

CABINET

9 June 2021

Present:-

Councillors R Croad, A Davis, R Gilbert, J Hart (Chair), S Hughes, A Leadbetter, J McInnes (Vice-Chair), A Saywell and P Twiss

Members attending in accordance with Standing Orders 8 and 25

A Connett, A Dewhirst, R Hannaford and C Whitton

* 1 Minutes

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

RESOLVED that the minutes of the meeting held on 14 April 2021 be signed as a correct record.

* 2 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 3 Announcements

The Chair formally welcomed Councillor's Twiss and Saywell to their first Cabinet meeting.

* 4 Petitions

The Leader was presented, by Lynn Daniel, with a petition containing 1719 valid signatures in relation to verges and hedges under the responsibility of the Council, asking for a transition to longer verges with the aim of increasing natural habitat for native species especially bees and as carbon capture.

The Chair indicated that the relevant Cabinet Member for Climate Change, Environment and Transport or the Head of Planning, Transportation and Environment would be asked to respond direct to the petitioners on the issues raised, within 15 days.

[NB: The relevant Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days, in line with the [Council's Petition Scheme](#)).

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

In accordance with the Cabinet Procedure Rules, the relevant Cabinet Members responded to four questions from Members of the Council on

- domestic Abuse and Sexual Violence Member Champions;
- scam activity and resources to tackle the issue;
- delivery of the A382 improvements and anticipated dates for completion of stage 1 and start and completion dates for stages 2, 3 and 4; and
- date change for the meeting of the Teignbridge Highways and Traffic Orders Committee.

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

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

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

The Chair exercised his discretion and varied the order of business to consider questions from the public prior to the other business on the agenda.

In accordance with the Council's Public Participation Rules, the relevant Cabinet Member responded to four questions from Members of the public on the following;

- gas boilers in new homes, carbon reduction targets for 2030 and engagement with developers and government on green technology;
- climate emergency and progress on what practical measures had been taken to deal with the emergency or any that will be implemented in 2021;
- net zero targets and deadline dates; and
- Climate and Ecological Emergency Bill and content of representations to local MPs.

The Cabinet Member also responded orally to supplementary questions arising from the above.

(NB: A copy of the questions and answers are available on webpage for meeting and any supplementary questions and answers may be observed through [the webcast of this meeting](#) – see Notes below)

* 7

County Road Highway Maintenance - Capital Budget and Progress on 2020/21 Schemes and Proposals for the 2021/22 Programmes and the On-street Parking Account 2021/22

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

The Cabinet considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/28), on County Road Highway Maintenance including the Capital Budget and Progress on 2020/21 Schemes and Proposals for the 2021/22 Programmes and the On-street Parking Account 2021/22. The Report had been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This Report covered both capital funding and the On-street Parking Account (OSP) reviewing for the capital aspect what had been delivered in 2020/21 and then the proposed programmes for 2021/22.

Restoration or replacement of highway components which were dilapidated due to traffic loading, weather impacts or aging of assets was funded through capital investment. Sound capital investment in the highway network would ensure assets were kept structurally sound over their design life enabling officers to better plan future budget expenditure and mitigate the impact of unforeseen high cost revenue funded repairs. When investment was made at the right time, long term maintenance costs would be reduced.

The Report also presented information on the progress of highway capital maintenance programmes and schemes delivered in 2020/21; and Section 7 detailed the proposals for capital funding of highway maintenance schemes in 2021/22.

Part of the 2021/22 funding awarded to Devon County Council (DCC) from central Government included in the Report, was approved by Full Council in February 2021.

The Report sought approval from Cabinet to allocate the capital funding across the programmes and schemes proposed in 2021/22 as listed in appendices IV and V. The allocations included an anticipated brought forward of Local Transport Plan (LTP) monies from 2020/21 of £1,272,000, subject to approval of the revenue and capital outturn report.

The Report also sought approval for the programme of work identified in accordance with the provisions of Traffic Management Act 2004, to be funded from the On-street Parking Account as listed in appendix VI.

The Report provided additional detail on Learning including the Doing What Matters (DWM) work, financial considerations and sources of funding for 2021/22 for the capital programme, road condition and strategy which reported that the condition of Devon's road network had broadly remained stable, road statistics and analysis and the commitments to maintaining the various classifications of roads, key elements of the capital highways maintenance programme (principal roads, skid resistant treatment, non principal roads, footways, drainage, road restraint systems, road weather stations, lighting column upgrades and LED replacement, traffic signals, bridges and structures, storm damage and cycleway / public rights of way network).

The Report also highlighted the results of the 2020 National Highways and Transport (NHT) Public Satisfaction Survey and the Environmental Impact Considerations (Including Climate Change) and that an [impact assessment of the Council Budget 2021 to 2022](#) had been taken into account in preparing the Report.

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

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

RESOLVED

(a) that progress on 2020/21 capital funded highway maintenance schemes as detailed in Appendices II and III to the Report be noted;

(b) that the capital funded highway maintenance programmes for 2021/22 as set out in Appendices IV and V be approved;

(c) that the Highways, Infrastructure Development and Waste 2021/22 capital programme be enhanced by £11.691 million (as explained in section 3 of the Report) funded by external grants;

(d) that the detailed allocation of the available budget be determined by the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the Cabinet Member for Highway Management, on the basis of the Highways Infrastructure Asset Management Plan, and within the limits of the approved budget;

(e) that the programme funded from the On-street Parking Account for 2021/22 as set out in Appendix VI also be approved; and

(f) that, in relation to pavement parking, it be noted that the Council had submitted evidence to the Transport Select Committee and in view of the delays encountered, Cabinet write to the Chair of the Government's Transport Select Committee (Huw Merriman) to check on progress and ask what can be done to speed up the process for resolutions to issues previously presented as evidence.

* **8** **Bid into Government Levelling Up Fund**

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

(Councillor's Connett and Dewhirst declared personal interests in this matter by virtue of being Leader and Deputy Leader respectively of Teignbridge District Council).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/20) on the Government's Levelling Up Fund which had been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Department for Transport, the Ministry for Housing, Communities and Local Government and the Treasury were planning to invest £4.8 billion in high-value local infrastructure. It's intention was to support investment in places where it could make the biggest difference to everyday life. The Levelling Up Fund (LUF) was to be distributed as a capital grant, as part of the Government's broader offer to level up opportunity across the UK.

The Report highlighted that work had taken place with key stakeholders and a programme of schemes identified which covered a range of transport modes and spread the bids over a wide geography covering a number of key Market Towns.

The Report identified five projects including a rail station, a strategic multi-use trail and three highway schemes, with associated pedestrian/cycle improvements aimed at reducing the impact of traffic on sensitive residential areas and town centres.

Each scheme would demonstrate a net gain in biodiversity, a reduction in carbon and air quality improvements. The total cost of the programme was approximately £92m which included £74.3m in capital grant, £12m from other contributions and a contribution of £5.7m from the Council. Section 7 of the Report outlined the cost of each scheme and the proposed contributions of the Council, District Councils and monies required from the Levelling up Fund.

The proposals included a West Devon Transport Hub in Okehampton which would include a new rail station close to the emerging development and the junction off the A30 to the east of Okehampton and working with Mid Devon

District Council to submit a bid for Cullompton Town Centre Relief Road (CTCRR). The scheme had recently received planning permission.

The third scheme was in Exmouth to submit a package bid which included the Dinan Way extension and the Cabinet Member clarified this scheme would be a County Council bid, rather than a joint bid as initially referred to in the Report.

Also, a scheme of work with Teignbridge District Council to make a bid for the Teign Estuary Trail. Development work on the trail was progressing well with a massively positive response to the consultation.

The last scheme related to Lee Mill and the Council would submit a bid for a new Lee Mill eastbound slip road, a bus gate on the existing A38 slip road and improvements for cyclists/pedestrians.

Numerous discussions and consultations had taken place with District Councils and MP's in the development of the programme of works and some District Councils were also preparing other, non-transport bids. The proposed programme was ambitious but deemed deliverable.

Various consultations had taken place on every scheme at the appropriate level and all schemes had a high level of support.

The Report outlined that Impact Assessments had either previously been prepared or were in the process of being developed and would be reviewed as bids were advanced. Successful schemes would be subject to a further Cabinet Report and the inclusion of an Impact Assessment.

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

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

RESOLVED

(a) that approval be given for the Council to work with the District Councils (excepting iii) to submit bids to the Government's "Levelling Up Fund" (LUF) in June 2021, for the following schemes:

- i. Okehampton - new rail station & transport hub
- ii. Cullompton - Town Centre Relief Road
- iii. Exmouth - Completion of Dinan Way and Town Centre improvements (County bid)
- iv. Teign Estuary Trail and associated cycle links
- v. Lee Mill - Slip road and associated local improvements

(b) that the Levelling Up Fund bids be submitted with a total estimated cost of £92m incorporating a contribution of up to £5.7m from Devon County Council;

(c) that approval be granted to enter into any funding agreements required to secure the funding or any part of it, with authority being delegated to the Head of Head of Planning, Transportation and Environment, to negotiate and enter into those agreements;

(d) that delegated approval be given to the Head of Planning, Transportation and Environment, in consultation with the Local Member and Cabinet Member for Climate Change, Environment and Transport, to make minor amendments to the bid submissions.

9 **Notice of Motion**

(a) Saving Precious National Parks (Councillor Connett)

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

Our precious National Parks, including Dartmoor and Exmoor, are loved by millions and used by many thousands of people.

The LOCAL Park Authorities comprise LOCAL representatives who know and serve the community and keep LOCAL oversight of Dartmoor National Park and Exmoor National Park.

Government is understood to be considering setting up a National Landscape Service which would centralise services under one, nationally run, new organisation.

A National Landscapes Service that effectively replaces individual National Park Authorities would not be a positive reform:

- It is contrary to the Government's 'levelling-up' agenda which involves government decentralising power and working more directly with local partners and communities.*
- The 2019 Conservative Party Manifesto stated that "the days of Whitehall knows best are over" (p.26) and pledged to give communities of all sizes far more control. This Council questions how a centralist National Landscapes Service would achieve this.*
- The move is contrary to international good practice in the management of protected landscapes which emphasises the importance of management being undertaken with and through local people and mainly for and by them.*

- *Locally run and locally managed National Parks are able to respond in the most appropriate way to their own unique qualities and without the burden and red-tape of national management.*

Therefore, this Council urges Government not to proceed with a National Landscape Service or to take any step which will remove local engagement and involvement in our precious national parks and Council instructs the Chief Executive to write urgently to the Prime Minister and local Members of Parliament serving Devon and Somerset setting out our support for our local National Parks.

Members considered the Officer's factual briefing note on the matter (CSO/21/10) which referred to the media coverage and consideration of the possible role and structure of a new National Landscape Service. The establishment of this sort of service was one of the recommendations made through the Landscapes Review and the Council submitted evidence at the time of the Review. The issue had been raised through a meeting of the Team Devon (Leaders and Chief Executives) in late April which resulted in letters being sent to the Secretary of State for Environment and all Devon MPs outlining concern over the potential impact on the management of Devon's unique series of nationally protected landscapes and that localised management was critical to their success and any centralised merger of functions were strongly opposed.

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

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

RESOLVED that Council be asked to note that this Authority, on behalf of Team Devon (Leaders and Chief Executives), has already explicitly addressed the issue raised by this Notice of Motion, indicating to Government and local MPs that any merger of the functions of our National Parks and Areas of Outstanding Natural Beauty would be strongly opposed. However, there remains a case for a National Landscape service bringing together and strengthening existing national support and protection of our natural environment and providing a strong national voice for all protected landscapes.

* **10** **Delegated Action/Urgent Matters**

The [Registers of Decisions taken by Members under the urgency provisions or delegated powers](#) were available for inspection, in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. [Decisions taken by Officers](#) under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution.

* **11** **Forward Plan**

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

In accordance with the Council's Constitution, the Cabinet reviewed the [Forward Plan](#) and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

NOTES:

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

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

The Meeting started at 10.30 am and finished at 11.56 am