk• Risk to life (particularly the vulnerable such as the elderly, young children, those living with a disability or in areas of deprivation)• Impact on, or high risk of disruption to critical infrastructure• Impact on, or high risk of disruption to businesses and services, especially essential services such as health, education, emergency services• Impact on, or high risk of impact on the Environment• Sufficient Cost-Benefit ratio and robust business case. <p><i>The specific order of the criteria does not reflect the weighting attached to each. In particular, the risk to life is shown beneath three other criteria, as it is directly influenced by them.</i></p> <p><i>Prioritisation is subject to change as a result of any new data on flooding events.</i></p> <p><i>This is an ongoing assessment and will always consider the most up to date climate change and sea level rise allowances as part of supporting modelling information.</i></p>
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Devon’s priority communities

Devon’s priority communities, listed in

Table 9 below and on our [online map](#), are to be considered for investigation and potential investment over the next 6 years. The annual action plan of investment is covered in Part 3 of this strategy. This prioritised list is indicative of the current situation and may however, be subject to change, depending on further flood events, greater catchment knowledge, changes in funding levels and opportunities for aligning with other Risk Management Authority or key stakeholder programmes and/or other funding initiatives.

It should also be noted that other Devon communities, not included here, may be known to have significant flood risk but from a source managed by another RMA. For example, the Environment Agency would carry out investigations and improvement works for a community at risk of flooding from the sea or a main river, such as Bishop’s Tawton. Other communities not listed will be continually assessed following any notable incidents and may be considered

These priority communities are Devon’s highest priorities as the LLFA and this section needs to be read in conjunction with the South West Flood Risk Management Plan (FRMP) which will outline the priorities of all other RMAs in the South West. Our priority community list will inform the FRMP and database which sits at a River Basin Management Plan level.

Table 9. Devon's priority community list*

Priority	Community	Source of flood risk to be addressed	Potential partner authorities	Flood Risk Area in South West Flood Risk Management Plan
High	Barnstaple	surface water	North Devon Council, DCC Highways, South West Water (SWW), Environment Agency (EA)	Flood Risk Area
High	Exeter	surface water	Exeter City Council, South West Water (SWW), Network Rail (NR), Environment Agency (EA)	Flood Risk Area
High	Kingsbridge	surface water	South Hams District Council (SHDC), SWW, EA	
High	Tiverton	surface water	Mid Devon District Council (MDDC), SWW, EA	Flood Risk Area
High	Dawlish	surface water	Teignbridge DC, SWW, EA	Flood Risk Area
Medium high	Teignmouth	surface water	Teignbridge DC, SWW, NR, EA	
Medium high	Exmouth	surface water	East Devon District Council (EDDC), SWW, EA	Flood Risk Area
Medium high	Newton Abbot	surface water	Teignbridge DC, SWW, EA	Flood Risk Area
Medium high	Seaton	surface water	EDDC, EA	
Medium high	Kingsteignton	surface water	Teignbridge DC, SWW	
Medium high	Totnes	surface water	SHDC, SWW, EA	
Medium high	Bideford	surface water	Torrige DC, SWW, EA	
Medium high	Ilfracombe	surface water	North Devon Council, SWW, EA	Flood Risk Area
Medium high	Budleigh Salterton	surface water ordinary watercourse	EDDC, EA	
Medium high	Sidmouth	surface water	EDDC, SWW	
Medium	Crediton	surface water	MDDC, SWW	
Medium	Okehampton	surface water	West Devon Borough Council, SWW	

* This list is not exhaustive and only shows the prioritised communities with a medium to high level of risk within the LLFA's remit of flooding from groundwater, surface water and ordinary watercourse. Other sources of flooding will be managed and prioritised by the relevant authority, as detailed in [Table 3](#). Small scale works and flood schemes may also be taken forward in other communities, not listed above, if opportunities arise.

Economic analysis of Devon's priority communities

Following the review undertaken in our GIS flood risk analysis tool and the resulting priority communities currently identified in

Table 9, we will then undertake a high level economic analysis to identify the potential level of economic damages that would result from a flood event, as well as the potential level of central government funding that could be sought from Defra's Flood Defence Grant in Aid fund to help develop and deliver the works.

The outcomes of this will determine the level of investigation that can be justified as part of a potential scheme whilst considering cost benefit implications and management of expectations within the community at risk.

For example; if its determined that a specific location is unlikely to generate significant levels of central government funding, then we may decide to undertake a smaller desktop study with the potential of maximizing local funding opportunities to progress the scheme delivery in-house to ensure that costs are kept to an acceptable level as to not negatively impact the cost benefit of the potential works.

If it is decided through the initial economic analysis that significant external funding could be made available to support a larger scheme, then we will engage with specialist consultants to investigate and model the source of risk, as well as identify potential options to mitigate the risk, with the process being project managed by FRM staff.

Once a viable, cost effective and beneficial solution has been identified a business case is produced and submitted in line with Treasury and [Defra requirements for RMA business case templates](#). Success at this stage will result in the project being progressed to construction and delivery.

Measures for delivering local flood risk management

For our priority communities, a wide range of measures should be considered that best manage the risk in the short, medium and longer term. Collaborative working should be encouraged between Risk Management Authorities, aligning programmes to maximise funding opportunities.

Possible flood risk management measures will generally fall into one of the categories below in Table 10, where the general hierarchy listed shows how these measures should be approached. The hierarchy follows the principles of starting with increasing a community's preparedness for flooding and increasing resilience, through to implementing physical flood defence measures.

Resilience is fundamental for all communities, to manage local flood risk and be prepared for future climate change impacts. The physical measures should prioritise more sustainable natural processes in the first instance, either as sole measures or in combination with hard engineered solutions. Hard engineering measures should be considered when natural solutions alone will not adequately protect a community to the required level. All these measures combined will seek to enhance the natural environment and local economy and help build community resilience.

	Table 10. Flood risk management measures hierarchy
<p>Being prepared and increasing resilience</p> <p><i>For all Devon communities</i></p>	<p>Community resilience measures: Engaging with communities directly and through the Devon Community Resilience Forum to raise awareness of flood risk and encourage the setting up of local flood action groups and development of emergency plans to increase resilience. These measures should always be a part of any community at risk, even when other interventions are in place.</p> <p>Emergency planning measures: Flood warnings and flood action plans can be used to improve community preparedness and resilience to flooding. Support from the Devon Community Resilience Forum is available for communities.</p> <p>Riparian landowner maintenance: Members of the public who own land adjacent to watercourses have riparian responsibilities and therefore a duty to maintain their section of watercourse to ensure there is no impediment of flow. See DCC's guide 'Living with Water'</p> <p>Making Policy: Policies can be made to direct spatial planning or to set standards for development that will help reduce further flood risk.</p>
<p>Measures and actions</p> <p><i>In Devon's high risk communities</i></p>	<p>Natural Flood Management measures: Implementation of natural measures which help to alleviate the risk of flooding to property and significant infrastructure, either as sole measures or in combination with hard engineering solutions. Managing water in the upper catchments will help to reduce and slow the flows downstream minimising the risk to property and the level of any hard engineering defences that may be required.</p> <p>Retrofitting Sustainable Drainage Systems: Installation of sustainable drainage systems in urban areas to manage surface water and remove it from traditional piped drainage systems.</p> <p>Delivery of early intervention schemes: A solution that can be implemented relatively quickly by the Risk Management Authorities or Local Authority at relatively low cost.</p> <p>Community action: Some cases can be successful when community groups join forces and deliver and maintain their own local schemes. In some cases this may generate further contributions from local levy or the Lead Local Flood Authority.</p> <p>Further investigation/research: Further investigations such as catchment studies and hydrological/hydraulic assessments to understand the flow rates and directional paths and evaluate the extent of flooding. These would provide evidence for future capital investment.</p> <p>Development of future schemes: Where immediate action is not financially viable or a solution not readily available then a larger scale flood alleviation scheme may be required. In such cases national funding would need to be secured together with additional contributions from others, such as local levy, local authorities and other third parties. This is likely to require hard engineered improvements, however Natural Flood Management measures must also be considered and delivered where possible.</p> <p>Property Flood Resilience: Resilience measures at a property level such as flood doors, gates and air bricks can be installed to increase the resilience of individual homes and businesses. This option is often chosen as the last line of defence where any potential for a larger flood alleviation scheme will not be viable or delivered in the foreseeable future.</p>

Devon Case study: Modbury flood alleviation scheme
Following significant flooding of Modbury in 2012, DCC set out to investigate the sources of flooding and subsequently identifying solutions to reduce the flood risk. Working with our strategic partner South West Water, an hydraulic model was produced to investigate the risk of surface water, watercourse and sewer flooding.



Completed earth dam upstream of Modbury

Working within Defra's Flood Defence Grant in Aid funding formula, DCC developed a scheme that would benefit the community from all three sources of flood risk. The scheme consisted of three large earth dams, interception ditches and improvements to the highway drainage network.

The scheme constructed in 2018/19 is now fully operational and gives a standard of protection to 80 residential and commercial properties against the 1 in 100 year flood event.



July 2012 flooding in Modbury (Robin Chambers)



July 2012 flooding in Modbury (Robin Chambers)

Part 3: Annual action plan: What, when and where?

Once communities are prioritised and funding is either secured or being sourced, areas of investment, such as investigation, design or scheme delivery that are to be progressed will be recorded on Devon's Action Plan which accompanies this Strategy, thus providing a holistic view of the current and ongoing investment programme for Devon.

The strategy's annual Action Plan will be continually developed to highlight the improvement works currently being progressed by DCC. It will consider measures listed in Part 2, from catchment wide schemes and studies down to individual property flood resilience measures. All works will be carried out in accordance with the Principles and Objectives of this Local Strategy.

View Devon's Annual Action Plan [tables](#) and [map](#)

Part 4 –Supporting documents

In addition to this main strategy document, there are several supporting documents which provide more information, including Devon's priority communities and action plan for Part's 2 and 3, statutory assessments to go alongside this strategy and Devon County Council best practice guidance and policies for flood risk management activities.

[Action plan](#)

[Devon's priority communities](#) (interactive map)

[Strategic Environmental Assessment](#)

[Habitat Regulations Assessment HRA](#)

[Equality impact assessment- EIA](#)

[Natural flood management guidance](#)

[Land management guidance](#)

[Managing land to reduce flood risk – guidance leaflet](#)

[Sustainable Drainage Systems: Guidance for Devon](#)

[Devon County Council culvert policy](#)

Working on ordinary watercourses good practice guidance:

[Bank works guidance](#)

[Bridges on watercourses guidance](#)

[Culverts guidance](#)

[Surface water outfalls guidance](#)

Appendix B to PTE/21/6 – Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study (S), Design (D) or Works (W)	2021/22 DCC FRM Contribution £ Revenue	2015-21 FCRM Prog. DCC FPW £Capital	2021/22 DCC FPW Contribution £ Capital	Other Funding £	Details of Proposal
Devon							
Flood Risk Management Team	DCC	-	400,000				Resources required to deliver the Flood Risk Management functions as the Lead Local Flood Authority and Statutory Consultee for SuDS.
Local Flood Improvements and Contingency	DCC/Others	W	100,000				Delivery of local flood improvement works (subject to resources and in accordance with the DCC priority list and opportunities with other Risk Management Authorities/Local Communities) and an allocation for contingency/risk to support other improvement works.
Flood Investigations/Studies	DCC/Others	S	50,000				Delivery of investigations, surveys and studies, subject to resources and in accordance with the DCC priority list and opportunities with other Risk Management Authorities/Local Communities.

Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study (S), Design (D) or Works (W)	2021/22 DCC FRM Contribution £ Revenue	2015-21 FCRM Prog. DCC FPW £Capital	2021/22 DCC FPW Contribution £ Capital	Other Funding £	Details of Proposal
Property Flood Resilience	DCC/Others	W			50,000	70,000	Allocation of funds for flood resilience measures through the Property Level Resilience Grant Scheme. Supported with additional £50k Flood Defence Grant in Aid and £20k Local Levy, subject to approval.
Community Resilience and support	DCC	S/W	25,000				To support delivery and provision of grants through the Devon Community Resilience Forum and to provide assistance to communities for the delivery and provision of Flood Resilience Measures and Emergency Planning.
Natural Flood Management / Working with Natural Processes	DCC/Others	S/W	160,000				To develop best practice and progress opportunities for delivering natural flood risk management techniques in partnership with other RMAs and key stakeholders, including Northern Devon Nature Improvement Area (NIA), Culm Grassland Project and Blackdown Hills AONB Connecting the Culm Project.

Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study (S), Design (D) or Works (W)	2021/22 DCC FRM Contribution £ Revenue	2015-21 FCRM Prog. DCC FPW £Capital	2021/22 DCC FPW Contribution £ Capital	Other Funding £	Details of Proposal
Maintenance of Flood Improvements	DCC	W	20,000				Maintenance of installed flood improvements, monitoring and gauging equipment.
East Devon							
Sidmouth Town Centre Surface Water Improvements	DCC	W	50,000		150,000	550,000	Delivery of surface water drainage improvements in the town centre.
Colaton Raleigh	DCC	S	30,000		20,000	230,000	Catchment study, consideration of options and delivery of preferred option of upstream natural flood management and PFR measures.
Exeter							
Exeter Surface Water Improvements Ph.3	DCC	D	30,000				Carry out investigations for Phase 3 of the surface water management improvements.
North Devon							
Ilfracombe	DCC	S	20,000				Review of Surface Water Management Plan and potential options.

Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study (S), Design (D) or Works (W)	2021/22 DCC FRM Contribution £ Revenue	2015-21 FCRM Prog. DCC FPW £Capital	2021/22 DCC FPW Contribution £ Capital	Other Funding £	Details of Proposal
South Hams							
Ivybridge Flood Improvements	DCC	D/W		30,000			Upstream NFM and inlet works.
Beeson	DCC	D/W	25,000		100,000	75,000	Scheme to increase culvert capacity in the village and ensure risk is not passed on to others.
Chillington	DCC	W	20,000	45,000		65,000	Delivery of construction phase of flood improvements.
Kingsbridge Study	SWW	S	10,000				Contribution towards ongoing study and hydraulic modelling, in partnership with other RMAs.
Newton Ferrers	DCC	S/D/W	25,000		50,000	25,000	Investigate surface runoff issues and deliver NFM/PFR measure.
Frogmore	PC	W		10,000			Final contribution towards Parish Council led flood improvements.
Teignbridge							
Broadhempston	DCC	D/W	20,000		80,000	110,000	Detailed design and delivery of PFR focussed flood improvements.

Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study (S), Design (D) or Works (W)	2021/22 DCC FRM Contribution £ Revenue	2015-21 FCRM Prog. DCC FPW £Capital	2021/22 DCC FPW Contribution £ Capital	Other Funding £	Details of Proposal
Stokeinteignhead	DCC	D/W		50,000			Delivery of Property Flood Resilience measures and completion of drainage improvements.
Teignmouth	DCC	S	20,000				Review of Surface Water Management Plan and potential options.
Total Budget Allocation			1,005,000	135,000	450,000	1,125,000	
<p>The above budget allocations are estimates that are subject to change or maybe deferred as other priorities and opportunities arise. The total revenue expenditure currently shows a 22% over-budget spend to allow for delays, efficiencies, reprioritising and contingency. This will be monitored throughout the year to ensure the available budget is not exceeded and will defer projects as required.</p>							
Incoming Budgets							
PT&E Flood Revenue Budget			819,000				Budget allocation to fulfil requirements as the LLFA as defined under the Flood and Water Management Act.
Miscellaneous Income			1,500				Fees for consents and recharges etc.
Carry over from 2020/21 for committed works			TBC				

Devon County Council Action Plan for 2021/22 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study (S), Design (D) or Works (W)	2021/22 DCC FRM Contribution £ Revenue	2015-21 FCRM Prog. DCC FPW £Capital	2021/22 DCC FPW Contribution £ Capital	Other Funding £	Details of Proposal
PT&E Flood Capital Budget 2021/22					350,000		Capital funding for Flood Risk Management.
PT&E Flood Capital Budget pre 21/22				135,000			Previously allocated Capital funding for FRM works in progress.
PT&E Flood Capital Budget 2021/22					100,000		Flood Prevention Works budget holding code.
FDGiA / Local Levy						1,125,000	Defra Grant-in-Aid and Local Levy administered by the SWRFCC.
Total Budget			820,500	135,000	450,000	1,125,000	Total

Impact Assessment



Assessment of: Devon Local Flood Risk Management Strategy

Service: Planning, Transportation and Environment

Head of Service: Dave Black

Version / date of sign off by Head of Service: 18 January 2021

Assessment carried out by (job title): Jessica Bishop, Senior Flood and Coastal Erosion Risk Officer

1. Description of project / service / activity / policy under review

Devon County Council is the Lead Local Flood Authority (LLFA) for the Devon County area. Under flood risk management legislation, LLFAs have various responsibilities for local flood risk management, including maintaining a local flood risk management strategy. Initially produced in 2014, this local strategy is now up for review.

Devon's local flood risk management strategy outlines Devon County Council's roles and responsibilities as LLFA, as well as those of other Risk Management Authorities and how we should work together. In addition, the local strategy sets out priority communities and an annual investment plan for flood risk management measures.

The local strategy touches on all flood risk management authorities in Devon but concentrates on how Devon County Council will continue to

implement their responsibilities and duties.

2. Reason for change / review

Under the Flood and Water Management Act 2010, the local strategy requires reviewing every 6 years. The previous edition for 2014-2020 will be reviewed and updated in line with the [National Flood and Coastal Erosion Risk Management Strategy](#).

3. Aims / objectives, limitations and options going forwards (summary)

Aims and objectives

The high level vision of Devon's Local Flood Risk Management Strategy is '*To be a leading authority in the management and reduction of flood risk in the County of Devon*'. This will be achieved through the following 8 objectives:

1. We will reduce flood risk to properties and significant infrastructure, and enhance the local economy - Measured by the number of communities, properties and significant infrastructure with reduced flood risk as a result of intervention by Risk Management Authorities.
2. We will co-ordinate Risk Management Authorities and encourage collaborative working - By the successful delivery of Devon's Flood Risk Management Action Plan collaborated through the Devon Flood and Water Management Group
3. We will protect and enhance the natural environment, landscape and heritage assets, providing opportunities for carbon storage, energy generation and access and recreation where appropriate - By following DCC internal environmental review processes and measuring environmental net-gain and change in the condition of heritage assets as a result of intervention by Risk Management Authorities
4. We will prioritise high risk communities - Through our prioritisation criteria to identify at risk communities
5. We will influence the planning process through our role as statutory consultee - Measured by the volume of planning applications assessed
6. We will set out a clear strategy - Evidenced by the production of this document
7. We will ensure the latest climate change predictions are incorporated into flood schemes and development proposals - By following the latest UK Climate Projections
8. We will improve resilience through community engagement and education - Measured by the number of communities positively engaged and with emergency plans

Limitations of the local strategy

How Devon County Council fulfils its duties as LLFA can have a significant impact on people at risk of flooding. The devastating impacts of flooding or the worry of being at risk can have huge impact on people's lives and wellbeing. Unfortunately, we cannot help everybody at once or always find a quick solution, therefore risk across the County must be assessed and communities prioritised.

The rural nature of Devon means that the usual risk based approach, focusing on larger and more populated areas for investment in flood risk management is not always appropriate as this can lead to prioritising densely urban areas where the count of properties flooded is high, rather than rural areas where a small number of properties may have been affected on several occasions. The large number of agricultural businesses in the area could also be potentially overlooked in favour of protected businesses in urban areas.

For Devon's local strategy, the threshold to identify a 'significant' flood in historic records was reduced from the nationally used figures to reflect the rural nature of Devon and the fact that in storm events, many smaller communities across the County are affected rather than one large urban location. This is consistent with other neighbouring LLFAs across the South West Region with similar urban/rural distributions of the population.

Socio-economic issues also play a part here, where urban areas could potentially be populated by deprived members of the population. Therefore, a balance needs to be met in how the flood risk in urban and rural areas is addressed.

Options going forward

Options going forward as a result of this Equality Impact Assessment are analysed in Section 8 (Equality Analysis) and various recommendations are made for changes or additions to existing measures in the local strategy. This is summarised in Section 4 (People affected and their diversity profile, measures to address in the local strategy).

These recommendations include raising awareness, in particular, targeting vulnerable groups at risk of flooding and using plain English. It is anticipated that the Devon Resilience Community Forum is the best platform for this. Vulnerability should also be assessed in high risk locations where flood investigations and schemes are being progressed.

Devon County Council's own Property Flood Resilience funding scheme is also highlighted as a useful tool to target vulnerable members of the community.

The local strategy document itself and associated documents and website should also be as widely accessible as possible, complying with legal accessibility requirements.

4. People affected and their diversity profile

People affected

People affected by this local strategy are those that are directly impacted by flood risk issues. Such as the general public at risk of flooding, those affected by land drainage issues, those with watercourses through their land and those affected by any development sites with surface water flooding implications. In addition to this people may also be affected by any physical works we do as part of a flood alleviation scheme. This can be positive, where their flood risk is reduced, or the physical impacts of engineered works could potentially be negative. Individual impact assessments and planning permissions as part of building a flood scheme should cover and address any negative impacts here.

We know where many of the high-risk areas are in Devon and so can make an assessment of risk across the county. However, the nature of flooding is that it is unpredictable (or has very short notice) when these possible incidents will occur. The Local Flood Risk Management Strategy outlines how we manage this risk for people across Devon, ensuring as much as we can that no group of people, particularly vulnerable people are impacted more negatively. This is through pro-active work to protect communities and increase awareness and resilience, and also through reactive work following flooding to a location.

Measures to address this in the local strategy

The local strategy and resulting principles and actions will directly affect residents of Devon and various vulnerable groups of people at risk of flooding. Measures are put in place as part of the strategy in the form of a series of principles and criteria of how and when we will prioritise and carry out flood risk management investigations and works. The following taken from the strategy document consider vulnerable members of the community or give an opportunity to be taken forward further in order to improve flood risk to vulnerable groups and reduce any potential negative impact:

1. *Principle 15: Raising Awareness and Improving Communication and Involvement. Through the collaboration with other Risk Management Authorities and the Devon Community Resilience Forum, all Partners will work together towards raising public awareness (including those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation) about flood risk and the roles of the Risk Management Authorities, providing clear and up to date information.*

Recommendation for this to be targeted at vulnerable groups to ensure they are aware of any risk and prepared, to maximise their resilience. When working with communities and developing emergency plans, it will be encouraged for specific reference to be made to identify vulnerable members of the community that will need assistance. This work will be done through work with Devon's Community Resilience Forum.

Recommendation for same approach as communicating the local strategy documents themselves, using plain English and very simplified explanations in communications and promotions. This will be done through working closely with Devon's Community Resilience Forum.

2. *Principle 16: Property Flood Resilience. When wider flood alleviation schemes for a community or individual property are not viable or unable to be delivered in the foreseeable future, Risk Management Authorities will remain committed to making properties more resilient to flooding through the installation of Property Flood Resilience measures where possible.*

Recommendation to take a proactive approach in community engagement to target the promotion property flood resilience with communities with known older populations or those with disabilities that are more vulnerable to the impacts of flooding.

Recommendation to ensure that any applicants where English is not their first language that if needed, they have access to a clear warning service that they understand or to install permanent measures which do not rely on the resident installing measures themselves at times of high flood risk.

3. Flood investigation threshold (See Appendix A). This includes a significance threshold to trigger an official flood investigation under Section 19 of the Flood and Water Management Act 2010. It requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. It also takes into account the rural nature of Devon and small communities that are affected by flooding.

As the investigation reports are very reactive and limited research can be done, it is unlikely that this vulnerable group of a community would be highlighted. Recommendation to continue with implementing this criteria and publishing the investigation reports in an accessible format.

4. Prioritisation criteria and analysis (see Appendix B). Already includes vulnerable people to be considered when prioritising communities and allocation of funding and resources. It also takes into account both urban and rural areas at risk of flooding.

However, some communities will find that they are the focus of flood risk management improvement measures over another. Tensions arising as a result of this should be addressed through good community engagement and raising awareness through this local strategy.

Figures on people with limited mobility/disabilities for each Devon parish could be added to our prioritisation model for prioritising flood risk communities. However, this is a lengthy and complex technical task and therefore currently not able to accompany this local strategy.

Recommended that a more accurate approach may be to assess community vulnerability once a particular location has been brought to our attention and make a more detailed assessment of disability in the area to include in the detailed investigation to determine impacts and calculate economic and social damages.

5. Priority communities. Part 2 of the local strategy outlines how we will prioritise communities at risk of flooding, followed by a list of priority communities for future investigation and investment in flood risk management measures over the next 6 years.
6. Action Plan. Part 3 of the local strategy is updated annually and shows the areas of investment in flood risk management measures across

Devon for the current financial year.

Recommended to carry out impact assessments for flood schemes to identify any necessary individual and appropriate measures that are to be put in place to ensure individuals fully understand any potential impacts on them, together with their rights and responsibilities.

Any major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.

The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore, the strategy document itself and supporting documents must be accessible to as wider audience as possible. The document has been assessed alongside its development to ensure content is accessible and making as much available as web pages where possible.

Page 46 Diversity profile

The characteristics most likely to be affected by flood risk are age and disability, as these two can make people more vulnerable to physical risks, as they may not be able to take action themselves or seek information to help. In Devon, the highest number of residents are aged between 55 and 74, making up 27.5% of the population ([Protected Characteristics – Facts and Figures](#))

Disability is also a significant characteristic if at risk of flooding. Devon's [long-term health problem or disability](#) figures show numbers of those with limited day to day activities as a result of long term illness or disability for Parishes across Devon. The break down of these figures for parish areas does still not indicate if those people are at risk of flooding. In addition, these figures aren't represented as a percentage of the population, so larger population areas will have larger figures. Naturally, the larger more urban areas will have higher figures. These are often the areas with higher risk of flooding to large numbers of properties.

Appendix C lists a few locations within each District area which showed relatively high numbers of those with limited day to day activities as a result of long-term illness or disability.

As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. Out of 98 applications (since April 2017 – April 2020), 45% of applicants considered themselves to be vulnerable. With any vulnerable applicants we will ensure that the measures installed are passive and require no intervention or that they have access to help with any requirements of the installations.

When determining if a high number of disabled people are at risk of flooding in an area, a detailed assessment of individual communities would be required to understand where the vulnerable are located and if they are at risk of flooding. These figures are not proportional or detailed enough location wise.

Our assessment of communities at risk is done on the Parish scale and these figures could be added to the model which would highlight areas with high flood risk and high levels of disability. As recommended above, a more accurate approach may be to assess this once a particular location has been brought to our attention. We could then make a more detailed assessment of disability in the area and include this in the detailed investigation to determine potential impacts and then calculate economic and social damages.

The elderly may find barriers with using internet and emails due to unawareness and inexperience. However, there is a fairly high amount of elderly customers in touch with our team and they often come through this route. There may not be a high level of awareness of what our team does and how we can help, but through working with our partners such as District Councils and EA, they will refer people to us when relevant and we can help. The older generation still send in letters, which always reach the team and relevant officers.

It is a possibility that more elderly people live in rural locations, which are often near watercourses or in steep valleys prone to flooding. However, there is no data available on this.

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It is not clear if any particular vulnerable group has a greater dependence on our service. However, it is certain that the impacts of flooding on vulnerable groups will be greater than on non-vulnerable groups.

14. Stakeholders, their interest and potential impacts

Flood risk management stakeholders, such as staff from the Environment Agency, District Councils and South West Water, in addition to developers.

6. Research used to inform this assessment

To inform this assessment, facts and figures from Devon County Council Equality and Diversity web pages have been used, such as [Protected Characteristics – Facts and Figures](#) and [long-term health problem or disability](#). All other information is from the local strategy consultation document itself.

In order to fairly prioritise our flood risk management work (parts 2 and 3 of local strategy document) data analysis has been carried out taking into account local flood risk data, critical/vulnerable infrastructure information such as locations of schools, care homes, hospitals etc. and an assessment of how resilient or vulnerable a community/parish is to flood risk.

7. Description of consultation process and outcomes

[If this assessment is currently draft, describe how you are going to consult (if relevant and necessary) and update the results here for your final version. Delete this note and insert text here...]

The draft local strategy and supporting documents have been subject to public consultation. The consultation period ran from 21st August – 15th October 2020, a period of 8 weeks.

The consultation documents included the main strategy document, which included links to our online annual action plan and Strategic Environmental Assessment documents. The annual action plan and list of priority communities for the next 6 years were also available to view on our online mapping service.

The public and professional partners were invited to make comments and provide valuable feedback on the strategy documents via the online form or by emailing the Flood and Coastal Risk Management Team direct.

Partner authorities were made aware of the consultation by email to direct contacts and to Chief Executive officers too. Parish and Town Councils were also contacted and a press release was made available.

Consultees:

District Councils/Planning Authorities

Environment Agency

South West Water

Internal Drainage Boards

Highway Authorities

Network Rail

DCC Emergency Planning

DCC Planning

DCC Transport Planning

Natural England

English Heritage

All Parish and Town Councils

Following the conclusion of the public consultation, responses were collated in a formal log, indicating the LLFA view on the points raised and a recommendation on any proposed amendment to the draft local strategy.

Based on this overall log, a short summary of the responses was compiled highlighting the general range of issues addressed and picking-up on any particularly significant or controversial issues, whilst also showing how these will be addressed through the final Strategy.

A summary overview of the consultation response was submitted to Devon County Council Scrutiny Committee Members.

Changes and amendments to the strategy were agreed with the Local Flood Risk Management Project Board and approved by DCC Cabinet in February 2020.

8. Equality analysis

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Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

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

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').

- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)
 - Fair
 - Necessary
 - Reasonable, and
 - Those affected have been adequately consulted.

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
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<p>All residents (include generic equality provisions)</p>	<p>Some residents will benefit from community engagement, flood alleviation measures or assistance with resolving a land drainage issue in priority over others.</p>	<p>Devon's local strategy includes several measures to ensure that flood risk management is fairly delivered to those in need. The following measures highlighted in Section 4 help address this:</p> <ul style="list-style-type: none"> • Principle 15: Raising awareness and improving communication and involvement. This is intended to reach as many residents as possible that are at risk of flooding. • Principle 16: Property Flood Resilience. Devon's Property Flood Resilience funding scheme is available for all members of the public to apply for. Property Flood Resilience is also a measure which can be implemented on larger scales across a community if a large flood scheme is not viable. This means that those communities can still be offered some form of flood protections and resilience. • Flood investigation threshold. If the threshold in Appendix A is reached, any location in Devon that has suffered from flooding can be subject to an investigation report and resulting recommended actions for Risk Management Authorities to take forward. It takes into account the rural nature of Devon and small communities that are affected by flooding, so should fairly take into account the nature of flooding and affected communities in Devon. • Prioritisation criteria and analysis outlined in Appendix B takes into account both urban and rural areas at risk of flooding to reach as many at risk communities as possible. However, some communities will find that they are the focus of flood risk management improvement measures over another. Tensions arising as a result of this should be addressed through good community engagement and raising awareness through this strategy. • Part 2 of the strategy outlines how we will prioritise communities at risk of flooding, followed by a list of priority communities for future investigation and investment in flood risk management measures over the next 6 years. Again, some communities will find that they are the focus of flood risk
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Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>management improvement measures over another. Tensions arising as a result of this should be addressed through good community engagement and raising awareness through this strategy.</p> <ul style="list-style-type: none"> The Action Plan is updated annually and shows the areas of investment in flood risk management measures across Devon for the current financial year. Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.

<p>Age</p>	<p>Communication issues:</p> <p>Elderly members of communities may have difficulty in accessing material and reading advice about flood risk, due to poor eyesight, no internet access or being unable to get out to local community events and meetings.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates.</p> <p>The Summary of the local strategy will be a very simplified explanation of the main and supporting documents aimed at the public, using plain English.</p> <p>Mobility issues:</p> <p>Elderly members of communities may have difficulty moving around inside and outside of their home and be less able to help themselves, which could put them in danger in the event of a flood.</p> <p>The prioritisation criteria for identifying areas for investment in</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where age is causing vulnerability or is being negatively impacted by the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising Awareness and Improving Communication and Involvement. It is highlighted that this is particularly important for those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation <i>Recommendation for this to be targeted at vulnerable groups to ensure they are aware of any risk and prepared, to maximise their resilience. When working with communities and developing emergency plans, it will be encouraged for specific reference to be made to identify vulnerable members of the community that will need assistance. This work will be done through work with Devon's Community Resilience Forum.</i> • Principle 16: Property Flood Resilience. As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. With any vulnerable applicants we will ensure that they have access to help with any requirements of the measure to be installed. <i>Recommendation to take a proactive approach in community engagement to target the promotion property flood resilience with communities with known older populations that are more vulnerable to the impacts of flooding.</i> • Flood investigation threshold (See Appendix A). This requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. It also takes into account the rural nature of Devon and small communities that are affected by flooding. • Prioritisation criteria and analysis (see Appendix B) already includes vulnerable people to be considered when prioritising communities and
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Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>flood risk management will need to identify areas with vulnerable community members, such as the old or those living with a disability. Planned works, schemes and community action plans in these locations will reduce the flood risk and reduce any danger to the vulnerable population. Emergency plans will make specific reference to identifying vulnerable members of the community that will need assistance.</p>	<p>allocation of funding and resources.</p> <p><i>Figures on people with limited mobility/disabilities for each Devon parish could be added to our prioritisation model for prioritising flood risk communities. However, this is a lengthy and complex technical task and may not be able to accompany this local strategy. Individual locations should be assessed once flood investigations and schemes are being progressed.</i></p> <p>Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.</p> <p>The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore the strategy document itself and supporting documents must be accessible to as wider audience as possible.</p> <p>The document has been assessed as developed to ensure content is accessible</p>

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		and making as much available as web pages where possible.

<p>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>Communication issues:</p> <p>Those living with a disability such as a mental health condition, learning difficulties or other brain/cognitive condition may have difficulty with understanding or communication.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates.</p> <p>The Summary of the local strategy will be a very simplified explanation of the main and supporting documents aimed at the public, using plain English.</p> <p>In addition to this, documents with larger print for example could be arranged on request for those with visual impairments.</p> <p>Accessibility checks will be carried out on the finished document and all key information will be available online.</p> <p>Mobility issues:</p> <p>Those living with a physical disability</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where a disability is causing vulnerability or is being negatively impacted by the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising Awareness and Improving Communication and Involvement. It is highlighted that this is particularly important for those that are most vulnerable such as the elderly, young children, those living with a disability or living in areas of deprivation <i>Recommendation for this to be targeted at vulnerable groups to ensure they are aware of any risk and prepared, to maximise their resilience. When working with communities and developing emergency plans, it will be encouraged for specific reference to be made to identify vulnerable members of the community that will need assistance. This work will be done through work with Devon's Community Resilience Forum.</i> • Principle 16: Property Flood Resilience. As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. With any vulnerable applicants we will ensure that they have access to help with any requirements of the measure to be installed. <i>Recommendation to take a proactive approach in community engagement to target the promotion property flood resilience with known communities containing those with disabilities that are more vulnerable to the impacts of flooding.</i> • Flood investigation threshold (See Appendix A). This requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. It also takes into account the rural nature of Devon and small communities that are affected by flooding. • Prioritisation criteria and analysis (see Appendix B) already includes vulnerable people to be considered when prioritising communities and
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Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
	<p>may have difficulty moving around inside and outside of their home and be less able to help themselves, which could put them in danger in the event of a flood.</p> <p>The prioritisation criteria for identifying areas for investment in flood risk management will need to identify areas with vulnerable community members, such as the old or those living with a disability. Planned works, schemes and community action plans in these locations will reduce the flood risk and reduce any danger to the vulnerable population.</p>	<p>allocation of funding and resources.</p> <p><i>Figures on people with limited mobility/disabilities for each Devon parish could be added to our prioritisation model for prioritising flood risk communities. However, this is a lengthy and complex technical task and may not be able to accompany this local strategy. Individual locations should be assessed once flood investigations and schemes are being progressed.</i></p> <p>Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.</p> <p>The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore the strategy document itself and supporting documents must be accessible to as wider audience as possible.</p> <p>The document has been assessed as developed to ensure content is</p>

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>accessible and making as much available as web pages where possible.</p>

<p>Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief</p>	<p>Communication issues:</p> <p>English may not be the first language of some members of the community and therefore may be a barrier to clearly communicating flood risk and raising awareness.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates.</p> <p>The Summary of the Local Strategy will be a very simplified explanation of the main and supporting documents aimed at the public, using plain English.</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where their culture and ethnicity is causing vulnerability or is being negatively impacted by the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising Awareness and Improving Communication and Involvement. This does not directly address those where English may not be the first language of members of a community. <i>Recommendation for same approach as communicating the local strategy documents themselves, using plain English and very simplified explanations in communications and promotions. This will be done through working closely with Devon's Community Resilience Forum.</i> • Principle 16: Property Flood Resilience. Information not available in other languages. However clear contact details are available on the flood risk management website for contact to be made if further help or guidance is needed. As part of Devon's Property Flood Resilience funding scheme application process, we ask if the applicant considers themselves to be vulnerable. Those who are not confident with the English language and flood warnings etc. may consider themselves more vulnerable. <i>Recommendation to ensure that any applicants where English is not their first language that if needed, they have access to a clear warning service that they understand or to install permanent measures which do not rely on the resident installing measures themselves at times of high flood risk.</i> • Flood investigation threshold (See Appendix A). This requires vulnerable people to be considered when determining if a flood investigation report with recommendations is required. This does not directly address those where English may not be the first language of members of a community. <i>As the investigation reports are very reactive and limited research can be done, it is unlikely that this vulnerable group of a community would be</i>
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Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p><i>highlighted. Recommendation to continue with implementing this criteria and publishing the investigation reports in an accessible format.</i></p> <ul style="list-style-type: none"> Prioritisation criteria and analysis (see Appendix B) already includes vulnerable people to be considered when prioritising communities and allocation of funding and resources. Action plan. Members of a community where English is not their first language could be affected by any outcomes of the local strategy or proposed works. <p><i>Recommended to carry out impact assessments for flood schemes which will result in any necessary individual and appropriate measures to be put in place to ensure that individuals fully understand any impacts on them and their rights and responsibilities.</i></p> <p>The local strategy document itself is a measure being used to carry out Devon County Council's role as LLFA. The communication of this strategy and supporting documents will assist in raising awareness in communities and evidencing how we will address flood risk management issues over the next investment period up to 2027. Therefore the strategy document itself and</p>

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>supporting documents must be accessible to as wider audience as possible.</p> <p>The document has been assessed as developed to ensure content is accessible and making as much available as web pages where possible.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	<p>Mobility issues:</p> <p>Pregnancy can cause mobility issues.</p> <p>Mobility issues could affect vulnerability during a flood.</p>	<p>Mobility issues caused by pregnancy will be very temporary and difficult to monitor across the population in line with flood events and planned flood schemes.</p> <p>Any resulting major flood schemes and projects will be subject to an Equality Impact Assessment if not covered by this assessment to ensure that no particular group of people (including those with mobility issues) are negatively affected and that any publications or methods of reporting are accessible to the whole community affected.</p> <p>In the promotion of the local strategy and raising flood awareness in Devon, a wide range of communication methods will be used, from local Town and Parish Councils to press releases and social media updates. Information will be accessible online.</p>
Sexual orientation and marriage/civil partnership	N/A	N/A

<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<p>Socio-economic issues:</p> <p>Those living in deprived areas may be more likely to receive investment for flood risk management, due to methods of prioritising communities and towns by assessing the number of properties at risk.</p> <p>The prioritisation criteria for prioritising communities at risk of flooding and the methods used for assessing if an official flood investigation both include considerations to be taken into account that particularly affect or endanger the vulnerable, including those living in deprived areas. This will cover both urban and rural locations.</p> <p>Small rural communities with very few properties affected could be missed when prioritising flood risk management works due to the low number of properties affected.</p>	<p>The following measures highlighted in Section 4 can help address any potential issues for those where socio-economic issues are causing a negative impact on a particular group of people as result of the local flood risk management strategy.</p> <ul style="list-style-type: none"> • Principle 15: Raising awareness and improving communication and involvement. This is intended to reach as many residents as possible that are at risk of flooding. In deprived areas, this engagement may be more challenging and may need to consider different approaches. This can be done through the Devon Community Resilience Forum. • Prioritisation criteria and analysis outlined in Appendix B takes into account both urban and rural areas at risk of flooding. As part of the development of any flood scheme. Deprivation is taken into account when considering the economic benefits the scheme can offer through reduction in flood risk. • Part 2 of the local strategy outlines how we will prioritise communities at risk of flooding, followed by a list of priority communities for future investigation and investment in flood risk management measures over the next 6 years. Rural areas with high frequency flooding will be identified as such on the priority list and will be considered as fairly as possible alongside larger more densely populated urban areas. • Principle 16: Property Flood Resilience. It is recognised that offering support to small communities and groups with individual property protection may be more appropriate than investing in a flood defence scheme, which could be costly, with little economic benefit.
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9. Human rights considerations:

As part of this assessment, it has been considered how people will be affected by Devon's Local Flood Risk Management Strategy. Protected characteristics have been specifically taken into account in Section 8.

As part of the development of the local strategy, an 8 week public consultation has been completed. This has given the residents of Devon the opportunity to be made aware of our role and what help is available to them and also to feedback into the process to ensure that the strategy is fit for purpose.

All objectives, principles and criteria in the strategy aim to reach all members of society and for us to carry out our flood risk management role as fairly as possible.

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

Through raising awareness of flood risk, encouraging individuals to join up to the Devon Community Resilience Forum. This is a platform for developing local emergency plans, learning of other community projects and local solutions to flood risk problems. Access to funding opportunities is also promoted and facilitated through the Forum.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

By delivering flood improvements in line with our current (and updated) local strategy, prioritising communities at risk, whilst taking in to account vulnerable members of the community.

In what way can you help people to be connected, and involved in community activities?

Again, through the Devon Community Resilience Forum which we promote in our local strategy, website and regular newsletters distributed to Parish and Town Councils.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to section 12, otherwise complete the environmental analysis table):

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

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:		All flood improvement schemes will look to reuse material wherever possible, reducing costs, transportation and carbon emissions.
Conserve and enhance wildlife:		All flood improvements will look to enhance the natural environment and improve biodiversity.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:		The distinctive characteristics, features and special qualities of Devon's landscape will be protected or enhanced during any flood improvement works. Any significant affects will be mitigated.
Conserve and enhance Devon's cultural and historic heritage:		Due consideration will be given to ensure Devon's historic assets are protected and enhanced wherever possible.
Minimise greenhouse gas emissions:		Careful design and use of materials will aim to reduce the transportation and machinery usage to minimise greenhouse gases and help towards a zero net carbon.
Minimise pollution (including air, land, water, light and noise):		Careful design and use of materials will aim to reduce the transportation and machinery usage to minimise pollution.
Contribute to reducing water consumption:		Design considerations will make space for water.

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		All flood improvement studies, works and advice given will have due regard to the effects of climate change and the current future predictions will be taken into account to ensure the standard of protection is maintained.
Other (please state below):		

12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:		Community engagement and promotion of this local strategy and supporting documents should improve knowledge about flood risk and how to find out relevant information.
Impact on employment levels:	N/A	N/A
Impact on local business:		One of the main impacts of implementing the Local Flood Risk Management Strategy will be the improved protection of homes and businesses from flooding, resulting in more resilient communities and economy.

13. Linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

Locations with high numbers of properties at risk of flooding tend to be urban areas. Densely populated urban areas are more likely to contain social housing or low income households, some considered as deprived areas and more vulnerable to the impacts of flooding. The prioritisation criteria (Appendix B) in the Local Flood Risk Management Strategy considers with high weighting, the number of properties at risk in an area when allocating funding and prioritising flood investigations and schemes. The threshold for investigating flood events is also linked the number of properties flooded.

However, there are many rural locations with small communities and individuals at risk of flooding. These locations may also contain vulnerable people and therefore a balance is needed in the investigations and prioritisation of funding and flood schemes to ensure that the process is fair to all residents of Devon, whilst considering the needs of those that are most vulnerable.

4. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

The local strategy aims to reduce flood risk and to protect communities, economy and natural environment. It even aims to enhance these. This will be achieved through our objectives highlighted in Section 3.

For all flood risk management activities, Devon County Council procurement rules are followed. We have a framework and term consultants already in place for delivering studies, works and flood schemes.

15. How will impacts and actions be monitored?

Impacts will be monitored through evidence of better protected communities during flood events and communities with raised awareness of flood risk.

Community engagement through the Devon Community Resilience Forum is a good platform for ensuring communities are aware of our role and an opportunity to feedback to the Flood Risk Management Team.

Appendix A: Flooding significance thresholds

Flooding significance thresholds

Investigation reports under Section 19 of the Flood and Water Management Act will be considered by DCC for events with a significance threshold level of:

- 5 or more residential properties internally flooded (in one area, e.g. one street)

- 2 or more commercial properties internally flooded.

- Critical infrastructure affected (e.g. roads or rail links closed).

- Critical services affected.

OR if the above criteria are not met:

- History of repeated flooding. The frequency of flooding greater than 3 occurrences of internal property flooding within 5 years or similar frequency felt to be significant.

- The incident is part of a widespread flood event.

- The vulnerable are particularly at risk, such as the elderly, young children, those living with a disability or living in areas of deprivation.

- Significant negative impact on the natural environment.

Appendix B: Prioritisation Criteria

Criteria used for GIS analysis to prioritise communities and Devon's Local Flood Risk Management Strategy Action Plan

- Number of properties affected or at high risk in any one community
- Frequency of flooding to that community
- Depth/Severity of flooding experienced or at high risk
- Risk to life (particularly the vulnerable such as the elderly, young children, those living with a disability or in areas of deprivation)
- Impact on, or high risk of disruption to critical infrastructure
- Impact on, or high risk of disruption to businesses and services, especially essential services such as health, education, emergency services
- Impact on, or high risk of impact on the Environment
- Sufficient Cost-Benefit ratio and robust business case.

The specific order of the criteria does not reflect the weighting attached to each. In particular, the risk to life is shown beneath three other criteria, as it is directly influenced by them.

Prioritisation is subject to change as a result of any new data on flooding events.

This is an ongoing assessment and will always consider the most up to date climate change allowances as part of supporting modelling information

Appendix C: Long-term health problem or disability figures for Devon

Below are a few locations within each District area which showed relatively high numbers of those with limited day to day activities as a result of long term illness or disability, from Devon's [long-term health problem or disability](#) figures:

East Devon:

Honiton, Exmouth, Sidmouth, Seaton

Exeter:

Alphington, Priory, Whipton Barton

Mid Devon:

Crediton, Cullompton, Tiverton

North Devon:

Barnstaple, Ilfracombe, Fremington, Braunton

South Hams:

Ivybridge, Kingsbridge, Totnes, Dartmouth

Teignbridge:

Bovey Tracey, Dawlish, Kingsteignton, Teignmouth, Newton Abbot

Torridge:

Bideford, Northam,

West Devon:

Okehampton, Tavistock

DEVON EDUCATION FORUM

20 January 2021

Present:-

Schools Members

Primary Headteachers

Mr A Dobson

Marwood Primary

Mr J Stone

Denbury Primary

Ms R Shaw

Exeter Learning Academy Trust (Academy)

Mr P Walker

First Federation Trust (Academy)

Primary Governors

Ms K Brimacombe

Whitchurch Primary

Mr M Dobbins

Exmouth Marpool Primary

Mr A Hines

Rydon Primary (Education SW Trust)(Academy)

Secondary Headteachers

Mrs S Crook

Federation of Tiverton Schools

Mr A Davis

Exmouth CC (Academy)

Ms M Marder

The Ted Wragg Multi Academy Trust (Academy)

Secondary Governors

Ms J Elson

Exmouth CC (Academy)

Mrs J Larcombe

Uffculme Academy Trust (Academy)

Mr A Walmsley

The Ted Wragg Multi Academy Trust (Academy)

Nursery School

Mrs S Baker

Westexe

Special Headteacher

Mrs J Warne

Learn to Live Federation

Special Governor

Mrs F Butler

Marland School **(Chair)**

Alternative Provision

Mr R Gasson

WAVE Multi Academy Trust

Non-Schools Members

Ms S Lockwood

Exeter Diocesan Board of Education

Mr B Blythe

PETROC

Observer

Councillor J McInnes

Cabinet Member – Children's Services and Skills

Apologies

Mr J Stokes

West Exmoor Federation (DAG)

Mr L Cottrell

Tavistock Primary (DAG)

Agenda Item 14a

DEVON EDUCATION FORUM
20/01/21

176 Minutes

DECISION:

That the minutes of the meeting held on 18 November 2020 be signed as a correct record.

177 Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet

DISCUSSION:

The Cabinet Member - Children, Schools & Skills reported that as Chair of the national fairer funding f40 group advised that he would arrange Forum members to receive a copy of correspondence being sent to MPs at the end of this week.

ACTION: County Solicitor (Fiona Rutley)

178 Membership

DISCUSSION:

The Chairman welcomed new members and the following membership changes were noted:-

Ms S Baretto – Diocesan Schools Commissioner, Plymouth (faith substitute member);

Ms K Brimacombe – Whitchurch Primary (maintained governor); and

Mr J Stokes – West Exmoor Federation (maintained governor).

Mrs A Blewett, maintained primary governor had now stood down following governor elections, after 10 years of service to the Forum. Mrs Blewett continued to support the Forum's governor elections.

DECISION:

That Mrs Blewett be formally thanked for her contribution and long service to the Forum.

ACTION: County Solicitor (Fiona Rutley)

179 Head of Education & Learning Update

DISCUSSION:

The Head of Education & Learning reported on SEND transformation project very recent meetings that had taken place last week and this week (SEND 100 Project Options also considered at minute 183 below).

The aim was to improve the lived experience of children and young people with an integrated service working together to provide children and young people the right support at right time. Phase 1 of the transformation programme completed last summer, was a consultation the needs of users.

SEND was a multi-agency approach, with local area responsibility not just with DCC, but also schools, health, social care and all partners. The project board was multi partnership and included parents and carers.

There were currently three task and finish workstreams:-

- vision and strategy - online consultation with schools and parent groups, which had been positively received. This was due to signed off and ratified in January and published in the first week of February 2021;

- consultation on the provision of more rapid and shorter SEND updates; and

- redesigning and bringing together community based services closer to parents and schools in a partnership approach, with a 4th design now much closer to children and family needs and with professionals linking closer to schools and parents.

Forum members advised it would be helpful to receive a regular written update either as a short summary or any appropriate minutes to be included as a standard item on the Forum's agenda.

DECISION:

That a written summary or minutes be included as appropriate as a standard DEF agenda item.

ACTION:

Head of Education & Learning (Dawn Stabb) and County Solicitor (Fiona Rutley)

180

Finance Update

DISCUSSION:

The Forum considered the joint report of the County Treasurer and acting Chief Officer for Children's Services (DEF/21/01).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 6 January 2021.

The report (DEF/21/01) covered budget monitoring, month 8 (2020/21) Dedicated Schools Grant (DSG) deficit and monitoring position:-

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-the month 8 outturn forecast saw a significant overspend of £30.4m, due to continued High Needs demand (and growing demand on SEN independent sector placements despite creating more places in Devon's special schools).

-the DSG deficit had increased by £2.6m since month 6 to £30.4m, with a cumulative deficit of £50.36m.

-this could have a considerable impact on the future DSG budget as well as impacting on the financial stability of Devon County Council. Urgent action was still required to reduce demands of EHCPs and independent placements.

-the Covid-19 pandemic impact on student mental health identified potential additional £297,000 costs in this financial year (not included in the forecast).

In response to Members' questions, including the achievability of the DSG deficit management plan, County Treasurer advised:-

-the draft DSG deficit management plan was due for completion by end January 2021 with proposed actions to address the significant deficit and achieve a balanced budget over a 5 year period. The plan would be brought to the next Forum meeting for consideration as a stakeholder;

-the government position and expectations of LAs nationally regarding HNB deficits was still uncertain post April 2023, with Devon holding ongoing discussions with other comparative LAs;

-the government SEND review was due in Spring 2021, any potential revised timeline was not yet known;

-the SEND 100 project to be considered further by the Forum would include best national practice to bring about transformation within an integrated service and address the demands on the HNB.

DECISION:

(a) that the DSG Deficit as at month 8 as set out in section 1 of the Report (DEF/21/01) be noted;

(b) that month 8 DSG monitoring position as set out in section 2 of the Report (DEF/21/01) be noted.

ACTION: -

181 Dedicated Schools Grant (DSG) 2021/2022 - Budget Planning

DISCUSSION:

The Forum considered the joint report of the County Treasurer and acting Chief Officer for Children's Services (DEF/21/01) including:-

-the DSG Deficit further increase of £27.9m due to continued demand for SEN placements, with concern at the ability to balance the budget over time and management action being taken;

-the total DSG settlement £582.155m (2021/22) compared to £533.938m (2020/21 adjusted baseline);

-the position on the various budget blocks.

Members' discussion included:-

-Whether within the 2021/22 budget management actions of £2.2m and the consideration of a further £5.96m were achievable? (see also minute 180 relating to the DSG deficit management plan); and

-clarification requested regarding the removal of ten Alternative Provision medical places (paragraph 6.5 of Report (DEF/21/01))

DECISION:

(a) that the Dedicated Schools Grant (DSG) Deficit as set out in section 1 of Report (DEF/21/01) be noted;

(b) that the DSG 2021/22 announcement on 17 December 2020 as set out in section 2 of Report (DEF/21/01) be noted;

(c) that the Schools Block, Central School Services Block, High Needs Block and Early Years Block as set out in section 3 to 9 of Report (DEF/21/01) be noted; and

(d) that clarification regarding the removal of ten Alternative Provision medical places (paragraph 6.5 of Report (DEF/21/01)) be provided to the Alternative Provision representative.

ACTION: (d) Head of Education & Learning (Simon Niles)

182 Maintained Nursery Schools - De-delegation (DEF minute 157, 17 June 2020)

(Maintained Nursery School representative, Mrs Baker declared an interest in this matter).

DISCUSSION:

The Forum considered the joint report of the County Treasurer and acting Chief Officer for Children's Services (DEF/21/03), following the Forum's decision on 17 June 2020 (minute 157) i.e.:-

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“that Maintained Nursery Schools be permitted to buy into de-delegated services as set out by the DfE for 2020/21, but that the Schools Finance Group review a longer term solution within the next 12 months.”

Ethnic Minority Achievement was not included in this arrangement as these services were not provided at early years age, with funding rates reduced accordingly.

DECISION:

That for 2021/22 Maintained Nursery Schools continue to buy into de-delegation services at the Primary School rates (i.e. contingency, trade unions, maternity and copyrights services only).

(Vote: Maintained primary representatives)

(Vote: Maintained secondary representatives)

ACTION:

County Treasurer (Adrian Fox).

183 SEND 100 Project (DEF minute 170, 18 November 2020)

(Special School Heateacher representative, Mrs Warne declared an interest in this matter as the Head of SW Specialist Schools Teaching Alliance (SW SSTA)).

DISCUSSION:

The Forum considered the report of the Schools Finance Group (DEF/21/04) following the Forum's request at the last meeting for further costings and potential savings analysis on various model options for future SEN provision, with all stakeholders working together to achieve the savings to bring a balanced DSG budget in coming years.

Members comments included:-

-SFG had requested further detail on monitoring the project, as well as costings for years 2 and 3;

-Members viewed this as a 2-3 year project to implement any recommended cultural and institutional change across Devon settings and that the remaining £60-70k within the initial allocation of funds could also be used to help fund this past the first year;

-that this project could be led by a designated project manager, calling in the expertise of a small multi- agency team to oversee all aspects including commissioning, monitoring effectiveness of options, invest to save evidence to support the ongoing project and reporting to SFG (and this Forum). A designated lead responsible for moving this forward could make quicker

progress than adding on the work to any existing role or only sitting within the Forum and;

-the Alternative Provision representative advised that he had had experience of various alternatives and best practice in other local authority areas and offered his support in developing the project in Devon. He considered a small multi-agency group rather than one individual was likely to be more effective, together with AP representation on SFG;

-in response Forum members generally supported in principle, a designated person to lead the project with multi agency, integrated working to bring about transformation. AP representation at a senior level should be included on SFG on a permanent basis due to this project and other significant ongoing HNB and SEN issues.

DECISION:

(a) that the initial year of the projects and multiples thereof from the underspend from the Growth Fund at the end of 2020/21 be approved; and

(b) that all stakeholders work with LA colleagues to enable continued progress in future years, where the projects have been successful;

(c) that in principle, a designated person to lead the project with multi-agency integrated working, be supported; and

(d) that 1 Alternative Provision seat be included on the Schools Finance Group.

(Vote: Schools, Academies and PVI representatives (excepting (d))).

ACTION:

Head of Education & Learning (Dawn Stabb; and Heidi Watson-Jones (for SFG representation))

184 Standing (and other) Groups

The Forum received the following minutes of its standing groups:-

(a) Schools' Finance Group (SFG)

Minutes of the meeting held on 6 January 2021 (considered under Finance Update minute 180 above)

(b) School Organisation, Capital and Admissions (SOCA)

Minutes of the meeting held on 1 December 2020.

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185 **Dates of Future Meetings**

Meetings usually held at County Hall, Exeter, at 10am (unless otherwise specified). However please check venue during the current situation:-

Wednesday 17 March 2021 (virtual meeting)

Wednesday 16 June 2021

Wednesday 17 November 2021

Wednesday 19 January 2022

Wednesday 16 March 2022.

<https://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

186 **Exclusion of the Press and Public**

DECISION: that the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information namely, information relating to the financial or business affairs of a third party and of the County Council (as the authority holding that information) and by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

187 **Education & Inclusion Contract Update**

(An item taken in the absence of the press and public – see minute 186 above)

DISCUSSION:

The Head of Education & Learning updated the Forum on the position with the Learner Services to Schools re-commissioning.

The Meeting started at 10.00 am and finished at 12.10 pm

The Schools Forum web is

<https://www.devon.gov.uk/educationandfamilies/school-information/devon-education-forum>

DEVON COUNTY COUNCIL

COUNCIL/CABINET FORWARD PLAN

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

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

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

Click to see an [up to date version of the Forward Plan](#) on the Council's web site at any time.

Also see the website for [Copies of Agenda and Reports of the Cabinet or other Committees of the County Council](#) referred to in this Plan

FORWARD PLAN

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

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

PART A - KEY DECISIONS

(To Be made by the Cabinet)

Date of Decision	Matter for Decision	Consultees	Means of Consultation*	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter
	<i>Regular / Annual Matters for Consideration</i>				
12 February 2021	Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year	TBC	TBC	Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

14 April 2021	County Road Highway Maintenance Capital Budget	N/A		Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
14 April 2021	County Road Highway Maintenance Revenue Budget and On Street Parking Account	N/A	N/A	Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
18 May 2021	Revenue and Capital Budget Outturn for 20/21			Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
8 September 2021	Market Position Statement (Adults) - Annual Update			Report of the Joint Associate Director of Commissioning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
8 December 2021	Target Budget and Service Targets for 2022/2023			Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

9 March 2022	Flood Risk Management Action Plan 2022/2023 Update on the current year's programme and approval of schemes and proposed investment in 2022/2023	Liaison through Devon Operation Drainage Group	All other Risk Management Authorities	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
<i>Specific Matters for Consideration</i>					
12 February 2021	Local Flood Risk Management Strategy for Devon and Action Plan. a) Approval and adoption of updated strategy and supporting documents b) Approval of DCC schemes and proposed investment in 2021/22	a) Other Risk Management Authorities, Key Stakeholders and the general public b) Other Risk Management Authorities	(a) Public consultation (b) Liaison with relevant bodies	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

12 February 2021	DCC Response to the Consultation on the Devon Carbon Plan	The overall consultation process covers all relevant strategic, stakeholder and community interests across Devon (including Torbay and Plymouth), including the general public. However, this report is specifically addressing the input from officers and Members within this Authority to inform the DCC response to the Devon Climate Emergency Response Group.	Web-based consultation supported by widespread promotion and staging of a series targeted webinars / workshop events	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
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12 February 2021	Lee Mill Eastbound Slip Road Scheme: Approval to progress the design and proceed to planning	Local residents, local businesses, Sustrans, public transport operators, Highways England	Public consultation held in November / December 2020	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Bickleigh & Wembury; South Brent & Yealmpton
10 March 2021	Budget Monitoring - Month 10			Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
10 March 2021	Education and Inclusion Services Commissioning <i>This matter will be considered in both Part 1 and Part 2, on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of a third party and of the County Council.</i>			Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

10 March 2021	Domestic Abuse Bill – new statutory duties To agree arrangements for the Council to discharge new statutory duties included in the Domestic Abuse Bill 2021.		tier 2 local authorities in Devon (duty to collaborate)	Report of the Director of Public Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
28 May 2021	Government Housing Infrastructure Schemes at Dawlish and Cullompton: Approval of legal agreements with District Councils, and authority to progress to construction	Statutory and Public	Undertaken as part of Local Plan and Planning Application.	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Dawlish; Cullompton & Bradninch
June 2021	A3121 Safer Roads Fund – Kitterford Cross Roundabout Improvement - Scheme for Approval	Public, landowners, stakeholders	Online and correspondence	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	South Brent & Yealmpton
8 September 2021	Proposal of a New Integrated Joint Venture from Norse SW' (for Property Consultancy & Facilities Management)	Corporate Infrastructure and Regulatory Services Scrutiny	TBC	Report of the Head of Digital Transformation and Business Support outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

10 November 2021	Childcare Sufficiency Assessment - Annual Return To consider the annual childcare sufficiency assessment			Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
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PART B -FRAMEWORK DECISIONS

(Requiring approval of the County Council)

Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter
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10 January 2021 18 February 2021	Pay Policy Statement 2021/2022 To approve the Councils Pay Policy Statement			Report of the County Solicitor outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
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PART C - OTHER MATTERS

(i.e. Neither Key Nor Framework Decisions)

Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter
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12 February 2021	Revenue Budget, Medium Term Financial Strategy 2021/2022 - 2024/2025 and the Capital Programme for 2021/2022 - 2025/2026			Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
18 February 2021					
	<i>Regular / Annual Matters for Consideration</i>				
Between 12 February 2021 and 16 May 2021	Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)	As necessary		Report of the TBC outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
Between 12 February 2021 and 1 May 2021	Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions) <i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i>	To be considered at the Farms Estates Committee, including any advice of the Council's Agents NPS South West Ltd		Report of the Head of Digital Transformation and Business Support, County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
Between 12 February 2021 and 1 May 2021					

14 July 2021	Public Health Annual Report 2020/2021			Report of the Director of Public Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
14 July 2021	Treasury Management Stewardship Outturn Report	Corporate Infrastructure and Regulatory Services Scrutiny Committee	n/a	Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 October 2021	Devon Safeguarding Adults Annual Report			Report of the Chair of the Board outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
8 December 2021	Treasury Management Mid Year Report	Corporate Infrastructure and Regulatory Services Scrutiny Committee	Committee	Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
	<i>Specific Matters for Consideration</i>				