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To: The Chair and Members
of the Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

Date: 6 July 2021

Contact: Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk

CABINET

Wednesday, 14th July, 2021

A meeting of the Cabinet is to be held on the above date at 10.30 am at Council Chamber - County Hall to consider the following matters.

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 9 June 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

NIL

KEY DECISIONS

7 Revenue and Capital Budget Outturn for 20/21 (Pages 1 - 46)

Report of the County Treasurer (CT/20/48) containing the outturn position for 2020/2021, attached.

Electoral Divisions(s): All Divisions

8 A3121 Safer Roads Fund – Kitterford Cross Roundabout Improvement - Scheme for Approval (Pages 47 - 76)

Report of the Head of Planning, Transportation and Environment (PTE/21/22), seeking approval to construct a roundabout junction on the A3121 at Kitterford Cross, attached.

An Impact Assessment is also attached for the attention of Members at this meeting and can also be found on the website at -

https://devoncc.sharepoint.com/:b:/s/PublicDocs/Highways/EV1M_-ynZedHmoJaRsTXDuEBv-K2aZkreyyP-wyEWLiw

Electoral Divisions(s): South Brent & Yealmpton

9 Dawlish Link - Elm Grove Road to A379 Exeter Road (Pages 77 - 98)

Report of the Head of Planning, Transportation and Environment (PTE/21/23) seeking approval to progress a planning application for the provision of a new link road between Elm Grove Road and the A379 Exeter Road, attached.

An Impact Assessment is also attached for the attention of Members at this meeting, but also available on the website - [Dawlish DA2 Infrastructure Delivery - Impact Assessment \(devon.gov.uk\)](#).

Electoral Divisions(s): Dawlish

10 Community Renewal Fund - Taking Forward Delivery in Devon (Pages 99 - 110)

Report of the Head of Economy, Enterprise and Skills (EES/21/2), seeking approval to act as Lead Authority for any funding awarded through the scheme and to put in place relevant cash flow and staffing and capacity to deliver any successful award, attached.

Electoral Divisions(s): All Divisions

11 Education and Inclusion Direct Delivery Project: Future Arrangements for the Provision of Traded Services and Resourcing Budget Allocation (Pages 111 - 154)

Report of the Head of Education and Learning (CS/21/08) on proposed future arrangements for the provision of traded services and resourcing budget allocation, attached.

An Impact Assessment has also been prepared for the attention of Members at this meeting and it attached and available on the web at - <https://www.devon.gov.uk/impact/published/>

Electoral Divisions(s): All Divisions

MATTERS REFERRED

12 Notices of Motion (Pages 155 - 160)

The following Notices of Motion submitted to the County Council by Councillors Dewhirst and Aves have been referred to the Cabinet in accordance with Standing Order 8(2) for consideration, to refer it to another Committee or make a recommendation back to the Council:

- Speed Limits - Deaf Academy and Wider Devon (Councillor Dewhirst)
- Councils for Fair Tax Declaration: Standing up for Fair Tax Practices (Councillor Aves)

Electoral Divisions(s): All Divisions

13 Treasury Management Stewardship Outturn Report (Pages 161 - 166)

Report of the County Treasurer (CT/21/64) on the Treasury Management Stewardship Outturn, attached.

Members of the Corporate Infrastructure and Regulatory Services Scrutiny Committee received a detailed presentation on Treasury Management at their recent Scrutiny Masterclass and supported the prudent approach to borrowing undertaken by the County Council.

Electoral Divisions(s): All Divisions

OTHER MATTERS

14 **Public Health Annual Report 2020/2021** (Pages 167 - 170)

Covering Report of the Director of Public Health, attached.

The Annual Report has been circulated separately (sent to all Councillors) and can be found on the website at <https://www.devonhealthandwellbeing.org.uk/wp-content/uploads/DCC-Public-Health-Annual-Report-2021-Accessible-Version.pdf>

Electoral Divisions(s): All Divisions

STANDING ITEMS

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

16 **Minutes**

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

- a **Farms Estate Committee - 14 June 2021** (Pages 171 - 172)
- b **Devon Education Forum - 16 June 2021** (Pages 173 - 180)
- c **Devon Authorities Strategic Waste Committee - 16 June 2021** (Pages 181 -
- e **Standing Advisory Council on Religious Education - 1 July 2021**
The minutes will be published here as soon as possible -
<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=184&MId=43574>.

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:

17 **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](#).

18 Forward Plan (Pages 187 - 198)

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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It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

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Induction Loop available



Revenue and Capital Outturn 2020/21



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2020/21 REVENUE & CAPITAL OUTTURN

Report of the County Treasurer

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.

RECOMMENDATIONS:

It is recommended that:

- Page 3
- a) Members note that the draft outturn for 2020/21, after carry forwards and contributions to balances, reserves and provisions, shows an underspend of £35,000 against the approved revenue budget;
 - b) The 2020/21 revenue outturn be approved, including transactions on earmarked reserves and provisions, spending against budget, treatment of over and under spending and the implications for balances, as set out in the tables and the narrative of the report;
 - c) The 2020/21 capital outturn be approved including spending against budget and proposed carry forwards, in accordance with the tables;
 - d) The use of capital finance as set out in the Determination of Capital Finance section 11 of the report be approved;
 - e) A total of £14.257 millions is set aside from revenue resources as Minimum Revenue Provision (provision for credit liabilities to repay debt);
 - f) The Prudential Indicators as set out in section 10 of this report be noted; and
 - g) The total monies owing to the Council as at 31st March 2021 be noted.

1. Summary

- 1.1 Members have received regular budget monitoring reports throughout 2020/21 in which budget pressures and risks have been identified. The most significant of these have related to front line services ability to respond to demands they have faced during the Pandemic while maintaining business as usual services to the people of Devon.
- 1.2 As set out below the final outturn is better than anticipated and it has been possible to make an additional £4.8 millions contribution to the Budget Management Reserve, a £1 million contribution to the Bellwin Scheme Related Emergency Reserve, £1.5 million has been

transferred to the Climate Change Emergency Reserve as well as the usual contribution to the Business Rates Risk Reserve of the Business Rates Pooling gain of just over £2.3 millions.

- 1.3 When the Council approved the 2021/22 budget in February 2021, it agreed to use £5.3 millions (£3 millions in 2021/22 and a further £2.3 millions in 2022/23) from the Business Rates Risk Management Reserve for Economic Recovery. This is now shown in a new Regeneration and Recovery Reserve.
 - 1.4 The Dedicated Schools Grant Special Educational Needs and Disabilities (SEND) Service continues to be under significant pressure. As reported in year a Statutory Instrument has been issued that states all DSG deficits carried over from 2019/20 into 2020/21, and any subsequent deficit positions for the term of the override, are to be moved to an unusable reserve through a statutory accounting adjustment until April 2023.
 - 1.5 The SEND element of the Dedicated Schools Grant year-end position is a shortfall of £29.2 millions. When combined with £19.8 millions deficit brought forward from 2019/20 the cumulative deficit is just under £49 millions This is now being held on the Dedicated Schools Grant Adjustment Account. This is discussed in more detail in paragraph 5.2
 - 1.6 The financial year has now ended and the overall authority position, excluding the SEND deficit and after transfers to and from Reserves, is a small underspending of £35,000.
- Detailed explanations of the final financial position for each service area are given in section 2 of this report.

2. Spending

2.1 Adult Care and Health

The outturn for Adult Care and Health Services shows an overall net underspend of £602,000 after carry forward requests.

Adult Care Operations and Health is showing an underspend of approximately £1.2 millions. There have been pressures on Disability service budgets due to increased volumes and unit costs, but this has been offset by lower average volumes of Older People placements during the year and underspends on staffing budgets.

Adult Commissioning and Health is showing an overspend of £556,000 due to an overspend on Mental Health placements, which is partially offset by underspends on staffing and central contracts.

2.2 Children's Services

The outturn position for Children's Services, excluding the Dedicated Schools Grant is an overspend of £1.8 millions.

For Children's Social Care the overspend is £1.2 millions. The Public Health Nursing Service underspent by just over £1 million, leaving a net position of £169,000 overspent. Included in this is £1.4 millions Cabinet approved spending on additional leadership and front-line capacity to address the Ofsted Improvement Plan. Increases in demand for Early Help Services such as the Emergency Duty Teams and Multi-Agency Safeguarding Hub along with an increase in the number of children in care resulted in a pressure of £501,000. The increase in the number of children in care was mainly attributable to the impact of the pandemic, including cessation of court proceedings and children staying in care longer than they might otherwise have done, as well as changes in social work practice in response to the Ofsted judgement. Increased legal costs associated with higher volumes of cases led to an overspend of £570,000. The number of Special Guardianship Orders awarded continued to increase, resulting in an overspending of £498,000.

The response to the pandemic required a focus on delivering front line services and business continuity which led to a pause in aspects of the Social Work academy training and development programme which resulted in an underspend of £221,000. Other minor variations amounted to a net underspend of £55,000. The pandemic had a significant impact in the way disabled children and their families were able to access services and changes in spend patterns led to a net underspend of £1.5 millions across the Disabled Children's Service.

The Public Health Nursing Service underspent by a little over £1 million, mostly due to recruitment slippage and vacancies, as well as reduced accommodation and running costs.

For Education and Learning General Fund the final position is an overspend of £1.6 millions. The most significant overspend is within Schools Transport. The personalised transport budget has seen increased costs due to higher numbers of young people with Special Educational Needs.

Education and Learning spending on schools is funded from the Dedicated Schools Grant (DSG) which is overspent by £22.5 millions. This is made up of individual school balances totalling £21.1 millions, ringfenced balances of £5.4 millions and the cumulative DSG deficit of just under £49 millions. There continues to be increased demand on high needs. In particular, the growing demand on SEN placements within the independent sector which is driving the pressure and is being reflected nationally in relation to High Needs education placements.

There is a new government requirement to show DSG surplus and deficit balances (excluding individual schools balances) as a DSG Adjustment Account, more information on this is provided within section 5.

2.3 Communities, Public Health, Environment and Prosperity

The outturn for Communities, Public Health, Environment and Prosperity shows an overall underspend of just over £1.8 millions after taking into account grants and contributions carry forward, and other carry forward request.

Communities and other services are underspent by £1.1 millions (before carry-forward requests). The impact of the pandemic on this team was that staff were redeployed to deliver emergency services, particularly to support vulnerable citizens. This resulted in budgeted grant schemes being delayed: this being the largest portion of the underspend.

Economy Enterprise and Skills is underspent by £529,000. This is mainly a result of slippage on major development projects, underspends on staffing and increased income which more than offset additional spending in supporting economic recovery.

Planning, Transportation and Environment is showing an underspend of £2.6 millions. This relates mainly to reduced National Travel Scheme journey numbers, reduction in fleet usage during pandemic, a mixture of attracting external income and slippage on community flood schemes, and slippage on various project spend.

Public Health underspent by £5.3 millions against the Public Health Grant. The pandemic refocused service delivery and this was funded by Central Government COVID-19 grants. Existing services delivered through pharmacies, doctors and other providers was significantly impacted by the lockdowns leading to delays in expenditure. As a ring-fenced grant this amount has been added to the statutory public health reserve.

2.4 Corporate Services

The outturn for Corporate Services shows an overall underspend of £401,000 after taking into account grants and contributions carry forward, and any other carry forward requests.

Chief Executive, HR, Legal and Communications are £578,000 overspent. There continues to be increased staffing pressures within Legal Services driven by increased demand from Children's Services. Alongside this is the under achievement of savings plans in respect of the HR Management System and additional expenditure incurred by the Coroners Service. This has been partially offset by underspends from vacancies and reduced expenditure within Democratic and Members services as a direct result of the Pandemic.

Digital Transformation and Business Support are showing an underspend of just under £1.6 millions. Whilst slippage in projects and delays to recruitment relating to the ICT road map were the largest single factor in the underspend; home working during the Pandemic meant that significant savings were also realised within Facilities Management budgets. ScoMIS Group contributed £424,000 of the underspend, generated by a combination of project slippage and vacancies.

The County Treasurer's service is underspent by £348,000 linked mainly to vacancies and increased income generation which more than offset pressures in audit fees and financial systems contracts. Delivery of Cross Council Savings strategies built into the budget were not required resulting in an overspend of £250,000.

2.5 Highways, Infrastructure Development and Waste

The Highways and Traffic Management service has achieved a break-even position, after carry-forwards. Additional expenditure totalling £2.5 millions has been incurred from ash dieback tree felling and general safety works. This has been offset by savings resulting from the relatively mild winter period and street lighting energy and maintenance savings.

Savings totalling £300,000 have been achieved within Infrastructure Development, due to a reduction in operating costs and the delay of some school survey works resulting from COVID-19.

The Waste service has delivered a net underspend of £1.3 millions, largely due to a reduction in disposal tonnages from budget levels and the impact of contractual reconciliation payments for energy from waste plants.

Expenditure of £7.0 millions has been charged to the on-street parking account during the year, this includes items such as operating costs for on-street parking and enforcement activities, public transport support and highways cyclic maintenance works. Income totalling £6.9 millions has been generated, leaving a shortfall against expenditure of £0.1 millions. The balance of the reserve has reduced from £2.5 millions to £2.4 millions at 31st March 2021.

2.6 Other Items

The budgets for the Apprenticeship Levy has overspent by £81,000 and the Pension Contribution Shortfall has underspent by £1.4 millions. The nationally negotiated staff pay award for 2020/21 was 2.75% which was 0.75% more than was included within the service budgets set in February 2020. To enable services to cover this extra cost additional budget of just over £1 million was given to services in-year with the cost being met from Outturn. A recent valuation of the Insurance Provision has indicated that the budgeted contribution to the Provision of £700,000 is not required and has resulted therefore in an underspend of this amount. These items have improved the underspending on services to a total of just under £3.7 millions.

The authority works very closely with Health and towards the end of the financial year a new Integrated Care Agreement was setup. Health has contributed £15 millions to the agreement that will be carried forward and used to support the wider health and social care system in the new year.

As outlined in section 3 of this report, the Better Care Fund has underspent this year and just over £6 million of the Improved Better Care Fund Grant is being carried forward into 2021/22.

Capital Financing Charges are £475,000 less than budgeted due to the underspending on the Capital Programme; more details are provided within section 7 of this report. Interest Receivable is £260,000 more than budgeted due to having a higher level of cash to invest than anticipated.

The Council Tax Support Partnership budget is underspent by £300,000 and it is proposed that this is carried forward to the new year to help fund our work with Team Devon on supporting low income households at this difficult time. The World War two bomb incident in Exeter cost the authority £75,000 and has been charged against the Bellwin Emergencies Budget. The remainder of this budget remains unspent and it is proposed that £1 million is transferred to the Emergencies Reserve; there is no budget for Bellwin Emergencies within the 2021/22 budget and it is unlikely that it will be affordable to have one in coming years - it is therefore prudent to bolster the Emergencies Reserve to cover any future incidents.

The infrastructure development budget underspend of £208,000 is the remainder of a sum that has been carried forward for many years. It is proposed that this budget is no longer carried forward and that any future capital costs are funded from the normal capital resources.

When the budget for 2020/21 was set it included provision for a contribution of £4.5 millions to the Budget Management Reserve. The Outturn has allowed for a further £4.5 millions to be added along with £1.5 millions to the Climate Change Emergency Reserve to support the authority's climate change pledge. More details of reserves are included within section 5 of this report.

In December 2020, as part of COVID-19 funding for local government, a local tax income guarantee was announced. The Government would compensate local authorities for 75% of irrecoverable losses in council tax and business rates income in respect of 2020/21. The estimate from the eight district councils in Devon is a compensating grant of £2.6 millions for council tax and just over £400,000 for business rates income, a combined grant of just over £3 millions. Although this grant is being received in 2021/22, the accounting rules require the Authority to accrue for this grant in 2020/21 and carry forward into 2021/22 to cover the losses on the collection fund.

The Authority's budget for 2021/22 had assumed a grant of £5 millions based on estimates of Quarter 3 collection rates from billing authorities. However, council tax collection rates have held up better than initially forecast. It is now estimated that the Government grant of just over £3 millions will be lower than the budget estimate but the improved collection fund balances of billing authorities will result in lower deficits or even surpluses to be distributed from 2022/23.

The Devon Business Rates Pool (consisting of the County Council, 8 Districts, Plymouth and Torbay) is administered by Plymouth which calculates the pooling gain after all billing authorities have completed their NNDR3 returns to MHCLG. The latest forecasts suggest a share of the gain of just over £2.3 millions for Devon County Council. As in previous years this gain is transferred to the Business Rates Risk Management Reserve.

Additional Grants for Independent Living Fund, Retained Duties, Local Service Support Grant, Schools Improvement, and other small grant variations have been used to balance the overall outturn position.

In response to the COVID-19 outbreak Central government has put in place a number of grant funding streams to help support Local Authorities in responding to the pandemic. Devon County Council has directly received £99.4 millions of additional funding, of which £74.2 millions has been spent and £25.2 millions carried forward into 2021/22 in line with specific grant terms and conditions. The detail is provided in the following table.

Spending of COVID-19 Grants

	Budget	Actual	Variance
	£000	£000	£000
COVID-19 Local Authority Support	42,690	37,628	(5,062)
COVID-19 Adoption Support Fund	198	198	0
COVID-19 Bus Services Support	1,782	1,782	0
COVID-19 Infection Control Fund	10,519	10,520	1
COVID-19 Emergency Active Travel Fund	316	316	0
COVID-19 Test and trace	2,619	647	(1,972)
COVID-19 Emergency Hardship Fund	757	757	0
COVID-19 Additional Home to School Transport	676	891	215
COVID-19 Travel Demand Management	68	68	0
COVID-19 Wellbeing for Education	128	138	10
COVID-19 Round 2 Infection Control	9,194	9,194	0
COVID-19 Round 2 Home to School	986	684	(302)
COVID-19 Clinically Extremely Vulnerable Support	932	370	(562)
COVID-19 Winter Grant Scheme	1,894	1,894	0
COVID-19 Outbreak Management	6,419	342	(6,077)
COVID-19 Tranche 2 Active Travel	107	107	0
COVID-19 Round 3 Home to School	600	340	(260)
COVID-19 Community Testing	235	784	549
COVID-19 Rapid Testing Fund	2,526	2,526	0
COVID-19 Social Care Workforce Capacity	1,776	1,776	0
COVID-19 Outbreak Management 2	12,093	0	(12,093)
COVID-19 Home to School 2nd spring half term	0	348	348
	96,515	71,310	(25,205)

3. Better Care Fund

- 3.1 The Better Care Fund (BCF) for 2020/21 totals £100.5 millions which is reporting an underspend of £7.3 millions (7.2%); £6.1 millions grant and £1.2 millions revenue. This total will be carried forward in full by the Council to 2021/22 to continue with spending plans within the terms of the BCF framework agreement. The underspending is attributable to the non-utilisation of a previous carry-forward, some reduced spending for the community equipment store due to the effects of the pandemic, some planned under-spending within grant funding and increased (one-off) income from the NHS Devon CCG. The BCF governing body, the Better Care Fund Leadership Group, has agreed that the use of all surplus funds carried forward in to the 2021/22 financial year will be decided by them, within the guidelines of the Section 75 BCF framework agreement. For more information on the Better Care Fund, please see the table on page 26.

4. General Balances

4.1 The working balance at 31st March 2020 was £14.8 millions. The review of the financial risk assessment prepared when the 2020/21 Budget was set indicates that the Council should hold a working balance of about £14 millions. The outturn has enabled £35,000 to be added to the working balance.

5. Earmarked Reserves

5.1 At the beginning of the financial year, earmarked reserves (excluding schools and non-schools carry forwards) stood at £120.0 millions. During the year earmarked reserves have increased by a net £17.5 millions to just under £137.5 millions. The reason for this movement is explained below:

	£000	£000
Budgeted contribution		4,500
Underspend on Public Health Ring-fenced Grant	5,334	
Transfer to Budget Management Reserve - Hardship Support	300	
Transfer to Budget Management Reserve	4,500	
Transfer to Climate Change Emergency Reserve	1,500	
Business Rates Risk Reserve - Pooling Gain	2,353	
Callwin Scheme Related Emergencies	<u>1,000</u>	
		14,987
Spend on Transformation	(722)	
Spend from On Street Parking Reserve	(114)	
Spend from Climate Change Emergency Reserve	(101)	
Spend from Business Rates Pilot Reserve	(994)	
Spend from Budget Management Reserve	<u>(63)</u>	
		<u>(1,994)</u>
		17,493

5.2 When the Council approved the 2021/22 budget in February 2021, it agreed to use £5.3 millions (£3 millions in 2021/22 and a further £2.3 millions in 2022/23) from the Business Rates Risk Management Reserve for Economic Recovery. This is now shown in a new Regeneration and Recovery Reserve.

5.3 At the end of 2019/20 a negative reserve was created to hold the cumulative overspend of the DSG SEND High Needs Block. This negative balance was brought forward into 2020/21, however, as outlined above, Government now require this balance to be held as a DSG Adjustment Account and not netted off from our Reserves. This statutory requirement is in place for three years; what will happen to the balance after that time is unclear. The table below sets out the balances on this new account.

Dedicated Schools Grant Adjustment Account

	1 April 2020	31 March 2021
	£000	£000
High Needs Block - SEND	(19,772)	(48,998)
De-delegated, Central and Early Years Block	3,627	5,442
Total (Deficit)	(16,145)	(43,556)

Details of earmarked reserves are contained on page 15.

6. Conclusion

- 6.1 One-off COVID-19 grants from Government have helped to fund the significant additional service costs incurred in 2020/21 particularly in Adult Social Care. In spite of significant budget pressures within both Adult and Children's services, careful management of the Budget throughout the year has allowed the authority to end the year with a small underspending of £35,000. However, there remain underlying budget pressures within both Adult and Children's services and these pressures will continue after the one off COVID-19 funding has ended. The carry forward of unspent COVID-19 grants (both for services and for anticipated future losses in council tax and business rates) will be used in 2021/22. In addition, earmarked reserves have increased by just under £17.5 millions to just under £137.5 millions, although just over £5.3 million of this increase is ring fenced for Public Health. Overall the Authority's financial resilience has improved.
- 6.2 Although the cumulative SEND Deficit of just under £49 millions (an increase in 2020/21 of just over £29 millions) has been moved out of the Authority's usable reserves and into a ring fenced adjustment account this arrangement is for three years only and it is not clear what will happen after March 2023. The longer term financial impact of the Pandemic, the spending review, one year funding settlements from Government together with ongoing pressures in Social Care and the funding shortfall in SEND, mean the authority is facing considerable financial risk in both the short and medium term.

REVENUE OUTTURN SUMMARY 2020/21

	Final Approved Budget	Spending	Variations (Under) / Over	Grant C/Fwd to 21/22 from 20/21	Transfer to DSG Adjustment Account	Recommended Action			(Increase)/ Decrease in Balances
						Other C/Fwd to 21/22 from 20/21	Transfer To/(From) Reserves	Recommended Outturn	
	(1) £'000	(2) £'000	(3) £'000	(4) £'000	£000	(5) £'000	(6) £'000	(7) £'000	(8) £'000
1 Adult Care and Health	256,380	254,616	(1,764)			1,162		255,778	(602)
2 Children's Services - General Fund	149,796	148,967	(829)	2,615				151,582	1,786
3 Children's Services - DSG	(12)	22,453	22,465	21,091	(43,556)			(12)	0
4 Communities, Public Health, Environment and Prosperity	47,952	30,680	(17,272)	7,663		2,420	5,334	46,097	(1,855)
5 Corporate Services	37,991	36,795	(1,196)			795		37,590	(401)
6 Highways, Infrastructure Development & Waste	58,802	56,375	(2,427)	197		581		57,153	(1,649)
7 Central Contingency - Apprenticeship Levy	600	681	81					681	81
8 Pension Contribution Discount	(483)	(483)	0					(483)	0
9 Pension Contribution Shortfall	1,058	(384)	(1,442)					(384)	(1,442)
Additional Pay Award	(1,087)	0	1,087					0	1,087
Insurance Provision	700	0	(700)					0	(700)
TOTAL FOR SERVICES	551,697	549,700	(1,997)	31,566	(43,556)	4,958	5,334	548,002	(3,695)
Budget Carry Forward Fund	(35,873)		35,873	(32,174)		(3,699)		(35,873)	0
NON-SERVICE ADJUSTMENTS									
14 Other	0	(129)	(129)					(129)	(129)
15 Integrated Care Agreement	0	(15,000)	(15,000)			15,000		0	0
16 Improved Better Care Fund Carry Forward	6,118	0	(6,118)			6,118		6,118	0
17 Capital Financing Charges	38,399	37,924	(475)					37,924	(475)
18 Capital Financing Charges - PFI	13,801	13,800	(1)					13,800	(1)
19 Investment Income on Balances	(1,550)	(1,810)	(260)					(1,810)	(260)
Levies and Contributions to Outside Bodies:									
20 Environment Agency	618	616	(2)					616	(2)
21 Devon Sea Fisheries	348	348	0					348	0
22 Direct Revenue Financing	489	488	(1)					488	(1)
23 Council Tax Support Partnership	350	49	(301)				300	349	(1)
24 Bellwin Scheme Related Emergencies	1,500	75	(1,425)				1,000	1,075	(425)
25 Infrastructure Development	208		(208)					0	(208)

REVENUE OUTTURN SUMMARY 2020/21

	Final Approved Budget	Spending	Variations (Under) / Over	Grant C/Fwd to 21/22 from 20/21	Transfer to DSG Adjustment Account	Recommended Action			(Increase)/ Decrease in Balances
						Other C/Fwd to 21/22 from 20/21	Transfer To/(From) Reserves	Recommended Outturn	
						(5) £'000	(6) £'000	(7) £'000	
(1) £'000	(2) £'000	(3) £'000	(4) £'000	£000	(5) £'000	(6) £'000	(7) £'000	(8) £'000	
26 Schools contribution to capital expenditure	(460)	(460)	0					(460)	0
27 Transfer to Budget Management Reserve	4,500	4,500	0				4,500	9,000	4,500
28 Transfer to Climate Change Emergency Reserve	0		0				1,500	1,500	1,500
29 Business Rates - Government Grants	(7,913)	(7,933)	(20)					(7,933)	(20)
30 Business Rates - Addt Reliefs & Compensation Grant, Energy Efficiency	0	(12,284)	(12,284)			12,284		0	0
31 Council Tax and Business Rates - Compensation Grant		(3,062)	(3,062)			3,062		0	0
32 Independent Living Fund Grant	(2,544)	(2,622)	(78)					(2,622)	(78)
33 Education Statutory retained duties - schools contribution	(1,476)	(1,490)	(14)					(1,490)	(14)
34 Local Service Support Grant	(581)	(675)	(94)					(675)	(94)
35 New Homes Bonus	(3,526)	(3,526)	0					(3,526)	0
36 Rural Services Delivery Grant	(7,455)	(7,455)	0					(7,455)	0
37 Lead Local Authority Flood Relief Grant	(95)	0	95					0	95
38 Adult Social Care Support Grant	(20,160)	(20,160)	0					(20,160)	0
39 Schools Improvement Grant	0	(690)	(690)					(690)	(690)
40 Economic Recovery - Leaving EU	257		(257)	257				257	0
41 Improved Better Care Fund	(28,271)	(28,270)	1					(28,270)	1
42 Business Rates - Pooling Gain	0	(2,351)	(2,351)				2,353	2	2
43 Other Grants	0	(40)	(40)					(40)	(40)
44 COVID-19 Spending - Revenue	99,414	74,208	(25,206)	25,206				99,414	0
45 COVID-19 Spending - Capital	434	434	0					434	0
46 COVID-19 Grant Funding	(78,175)	(78,175)	0	0				(78,175)	0
47 Sub Total	530,054	496,010	(34,044)	24,855	(43,556)	37,723	14,987	530,019	(34,044)
48 Routine Spending from Earmarked Reserves	7,905	1,994	(5,911)					1,994	(5,911)
49 Routine Use of Earmarked Reserves	(7,905)		7,905				(1,994)	(1,994)	5,911
50 TOTAL	530,054	498,004	(32,050)	24,855	(43,556)	37,723	12,993	530,019	(32,050)

REVENUE OUTTURN 2020/21

WORKING BALANCES

	Balance 1st April 2020 (1)	Contrib'ns (2)	Spending (3)	Balance 31st March 2021 (4)
	£'000	£'000	£'000	£'000
1 Working Balances	14,790			
2 External Support for Revenue Spending		530,054		
3 Net Revenue Spending			(530,019)	14,825
4 Total County Fund	14,790	530,054	(530,019)	14,825

EARMARKED RESERVES

	Balance 1st April 2020 (1) £'000	Contrib'ns from Budget & Transfers (2) £'000	Contrib'ns from/(to) Outturn (3) £'000	Spending (4) £'000	Balance 31st March 2021 (5) £'000
1 Affordable Housing	182				182
2 Budget Management	60,010	4,500	4,800	(63)	69,247
3 Business Rates Risk Management	15,188	(5,300)	2,353		12,241
4 Business Rates Pilot	11,002			(994)	10,008
5 Public Health	2,298		5,334		7,632
6 Emergency	18,089		1,000		19,089
7 Climate Change Emergency	196		1,500	(101)	1,595
8 On Street Parking	2,490			(114)	2,376
9 Service Transformation	10,506			(722)	9,784
10 Regeneration and Recovery	0	5,300			5,300
	119,961	4,500	14,987	(1,994)	137,454
11 Schools Carry Forward	16,133		21,091	(16,133)	21,091
12 Dedicated Schools Grant - SEND High Needs	(19,772)			19,772	0
13 Non Schools Carry Forward	39,512		77,360	(39,512)	77,360
	35,873	0	98,451	(35,873)	98,451
Total	155,834	4,500	113,438	(37,867)	235,905

REVENUE OUTTURN 2020/21

FUNDING REVENUE SPENDING

	£'000	£'000
1 Total revenue spending		530,019
2 Budget Variation added to balances		35
3 Budget level		530,054
4 Financed by:		
5 Revenue Support Grant	(546)	
6 Business Rates Retention Scheme - Local Element	(21,983)	
7 Business Rates Retention Scheme - Top Up	(80,654)	
8 Business Rates Collection Fund Surplus	291	
9 Council Tax - precepts on District Councils	(427,162)	
10 Total financing		(530,054)

PROVISIONS

	Balance 1st April 2020 (1) £'000	Contrib'ns (2) £'000	Spending (3) £'000	No longer Required (4) £'000	Remaining 31st March 2021 (5) £'000
1 Doubtful debts provision	3,196	267	(639)	(235)	2,589
2 Insurance	14,682	1,435	(2,655)	(157)	13,305
3 Out of date cheques	86		(34)	(52)	0
4 Green Waste	100				100
5 Social Care	434	559	(237)	(154)	602
Total	18,498	2,261	(3,565)	(598)	16,596

REVENUE OUTTURN 2020/21 – RECOMMENDED ACTION

ADULT CARE AND HEALTH

	Final Adjusted Budget (1) £'000	Unadjusted Spending (2) £'000	Grants c/fwds to 2021/22 (3) £'000	Variations (Under) / Over (4) £'000	Recommended Action Other c/fwds to 2021/22 (5) £'000	Final Outturn (Under) / Over (6) £'000
Adult Care Operations & Health	226,575	225,417	0	(1,158)		(1,158)
Adult Commissioning & Health (incl Mental Health)	25,814	26,370	0	556		556
Better Care Fund (DCC) Contributions	3,991	2,829	0	(1,162)	1,162	0
Revenue Outturn	256,380	254,616	0	(1,764)	1,162	(602)

VARIATIONS BETWEEN BUDGET AND SPEND

Adult Care Operations & Health

Older People - residential and nursing higher unit costs offset by lower volumes throughout the year (partly a result of hospital discharge schemes) (£503,000). In addition underspends in community based services and other costs (£134,000)

£'000

£'000

(637)

Disability Services, including autistic spectrum conditions - increased costs as a result of the number of clients/service agreements being 168 (at Year end) more than budgeted and increased price pressures

1,025

Older People & Disability in-house - reduction in staffing and other costs

(733)

Social Care Reablement, Sensory, Community Enabling and other operational budgets - underspends in staffing and contracts costs

(813)

(1,158)

Adult Commissioning & Health (incl Mental Health)

Staffing vacancies and temporary external funding

(208)

Underspends on central contracts

(146)

Net overspend on Mental Health costs and volumes of placements

910

556

Underspend within Better Care Fund

(1,162)

(1,764)

CARRY FORWARD PROPOSALS

Better Care Fund

1,162

1,162

(602)

CONTRIBUTION (TO) / FROM OUTTURN

REVENUE OUTTURN 2020/21 – RECOMMENDED ACTION

CHILDREN'S SERVICES

CHILDREN'S SERVICES - SOCIAL CARE & GENERAL FUND

	Final Adjusted Budget (1) £'000	Unadjusted Spending (2) £'000	Grants c/fwd in 2021/22 (3) £'000	DSG Adjustment Account (4) £'000	Variations (Under)/Over (5) £'000	Recommended Action Other c/fwds in 2021/22 (6) £'000	Final Outturn (Under)/Over (7) £'000
Children's Social Work	103,185	102,020	1,334	0	169	0	169
Education & Learning - General Fund	46,611	46,947	1,281	0	1,617	0	1,617
Children's Social Care & Education General Fund	149,796	148,967	2,615	0	1,786	0	1,786

VARIATIONS BETWEEN BUDGET AND SPEND

Children's Social Work

Ofsted Improvement Plan - additional leadership and front-line capacity						1,397	
Early Help - increase in demand Emergency Duty Teams and Multi-Agency Safeguarding Hub						197	
Legal Disbursements - increase in number of cases, higher costs of external barristers						570	
Strategic Management - Social Work Academy, training and development delayed due to the pandemic						(221)	
Special Guardianship Orders - increase in the number of Orders granted						498	
Children Looked After - increase in number of children in care						304	
Disabled Children's Services - changes in spend patterns mainly due to the pandemic						(1,485)	
Public Health Nursing Service - recruitment slippage, reduced accommodation and running costs						(1,036)	
Other budget variations						(55)	169

Education & Learning - General Fund

Higher than anticipated fee income and additional grant income						(83)	
School/College Transport - increased contractor costs and reduction in income						639	
Personalised Transport - increased costs and greater number of children with SEN requiring transport						1,513	
Early Years staff vacancies and efficiencies and Children's Centre rent						(270)	
Other variations including vacancy savings and lower costs						(182)	1,617

CARRY FORWARD PROPOSALS

CONTRIBUTION (TO)/FROM OUTTURN

1,786

1,786

REVENUE OUTTURN 2020/21 – RECOMMENDED ACTION

CHILDREN'S SERVICES - DEDICATED SCHOOLS GRANT

	Final Adjusted Budget (1) £'000	Unadjusted Spending (2) £'000	Grants c/fwd in 2021/22 (3) £'000	DSG Adjustment Account (4) £'000	Variations (Under)/Over (5) £'000	Recommended Action Other c/fwds in 2021/22 (6) £'000	Final Outturn (Under)/Over (7) £'000
Education & Learning - DSG: Individual Schools Balances	16,131	(4,960)	21,091	0	0	0	
Education & Learning - DSG: Schools De-delegated, Central School Services & Early Years	3,629	(1,813)	0	5,442	0	0	
Education & Learning - DSG: High Needs (Excluding Special & Hospital Schools) - Government advice for Deficit Reserve	(19,772)	29,226	0	(48,998)	0	0	
Education & Learning - Dedicited Schools Grant	(12)	22,453	21,091	(43,556)	0	0	0

VARIATIONS BETWEEN BUDGET AND SPEND

Education & Learning - Dedicated Schools Grant: Individual Schools Balances

Schools delegated budgets (including Special and Hospital schools)						(21,091)	
DSG Adjustment Account - Schools Balances						21,091	0

Education & Learning - Dedicated Schools Grant: Schools De-delegated, Central School Services & Early years

Schools de-delegated budgets and centrally retained services for schools						(4,741)	
Early education for 2,3 & 4 years olds - take up of provision, planned carry forward of funding and Early grants income						(631)	
High Needs - SEN 100 ringfenced						(70)	
DSG Adjustment Account - De-delegated, Central Provisions & Early Years						5,372	
DSG Adjustment Account - SEN 100 Project						70	0

Education & Learning - Dedicated Schools Grant: High Needs (Excluding Special & Hospital Schools) - Government advice for Deficit Reserve

DSG Deficit Brought Forward						19,772	
High Needs - Increased demand and cost in Independent SEN placements and Alternate Provision						6,768	
DSG Deficit identified at 2020/21 budget prep						22,848	
DSG income offset to DSG deficit						(390)	
DSG Adjustment Account - DSG Deficit						(48,998)	0

CARRY FORWARD PROPOSALS

CONTRIBUTION (TO)/FROM OUTTURN

							0
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REVENUE OUTTURN 2020/21 – RECOMMENDED ACTION

COMMUNITIES, PUBLIC HEALTH, ENVIRONMENT AND PROSPERITY

	Final Adjusted Budget (1) £'000	Unadjusted Spending (2) £'000	Grants c/fwds in 2021/22 (3) £'000	Variations (Under) / Over (4) £'000	Recommended Action Other c/fwds to 2021/22 (5) £'000	Take to / (from) Reserves (6) £'000	Final Outturn (Under)/ Over (7) £'000
Communities and Other Services	14,949	11,575	2,219	(1,155)	987	0	(168)
Economy, Enterprise and Skills	6,504	5,142	833	(529)	517	0	(12)
Planning, Transportation and Environment	26,440	19,238	4,611	(2,591)	916	0	(1,675)
Public Health	59	(5,275)	0	(5,334)	0	5,334	0
Revenue Outturn	47,952	30,680	7,663	(9,609)	2,420	5,334	(1,855)

VARIATIONS BETWEEN BUDGET AND SPEND

Communities and Other Services

Libraries and Heritage centre - COVID-19 related closures leading to delayed spend	(202)	
Community and member grants - Underspend as COVID-19 grants prioritised	(892)	
Staffing vacancies and activity budget savings	(61)	(1,155)

Economy, Enterprise and Skills

Slippage on major development projects and general project activity	(169)	
Reduced staffing costs and increased income	(136)	
Delayed match funding spend on various partnerships	(307)	
Delayed completion of system for Trading Standards	(170)	
Economic Recovery activity	253	(529)

Planning, Transportation and Environment

Slippage on major development projects and general project activity	(340)	
Reduced staffing costs and increased income	(511)	
Additional external funding and slippage of community flood schemes	(559)	
Delayed match funding on partnership schemes	(99)	
Reduction of fleet usage during pandemic	(339)	
National Travel Scheme - Journey numbers reduced	(743)	(2,591)

CARRY FORWARD PROPOSALS

Community Flood Schemes		250
A379 at Slapton Line		309
Implementation of sustainable travel plans		124
Slippage on road scheme at Lee Mill		30
Tour of Britain postponement		50
Okehampton Parkway station		50
Match Funding for partnership agreements for projects		406
Community and Member grants		892
Library Resource fund and self service replacement		90
Trading Standards system implementation		170
Visioning report for EDDC consultation		40
		2,420

CONTRIBUTION (TO) / FROM OUTTURN

(1,855)

REVENUE OUTTURN 2020/21 – RECOMMENDED ACTION

CORPORATE SERVICES

	Final Adjusted Budget (1) £'000	Unadjusted Spending (2) £'000	Grants c/fwds to 2021/22 (3) £'000	Variations (Under) / Over (4) £'000	Recommended Action Other c/fwds to 2021/22 (5) £'000	Final Outturn (Under) / Over (6) £'000
Chief Executive, HR, Legal & Communications	8,045	8,623	0	578	0	578
Digital Transformation & Business Support	17,216	15,617	0	(1,599)	540	(1,059)
Organisational Development	1,138	1,061	0	(77)	0	(77)
Treasurer's Services	11,842	11,494	0	(348)	255	(93)
Cross Council Savings Strategies	(250)	0	0	250	0	250
Revenue Outturn	37,991	36,795	0	(1,196)	795	(401)

VARIATIONS BETWEEN BUDGET AND SPEND

	£'000	£'000
<u>Chief Executive, HR, Legal & Communications</u>		
Under-achievement of HRMS savings plans	586	
Legal Services - increased staffing costs (children's safeguarding demand combined with recruitment difficulties)	333	
Prisoners - legal costs of inquest appeal & pathology costs	194	
Contractual, staff turnover & vacancy savings	(146)	
Savings in Democratic & Member Services as a result of COVID-19	(161)	
Other minor variations	(228)	578
<u>Digital Transformation & Business Support</u>		
Over achievement of income	(284)	
Facilities Management savings	(376)	
ScoMIS - surplus from operations & slippage in internal infrastructure projects	(424)	
ICT Roadmap - slippage in projects & delays in recruitment	(618)	
Other minor variations	103	(1,599)
<u>Organisational Development</u>		
Staff turnover, vacancy and running cost savings	(77)	(77)
<u>Treasurer's Services</u>		
Staff turnover & vacancy savings	(180)	
Other minor variations	(168)	(348)
<u>Cross Council Savings Strategies</u>		
Non-achievement of savings plans	250	250
Grand-Total		(1,196)

CARRY FORWARD PROPOSALS

Financial Systems Development	255
Digital Transformation & Future Operating Model	400
ScoMIS - product development	100
Blue Badge assessments	40
	<u>795</u>

CONTRIBUTION (TO) / FROM OUTTURN

(401)

REVENUE OUTTURN 2020/21 – RECOMMENDED ACTION

HIGHWAYS, INFRASTRUCTURE DEVELOPMENT AND WASTE

	Final Adjusted Budget (1) £'000	Unadjusted Spending (2) £'000	Grants c/fwds in 2020/21 (3) £'000	Variations (Under) / Over (4) £'000	Recommended Action Other c/fwds in 2020/21 (5) £'000	Final Outturn (Under) / Over (6) £'000
Highways Maintenance	19,600	21,110	197	1,707	0	1,707
Street Lighting	4,477	3,258	0	(1,219)	0	(1,219)
Highways Network Management	5,836	4,767	0	(1,069)	581	(488)
Infrastructure Development	(17)	(326)	0	(309)	0	(309)
Waste Management	28,906	27,566	0	(1,340)	0	(1,340)
Revenue Outturn	58,802	56,375	197	(2,230)	581	(1,649)

VARIATIONS BETWEEN BUDGET AND ACTUALS

	£'000	£'000
<u>Highways</u>		
Increased requirement for ash dieback works	2,038	
Increased requirement for reactive works	482	
Additional street lighting savings from LED conversions and focus on preventative maintenance	(1,219)	
Reduced requirement for winter service and emergency works	(654)	
Highways permitting scheme surplus	(581)	
Highways Network Management - reduction in net operating expenditure	(488)	
Net impact of in year efficiencies and savings	(159)	(581)
<u>Infrastructure Development & Waste</u>		
Reduction in waste disposal tonnages from budget levels	(781)	
Energy from Waste plants - impact of annual reconciliation payments	(581)	
Recycling centres contracts - income received from recyclable materials price fluctuation mechanism	(197)	
Increase in recycling credits paid to District Authorities due to increase in household recyclable materials	268	
Infrastructure Development - delay of works due to COVID-19 and reduced operating expenditure	(309)	
Other minor variations	(49)	
		(1,649)
		(2,230)
CARRY FORWARD PROPOSALS		
Highways permitting scheme surplus		581
CONTRIBUTION (TO) / FROM OUTTURN		(1,649)

BUDGET ADJUSTMENTS 2020/21

	Original Budget £000	2019/20 Brought Forward £000	Virements £000	Final Budget £000
Adult Care and Health	260,258	731	(4,609)	256,380
Children's Services	146,845	2,945	(6)	149,784
Communities, Public Health, Environment and Prosperity	39,713	8,122	117	47,952
Corporate Services	36,910	745	336	37,991
Highways, Infrastructure Development & Waste	57,508	182	1,112	58,802
Central Contingency - Apprenticeship Levy	600			600
Pension Contribution Discount	(483)			(483)
Pension Contribution Shortfall	1,058			1,058
Insurance Provision	700			700
Total Service budgets	543,109	12,725	(3,050)	552,784
Budget Carry Forward Fund		(35,873)		(35,873)
Improved Better Care Fund C/F		1,010	5,108	6,118
Capital Financing	38,399			38,399
Capital Financing PFI	13,801			13,801
Interest on Balances	(1,550)			(1,550)
Direct Revenue Financing			489	489
Direct Revenue Financing - Schools Contributions			(460)	(460)
Council Tax Support Partnership	350			350
Bellwin Scheme Related Emergencies	1,500			1,500
Highways, Draining and Patching	1,000		(1,000)	0
Infrastructure Development	0	208		208
Spending from Reserves	7,905			7,905
Use of Reserves	(7,905)			(7,905)
Transfer from Budget Management Reserve	4,500			4,500
Contribution to SEND High Needs Reserve	0			0
Contribution to Transformation Reserve	0			0
Precepts				
Flood Defence	618			618
Inshore Fisheries	348			348
	58,966	(34,655)	4,137	28,448

BUDGET ADJUSTMENTS 2020/21 - continued

	Original Budget £000	2019/20 Brought Forward £000	Virements £000	Final Budget £000
Non Service Budgets	602,075	(21,930)	1,087	581,232
Business Rates - Government Grants and Pilot	(7,913)			(7,913)
Independent Living Fund Grant	(2,544)			(2,544)
Education Statutory retained duties - schools contribution	(1,476)			(1,476)
Local Service Support Grant	(581)			(581)
New Homes Bonus	(3,526)			(3,526)
Rural Services Delivery Grant	(7,455)			(7,455)
Lead Local Authority Flood Relief Grant	(95)			(95)
Brexit Preparation Grant	0	257		257
Social Care Support Grant	(20,160)			(20,160)
Approved Better Care Fund	(28,271)			(28,271)
Additional Pay Award			(1,087)	(1,087)
COVID-19 Income			(78,175)	(78,175)
COVID-19 Expenditure		21,673	78,175	99,848
TOTAL	530,054	0	0	530,054

BETTER CARE FUND S.75 POOLED FUND MEMORANDUM ACCOUNT

For the period 1st April 2020 to 31st March 2021

Gross Funding

	Total £'000	NHS Devon CCG		Devon County Council	
		Revenue	Capital	Revenue	Capital
Contributions Received	(98,761)	(58,091)	(32,425)	(8,245)	
Prior year carry forward	(1,740)	0	(1,740)	0	
TOTAL FUNDING	(100,501)	(58,091)	(34,165)	(8,245)	

Expenditure

	Total £'000	NHS Devon CCG		Devon County Council	
		Revenue	Capital	Revenue	Capital
Care Act duties	679	744	(65)	0	
Dementia Diagnosis	438	445	(7)	0	
Disabled Facilities Grant	8,245	0	0	8,245	
Enabling services	2,607	2,580	27	0	
Enhanced Community Equipment Services	6,891	5,037	1,854	0	
Enhanced Support for Carers	3,851	2,034	1,817	0	
Frailty & Community Care	23,359	23,426	(67)	0	
Hospital Discharge Services	1,007	967	40	0	
Improved Better Care Fund grant	23,163	0	23,163	0	
Rapid Response	3,303	3,008	295	0	
Single Point of Co-ordination	424	414	10	0	
Social Care Reablement	600	600	0	0	
Step-Up, Step-Down Care	3,407	3,588	(181)	0	
Support to social care	15,248	15,248	0	0	
TOTAL EXPENDITURE	93,222	58,091	26,886	8,245	

NET OVER/(UNDER) SPEND (7,279) 0 (7,279) 0

Refund to partners are as follows:	Total		Total	
	£'000	£'000	£'000	£'000
NHS Devon CCG	0	0		
Devon County Council	(7,279)		(7,279)	
	(7,279)	0	(7,279)	0
Capital funding carried forward	0			0
	(7,279)	0	(7,279)	0

ALLOWANCES PAID TO DEVON COUNTY COUNCILLORS

UNDER THE MEMBERS ALLOWANCES SCHEME FOR THE YEAR ENDING 31ST MARCH 2021 Note: Basic & Special Responsibility Allowances and some elements of travelling & subsistence allowances are subject to taxation.

<u>Elected members</u>		<u>Basic Allowance</u>	<u>Special Responsibility Allowance</u>	<u>Mileage and Subsistence Expenses</u>	<u>Carers Allowance</u>
<u>Surname</u>	<u>Inits</u>	£	£	£	£
Ackland	HA	13,171.09	4,783.16	0.00	0.00
Asvachin	M	13,171.09	0.00	0.00	0.00
Atkinson	Y	13,171.09	0.00	0.00	0.00
Aves	S	13,171.09	0.00	27.60	0.00
Ball	K	13,171.09	0.00	0.00	0.00
Barker	SD	13,171.09	15,547.29	1,264.64	0.00
Berry	EJ	13,171.09	0.00	0.00	0.00
Biederman	F	13,171.09	3,275.81	170.28	0.00
Bloxham	R	13,171.09	6,551.28	18.06	0.00
Brazil	JC	13,171.09	0.00	418.42	0.00
Hook	JA	13,171.09	0.00	49.02	0.00
Brook	FJ	13,171.09	6,551.28	0.00	0.00
Channon	C	13,171.09	0.00	0.00	0.00
Chubb	I	13,171.09	0.00	0.00	0.00
Chugg	C	13,171.09	0.00	481.66	0.00
Clatworthy	J	13,171.09	993.90	0.00	0.00
Colthorpe	P	13,171.09	4,783.16	0.00	0.00
Connett	A	13,171.09	6,551.28	0.00	0.00
Crabb	P	13,171.09	0.00	0.00	0.00
Croad	RF	13,171.09	19,655.14	0.00	0.00
Davis	AV	13,171.09	19,655.14	1,129.88	0.00
Dewhirst	A	13,171.09	9,565.25	220.76	0.00
Eastman	AJ	13,171.09	0.00	292.07	0.00
Edgell	RC	13,171.09	3,275.81	982.25	0.00
Gilbert	R	13,171.09	19,655.14	525.35	0.00
Greenslade	BC	13,171.09	0.00	0.00	0.00
Gribble	G	13,171.09	0.00	374.48	0.00
Hall	I	13,171.09	3,275.81	136.59	0.00
Hannafor	R	13,171.09	9,565.25	0.00	0.00
Hart	TJ	13,171.09	32,758.75	0.00	0.00
Hawkins	JD	13,171.09	3,275.81	367.11	0.00
Hellyer	L	13,171.09	0.00	376.83	0.00

<u>Elected members</u>		<u>Basic Allowance</u>	<u>Special Responsibility Allowance</u>	<u>Mileage and Subsistence Expenses</u>	<u>Carers Allowance</u>
<u>Surname</u>	<u>Inits</u>	£	£	£	£
Hodgson	J	13,171.09	0.00	132.19	0.00
Hook	G	13,171.09	0.00	85.63	0.00
Hosking	RW	13,171.09	0.00	28.81	0.00
Hughes S	S	13,171.09	19,655.14	751.65	0.00
Inch	A	13,171.09	0.00	85.40	0.00
Leadbetter	AR	13,171.09	19,655.14	192.56	0.00
Matthews	J	13,171.09	6,455.93	43.00	0.00
McInnes	JR	13,171.09	26,206.42	75.64	0.00
Parsons	BM	13,171.09	19,655.14	152.19	0.00
Peart	R	13,171.09	0.00	101.63	0.00
Prowse	GJ	13,171.09	0.00	0.00	0.00
Radford	RF	13,171.09	0.00	0.00	0.00
Randall Johnson	S	13,171.09	9,565.25	912.35	0.00
Russell	E	13,171.09	0.00	291.54	0.00
Sanders	PR	13,171.09	3,275.81	837.33	0.00
Saywell	A	13,171.09	0.00	226.61	0.00
Scott	R	13,171.09	0.00	378.35	0.00
Sellis	D	13,171.09	4,783.16	0.00	0.00
Shaw	M	13,171.09	0.00	107.50	0.00
Sheldon	G	13,171.09	0.00	0.00	0.00
Slade	C	13,171.09	0.00	105.97	0.00
Squires	M	13,171.09	1,107.04	6.45	0.00
Trail	J	13,171.09	2,568.08	30.31	0.00
Twiss	P	13,171.09	0.00	117.92	0.00
Way	N	13,171.09	0.00	0.00	0.00
Whitton	C	13,171.09	0.00	0.00	0.00
Wright	C	13,171.09	0.00	0.00	0.00
Yabsley	J	13,171.09	0.00	0.00	0.00
Totals		790,265.40	282,646.37	11,498.03	0.00

CAPITAL

7. The Capital Programme Outturn 2020/21

- 7.1 The approved Capital Programme for 2020/21 totalled £200.6 millions. This figure includes £27.4 millions brought forward from 2019/20 and £58.7 millions of other additions approved during 2020/21.
- 7.2 Spend for the year totals £133.8 millions resulting in an outturn variance of £66.8 millions (actual spend in 2019/20 was £115.1 millions with a variance of £37.3 millions).
- 7.3 The following table summarises the 2020/21 Capital Programme expenditure and its financing:

Capital Expenditure	Budget	Actual Spend	Variation
	£'000	£'000	£'000
Adult Care and Health	11,232	8,388	2,844
Children's Services	5,112	2,168	2,944
Communities, Public Health, Environment and Prosperity	94,803	45,269	49,534
Corporate Services	9,947	4,449	5,498
Highways, Infrastructure Development & Waste	79,520	73,525	5,995
Total	200,614	133,799	66,815

Capital Financing	Budget	Actual Spend	Variation
	£'000	£'000	£'000
Capital Receipts	20,528	9,715	10,813
Internal Borrowing	26,260	11,791	14,469
External Grants and Contributions	152,463	111,371	41,092
Revenue Budgets	1,363	922	441
Total	200,614	133,799	66,815

8. Variation between the delivered Capital Programme and Budget

- 8.1 The 2020/21 slippage totalled £66.8 millions,
- 8.2 It is recommended that £45.0 millions are carried forward into the 2021/22 Capital Programme and £22.1 millions into 2022/23 and beyond.
- 8.3 £2.5 millions has been brought forward from future years 2020/21 as schemes were accelerated.
- 8.4 The remaining £2.2 millions has been released from the capital programme in 2020/21 as an underspend.
- 8.5 For 2021/22 and future years, the Authority has been awarded or secured the following new income which will be added to the Capital Programme, or which will replace previous estimated figures:
 - Basic Need Schools Allocations for 2021/22 at £12.372 millions and 2022/23 at £7.449 millions respectively
 - £2.145 millions for 2021/22 High Needs Provision, for Special Educational Needs (SEND) places
 - £763,326 for 2021/22 Emergency Active Travel Fund – Tranche 2 Capital Grant
 - £80,714 2021/22 secured as S106 contribution towards the E9 Cycle route Ludwell Lane

8.6 An analysis of any underspend and the carry forward request is set out in the following table:

Programme Variation	Total Variation 2020/21	Accelerated Delivery 2020/21	Under spend 2020/21	Total Carry Forward	Carry forward to 2021/22	Carry forward to 2022/23 and future years
	£'000	£'000	£'000	£'000	£'000	£'000
Adult Care and Health	2,843	0	(8)	2,835	1,137	1,698
Children's Services	2,945	170	(322)	2,793	2,771	22
Communities, Public Health, Environment and Prosperity	49,534	1,783	(1,035)	50,282	30,791	19,491
Corporate Services	5,498	0	(500)	4,998	4,998	0
Highways, Infrastructure Development and Waste	5,995	545	(251)	6,289	5,316	973
Total	66,815	2,498	(2,116)	67,197	45,013	22,184
Financed By:	£'000	£'000	£'000	£'000	£'000	£'000
Capital Receipts Applied	10,803	926	(521)	11,208	8,820	2,388
Internal Borrowing	14,479	45	(931)	13,593	11,034	2,559
External Grants and Contributions	41,093	1,380	(489)	41,984	24,724	17,260
Revenue Budgets	440	147	(175)	412	435	(23)
Total	66,815	2,498	(2,116)	67,197	45,013	22,184

The delivery of the 2020/21 Capital Programme has been impacted, across all services, by the pandemic. A summary of the main projects contributing to this year's outturn variance, is shown in the following paragraphs.

8.7 Adult Care & Health

£1 millions of slippage is due to the North Devon Community Facility. This project is being re-scoped and is expected to recommence in 2021/22

£1.4 millions of slippage is due to the deferral of the Integrated Adult Care & Finance System implementation. This project was paused in 2020/21 as the team prioritised its response to the pandemic.

8.8 Children's Services

£1.2 millions of slippage is due to a lower call on the Devolved Formula Capital grant, mainly due to works being paused or reprioritised. There was also a reduced call on the Vehicle and Equipment Loans (VELP) fund and slippage against a number of smaller school's projects.

8.9 Communities, Public Health, Environment and Prosperity

North Devon Link Road - £10.3 millions - Full scheme approval was not received from the DfT until November 2020. The original 2020/21 budget for this scheme was based on early estimates provided in December 2019 resulting in a year end variance. The scheme has now started on site.

South Devon Highway - £4.4 millions - revised traffic counts were not undertaken until the autumn due to the abnormally low traffic flows caused by the pandemic. Agreement then needs to be reached with a large number of landowners with regards to noise insulation and part one land claims. Whilst this is progressing well, only a small number were agreed and paid in 2020/21.

South West Exeter Housing Infrastructure Fund - £5.5 millions – the project comprises 15 elements, which have all been costed and profiled across five financial years, totalling £55.14 million. Good progress is being made on design and works but there has been a variation in programmed spend as some anticipated risks did not materialise. Final delivery and milestone deadlines are still expected to be achieved.

Local Transport Plan (LTP) Integrated Transport Block - £3.1 millions - Two schemes related to the A382 have slipped due to pandemic as well as land acquisition delays. There were also variances across works on the Slapton Line and Ivybridge projects, and some other smaller schemes, due to planning and land acquisitions not being resolved in 2020/21.

The progress of various projects across the Economy and Skills service area have been slow this year, mainly due to the pandemic. These include Strategic Land transactions of £6.6 millions, slippage of works at our Business Parks totalling £2.6 millions as well as the Broadband and Library schemes of £2.6 millions.

Delivery of the Strategic Schools Programme has also slipped by £9.4 millions mainly due to the pandemic.

8.10 Corporate Services

Whilst some progress has been made, much of the work expected to take place under the Strategic Centres Accommodation Improvement Programme has been paused, resulting in slippage of £2.4 millions. This project includes work to reconfigure and enhance existing office accommodation, including the electrics and lighting.

The ICT programme has also experienced slippage of £1.8 millions whilst projects were paused or deferred during the year

The County Farms programme over delivered in 2020/21 with £0.6 millions being accelerated from the 2021/22 budget. The work carried out in 2020/21 related to a programme of works to upgrade the Councils existing farms dwellings to the Decent Homes Standards and the installation of a new slurry store. Despite delays in materials and access issues to tenant dwellings the final outturn position was £0.9 millions against a budget of £1.169 millions. The Decent Homes work will continue in 2021/22.

Within the Estates budget, infrastructure for the Access Control System which relates to the upgrade of the Councils car parking access and security systems, was completed this year. A programme of work was carried out on the estates buildings this year including capital works relating to fire safety measures to ensure that the Councils fire doors, across the estate, comply with accredited standards.

8.11 Highways Capital development and Waste Management

The Local Transport Plan (LTP) maintenance, Pothole and Challenge Fund budget - £3.2 millions. The funding supported over 750 highway and bridges schemes however there were difficulties in progressing schemes, particularly in the early part of the year, due to lockdown restrictions.

Street Lighting - £1.8 millions – a new term maintenance contract was effective from October 2020 which resulted in a slower delivery progress than originally expected during the mobilisation and commissioning of new systems.

Delivery of the Schools Maintenance Programme has also slipped by £2.2 millions mainly due to the pandemic.

9. Capital Financing

- 9.1 Internal borrowing was lower than originally budgeted which will result in a reduction in the capital financing requirement, specifically Minimum Revenue Provision (MRP), for 2021/22.
- 9.2 There was also a decrease in the requirement for funding from Revenue budgets; this is mainly attributable to slippage in projects funded from school's revenue.
- 9.3 External funding will need to be carried forward as unspent funds; this is mainly attributable to major schemes within Highways and also Planning, Transport and Environment (PTE), which reflects the complex nature of projects in these service areas as well as the impact of the pandemic on the timeliness of scheme delivery.
- 9.4 Capital receipts of £5.6 millions were received during 2020/21. The Capital Receipts Reserve has covered the financing requirement for 2020/21 of £9.7 millions, as shown in the following table:

Capital Receipts	General Receipts	Investing in Devon	Total
	£'000	£'000	£'000
Opening Balance 1st April 2020	10,839	1,078	11,917
Received in year	5,589	0	5,589
Applied to finance spend	(9,320)	(405)	(9,725)
Closing Balance 31st March 2021	7,108	673	7,781

10. Prudential Indicators

- 10.1 The prudential indicators are produced in line with the national code of practice that was drawn up by the Chartered Institute of Public Finance and Accountancy. This requires local authorities to monitor its overall debt level via a set of "prudential indicators", in order to form a judgement about affordable, prudent and sustainable levels of debt. The definition of debt for the Prudential Indicators that were calculated and agreed within the Capital Programme for 2020/21 includes both borrowing and other long-term liabilities such as PFI schemes.
- 10.2 The indicators are set annually when the budget is agreed, and we report the final position of the indicators against the estimate within the outturn report. The indicators are adjusted after the budget is agreed for technical accounting changes. In 2020/21 no prudential indicators were breached.

10.3 Capital Financing Requirement (CFR)

The Capital Financing Requirement reflects the cumulative capital expenditure that the authority has yet to finance. It is alternatively known as the underlying need to borrow.

ACTUAL 2019/20 £000		ACTUAL 2020/21 £000
714,217	Opening Capital Financing Requirement	701,391
714,217		701,391
	Capital Investment	
98,986	Property, Plant and Equipment	119,059
0	Heritage Assets	0
1,469	Intangible Assets	1,151
14,674	Revenue Expenditure Funded from Capital under Statute	13,589
0	Share Capital	0
	Sources of Finance	
(6,720)	Capital Receipts	(9,725)
(106,143)	Government Grants and other contributions	(112,891)
	Sums set aside from revenue:	
(807)	Direct revenue contributions	(922)
(97)	External contribution - debt repayments	(69)
(14,432)	Statutory provision for the financing of capital investment	(14,257)
	Capital provision	
5,247	Creation of Long Term Provision	5,003
(5,003)	Provision remaining at year end	(4,766)
701,391	Closing Capital Financing Requirement	697,563
	Explanation of Movements in Year	
	Increase in underlying need to Borrow (unsupported by	
3,338	government financial assistance)	11,781
244	Decrease in Capital Provision	237
(2,048)	(Reduction)/ Increase in PFI liability	(2,244)
(14,359)	Increase in the provision for repayment of debt	(13,602)
(12,825)	Increase/(decrease) in Capital Financing Requirement	(3,828)

10.4 Authorised Limit and the Operational Boundary for External Debt

External borrowing totals £507.9 millions and other Long Term Liabilities total £114.6 millions. The actual external debt for 2020/21 was therefore £622.5 millions.

The authorised limit for external debt of £780.9 millions was not breached.

The operational boundary for external debt of £755.9 millions was not breached.

10.5 Ratio of Financing Cost to Net Revenue Stream

This key ratio shows the percentage of the net revenue budget which is used to finance debt. The long term commitment is that the capital finance charges excluding the capital financing costs included within the PFI and other PFI type of arrangements do not go above 12%. On an annual basis the authority, when assessing the affordability of the programme, estimates the relevant percentage, and the following tables shows the year end variance against original estimates.

	<u>Including PFI Charges</u>	<u>Excluding PFI Charges</u>
Total Financing Costs	45.167 millions	31.367 millions
Net Revenue Stream	530.054 millions	530.054 millions
Actual	8.52%	5.92%
Estimated	9.76%	6.95%
Variance	-1.24%	-1.03%

11. Determination of Capital Finance

- 11.1 The Authority is required to determine its use of capital finance as defined by capital control legislation. The following use of capital finance sources, as outlined in the table shown on page 28 [section 7] is proposed.
- 11.2 That internal borrowing totalling £11.7 millions is used as authorisation to finance capital expenditure.
- 11.3 That expenditure of £111.3 millions is funded from government grants and external contributions to meet expenditure in 2020/21 for capital purposes.
- 11.4 That useable capital receipts of £9.7 millions are applied to meet expenditure in 2020/21 for capital purposes
- 11.5 That the remaining capital expenditure of £0.9 millions is met from revenue budgets.

DEBT (Monies Owed to the Authority) as at 31st March 2021

12. Recommendation: that the position relating to debt be noted.

- 12.1 The County Council collects income from a wide range of sources to fund its services. Large elements of income are received automatically from Government and District Councils in respect of Revenue Support Grant, share of National Non-Domestic Rates and Council Tax.
- 12.2 Technology is also used to receive income via the telephone and the internet. Debt recovery agents continue to be used where non-sensitive debt has proved difficult to collect.
- 12.3 Income is also received from the raising of invoices to users of a service. Accounts are credited with the income value with immediate effect. However, it is often the case that debtors take time to settle accounts and there is a time delay between accounting transactions and cash income.
- 12.4 The County Council has a number of debtor systems which encompass Adult Care functions, Devon Pensions Fund items and Corporate services.
- 12.5 As at 31st March 2021, the situation was as follows: -

	Corporate System	Adult Care Functions	Devon Pension Fund	Total
Total Invoiced Income for the Year	£179.440 million (£195.000 million at 31st March 2020)	£52.805 million (£53.315 million at 31st March 2020)	£8.868 million (£28.808 million at 31st March 2020)	£241.113 million (£277.123 million at 31st March 2020)
Outstanding debt older than 3 months	£2.390 million (£4.590 million at 31st March 2020)	£18.127 million (£14.173 million at 31st March 2020)	£0.097 million (£0.130 million at 31st March 2020)	£20.614 million (£18.893 million at 31st March 2020)
Percentage of Debt which is older than 3 months relative to whole year value	1.34% (2.35% at 31st March 2020)	34.33% (26.58% at 31st March 2020)	1.09% (0.45% at 31st March 2020)	8.55% (6.82% at 31st March 2020)

- 12.6 In terms of Corporate debt, active management of items throughout the year and recovery of several large value debts has helped to keep debt levels at a relatively low level, although this has been impacted to some extent by the economic and operational impact of COVID-19.
- 12.7 Within the Adult Care Functions, significant elements of Residential Care debt are underwritten by property charges. At the year end, the level of debts over 3 months old for Residential Care secured by legal charge total £11,953,000 (£9,523,705 at 31st March 2020) and reduces the percentage of outstanding debt for Residential Care from 40.02% to 12.0% (9.1% at 31st March 2020).
- 12.8 The On-Street Parking system records monies owed for this service area. The nature of the individual debt is low value. At the year-end, gross debt totalled £1,065,787, with a bad debt provision of £647,699. The net debt was £418,088. Enforcement agents are used to recover related debt where appropriate.
- 12.9 The level of debt in respect of invoiced income for the Devon Pension Fund is comparatively low in percentage terms and relates to a small number of debtors. Total invoiced income for 2020/21 is lower than in 2019/20 – in 2019/20 this included £16,092,941 in advanced secondary contributions from employer organisations.
- 12.10 To mitigate the effect of non-recovery of debt, general provisions have been established to write-off corporate items which prove non-recoverable. At the year end, these total £1,550,000. This includes £990,000 provision in respect of COVID-19, representing associated risks based on 12% of net debt.

ABBREVIATIONS

Abbreviations used within the outturn report:

BCF	Better Care Fund - formerly known as the Integration Transformation Fund, a national arrangement to pool existing NHS and Local Government funding starting in April 2015.
C/F	Carry Forward
CCG	Clinical Commissioning Group
CFR	Capital Financing Requirement
COVID-19	Coronavirus Disease
DCC	Devon County Council
DfT	Department for Transport
DSG	Dedicated Schools Grant
EDDC	East Devon District Council
EU	European Union
HR	Human Resources
HRMS	Human Resources Management System
ICT	Information & Communications Technology
LED	Light Emitting Diode
LTP	Local Transport Plan
MHCLG	Ministry of Housing, Communities and Local Government
MRP	Minimum Revenue Provision
NHS	National Health Service
NNDR3	National Non-Domestic Rates Return 2020-21
PFI	Private Finance Initiative
PTE	Part-time Equivalent (15 hours)
S106	Funding from developers resulting from planning obligations authorised by section 106 of the Town and Country Planning Act 1990
ScoMIS	Schools Management Information Service
SEN	Special Educational Needs
SEND	Special Education Needs and Disability
VELP	Vehicle Equipment Loan Pool

GLOSSARY OF TERMS

Some of these terms are not used within the Outturn report but have been included as background information.

BUDGET

A budget is approved annually by the authority and sets out the council tax requirement for the next financial year. This council tax precept funds the planned spending programme which is presented net of income from grants, fees and charges and other sources. The budget does not include any of the adjustments needed to comply with financial reporting standards and, as such, is not truly comparable with the results as shown in the statement of accounts for the same period.

CAPITAL EXPENDITURE

Capital expenditure is expenditure on the construction, acquisition, development or improvement of property, plant and equipment and of intangible assets (principally, software licenses). Under legislation it may be financed from capital sources or from funds set aside from revenue. It is to be distinguished, however, from revenue expenditure funded from capital under statute (REFCUS) which is charged as revenue expenditure in the comprehensive income and expenditure account and only matched with its capital funding by transfer in the movement in reserves statement.

CAPITAL RECEIPTS

Capital receipts are income received from the sale of property, plant and equipment or intangible assets. They are available only to finance new capital expenditure or to repay debt. Until this occurs they are held on the capital receipts reserve.

CIPFA

CIPFA (The Chartered Institute of Public Finance and Accountancy) is the lead body for setting standards in public sector accounting practice.

CONTRIBUTIONS

Contributions are receivable from health authorities, other local authorities and other non-governmental bodies in respect of the authority's functions carried out independently. They are distinguishable from fees and charges income, which is received under a contract of supply. The same distinction applies to contributions paid by the authority. Contributions receivable are distinguished from grant income only in that grants are received from UK or EU governments (or their agencies).

DEBT

External debt consists of borrowing and other long-term liabilities (such as Private Finance Initiatives and other similar contracts). The **Authorised Limit** to debt represents the level at which the Council is able to borrow and enter into other long-term liabilities. Additional borrowing beyond this level is prohibited unless the limit is revised by the Council.

The **Operational Boundary** is based on the anticipated level of external debt needed during the year. Variations in cash flow may lead to occasional short term breaches of the Operational Boundary that are acceptable.

DEDICATED SCHOOLS GRANT (DSG) ADJUSTMENT ACCOUNT

This is a new unusable reserve which holds negative (deficit) balances from the expenditure against the Dedicated Schools Grant. It has been established as a result of new statutory regulations which came into force from November 2020, whereby a local authority must not charge any deficit in respect of its schools' budget to its revenue account. Instead any such deficit should be charged to a separate account - the DSG Adjustment Account - in effect removing it from the General Fund and earmarked reserves. These regulations are in force for three years 2020/21, 2021/22 and 2022/23 and do not set out what will happen after March 2023.

GENERAL FUND

Page 41 The general fund is the usable revenue reserve which finances the authority's working capital. It represents the cumulative net budget surplus after appropriations to or from earmarked reserves and consists of two elements: the county fund and reserves held by schools under delegated management. The county fund balance is evaluated under the authority's risk management strategy as the amount required to fund operations without borrowing before the first precept payments are received.

GOVERNMENT GRANTS

These are sums of money paid UK or EU governments, or their agencies, in order to fund the activities of the authority. Grants in support of local government services may be for general application or, where restricted to specified services, ring-fenced. The amount of grant income credited to the comprehensive income and expenditure account for the year represents the value received (or due to be received) in the year less any such amounts which are repayable by virtue of a condition which has not been satisfied. Outstanding conditions are normally satisfied in the following year in which case the liability is transferred to income at that stage.

The following bodies (shown together with their common abbreviations) award grants to the authority and are the sources of income in the analysis of government grants:

- CSPN = County Sports Partnership Network
- CWDC = Children's Workforce Development Council
- DBERR = Department for Business, Enterprise and Regulatory Reform

DCMS	= Department for Culture, Media & Sport
DEFRA	= Department for Environment, Food & Rural Affairs
DfE	= Department for Education
DfT	= Department for Transport
DHSC	= Department of Health and Social Care, formerly DH - Department of Health, now with Social Care responsibilities
DIUS	= Department for Innovation, Universities and Skills
DTI	= Department of Trade & Industry
DWP	= Department for Work & Pensions
ESFA	= Education and Skills Funding Agency - combination of EFA - Education Funding Agency and SFA Skills Funding Agency
EU	= European Union
HEFCE	= Higher Education Funding Council for England
HLF	= Heritage Lottery Fund
HO	= Home Office
MHCLG	= Ministry of Housing, Communities and Local Government, replaced DCLG from January 2018
MoD	= Ministry of Defence
NE	= Natural England
P4S	= Partnership for Schools
PSA	= Public Service Agreement
SCITT	= School Centred Initial Teacher Training
SDF	= Sustainable Development Fund
TDA	= Training and Development Agency
YJB	= Youth Justice Board

INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)

These standards are issued by the International Accounting Standards Board. They are adapted under the auspices of CIPFA so as to apply to local authorities and consolidated in the Code of Practice on Local Authority Accounting (The Code).

MINIMUM REVENUE PROVISION (MRP)

MRP represents the minimum amount that, under government regulations, must be appropriated from the general fund each year in order to fund the repayment of existing debt.

OUTTURN

Outturn represents the annual results of the revenue and capital programmes which the authority reports in order to account for its use of public funds under government legislation. It is reported in the same terms as the budget under which council tax funding was originally raised. The outturn report is not subject to external audit and does not apply the Code, nor does it include a balance sheet. As such it is not truly comparable with the statement of accounts.

PRECEPTS & LEVIES

A levy is a charge made by one statutory body on another in order to meet the net cost of its services. A precept is a charge made by a statutory body upon the council tax collection fund of a billing authority.

PRIVATE FINANCE INITIATIVE (PFI)

PFI contracts, and also public-private partnerships (PPP), typically involve a private sector operator constructing or enhancing assets used in the provision of a public service, and operating and maintaining those assets for a specified period of time on behalf of the authority after which the assets pass to the authority for little or no incremental consideration. Under the Code, contractual charges made by the operator on the authority fall under two headings, finance lease (to finance construction or enhancement) and service provision (to finance operation and maintenance), and each heading is accounted for accordingly over the period of each contract. In cases where no asset is to pass to the Balance Sheet, all charges are made annually to the comprehensive income and expenditure account. Under the finance lease model, the liability remains with the Authority even where assets subsequently vest in schools on a change of status.

PROPERTY, PLANT AND EQUIPMENT

Assets that have physical substance and are held for use in the production or supply of goods or services, for rental to others, or for administrative purposes and that are expected to be used during more than one financial year are included in the balance sheet under the heading of property, plant and equipment. Such assets are carried at current value and are regularly revalued in order to ensure that this remains the value at which they are reported annually. Where there is no market-based evidence of current value (because of the specialist nature of an asset), depreciated replacement cost is used as an estimate of current value. Depreciation is charged annually by

reference to the remaining useful life of an asset or of each class of component making up that asset. Surplus assets are valued at fair value.

PROVISIONS

A provision is a liability of uncertain timing or amount. It is recognised when there is a present obligation (whether legal or constructive) as a result of a past event where a transfer of economic benefit is likely to result and a reliable estimate of this transfer can be made.

RELATED PARTIES

Parties are considered to be related if one party has the ability either to control the other party or to exercise significant influence over it in making financial or operating decisions. Parties are also related if they are subject to common control. Related parties include subsidiaries, associates, joint ventures, and possibly other entities or individuals. Central government is a related party by this definition. Related parties attract additional disclosure requirements in order to identify the extent to which the authority may exercise or be subject to influence or control. The statement of accounts includes the following in this respect:

- Details of significant government grants and the awarding bodies;
- Transactions with subsidiary and associated companies;
- Transactions with the pension fund.
- Transactions with related individuals not applicable to other members of the community (for example, members and chief officers)

REVENUE EXPENDITURE FUNDED FROM CAPITAL UNDER STATUTE (REFCUS)

REFCUS is revenue expenditure that is funded from capital either because it is capital in nature (but does not result in an asset) or because capital financing has been allowed by specific regulation. REFCUS is included accordingly in the comprehensive income and expenditure account and appropriated from general fund to capital adjustment account in the movement in reserves statement.

SECTION 151 OFFICER

The section 151 officer is the council officer designated under that section of the Local Government Act 1972 to take overall control of the financial affairs of the authority and to take personal responsibility for its financial administration. At Devon County Council the Section 151 Officer is the County Treasurer.

SUBSIDIARY

A subsidiary is an entity which is under the control of the authority. This means that investment by the authority is such that it has decisive power over the entity, has the ability to direct all its substantial activities and enjoys rights (or suffers exposure) to variable returns. Investment takes account of contractual connections, participation in governance and executive interchange as well as the level of financial investment.

UNUSABLE RESERVES

Unusable reserves are reserves that the authority is not able to utilise to provide services. These reserves fall into two categories, namely: revaluation balances and adjustment accounts. Revaluation gains held under the first category only become available for use when the assets to which they relate are disposed of and the gain realised as a capital receipt. In the second category, each reserve is named after the adjustment variously required to report the comprehensive income and expenditure account under the accounting basis. These adjustments are realised only by reversal and thus constitute timing differences. By these adjustments, the general fund continues to be stated under the funding basis required by regulation.

USABLE RESERVES

Usable reserves are reserves available to the authority for the provision of services although there may be statutory limitations on the type of use in each case. Reserves usable for capital expenditure consist of the capital receipts reserve (which may also be applied in the repayment of borrowings) and capital grants unapplied. Usable revenue reserves consist of the general fund together with any earmarked reserves set aside from general fund for specified future expenditure.

VIREMENT

The process of transferring money from one budget heading/line to another.

Mary Davis

Electoral Divisions: All

Local Government Act 2003

Contact for Revenue Enquiries:

Mary Davis Tel No: 01392 383310

Angie Sinclair Tel No: 01392 380711

Contact for Capital Enquiries:

Esther Thorpe Tel No: 01392 383457

Background Paper Date 14th July 2021

Detailed financial working papers and systems

Executive Member: Councillor Phil Twiss

PTE/21/22
Cabinet
14 July 2021

A3121 Safer Roads Fund – Kitterford Cross Roundabout Improvement - Scheme for Approval

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: It is recommended that:

- (a) the proposed roundabout junction shown on Plan 17356-04KIT /18 in Appendix 1, is approved for construction at an estimated cost of £1.411 million; and
- (b) the Head of Planning, Transportation and Environment be given delegated powers, in consultation with the Cabinet Member for Highway Management and the local member, to make minor amendments to the scheme details.

1. Summary

The report seeks approval to construct a roundabout junction on the A3121 at Kitterford Cross. The roundabout scheme is being proposed to improve road safety on the A3121 corridor as part of the Safer Roads Fund Project.

2. Introduction

In 2016 the Government announced a £175 million Safer Roads Fund (SRF) that was targeted at improving road safety on the most dangerous A-Roads across the country. The supporting evidence report was published by the Road Safety Foundation and identified a national list of 50 high risk A-road corridors based on their road safety performance over the five year period 2012-2016. This list included both the A3123 and the A3121 corridors within Devon.

Between 2012 and 2016 the A3121 had recorded 31 injury collisions of which six resulted in a Killed or Serious category Injury (KSI) to road users. On the A3121 there were also two identified collision cluster sites, one at Kitterford Cross and one at the A379 junction to the west of Modbury, where there is a separate roundabout improvement scheme currently being completed as part of this SRF project. The cluster site at Kitterford Cross recorded seven injury collisions between 2012-2016. In the following period 2017-2020 a further 4 injury collisions have been recorded. There is a casualty pattern evident at the junction for vehicles failing to give way.

Agenda Item 8

The current layout of the Kitterford Cross junction takes the form of a crossroads. A3121 traffic travelling from the A38 and B3196 traffic from Loddiswell must both give way to traffic travelling between Avonwick and Modbury on the C793\A3121. The dominant A3121 traffic flow does not have priority through the junction.

Visibility at the junction is restricted by the road layout, topography and hedgebanks. Approach visibility of the junction from Avonwick and Modbury is limited. And in particular the approach visibility to the give way point and junction from the direction of the A38 is very limited.

Grant funding bids were submitted to the Department for Transport in 2017 and the Council was subsequently awarded £1.9 million funding from the SRF for the A3121 and £2.2 million for the A3123.

The A3121 bid proposals submitted to the Department for Transport incorporated a preliminary design for a realigned junction with double side road junctions to Avonwick and Loddiswell. This proposal was aimed at improving visibility and giving priority to the A3121 traffic through the junction. Local consultation identified concerns about the proposals for Kitterford Cross and requests were made for further consideration of a roundabout junction.

The A3121 SRF project was given Cabinet approval in September 2019. But subject to a further review of a roundabout junction option for Kitterford Cross.

3. Proposal

The proposed scheme is shown on Plan 17356-04KIT/18 in Appendix 1. The proposed four arm roundabout is offset to the northeast of the existing crossroads junction.

To accommodate a new roundabout in this location, departures from design standards had to be considered. This included: -

- Design speed
- Horizontal alignment
- Approach gradient
- Width of circulatory carriageway
- Street lighting

Departures from design standards have been agreed for the proposed scheme. In addition, the scheme has been subject to a Stage 1 Road Safety Audit.

Land agreements, ecological surveys and archaeological surveys are currently being progressed towards completion. Subject to concluding these elements of the design process and subject to final scheme approval, it is anticipated that a scheme could commence construction in early Autumn 2021.

4. Options/Alternatives

Alternative options for a double side road junction and a staggered crossroads have been considered as part of the preliminary design, bid process and consultation stages for this SRF project. These options have been rejected.

5. Consultations

The proposed scheme has the support of the local Member and the local Parish Councils. A preliminary design scheme plan for the roundabout has been included on the Council's website for consultation since Summer 2020.

6. Financial Considerations

Funding for the SRF project is limited to the £1.9 million external grant received by the Council in March 2021. The inclusion of a roundabout junction at Kitterford Cross will significantly increase the overall cost for the SRF project. Additional Local Transport Plan funding of £1 million, to implement the scheme, has been identified under the Cabinet approved 2020/21-2021/22 Transport Capital Programme report in April 2020.

7. Legal Considerations

Land agreements are well advanced and are currently progressing towards completion. Planning requirements for changes to protected hedgerows have been completed. Ecological surveys and archaeological surveys are currently underway.

8. Environmental Impact Considerations (Including Climate Change)

As part of the grant application bid an impact assessment was carried out and can be found at

https://devoncc.sharepoint.com/:b:/s/PublicDocs/Highways/EV1M_-ynZedHmoJaRsTXDuEBEAv-K2aZkreyyP-wyEWLiw

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

Agenda Item 8

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.

As part of the grant bid application an impact assessment was carried out. No adverse impacts were identified. Road safety improvements are expected to be of general benefit across the road user demographic. The proposed scheme will offer a positive social impact by decreasing the risk of injury, and injury severity, arising from road travel.

10. Risk Management Considerations

A risk management plan has been maintained for the scheme. Any outstanding risks are identified, and appropriate contingency sums included within the scheme estimate for approval.

11. Public Health Impact

There will be a small but positive benefit to public health by supporting safer road travel and reducing the impacts that are linked to personal injury resulting from road traffic collisions.

12. Reasons for Recommendations

This project is in line with Devon's Road Safety Vision that every route should be available to everyone, free from risk or fear of harm. The scheme will help to improve the A3121's safety record at Kitterford Cross where a number of people have been and continue to be injured.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: South Brent & Yealmpton

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of Background Papers

Contact for Enquiries: James Anstee

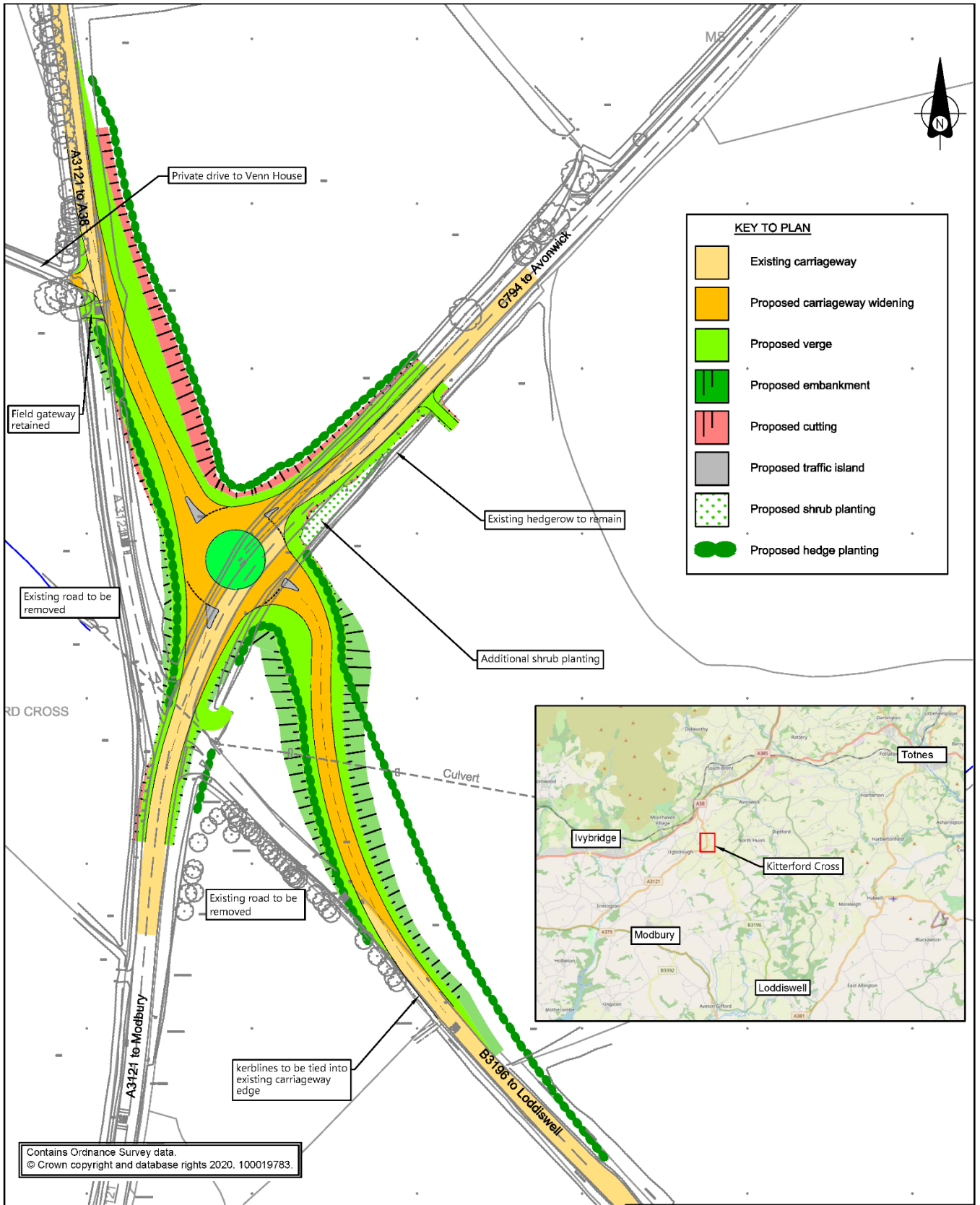
Tel No: 01392 383000

Room: Matford Offices, County Hall, Exeter EX2 4QD

Background Paper	Date	File Reference
Nil		

A3121 Safer Roads Fund – Kitterford Cross Roundabout Improvement -
Scheme for Approval - Final

Appendix 1 to PTE/21/22




Contains Ordnance Survey data.
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NOTES

- Standard verge width of 2m increased for visibility requirements
- Road centre line markings shown as indicative only

Rev	Date	Drawn	Revisions	Chk
-	10/05/2021	LTW	FIRST ISSUE	CB

Engineering Design Group


Devon County Council
 Matford Offices Tel. 0345 155 1004
 County Hall
 Topsham Road
 Exeter customer@devon.gov.uk
 EX2 4QD www.devon.gov.uk

TITLE

A3121 SAFER ROADS
SITE 4 - KITTERFORD CROSS JUNCTION
 GENERAL ARRANGEMENT
 A4 COPY

Do not scale from this drawing in either hard or electronic format. No responsibility is accepted where this drawing is used in circumstances other than that for which it was originally prepared and issued.

drawing number	Revision
17356-04KIT/18	-
scale(s)	size
1:1500	A4

Assessment of:	Devon's Safer Roads Fund Bid – A3121
Service:	PT&E – Road Safety

Head of Service:	Dave Black
Assessment carried out by (incl. job title):	Dan Trump – Road Safety Engineer

Page 1

Section 1 - Background

Description:	The Department for Transport (DfT) identified through their own analysis a list of the 50 most dangerous roads in Britain in terms of road safety and route risk. Two were identified in Devon one of which being the A3121 near Ermington in South Hams district, between Wrangaton and Modbury Cross. Capital funding is available via a formal bidding process to improve the overall road safety related risk of the route. Devon County Council (DCC) will be bidding for this funding.
Reason for change/review and options appraisal:	Although safety improvements have been made historically to the A3121 the funding available from the DfT is significantly larger than any previous. If successful the funding will enable DCC to undertake larger scale interventions e.g. junction realignment at Modbury Cross, visibility improvements at Kitterford Cross, localised carriageway widening near Sign of the Owl Cross, and numerous side road junction improvements along the whole route.

Section 2 - Key impacts and recommendations

<p>Social/equality impacts:</p>	<p>The road will be wide enough along its extents to accommodate two vehicle flow with pinch points being removed. Junctions will have improved visibility splays and radii tightened to reduce vehicle entry speeds. Modbury Cross will be realigned closing the junctions of Hollowcombe Cross and Sequers Bridge Lodge with the A379 creating one single priority give way junction, and the northern approach of Kitterford Cross will be realigned to improve drivers visibility.</p> <p>Cumulatively, these measures will offer a positive social impact by decreasing risk of injury, and injury severity, arising from road travel. Concern about road risk is typically cited as a blocking factor to people opting for healthier and more sustainable travel choices, and associated reductions in perceived road danger may offer opportunities for some road users to travel shorter journeys using active modes.</p> <p>Additional benefits will include eased congestion at the localised pinch point near Sign of the Owl Cross and improved journey times throughout.</p>
<p>Environmental impacts:</p>	<p>The scheme will reduce journey times as well as localised congestion on the A3121. The scheme will however require major earthworks and construction of the new road in an existing green field at Modbury Cross. This single new access road onto the A379 will replace two existing roads which it is proposed will be broken up and returned to agricultural land.</p>
<p>Economic impacts:</p>	<p>The scheme is designed to reduce injury collisions with an average value of prevention of £76,466 per collision across all severities. In the five years to December 2016 the A3121 generated 29 injury collisions.</p> <p>Further analysis of the road safety and non-road safety benefits will be undertaken and a refined benefit cost ratio will be published online within the permitted time periods outlined by the Department for Transport of the 13th October 2017. A revised version of the bid document will be uploaded onto the Devon County Council Road Safety – Capital Schemes website which can be found at the following address: https://new.devon.gov.uk/roadsandtransport/safe-travel/road-safety/safer-roads/capital-schemes/</p>
<p>Other impacts (partner agencies, services, DCC</p>	<p>A reduction in KSI collisions will not only benefit road users but also Devon County Council, local businesses and emergency services. The latter will achieve cost savings by attending fewer, and less severe, collisions and</p>

<p>policies, possible 'unintended consequences'):</p>	<p>Public Health will benefit from fewer and shorter term hospital admissions. Local businesses will benefit from fewer delays following KSI collisions and improved route resilience. Finally, Devon County Council will benefit from reduced collision investigation and associated highway repairs.</p>
<p>How will impacts and actions be monitored?</p>	<p>DCC will annually assess the collision performance of the A3121 applying additional scrutiny to Killed and Seriously Injured (KSI) collisions and any collisions occurring at large scale intervention locations e.g. Modbury Cross. Stage 4 Road Safety Audits at 12 months and 36 months post construction will be undertaken in compliance with HD 19/15 (the national Road Safety Audit Standard)</p> <p>The DfT also intends to conduct programme-level monitoring and evaluation of the Safer Roads Fund across all local authorities which DCC will fully support.</p> <p>Factor analysis of future collisions will routinely include demographic profiling of those most directly responsible for, and/or injured in, collisions - allowing us to determine the extent to which especially vulnerable groups (for example according to age or modal choice) have been affected by the scheme.</p>

Section 3 - Profile and views of stakeholders and people directly affected

<p>People affected:</p>	<p>Local residents, local business owners including agricultural land owners, local drivers using the A3121 along with increased tourism traffic crossing Kitterford Cross when travelling from the A38 towards the Kingsbridge/Salcombe areas.</p>
<p>Diversity profile and needs assessment of affected people:</p>	<p>The scheme will provide benefits to motorists and road users in the area and will be of particular benefit to younger (17-24) and older (65+) road users.</p>
<p>Other stakeholders:</p>	<p>South Hams District Council, Local Members,</p>

Consultation process:

Public consultation will be undertaken as part of this scheme. Details of which are yet to be confirmed although consultation with local Members began at an early stage in the process, pre-funding application.

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 4a - Social Impacts

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

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Necessary
Reasonable, and

Those affected have been adequately consulted.

<p>Characteristics</p>	<p>In what way are you eliminating or reducing the potential for direct or indirect discrimination, harassment or disadvantage?</p> <p>Are there any reasonable and proportionate, unavoidable negative consequences?</p>	<p>In what way are you advancing equality (meeting needs, encouraging participation, making adjustments for disabled people, 'closing gaps').</p> <p>In what way are you fostering good relations between groups (tackling prejudice and promoting understanding), if relevant?</p>
-------------------------------	---	---

<p>All residents (include generic equality provisions):</p>	<p>The scheme will have positive impacts on all groups of people.</p>	<p>The scheme will have positive impacts on all groups of people.</p>
<p>Age:</p>	<p>Our demographic analysis of key collision factors shows over-representation of the younger (17-24) and older (65+) ages for those involved in A3121 collisions. We would expect these interventions to benefit these two age groups especially.</p>	<p>Educational interventions will include bespoke training and coaching opportunities for these two groups within a community context. This should help to reduce the disproportionate level of risk they experience.</p>
<p>Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:</p>	<p>The scheme will be subject to full Road Safety Audit procedures which will explicitly examine the extent to which designs accommodate the needs of those road users who are mobility impaired.</p>	<p>Scheme design should accommodate wherever possible the needs of those road users mobility impaired.</p>
<p>Culture and ethnicity: Nationality/national origin, skin colour, religion and belief:</p>		
<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>	<p>Young males tend to be over-represented in road traffic collisions and safety schemes will tend to favour positive outcomes for this group.</p>	<p>Educational interventions will include bespoke training and coaching opportunities younger male drivers within a community context. This should help to reduce the disproportionate level of risk they experience.</p>

Sexual orientation and marriage/civil partnership:		
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	Individuals from lower social economic groupings tend to be generally over-represented in road traffic collisions. Consequently safety schemes will tend to favour positive outcomes for this group	Socio-demographic analysis of collision victims and those most directly responsible for injury collisions will help educational interventions to focus on the needs of higher risk groups which may typically over-represent those in lower income households.
Human rights considerations:	The right to life applies.	

Section 4b - Environmental impacts

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 select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

	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 waste, and send less waste to landfill:	Where roads are returned to agricultural use waste will be generated from the break up of the existing carriageway.	Where practicable all construction waste material will be recycled and only local sources used and we will reduce the overall length of maintainable carriageway as part of the scheme.
Conserve and enhance biodiversity (the variety of living species):	A new length of carriageway will be created from existing green space.	Realignment of Modbury Cross reducing the number of access roads onto the A379 from two to one resulting in a long term net benefit.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:		Localised widening near Sign of the Owl Cross will maintain Devon Hedgebanks.
Conserve and enhance the quality and character of our built environment and public spaces:		Features associated with the 40mph speed limit through Ermington will be improved to increase driver compliance with the posted speed limit with associated local quality of life improvements.
Conserve and enhance Devon's cultural and historic heritage:		
Minimise greenhouse gas emissions:		Localised widening at Sign of the Owl Cross will reduce amount of stationary and stop/start traffic at historic pinch point reduce emissions.

Minimise pollution (including air, land, water, light and noise):		No new lighting columns are required as part of the scheme.
Contribute to reducing water consumption:		
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		
Other (please state below):		

Section 4c - Economic impacts

	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:		Educational programmes – focussing on risk identification and risk management – will accompany the capital project and will be available to communities using this carriageway.
Impact on employment levels:		

Impact on local business:

Improved journey times along the A3121 could make the area more attractive for new businesses and improve connectivity for existing business owners.

Rural A Roads: A3121 full length A38 nr S Brent to A379 nr Modbury

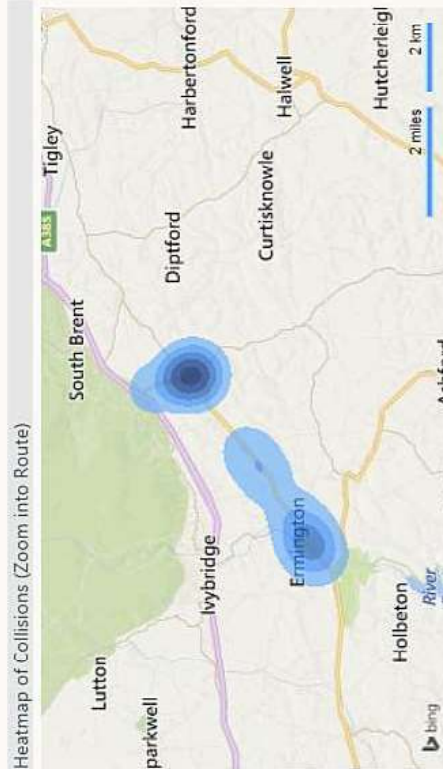
DATA DISCLAIMERS APPLY TO THIS DATASET:
See Data Disclaimers Page of this Report

ROUTE > A3121 full length A38 nr S Brent to A379 nr Modbury

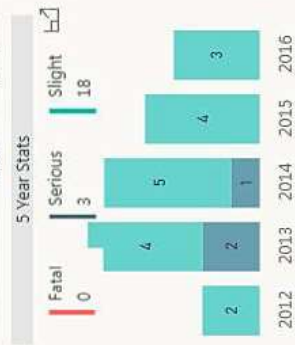
Collisions 21
KSI 3

Collision Rate per bn veh km 497!
KSI Rate per bn veh km 71!
Rank 57

Control: 223 Control: 48 Control: 22%



AADT 2,440
KM Length 9.5



2015 Cluster Site Results (2016 update due shortly)
NEW - Kitterford Cross A3121 Nr Ivybridge



Statistics for A3121 full length A38 nr S Brent to A379 ...

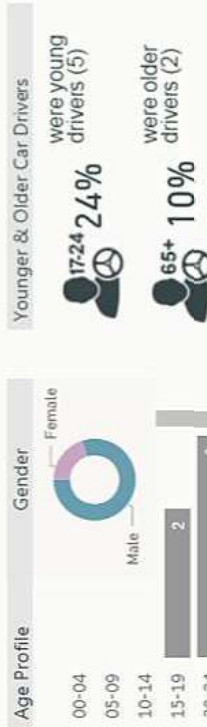
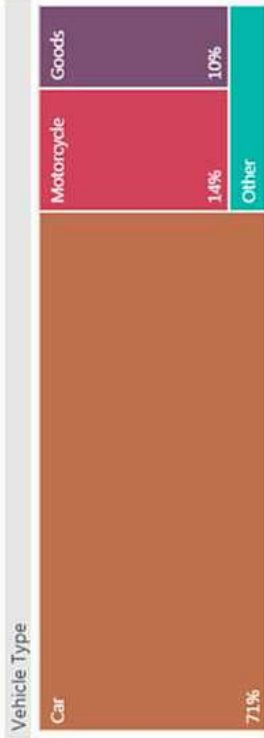
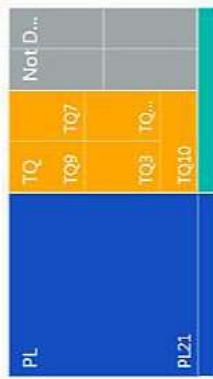
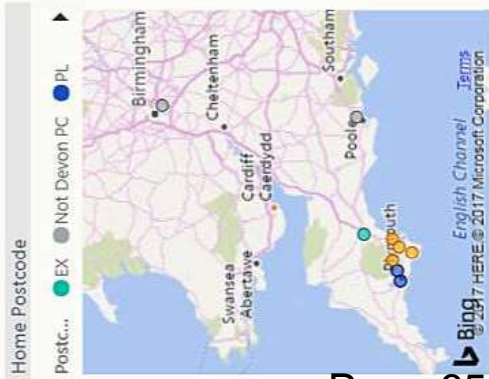
'Goal' = Rural DCC A Roads Norm



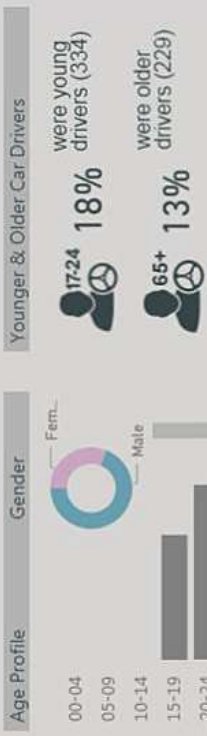
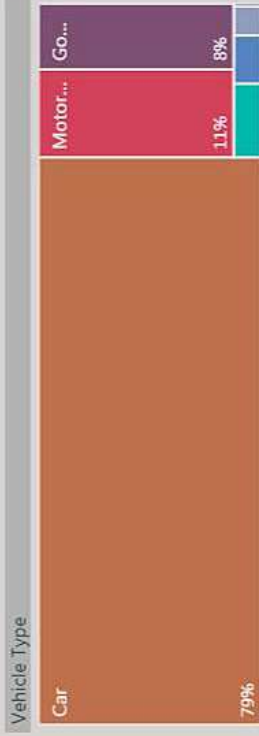
Driver/Rider Statistics: Blameworthy* Vehicles

ROUTE >

A3121 full length A38 nr S Brent to A379 nr Modbury



Vehicle Type	Ave Dist (mi)
Bus or Coach	35
Car	96
Goods	4
Motorcycle	4
Pedal Cycle	4
Pedestrian	4



Vehicle Type	Ave Dist (mi)
Bus or Coach	31
Car	22
Goods	27
Motorcycle	15
Pedal Cycle	11
Pedestrian	11

DATA DISCLAIMERS APPLY TO THIS DATASET:
See Data Disclaimers Page of this Report

CONTROL DATA: Rural DCC A Roads

ROUTE > A3121 full length A38 nr S Brent to A379 nr Modbury

Home Postcode

Postc... ● EX ● Not Devon PC ● PL

PL, EX, Not Devon PC

Bing, HERE, © 2017 Microsoft Corporation

Vehicle Type (Chart Excludes Pedestrians)

Car	Motorcycle
Driver / Rider	Driver / Rider
Vehicle Passenger	Bus

12% of casualties were motorcyclists (4)

0% of casualties were pedal cyclists (0)

0% of casualties were pedestrians (0)

MOSAIC Profiles (where postcodes known)

Age Profile

Age Group	Male	Female
00-04	0	0
05-09	0	0
10-14	0	0
15-19	4	0
20-24	5	0
25-29	4	0
30-34	4	0
35-39	1	0
40-44	2	0
45-49	3	0
50-54	2	0
55-59	2	0
60-64	0	0
65-69	1	0
70-74	2	0
75-79	0	0
80-84	1	0
85-89	1	0
Age Unknown	1	0

MOSAIC Profiles (where postcodes known)

U Unclassified, L Transient, E Suburb, B Pres, F Se, H Aspiring, G Rural Reality, A Country Living

CONTROL DATA: Rural DCC A Roads

Vehicle Type (Chart Excludes Pedestrians)

Car	Motorcycle
Driver / Rider	Driver / Rider
Vehicle Passenger	Bus

10% of casualties were motorcyclists (287)

3% of casualties were pedal cyclists (84)

3% of casualties were pedestrians (78)

MOSAIC Profiles (where postcodes known)

Age Profile

Age Group	Male	Female
00-04	0	0
05-09	0	0
10-14	0	0
15-19	0	0
20-24	0	0
25-29	0	0
30-34	0	0
35-39	0	0
40-44	0	0
45-49	0	0
50-54	0	0
55-59	0	0
60-64	0	0
65-69	0	0
70-74	0	0
75-79	0	0
80-84	0	0
85-89	0	0

MOSAIC Profiles (where postcodes known)

D Domestic Succ..., J Rental H..., K Mode..., E Su..., M F..., L Tran..., H Aspiring, F Senior Security, G Rural Reality, A Country Liv...

Appendix F

A3121 Collision Data (01st January 2012 to 31st December 2016)

Year	1. Fatal	2. Serious	3. Slight	Grand Total
2012	-	1 (1)	5 (16)	6 (17)
2013	-	2 (2)	5 (9)	7 (11)
2014	-	2 (3)	5 (11)	7 (14)
2015	-	-	5 (7)	5 (7)
2016	-	1 (1)	3 (3)	4 (4)
Grand Total	0	6 (7)	23 (46)	29 (53)

*Casualty numbers in brackets

Month	1. Fatal	2. Serious	3. Slight	Grand Total
Jan	-	-	2	2
Feb	-	1	-	1
Mar	-	-	1	1
Apr	-	-	3	3
May	-	-	4	4
Jun	-	-	1	1
Jul	-	-	1	1
Aug	-	1	-	1
Sep	-	-	3	3
Oct	-	1	5	6
Nov	-	1	1	2
Dec	-	2	2	4
Grand Total	0	6	23	29

Day	1. Fatal	2. Serious	3. Slight	Grand Total
1. Sunday	-	-	1	1
2. Monday	-	-	2	4
3. Tuesday	-	2	4	6
4. Wednesday	-	1	3	4
5. Thursday	-	-	4	4
6. Friday	-	-	6	6
7. Saturday	-	1	3	4
Grand Total	0	6	23	29

Time	1. Fatal	2. Serious	3. Slight	Grand Total
0700-0759	-	-	1	1
0800-0859	-	-	4	4
0900-0959	-	-	5	5
1000-1059	-	-	1	1
1100-1159	-	-	2	2
1200-1259	-	1	2	3
1300-1359	-	1	1	2
1400-1459	-	-	-	0
1500-1559	-	1	-	1
1600-1659	-	1	2	3
1700-1759	-	-	2	2

1800-1859	-	1	1	2
1900-1959	-	1	1	2
2000-2059	-	-	-	0
2100-2159	-	-	-	0
2200-2259	-	-	1	1
Grand Total	0	6	23	29

Weather	1. Fatal	2. Serious	3. Slight	Grand Total
1. Fine without high winds	-	4	19	23
2. Raining without high winds	-	2	4	6
Grand Total	0	6	23	29

Road Condition	1. Fatal	2. Serious	3. Slight	Grand Total
1. Dry	-	1	10	11
2. Wet/Damp	-	5	10	15
4. Frost/Ice	-	-	3	3
Grand Total	0	6	23	29

Visibility	1. Fatal	2. Serious	3. Slight	Grand Total
1. Daylight	-	4	21	25
6. Darkness: no street lighting	-	2	2	4
Grand Total	0	6	23	29

Casualty Sex	1. Fatal	2. Serious	3. Slight	Grand Total
1. Male	-	5	22	27
2. Female	-	2	24	26
Grand Total	0	7	46	53

Casualty Age	1. Fatal	2. Serious	3. Slight	Grand Total
15 to 19	-	1	6	7
20 to 24	-	1	6	7
25 to 29	-	1	8	9
30 to 34	-	1	3	4
35 to 39	-	-	3	3
40 to 44	-	1	1	2
45 to 49	-	-	6	6
50 to 54	-	1	2	3
55 to 59	-	-	3	3
60 to 64	-	-	1	1
65 to 69	-	1	2	3
70 to 74	-	-	2	2
80 to 84	-	-	1	1
85 to 89	-	-	1	1
Unknown	-	-	1	1
Grand Total	0	7	46	53

Rural A Roads: A3121 full length A38 nr S Brent to A379 nr Modbury

DATA DISCLAIMERS APPLY TO THIS DATASET; See Data Disclaimers Page of this Report

Filter everything by speed related factor

All

Select **ROUTE** >

A3121 full length A38 nr S Brent to A379 nr Modbury

Or Select By **RANK** >

All

5 Year Statistics:
2012-2016

Total Collisions:

21

Of Which KSI:

3

KSI Percentage:

14%

Ranking out of 144:



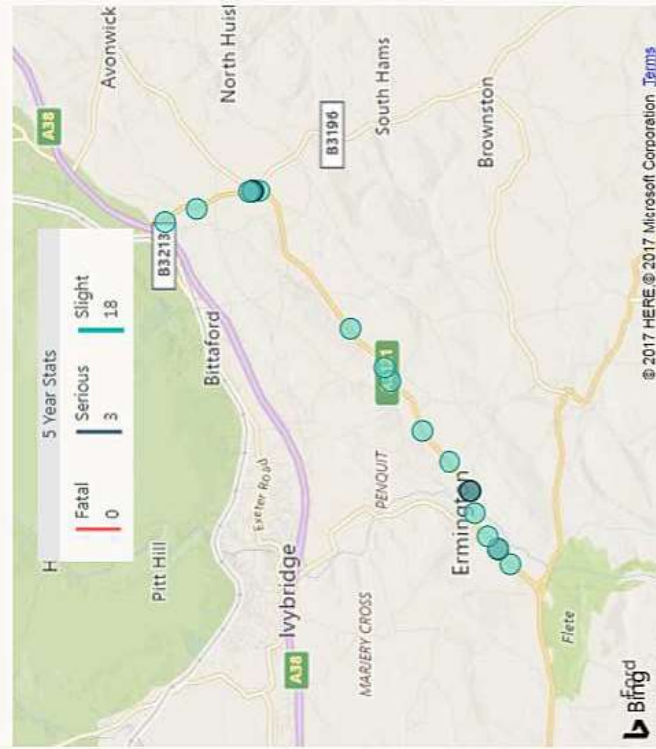
57

2016 Ave Daily Traffic:

2,440

Length (KM):

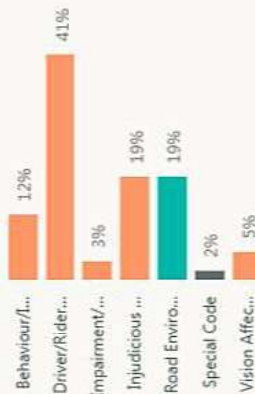
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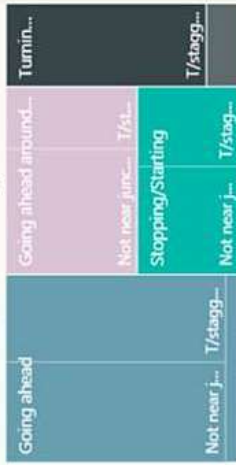
Contributory Factors (5 Years)

Factor	Co...
Failed to look properly	7
Slippery road (due to weather)	6
Failed to judge other persons path or speed	5
Loss of control	5
Careless/Reckless/in a hurry	4
Exceeding speed limit	4
Sudden braking	4
Travelling too fast for conditions	3
Animal or object in carriageway	2
Disobeyed Give Way or Stop sign or marki...	2
Following too close	2

Factor Types



Route Manoeuvres & Junction Types

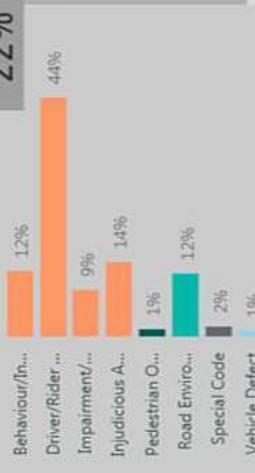


CONTROL DATA: Rural DCC A Roads

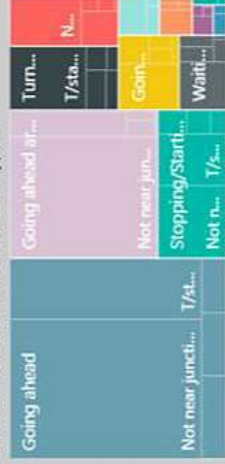
Control Data: Contributory Factors (5 Years)

Factor	Co...
Failed to look properly	566
Loss of control	408
Failed to judge other persons path or speed	398
Careless/Reckless/in a hurry	327
Poor turn or manoeuvre	321
Travelling too fast for conditions	284
Slippery road (due to weather)	278
Sudden braking	193
Following too close	156
Exceeding speed limit	146

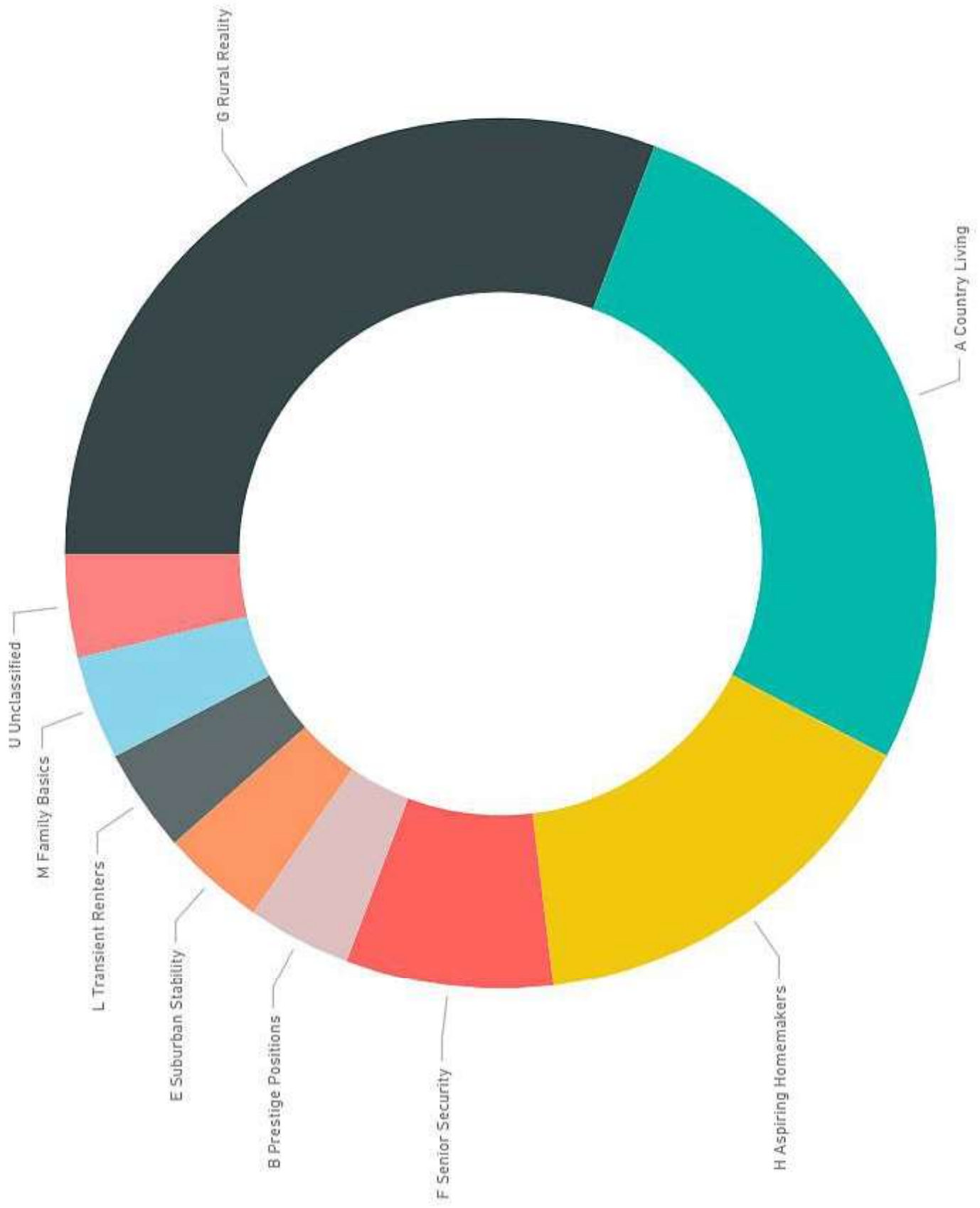
Control Data: Factor Types

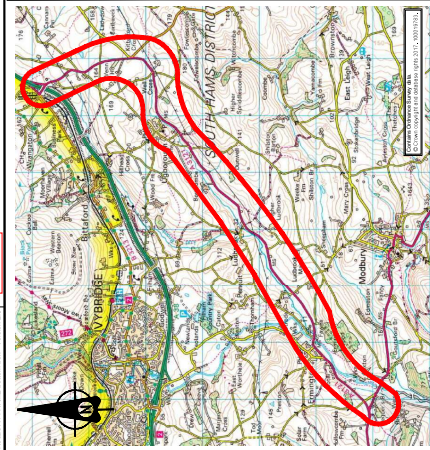


Control Manoeuvres & Junction Types



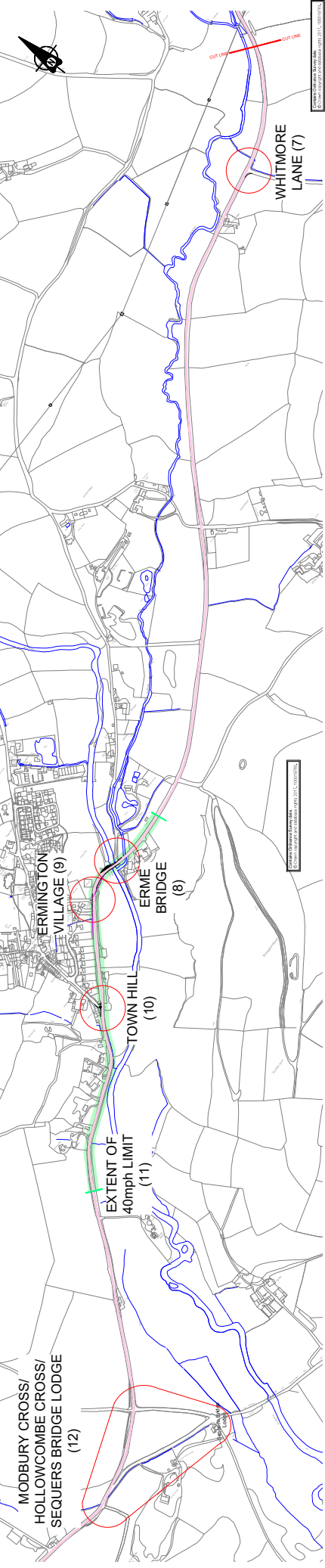
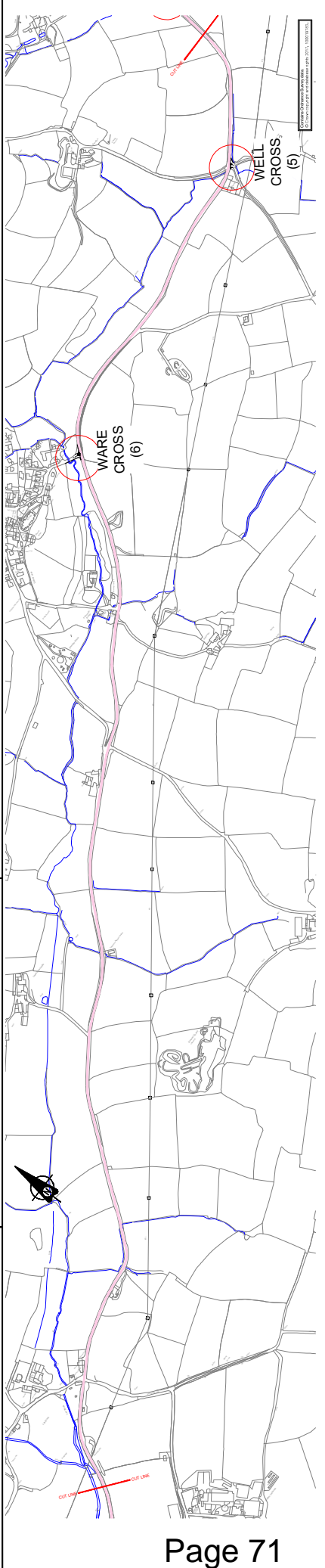
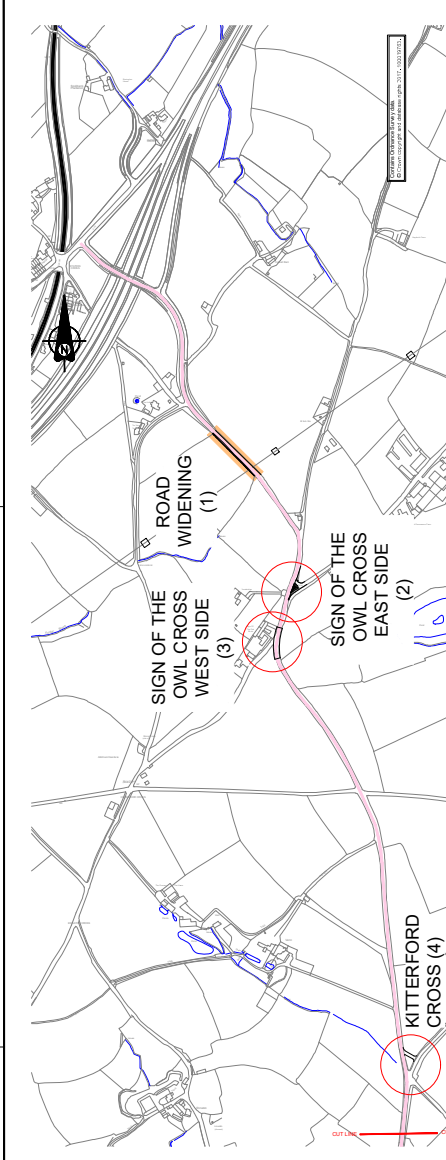
MOSAIC PROFILES (WHERE POSTCODES KNOWN)



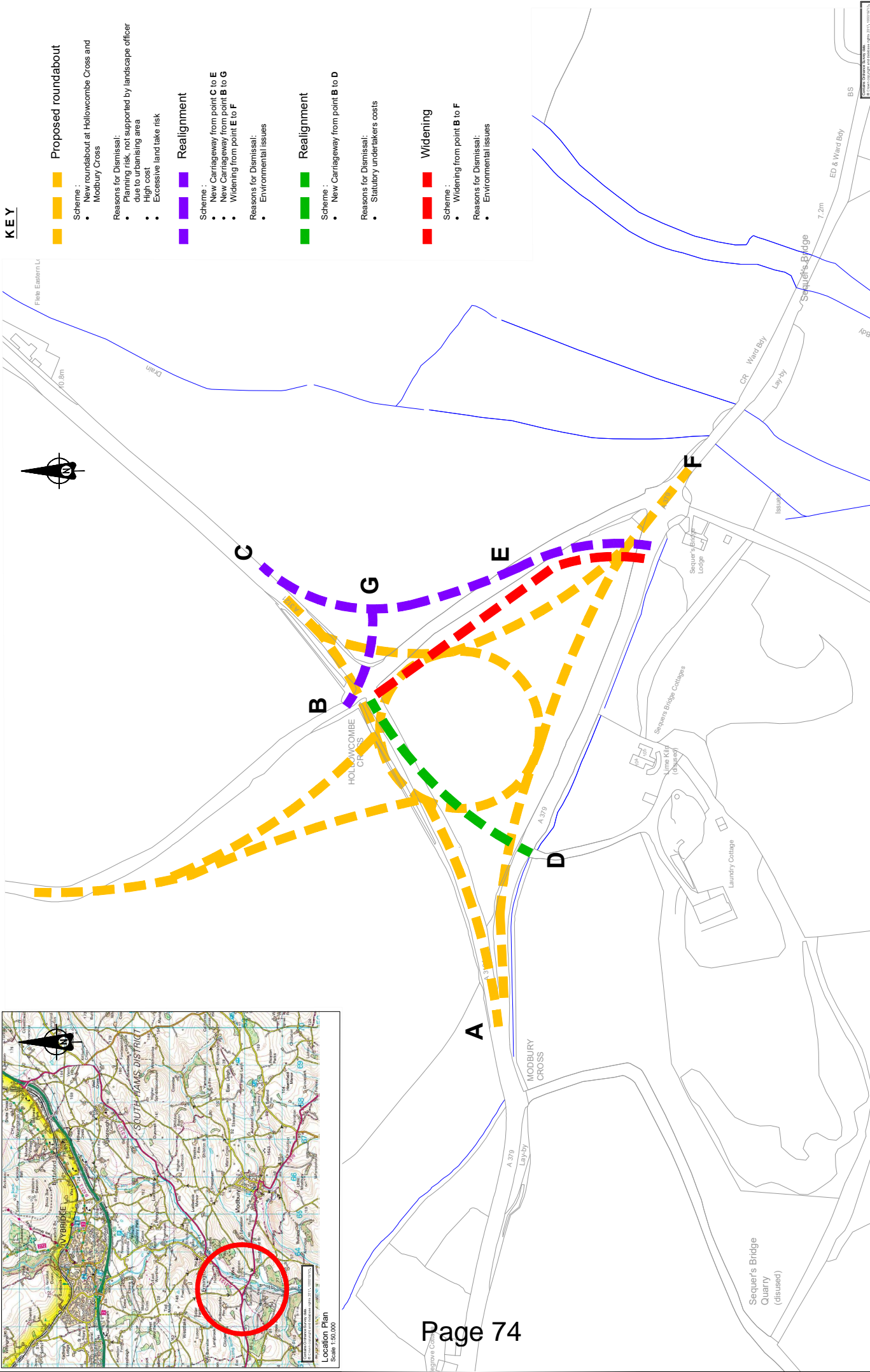
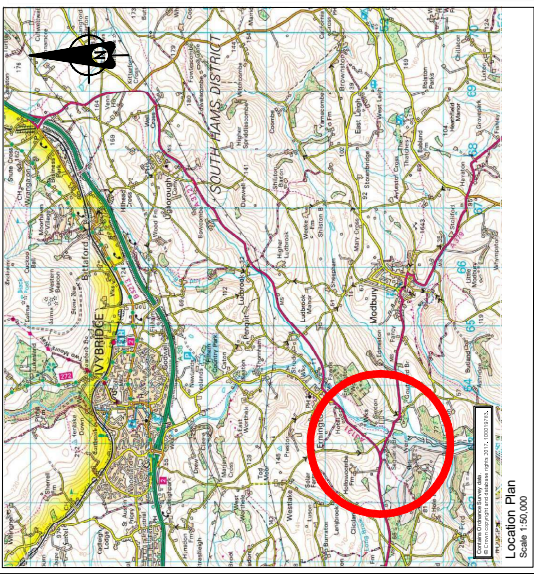


LOCATION PLAN
Scale 1:50,000

- KEY NOTES**
- Location 1 - Widens carriageway to the same width as adjacent carriageway (additional 2 metres width, mark, centre line and install cat's eyes).
 - Junctions 2, 5, 6 - Remove central grassed islands, square up junctions with kerbs, re-pole adjacent hedge banks to improve visibility and relocate direction signage as necessary.
 - Junction 3 - Advise carter on bend cause field run-off water to become trapped. Relocate kerb and ditch to the left of the road to allow water to drain into the ditch. Relocate the ditch to the right of the road to connect the super-elevation.
 - Junction 4 - Square up northern approach to junction (currently a very acute alignment to the junction) to create a staggered crossroads.
 - Junction 7 - Realign the left hand hedge bank to improve visibility out of this junction.
 - Junction 8 - Construct footway on north side of bridge deck to provide a pedestrian link between woodland in playing field/ village and public right of way. Also square gully away at junction to be paved forward in order to provide visibility and safe exit to public carting station.
 - Junction 9 - Improve visibility at junction by setting back hedge line to the right and lowering or setting back stone wall to the left.
 - Junction 10 - Remove existing raised island. Square up junction with kerbing, re-mark centre lines.
 - Location 11 - Introduce Village Gateway features, improved signage and other traffic calming measures.
 - Junction at 12 - Details dealt with on plan B17005/101.



	<p>Engineering Design Group</p> <p>Market Offices County Hall Topslam Road Exeter EX2 4QD</p> <p>Tel: 0845 155 1004 Fax: 01392 362342 customers@devon.gov.uk www.devon.gov.uk</p>	<p>A3121 SAFER ROADS</p>	<p>SCHEME PLAN</p>	<p>Revision</p>	<p>Date</p>	<p>Drawn</p>	<p>Checked</p>
	<p>Engineering Design Group</p>	<p>1:5000</p>	<p>B17005/150</p>	<p>A1</p>			



Engineering Design Group
 Maiford Offices
 County Hall
 Topsham Road
 Exeter
 EX2 4QD
 Tel: 0845 155 1004
 Fax: 01392 382342
 customer@devon.gov.uk
 www.devon.gov.uk

Devon County Council

MODBURY CROSS ALTERNATIVE CONSIDERED ROUTES

DRAWING TITLE

A3121 SAFER ROADS

JOB

Rev	Date	Drawn	Revisions

Do not scale from this drawing in any way for electronic format. No responsibility is taken for any errors or omissions used in circumstances other than that for which it was originally prepared and issued.

Drawing number: **B17005/152**
 Revision
 Scale: **1:1000**
 A1

Project Risk Register

Project Executive: [Redacted]
 Project Manager: [Redacted]
 Updated: [Redacted]

DCC Risk Management Strategy

LIKELIHOOD	5	10	15	20	25
4	4	8	12	16	20
3	3	6	9	12	15
2	2	4	6	8	10
1	1	2	3	4	5

IMPACT

IMPACT	5	4	3	2	1
5	5	4	3	2	1
4	4	3	2	1	
3	3	2	1		
2	2	1			
1	1				

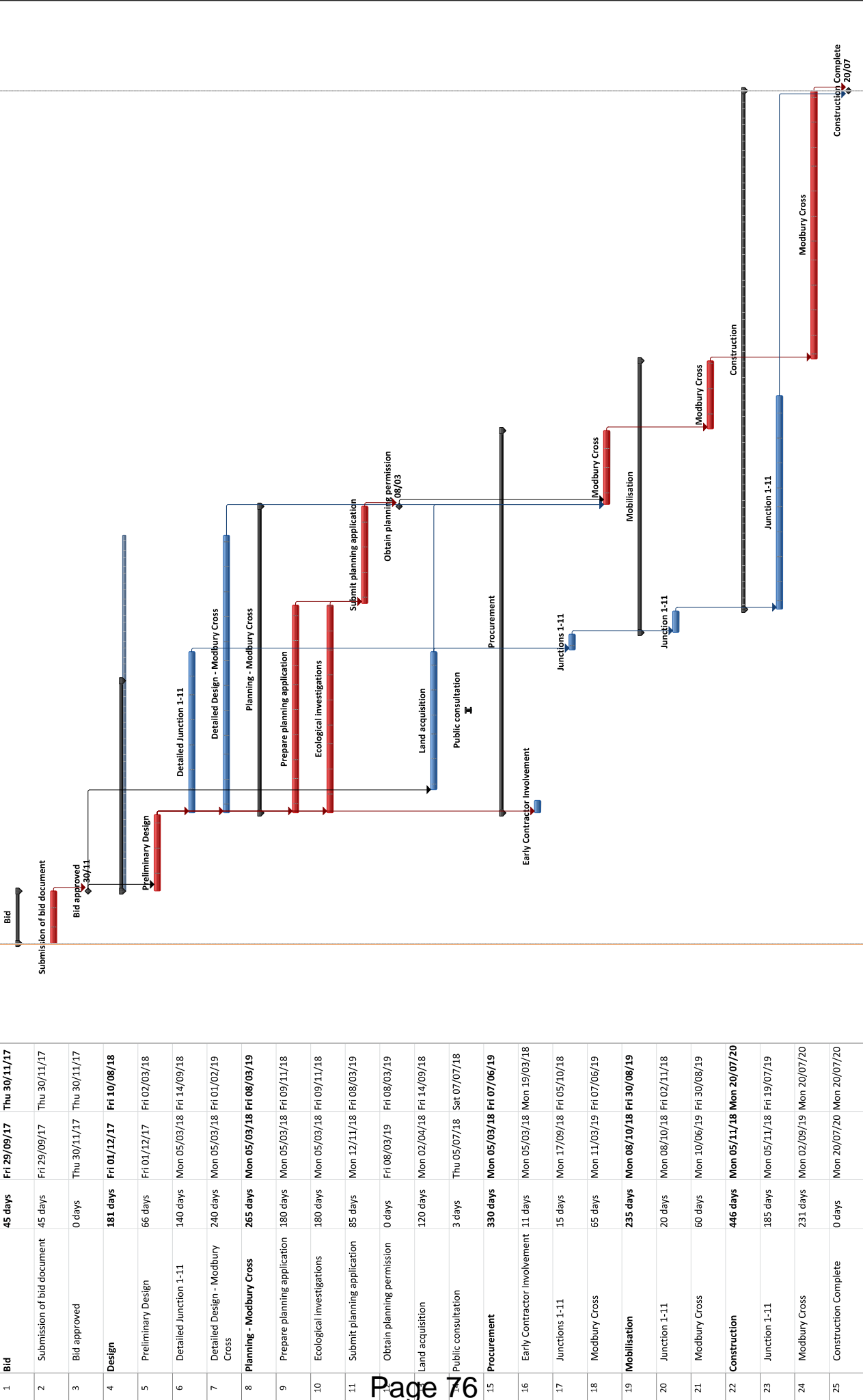
Impact

- 1 - Negligible (<1% of Scheme Budget or no effect on programme)
- 2 - Minor (5% of scheme budget or minor effect on programme)
- 3 - Moderate (15% of scheme budget or moderate effect on programme)
- 4 - Major (25% of scheme budget or major effect on programme)
- 5 - Catastrophic (>25% of Scheme Budget or unassessable programme)

Notes:
 1. Identified risks assessed in accordance with DCC's risk management strategy pre and post mitigation

Ref	Date Registered	Description of Risk	Effect	Pre-Response Assessment				Post-Response Assessment				Risk Status (Active/Close)	Risk Owner	Risk Actionee	
				(a) Likelihood (1 to 5)	(b) Impact (1 to 5)	(a x b) Score (1 to 25)	Mitigation Measures	(c) Likelihood (1 to 5)	(d) Impact (1 to 5)	(c x d) Score (1 to 25)	(d x £2 Mill) Cost Est (€K)				(c*Cost Est) P50 Risk Value (€K)
R1	05/09/2017	Land & Orders Land Agreement delays	Possible 1 year scheme delay. Construction inflation.	3	2	6	Land owner discussions have commenced, positive outcome likely	2	2	4	100	20	20	AC	AC
R2	05/09/2017	Planning, Consents & Audits Objections to Planning Application	Possible 6 months scheme delay.	2	2	4	Stakeholder engagement/Good PR plan and communication throughout	2	2	4	100	20	20	AC	AC
R3	05/09/2017	Detailed Design & Contract Prep Unforeseen Ground Conditions	Possible construction delay	2	3	6	Detailed design to minimise possible issues	2	3	6	300	60	60	AC	AC
R4	05/09/2017	Statutory Undertakers Unexpected utility service diversions	Possible construction delay	2	4	8	Utility services drawings to establish potential conflicts underway, minor utility conflicts are expected. Project programme has resource within the construction period	2	3	6	300	60	60	AC	AC
		Construction													
		Contract													
											800	160			

2018			2019			2020			
3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan
Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct



◆ Manual Task ■ Manual Milestone ◆ Milestone ◆ Summary ◆ Critical Split ◆ Progress ◆ Deadline ◆ Critical

Dawlish Link - Elm Grove Road to A379 Exeter Road

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 a scheme in Dawlish connecting Elm Grove Road and the A379 Exeter Road, including provision for cycle lanes and footpaths, as identified in the Local Plan, to proceed towards securing planning consent;
- (b) subject to planning consent, to give approval, if necessary, for DCC to acquire land through negotiation and/or Compulsory Purchase Order powers;
- (c) to delegate powers to the Head of Planning, Transportation and Environment, in consultation with the County Treasurer, to enter into any necessary funding agreements to undertake the planning and land acquisition;
- (d) to delegate powers 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 scheme design.

1. Summary

This report seeks approval to progress a planning application for the provision of a new link road between Elm Grove Road and the A379 Exeter Road as allocated in the Teignbridge Local Plan in Dawlish (Policy DA2). The link road will support bus service, cycle lanes and footpaths.

The scheme and associated development of approximately 860 dwellings is allocated in the Teignbridge Local Plan for Dawlish located North West of Secmaton Lane (DA2)

This report also seeks approval for Devon County Council to acquire the land required for the road scheme through negotiation with landowners and Teignbridge District Council and, if necessary, through the use of Compulsory Purchase Order powers.

The desired outcome of the project is to ensure viability of the allocated housing development at the site through the delivery of necessary transport infrastructure.

2. Introduction

Land to the north/west of Dawlish, is allocated in the Teignbridge Local Plan (2013-2033) for at least 860 homes, with a target of 25% affordable homes, along with a

Agenda Item 9

range of social and community infrastructure and transport improvements. The allocation includes the provision for a vehicular access through the development between Elm Grove Road and the A379 Exeter Road, including supported bus service, cycle lanes and footpaths. The route will enable and promote sustainable movement for pedestrians, cyclists and bus services, and allows the efficient distribution of traffic.

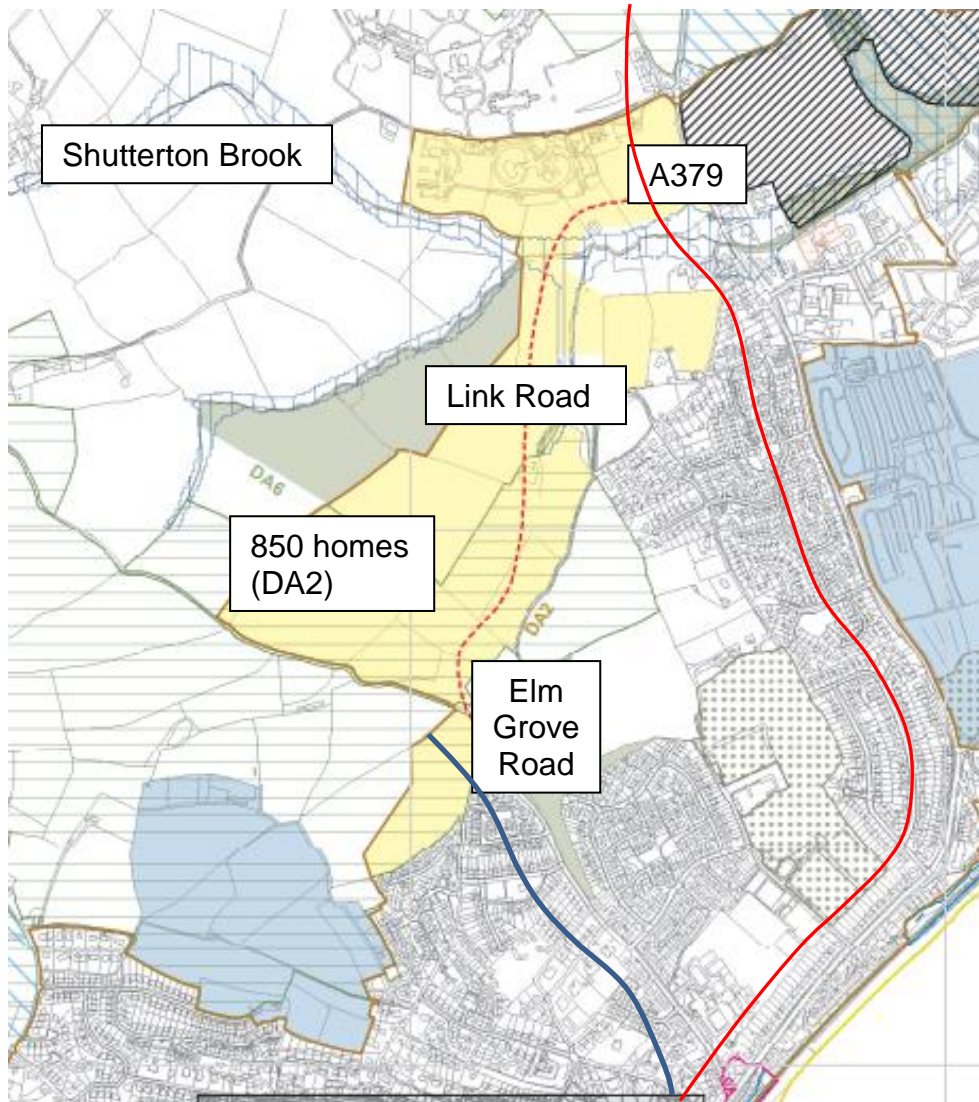


Figure 1: Dawlish DA2 Land Allocation and Link Road

The allocation area falls over several land ownerships which complicates the delivery of the link road route, particularly through the central section of the development over the Shutterton Brook, requiring a bridge. As a result, Teignbridge District Council (TDC) have requested Devon County Council (DCC) to assist on the delivery of the link road.

In order to address viability issues in the allocation, Teignbridge District Council have secured £4.9m of funding from the Government's Housing Infrastructure Fund - Marginal Viability Fund towards delivery of the new link road including a bridge over the Shutterton Brook (see Figure 1).

3. Proposal

Following a refusal of planning permission for 201 dwellings in Area 3 (shown in Figure 2), the landowner of Area 3 has written to TDC to advise that they currently no longer wish to proceed with the development or infrastructure on their land.

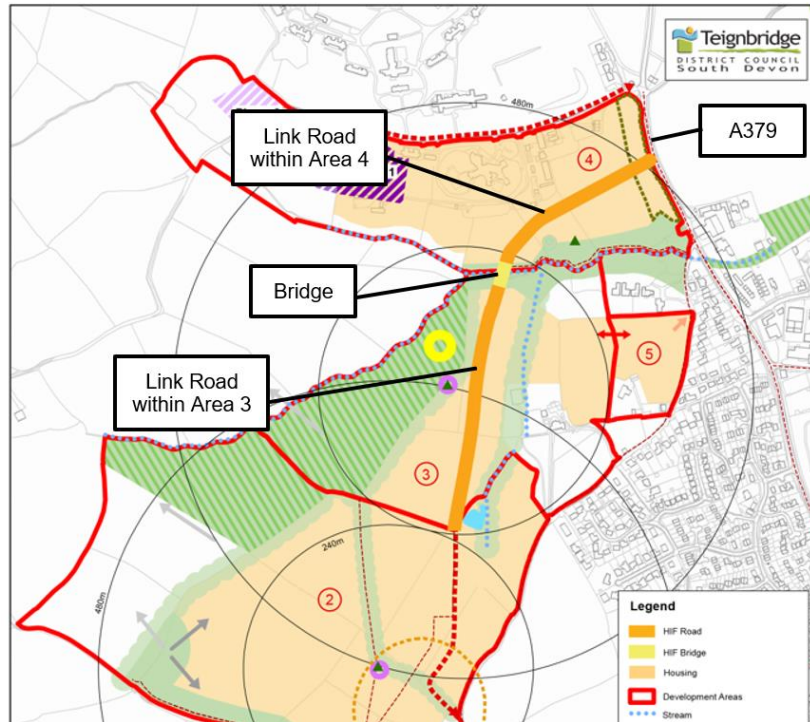


Figure 2: Proposed Link Road through Area 3 & 4

Without Area 3, the bridge and link road cannot be built. If no progress is made the Housing Infrastructure Funding is likely to fall away, with negative consequences for the success of the urban extension and the surrounding area of Dawlish.

Teignbridge District Council have taken a positive approach by requesting that Devon County Council progress the planning application of the Link Road and bridge. Also work with Teignbridge to acquire all the land corridor required to build the road and bridge.

TDC Officers will enter a contract with DCC to design and prepare the planning application for the bridge and link road.

TDC, together with DCC, will undertake land negotiations with all the landowners, including Area 3, with the aim of securing a land agreement or otherwise the purchase of the land required to deliver the infrastructure works. If these negotiations fail it is proposed a Compulsory Purchase Order (CPO) be considered.

TDC would like DCC to undertake the CPO, using our Highway Act Powers (1984). TDC have limited experience or in-house capacity to carry out this work.

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4. Options

As an alternative, TDC could do nothing and hand the Housing Infrastructure Fund monies back to Homes England leaving the landowners/developers to design and construct the Link Road and bridge. However, if this were the case it is likely that the funding gap will cause the development to stall.

5. Consultations

Consultation and community engagement was undertaken by TDC during the preparation of the Local Plan and Development Framework Master Plan.

Consultation was also undertaken as part of the planning applications for the individual development sites.

Further consultation will be undertaken as part of the planning application for the Link Road and bridge.

6. Financial Considerations

The DCC provisional estimated fees of £200,000 include project management, surveys, design, planning and legal costs. These costs aim to progress the scheme to planning and detailed design stage but are dependent on a number of factors in what is a complex planning application. The costs are being treated as revenue costs, until it is clearer whether the full scheme will proceed or not. A funding agreement between TDC/DCC has been drafted to cover the first £200,000 capital expenditure, or potentially revenue. An extension or further agreement will need to be put in place prior to further expenditure. A further funding agreement will be required if the need for Compulsory Purchase Orders and a Public Inquiry materialises.

7. Legal Considerations

DCC and TDC will enter into a funding agreement for the provision of services for the undertaking of the project management, planning, design, and land acquisition.

It is intended that, where possible, that land will be acquired through negotiation. However, should it be necessary DCC will take on the responsibility for the Compulsory Purchase Order process which will run in parallel with negotiations to reduce the risks associated with not securing the land.

8. Environmental Impact Considerations (Including Climate Change)

The Link Road and bridge infrastructure itself will reduce the traffic impact on local residential roads including Elm Grove Road.

The Link Road will help reduce emissions by providing better opportunities for active travel, public transport and possibly some marginal reduction in some car journey lengths, particularly in relation to short local journeys.

There will be an embodied energy impact resulting from the construction works on carbon emissions.

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 will 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, 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: [Dawlish DA2 Infrastructure Delivery - Impact Assessment \(devon.gov.uk\)](http://www.devon.gov.uk/infrastructure-delivery-impact-assessment) which Councillors will need to consider for the purposes of this item.

The new link road will be designed to ensure it provides a convenient and safe alternative for all motorised and non-motorised travel facilities, as well as supporting bus travel. There are some detailed environmental issues to be addressed, particularly with regard the bridge over the Shutterton Brook. These will be addressed and mitigated as part of the planning application. The delivery of the link road will reduce carbon emission from motorised traffic and will aim to have positive net gain in bio-diversity.

10. Risk Management Considerations

The project risks identified are continually reviewed with the Project Board and have previously been shared with Homes England during the funding application and subsequent communications.

The two key risks are:

- a) Problems in achieving a planning consent due to the impact of the scheme on Shutterton Brook.

Agenda Item 9

- b) Unsuccessful Land Agreements and the need to progress a CPO and the possibility of this not being successful.

11. Public Health Impact

The delivery of the development will provide much needed housing. The Link Road is an integral and positive part of the development.

12. Reasons for Recommendations

A new Link Road is an integral element to ensure the successful delivery of 860 new homes in north west Dawlish. The site comprises of five separate Areas and multiple landowners. Following a refusal of a residential planning permission, the landowner of Area 3 has written to TDC to advise that they currently no longer wish to proceed with the development and the central section of the Link Road. As a result, Teignbridge District Council are asking Devon County Council to progress design, planning and assist in land acquisition of the Link Road. If these land negotiations fail it is proposed DCC consider a Compulsory Purchase Order (CPO).

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Dawlish

Cabinet Member for Climate Change, Environment and Transport: Councillor Andrea Davis

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Dave Black

Tel No: 01392 383000 Room: County Hall, Exeter. EX2 4QD

Background Paper	Date	File Reference
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Nil

Dawlish Link - Elm Grove Road to A379 Exeter Road - Final

Impact Assessment



Assessment of: Dawlish DA2 Infrastructure Delivery

Service: Planning, Transportation & Environment

Head of Service: Dave Black

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

Assessment carried out by (job title): Mark Colville (Principal Engineer Bridges & Structures)

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

A new 800m link road is proposed extending west from the existing roundabout on the A379 Dawlish (Sainsburys Roundabout) across open land, the proposals include a new highway bridge to span over the Shutterton Brook.

The proposed road will assist in unlocking land identified for housing developments.

It should be noted that this project is a Teignbridge District Council (TDC) project that DCC are assisting with the delivery of in regard to the design of a proportion of the road and bridge, procurement and site supervision.

The masterplan for the road/bridge has already been undertaken with consultation phases having occurred via TDC. This Impact Assessment has been compiled with this arrangement in mind.

The 800m section of new infrastructure in question is likely to be delivered by three separate parties (Chainage 0-275 by Persimmon Homes, Chainage 275-440 by TDC/DCC, Chainage 440-800 by Adpad), each party has or will seek their own Planning Consent although the extent of which is to still to be agreed.

Funding achieved by TDC will contribute to each of the three development sections.

2. Reason for change / review

Land immediately either side of the Shutterton Brook is allocated for housing development within Areas 3 & 4 of the DA2 allocation.

The housing developments are unviable without assistance with the delivery of the required link road and highway bridge. The bridge and road is to be largely funded from a Homes England Grant and delivered by Devon County Council on behalf of Teignbridge District Council.

The new link will provide convenient and safe passage of vehicles, cyclists and pedestrians through the site and remove safety implications that would otherwise occur if development traffic were to utilise existing nearby residential roads instead.

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

The aims of the new road and bridge are:

- Overcome a development funding gap by provision of the new highway bridge and contribution towards the road costs;
- Provide a safe and convenient route for local traffic travelling to and from the new development and the A379;
- Reducing the impact of future development on the local road network and local residents, by enabling potential development sites to be accessed without the need to travel along Secmaton Lane;
- Provide infrastructure that promotes sustainable travel via other modes of travel such as walking and cycling;
- Provide infrastructure that is usable by different age groups and those with disabilities;
- Provision of the new infrastructure as early in the development master plan as possible to prevent construction traffic using the existing unsuitable minor road networks;
- Provision of new infrastructure suitable for the support and usage of public bus transport;
- Provide efficient distribution of traffic in the local area;

- Provide a bridge over the Shutterton Brook that not only connects land either side but also does not negatively affect the passage of water including flood waters and storage capacity;
- Enable private sector investment into the Dawlish and local economy.

Limitations:

Design of the bridge and section of road to be delivered by TDC/DCC undertaken to date has been limited to initial feasibility design, a period of detailed design will need to be completed including planning applications.

Further site surveys may be required to achieve a fuller and better understanding of the existing site conditions which may affect the delivery.

Options going forwards:

The proposed link road is vital for the successful delivery of additional housing within the allocated area. To do nothing would remove the viability of future development and leave the allocated area without housing delivery.

Part 8 5. People affected and their diversity profile

The wider development area (DA2) at Dawlish will largely comprise of new housing (860 dwellings), to this end those affected by the proposal will be residents of Dawlish. The proposed infrastructure will assist in connecting both new and existing residents to the wider Dawlish areas, community facilities and businesses within.

5. Stakeholders, their interest and potential impacts

Key stakeholders include:

- Teignbridge District Council;
- Devon County Council;
- Dawlish Town Council;
- Dawlish residents;
- Dawlish businesses;
- Land owners / Developers;

- Bus operators;
- Environment Agency;
- Greater Exeter Growth Board;
- Local Members of Devon County Council and Members of Parliament.

Interests & potential impacts:

Dawlish residents stand to be positively impacted by the delivery of the new infrastructure. The infrastructure will promote housing growth in the area including the access to new and affordable homes.

Residents will be provided a high quality link to community facilities, the link will also assist with capacity issues on the existing road network whilst providing a safe route for sustainable travel.

The presence of employment land within the area masterplan will also provide local job opportunities.

The future development will provide opportunities and premises for local businesses, the wider masterplan supports employment land to help facilitate start-up businesses, small to medium enterprises as well as opportunities for larger businesses.

The proposed highway bridge across the Shutterton Brook has the potential to impact upon flood storage capacity within the flood plain.

Flooding Assessments undertaken and discussed with the Environment Agency have addressed these concerns and provided the require span and soffit height for the structure.

6. Research used to inform this assessment

DCC are a delivery mechanism for the scheme employed by TDC, TDC do not have the inhouse capabilities to undertake engineering design works or oversee construction activities.

TDC have already undertaken development planning activities and thorough consultation phases during the compilation stages of the Local Plan and the Development Framework for the area.

This assessment has therefore been completed on this basis, with DCC addressing each of the section in general terms only.

7. Description of consultation process and outcomes

Although DCC are assisting TDC with the engineering delivery, DCC will be applying for planning permission for the bridge and a section of the new road. The Planning submission will be determined by TDC, through which there will be a period of consultation.

TDC have already undertaken thorough consultation phases for the wider development area (encompassing the new road/bridge infrastructure) as part of their development planning activities associated with the Local Plan and Development Framework.

This consultation work won't be duplicated by DCC.

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.

<p>Characteristics</p>	<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>All residents (include generic equality provisions)</p>		<p>The new link road infrastructure will be designed to current best practice and seek to not discriminate its availability to all.</p> <p>The design will include provisions for non-motorised users with convenient and safe travel along the new infrastructure (minimum of 2m wide footpaths either side of the carriageway plus a 3m wide cycle route through the development areas).</p> <p>Carriageway widths are to be sufficiently wide to allow access for public buses. Infrastructure will be lit, step free and carefully designed to ensure it is free from obstructions.</p>

<p>Characteristics</p>	<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>Age</p>	<p>Access to appropriate active travel facilities and bus services.</p> <p>Data from Table NTS0601a of the National Travel Survey suggests that younger people (aged 0-20) and older people (aged 70+) people make a greater proportion of trips by local bus than remaining age groups.</p>	<p>The new link will provide an alternative for those wishing to travel to wider existing residential areas and local facilities using alternative non-motorised means of travel. Statistics show that those aged under 60 are more likely to travel by active modes than those 60+.</p> <p>The new link will be designed to support the use of local bus services.</p>

<p>Characteristics</p>	<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>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>According to Table NTS0709 of the National Travel Survey, people with mobility difficulties make a greater proportion of trips by local bus than the general population.</p>	<p>The infrastructure design will permit the passage of public and private buses through the development.</p>
<p>Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief</p>	<p>N/A</p>	<p>N/A</p>
<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>	<p>N/A</p>	<p>N/A</p>

<p>Characteristics</p>	<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>Sexual orientation and marriage/civil partnership</p>	<p>N/A</p>	<p>N/A</p>
<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>The new link road infrastructure will be designed to ensure it provides convenient and safe alternative non-motorised travel facilities, as well as supporting bus travel.</p> <p>This will ensure that those without access to a car will particularly benefit from the proposed non-motorised facilities, including those in the lowest income quartile of the population.</p>

9. Human rights considerations:

The delivery of this scheme is expected to comply with all relevant legislation with human right implications, this includes other parties employed by DCC including the Main Contractor.

There are no foreseen negative consequences affecting people's human rights as a result of the implementation of this new link road and bridge.

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?

The wider development (outside of DCC remit) will include employment land. The new infrastructure will provide opportunities for people to access these places of work. Local residents will also have the opportunity to utilise safe and convenient road infrastructure to travel by other non-motorised means. This will enable people to become more empowered and independent in reaching places of interest.

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

The proposed infrastructure will incorporate the following features:

- The link will be designed as a primary street for residents within the development, however it will be such that it will deter others using it as an alternative to the A379.
- A minimum of 2m wide footpaths either side of the carriageway.
- A 3m wide cycle path through the development.
- Streetlighting will be provided.
- Step free access.
- Ensure lighting, street furniture, signage and utility infrastructure is designed to reduce clutter and allow ease of movement.

All the above will help provide a safe environment for travel, including the opportunities to travel by non-vehicular mean which will in turn help promote good health and wellbeing.

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

The infrastructure provided will provide a safe and convenient means for travelling and connecting with the wider area and wider community facilities and activities.

The infrastructure will also be designed to allow the use of buses, therefore providing the opportunity for public bus travel for further connectivity to the local community and further afield.

11. Environmental analysis

Devon County Council's Environmental Review Process	X
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):	All the environmental impacts will be identified and addressed as part of the planning application	

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:	Local contractors will be encouraged to undertake the works	Positive short term benefits
Impact on local business:	N/A	

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

The proposed infrastructure may have some adverse short-term environmental impacts during its construction, including an increase in construction noise and construction traffic in the local area. However, the construction phase could also provide employment opportunities for local residents or business opportunities for local companies who could work or assist in the delivery of the scheme.

The new link road may assist in reducing traffic flows through Dawlish town centre and along the A379 between Dawlish and Shutterton. People living on the outskirts of the town would have an alternative and shorter route to places of work to the north of the town and beyond. The provision of safe and convenient facilities for pedestrians and cyclists could also promote greener modes of travel within the area.

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?

A reduction in traffic on the A379 between Dawlish and Shutterton may have a positive impact on road safety issues on the A379, especially those wanting to travel via non-motorised means.

The new infrastructure will increase the provisions for pedestrian and cyclists which could help encourage and promote sustainable travel, whilst also providing a health and wellbeing benefit for those wishing to travel by active modes.

The scheme will be procured via DCC, and most likely procured using a Quality and Price tender. During the tendering exercise Contractors will be assessed on both their price and their quality submission.

The quality submission will include information of how the contractor will undertake the works and how they will ensure the quality of the final works. Assessing tenderers in this manner provides additional certainty that the scheme will be delivered in accordance with the designs and to best practice, ensuring the positive benefits of the scheme are 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?

The appointed contractor will be encouraged to have community liaison officer in place for the duration of the works, with community engagement undertaken prior to works commencing.

This will allow local residents to make contact with the contractor directly to address any concerns they may during the construction phase.

DCC will also provide onsite supervision from their engineers, of which one of their duties will be to monitor the impact of construction on the local area and residents.

DCC will engage with the Parish Council, Members, District Council and local residents before and during the works, any issues raised by any of these stakeholders will be swiftly acknowledged and addressed accordingly.

Community Renewal Fund – Taking Forward Delivery in Devon

Joint Report of the Head of Economy, Enterprise and Skills and County Treasurer

Recommendation: That the Cabinet agrees to:

- (a) the Council acting as Lead Authority for the Community Renewal Fund, for up to £12.25m of projects on behalf of the national programme;
- (b) the Council recognising the Community Renewal Fund payment profile, providing short term cashflow for the Community Renewal Fund should its bid be successful; and
- (c) using the management fee secured to resource the delivery of the Lead Authority role including contract management, financial and legal capacity within the Council.

1. Summary

- 1.1 This report sets out the details of the Community Renewal Fund programme within the UK, and the Council's role in developing and submitting a bid to the fund on behalf of Devon partners.
- 1.2 The report seeks approval from Cabinet to act as Lead Authority for any funding awarded through the scheme that is expected to be announced late summer, and to put in place relevant cash flow and staffing and capacity to deliver any successful award.
- 1.3 The bid submitted consists of 16 individual projects seeking £12.25m of revenue funding. It supports the priorities set out in the Team Devon Economic Recovery Prospectus and the Council's wider objectives of supporting better outcomes for vulnerable individuals and communities. The bid complements the capital programme of projects submitted under the Levelling Up Fund. The Community Renewal Fund is considered a pilot programme by Government to test how to design and manage future national funding by taking a local approach to local challenges. It will help inform the UK Shared Prosperity Fund, which replaces EU Structural Funds and is proposed to be introduced next financial year.
- 1.4 The submission has been developed in an inclusive and transparent way, inviting proposals from a range of organisations across the county, and in consultation with Team Devon partners in District Councils.

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2. Introduction

- 2.1 The Community Renewal Fund ('CRF') is a £220m national revenue programme which seeks to introduce short term revenue projects over the remainder of this financial year and to trial Government's preferred approach to the replacement of the EU Structural Funding regime.
- 2.2 The fund is focused around four core investment themes, skills and training development, employment support, business support and funding for communities and places. Government announced the fund in the March Budget and asked upper tier authorities to act as Lead Authorities for the fund, running the call process at a local level, and then contracting and managing applicants to complete projects awarded funding by 31 March 2022.
- 2.3 The fund provides for a range of organisations to apply for projects within a 'place' (districts, boroughs or unitary authorities) with a threshold of £3m set for each place, and a minimum bid value of £500k. Investment has been encouraged to be spent on opportunities which address specific and evidenced local challenges within the four core investment themes and which promote economic recovery and growth, decarbonisation, and support improved equity across areas. In considering taking forward this fund, the Council also sought projects to address inequalities.
- 2.4 Government identified 100 places nationally that it considered to be a particular priority, due to enhanced levels of deprivation, issues around accessibility or the impact of COVID. To improve these priority areas potential success from the fund, Government indicated it would give appropriate bids an additional 30% weighting through scoring where half of the project occurs within the administrative boundary of a priority area. Within Devon, Torridge and West Devon have been identified as priority places.
- 2.5 The process has also been subject to a considerable level of pace. Announcing the approach in the March Budget, Government asked upper tier authorities to establish and run an open and transparent project selection process in each of their areas through April / May, and be ready to submit a local package of appraised and quality assured projects by 18 June.
- 2.6 The Council has worked intensively over the past few weeks to meet this requirement. Bringing together an in-house CRF team in early April and securing delegated agreement to prepare a bid, officers then developed and rolled out an open call process for projects from the 14 April, with a bid deadline of 19 May.
- 2.7 The Council developed a detailed bidding invitation, to provide potential bidders with a strong steer on the type of content, themes and value for money the Council was seeking from any project put forward. The invitation can be found at the following link for information -[UK Community Renewal Fund: Invitation to submit project bids in Devon](#). This was reinforced through a

programme of webinars on the scheme, and an open enquiry line for detailed issues.

- 2.8 The Council was also able to bid, and a ringfenced internal team was established from early April to support both project development and appraisal functions, allowing the authority to both assist individual bidders, and maintain the independence of its appraisal approach. This delineation between bid teams and appraisal officers in house was particularly important to demonstrate transparency and parity of treatment of all bids received.
- 2.9 The Council received 39 bids in total worth over £26m. Detailed appraisals of these, including checks on financial and operational capacity of bidders, fit with the Government's criteria for the scheme, issues around state aid and commerciality and assessment of value for money and need were undertaken during May. The appraisal team included internal and external expertise, with specific advice sought on strategic fit, environmental strengths, appropriate business support and skills provision, and the applicant's approach to equality and diversity.
- 2.10 At the end of the detailed appraisal process around 22 projects of the original 39 met the broad criteria for submission to Government. The team worked during early June to complete the final suite of projects including working with applicants and District Council partners around areas for collaboration between projects, and feeding back and iterating on points raised through due diligence and other appraisal processes to improve areas highlighted in the appraisal process. The available funding allocation within the two priority areas of Torridge and West Devon was significantly over-subscribed and this required officers to consider options to scale quality projects to allow more to meet the funding thresholds, without reducing impact and deliverability.
- 2.11 The outcome of the full appraisal process was a submission of 16 projects worth £12.25m by the 18 June deadline. A detailed outline of the project's portfolio submitted can be found at Annex 1 of this paper.
- 2.12 The appraisal team has run an open process and brought together a coherent and attractive portfolio of projects, reflecting the concerns and the needs of Devon communities and which we believe meets the ambitions of Government around levelling up and accelerated recovery. The package includes a focus on enhancement of the County's green infrastructure and natural capital; support for our small businesses, particularly within our rural and coastal areas; additional assistance for individuals seeking a job or to retrain / upskill; supplementary support for individuals with a disability, younger and older people, those from a disadvantaged background or are in a harder to reach community; and targeted support around those communities which have yet to benefit from other growth funds.
- 2.13 In total, the project portfolio submitted could create or safeguard over 1,000 jobs, provide 3,000 high value training places and 3,700 supported learning places, support the establishment of 400 new business, and facilitate the development of 1,000 decarbonisation and innovation plans.

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- 2.14 Government has indicated a 6 week period to review applications put forward from across the Country and making a final selection of the projects it wishes to proceed with, offering up to £220m funding to the successful Lead Authorities and applicants. An announcement is expected in the Summer of awarded bids, with an expectation that local authorities will rapidly mobilise the selected schemes.
- 2.15 Following consultation with regional and national peers, we currently anticipate that between £500m and £750m of projects will have been submitted to the fund. Competition is therefore likely to be high for any allocation, placing a premium on effective communication and promotion of the County's bid. Officers are therefore also working closely with communications and policy colleagues about raising local and national awareness of the Devon bid. This includes specific briefings for MPs and Members, and engagement with wider national stakeholders with an interest in the bid's content (Chamber of Commerce networks, College and Training Provider Networks, Universities, Local Enterprise Partnership).

3. Proposal

- 3.1 Given the pace required around the Community Renewal Fund, the Council to date has taken forward development and appraisal activity on a purely speculative basis. Whilst Government has effectively required every upper tier authority to participate and provided a small amount of financial support to facilitate this, there has been no guarantee that anything submitted will be awarded funding.
- 3.2 If the Devon bid is successful, all or in part, the Council will be asked to act as Lead Authority, and approval is sought for the Council to:
- act as the contracting authority for up to £12.25m across the 16 projects;
 - provide in-year available cash flow to facilitate project delivery; and
 - utilise the management fee awarded to cover contract management, finance and legal resources needed.

Details on each of these asks are set out below.

- 3.3 Permission to act as the Lead Authority – Permission is sought to enter into a Funding Agreement with the Ministry of Housing and Local Government (MHCLG) and contract with the lead applicant for the successful schemes selected. This will involve holding the funds awarded, contracting, monitoring and managing all selected schemes, management of related risks and underperformance, and evaluating and reporting on lessons learnt from the funding to the Department in advance of the new Shared Prosperity Fund.
- 3.4 Agreement to make available in year cashflow headroom to support the delivery of the programme – Government has indicated as part of the development of the CRF programme that it intends to release funding to Lead Authorities in two stages; Half will be paid upfront and the balance at the end

of the delivery period. It is anticipated that each project will have differing delivery timescales, reimbursement profiles and arrangements which will not mirror the payment from Government to the Council. Consequently, the Council will need to temporarily cashflow the programme. This would be reimbursed at the year-end by Government (in the second 50% payment), but Devon would carry some risk around its defrayal during January -March 2022.

- 3.5 Agreement to deploy the management fees secured from successful CRF awards to resourcing relevant programme, financial and legal management capacity – Recognising the need to support Councils manage the CRF programme, Government has made available a 2% top slice for programme management. It is proposed to utilise this funding to facilitate programme management capacity within the Economy, Enterprise and Skills Service, financial management within the Finance Team and legal capacity through Legal Services or external solicitors to support contracting and related work. If Devon were to secure the full £12.25m bid, the management top-slice would amount to £245,000 to be split between managing services and cover any external services needed to supplement in house capacity.
- 3.6 It is anticipated that the Council as Lead Authority would be required to take forward relevant contracting and delivery of any successful CRF awards from 1 September 2021. As set out, all expenditure and delivery has to be completed by the 31 March 2022.

4. Options/Alternatives

- 4.1 Given the nature of the Community Renewal Fund, the Council would have limited options around Lead Authority status if it were to be successful through the current bidding process. Government has identified its requirement that upper tier authorities act as the Lead Authority for the fund where relevant, and there would be considerable pressure brought to bear if Devon did not decide to proceed. However, the following options could be considered:
- Devon County Council does not proceed – Recognising that the management of the CRF programme represents an additional burden to the Council, the authority decides against hosting the CRF programme. Whilst having some short-term financial benefits (potentially reducing risk), project funding is lost to the County (most likely redistributed to other places), related outcomes and outputs are lost, and significant relationship and reputational damage occurs with Government and partners organisations. This is also likely to have significant national implications around the delivery of the future Shared Prosperity Fund.
 - Devon seeks to negotiate for a smaller group of projects / improved cashflow – Recognising the additional burdens involved, the Council seeks to manage down the level of selected projects and programmes to reduce the ask on its exchequer and resources in the balance of this financial year. Whilst reputational impact is reduced, individual partners lose activity or funding as a result, with downstream impacts for individuals'

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communities and cohorts. Government also factors the issues experienced into its thinking around the delivery of the Shared Prosperity Fund.

- Devon seeks to protect its position through insisting successful project partners take on relevant payment risks – The Council seeks to pass on the preferred payment profile from MHCLG to successful projects, limiting support to 50% before the end of contracted delivery. Risk is reduced to DCC, but significant additional pressure is placed upon smaller applicants around sustaining cashflow. Projects are delivered, but some projects withdraw due to a lack of capacity and / or level of risk likely to be imposed to their wider business operations. Future funding rounds are seen as less attractive as a result by community and social partners.

4.2 Given the above, officers would recommend that the Council seeks to proceed with the current CRF approach. As set out elsewhere in this report however, relevant action to limit risk should be fully integrated into the Authority's management and accountable body approach. This may include further negotiation with MHCLG over payment terms.

5. Consultations

5.1 As set out, the Community Renewal Fund in Devon has been subject to an open and transparent call for projects, followed by detailed and challengeable appraisal approach. The final submission has been brought forward following three months of intensive cross partner working, with clear support and communication throughout.

5.2 Full details of the CRF process and application approach can be found on our website at [UK Community Renewal Fund 2021-2022 - Economy and Enterprise \(devon.gov.uk\)](https://www.devon.gov.uk/uk-community-renewal-fund-2021-2022-economy-and-enterprise)

6. Financial Considerations

6.1 Government has indicated that their preferred approach to the Community Renewal Fund is for upper tier authorities to act as Lead Authorities for relevant local funding. In principle, this carries a significant level of financial commitment, including the management of the funds themselves, potential responsibility for underperforming projects (including any subsequent claw back arrangements), and costs around any forward funding of the programme.

6.2 The Government hasn't published the final Terms and Conditions for this scheme. However, the processes developed to date by the Council has drawn heavily on previously successful schemes, in order, to reduce the risk. As part of the appraisal approach taken, due diligence was integrated into the initial CRF appraisal process, and bids submitted have been through a high-level assurance check to remove those likely to face immediate financial challenges. This has also identified a secondary set of conditions and financial controls which the authority would be seeking to impose through

individual contracts if any awards are made, to de-risk future delivery, and protect individual applicants from unhealthy levels of overcommitment.

- 6.3 If all currently submitted projects were to be selected for award, the County would be asked to take on responsibility for £12.25m of new activity. This would be ringfenced, with £6.12m (50%) provided upfront (alongside relevant management costs) and the remainder at the end of the programme.
- 6.4 As Lead Authority, the Council would be responsible for agreeing the terms of the reimbursement of each project. The guidance states that *“it is for Lead Authorities to decide how they wish to make payments to project deliverers”*. As a consequence the Council would agree reimbursement of each project based on achievement of agreed outputs, outcomes or spend with the ability to be flexible to facilitate delivery but within the constraints of the financial regulations. This would however have a temporary impact on the Authority’s cashflow until the final reimbursement is received from MHCLG.
- 6.5 Match funding was an aspiration of the prospectus for each bid. Where possible the applicants have included an assessment of either cash or in-kind match. The final Terms and Conditions of the scheme should indicate how this element of the successful projects is to be reported.
- 6.6 Whilst the CRF programme is 95% revenue based, there is a small amount of capital funding also included to facilitate IT equipment and other small asset costs. Within Devon’s £12.25m portfolio, around £300,000 of capital has been applied for by applicants. If the projects which have sought small capital amounts were to be successful, relevant capital monitoring and management would also be required.

7. Legal Considerations

- 7.1 The legal implications of the recommendations have been considered and taken into account in the preparation of this report.
- 7.2 The principle legal requirement of the proposal is a need for the authority to act as contracting body for the projects selected by the MHCLG. Contracts will need to be prepared in line with relevant Public Contract regulations, and relevant monitoring and management put in place to ensure compliance.
- 7.3 On a practical level, the adoption of accountable body status for any potential programme would enable additional funding support for legal capacity to address any additional burden imposed. Work is ongoing with legal colleagues on how best to engage any additional capacity required.

8. Environmental Impact Considerations (Including Climate Change)

- 8.1 There are no direct environmental impacts from this report. However, if the bids put forward through the CRF programme were to succeed, they include significant investment in decarbonisation, environmental management, development of natural capital and related matters. Colleagues from within the

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Council's environment team have been involved in the appraisal and development of the programme, and the Council would hope that the resultant portfolio would have a tangible and positive impact on our collective ambitions around climate change and environmental enhancement.

9. Equality Considerations

- 9.1 In bringing forward the Community Renewal Fund, Devon County Council has explicitly emphasised the need for successful projects to meet and contribute to the Council's ambitions around improving equity, extending opportunity and ensuring that project's actively address our equality concern through its bidding prospectus. Whilst referenced by Government, Devon has reinforced the need for bids to address equity and diversity through their content and ensure that they are actively promoting best practice approaches.
- 9.2 To reinforce this requirement, the Council has included and integrated advice from its lead Equality Officer into its appraisal process for the CRF programme, giving a weighted opinion on each of the applications put forward, and then requiring applicants to iterate and incorporate the advice received into relevant aspects of their bids.
- 9.3 Subject to the success of our bid, it is the intention of the contract team / appraisal team to sustain this focus into delivery. Devon will be seeking assurances from successful projects that relevant equality and diversity practice is integrated and taken forward through projects, with the advice provided at appraisal used as a foundation for monitoring and management of relevant delivery. This will be done in conjunction with the Equalities team.

10. Risk Management Considerations

- 10.1 This proposal has been assessed and all necessary safeguards or action have been taken/ will be included to safeguard the Council's position.
- 10.2 Where risks have been identified, such as the management of underperforming projects, the implications of these have been taken into account in preparing this report and resultant operational / management approaches.
- 10.3 Subject to any formal award by MHCLG, the corporate and/or community risk registers will also be updated as appropriate.

11. Public Health Impact

- 11.1 In bringing forward the project complement involved, considerable thought has been given around enhancement of community capacity, individual wellbeing and health, and the wider improvement of social equity and capital.
- 11.2 As such, and subject to the shape of any final award, it is anticipated that the CRF portfolio should have a beneficial impact on public health and wellbeing within the communities targeted by its provision. This will include support

around skills, employability, young person and adult wellbeing, support for those with a disability or other health barrier, and specific support for those with a mental health barrier to engagement and progression.

12. Summary

- 12.1 The above report sets out next steps on taking forward the Community Renewal Fund in Devon. Subject to Cabinet approval, and any award by Government, the recommendations included will enable the County to deliver up to £12.25m of new support for communities and economic recovery over the next six months, with a focus on some of our hardest to reach coastal and rural communities, as well as most disadvantaged residents.
- 12.2 Whilst increasing our responsibility as an authority, successful delivery of the CRF over the next 9 months will also play a crucial role in demonstrating Local Government's ability to lead on the successor funds to the EU structural programme, and reinforcing our credentials as local leaders on recovery, economic growth and social mobility and equity.

Keri Denton
Head of Economy, Enterprise and Skills

Mary Davis
County Treasurer

Electoral Divisions: All

Cabinet Member for Economic Recovery and Skills: Councillor Rufus Gilbert
Cabinet Member for Finance: Councillor Phil Twiss

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Keri Denton / Phill Adams

Tel No: 01392 383000

Room: County Hall, Topsham Road, Exeter EX2 4QD

Background Paper	Date	File Reference
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Nil

Community Renewal Fund Taking Forward Delivery in Devon - Final

Annex 1 to EES/21/2: Community Renewal Fund – Overview of Devon’s Submission

Applicant	Application Name	Brief Description	Total
Devon County Council	Devon Agri Tech Accelerator	Building on Devon’s natural capital, an innovative project led by Devon County Council which will support farms to diversify and innovate, and the wider sector to work together.	£503,318.59
The Biosphere Foundation CIC	Biosphere	An integrated economic and environmental development programme, led by the Biosphere Foundation, which seeks to leverage Torridge and Northern Devon’s rural and coastal natural capital, as well as the recently remobilised Appledore Shipyard.	£1,350,140.00
Mid Devon Mobility	Stronger Together	A social transport / employment hybrid project, led by the Mid Devon Mobility VCS partnership, working with individuals from harder to reach backgrounds in rural areas to access employment opportunities within the public transport sector.	£500,449.68
Devon County Council	Retrofit Skills and Business Accelerator	A retrofit training project led by the Retrofit Foundation, promoting related employment opportunities through a blended learning approach.	£995,284.28
Serco Limited	Engaging Enterprise	A new self-employment support programme from Serco, which introduces additional innovative products and approaches to support those who may flourish in self-employment.	£795,171.00

Petroc	Promoting Innovation and Enterprise	A project which seeks to utilise new digital technology (AR, VR, MR) and knowledge transfer to fastrack innovation and upskilling across business in Northern Devon.	£500,939.00
Petroc	Innovation for Youth and Community	Led by PETROC College in partnership with Northern Devon partners, a project focused on filling gaps within existing youth and community provision to create a single programme which will support young people in rural / coastal Devon to return to work and learning.	£503,074.00
Devon and Cornwall Training Providers	Digital Devon	A digital skills and training project, led by the Devon and Cornwall training Provider Network in partnership with the HotSW DSP, aimed at aligning current digital skills and training provision, as well as promoting train the trainer and intermediate level digital skills roll out.	£585,200.00
School for Social Entrepreneur	Devon Enterprise Support for Social Enterprise	A targeted social entrepreneur's project led by the Dartington School for Social Enterprise, aimed at supporting individuals who are interested in setting up their own social enterprise from harder to reach / disadvantaged backgrounds.	£649,369.76
Devon County Council	Devon Elevation Fund	A delegated grant scheme led by Devon County Council which will provide support for business innovation and agility, creating new jobs, new products and allowing local business to play a more active role in building back better and improving local economic resilience.	£1,174,928.00

Devon County Council	Ability not Disability	A project focused upon addressing and fast-tracking employment for those with a disability within Devon.	£601,134.00
Project Cosmic	Velocity - VCSE Devon	A social enterprise support programme providing business support, training and peer-group development which builds resilience and innovation in the voluntary, community and social enterprise sectors.	£500,034.92
YTKO	Devon Start and Grow	A business support / enterprise programme that will support the development and fast tracking of micro business to take up post pandemic opportunities.	£1,050,000.00
Mid Devon	Reconnecting Tiverton	A regeneration and renewal project within Mid Devon, led by the District Council, which seeks to reinforce and improve the resilience of its main market town, Tiverton.	£1,365,201.00
Project Eden	Eden Grounds	A feasibility study led by the Eden Project, examining the potential to create a new high-quality visitor and food / green attraction at J27 of the M5.	£250,000.00
West Devon	West Devon Rural Recovery	A natural capital / visitor economy / employment project led by West Devon Council which will support the renewal and extension of West Devon's tourism offer.	£922,339.00

Date 14 July 2021

Education and Inclusion Direct Delivery Project: Future Arrangements for the Provision of Traded Services and Resourcing Budget Allocation

Report of the Head of Education and Learning

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:

- A. That all traded services, either partly or wholly traded, transfer into Devon County Council (DCC) to be primarily delivered through the Education and Learning service¹.
- B. The use of a brand name (potentially LDP) be used to market those traded services.
- C. That an allocation of up to £500,000 from the Business Transformation Reserve is made for the Education and Inclusion Direct Delivery Project, as detailed in Section 2. This will ensure the smooth transition of resources from Babcock Learning and Development Partnership LLP (Babcock LDP) to Devon County Council (DCC) on 1 August 2022.

1. SUMMARY

- 1.1 On 10th March 2021, Cabinet approved recommendations which meant all the Education and Inclusion Services currently delivered by Babcock LDP would move back into direct delivery by DCC at the end of the current contract on 1 August 2022.
- 1.2 Part A of this report provides an update on the follow up activity that has taken place relating to Recommendation D regarding the future delivery of the traded services as in [the paper submitted to Cabinet on 10 March 2021](#).
- 1.3 Following consideration, our recommendations support the in-sourcing of the partly and wholly traded services to DCC as a separate branded, zero budget line, traded offer delivered through the Education and Learning service.

¹ Finance staff will be located with the Education and Learning Finance team as appropriate

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- 1.4 Part B of this report discusses the additional project resourcing requirements needed to deliver a smooth transition of all staff, and the core services they deliver, from Babcock LDP to DCC on 1 August 2022 and the maximum allocation required to cover these costs.

PART A - EDUCATION AND INCLUSION DIRECT DELIVERY PROJECT: FUTURE ARRANGEMENTS FOR THE PROVISION OF TRADED SERVICES

1. INTRODUCTION

- 1.1 In 2012, a joint venture known as Babcock LDP was formed between DCC and Babcock International following a negotiated procurement procedure.
- 1.2 The joint venture was formed to deliver a service contract for Education and Inclusion services to DCC but also to trade these services as top ups to maintained schools, and as additional services to the newly forming academies and other local authorities. DCC Education and Learning staff were TUPE'd over to the Joint Venture company to deliver the services.
- 1.3 A service contract was put in place for a period of 10 years. The contract will expire on 31 July 2022.
- 1.4 On 10 March 2021, as a result of the extensive analysis and consultation work carried out, the findings of the market engagement work, and the risks identified, Cabinet approved that at the end of the current contract all the Education and Inclusion Services currently delivered by Babcock LDP would move back into direct delivery by DCC. All DCC and Babcock LDP staff have been made aware that as of 1st August 2022 the services currently provided by Babcock LDP, and the staff that deliver them, will transfer back into DCC as part of the Education and Learning service, with the exception of a small core of HR and Finance staff who will transfer into the respective Corporate teams.
- 1.5 Cabinet also authorised the County Treasurer, County Solicitor, and the Head of Digital Transformation & Business Support (in consultation with the Leader of the Council and the Lead Member) to agree the future of the Joint Venture with Babcock Education Holdings Ltd.
- 1.6 In the event the Joint Venture was wound up, they were further authorised to consider the future of appropriate traded services in accordance with the commitment provided at paragraph 3.17 in the Report and recognising that the future delivery of the services will be subject to further scrutiny, as appropriate, and Cabinet in due course.
- 1.7 Following consideration and discussion with Babcock International, it has now been agreed that following the transition of services and staff to DCC, the Joint Venture will be wound up and work is ongoing to execute all legal and financial agreements necessary to complete this work.
- 1.8 As a result of this decision, the future delivery of the traded services currently provided by Babcock LDP has been considered in line with recommendation D of the previous Cabinet paper and a proposal is outlined below in Section 2.
- 1.9 Urgent agreement around the traded services is now required in order to finalise the structure for the in-housing of all staff, and the continuation of uninterrupted statutory duties to schools in line with our commitment in **paragraph 3.17** of the original approval:

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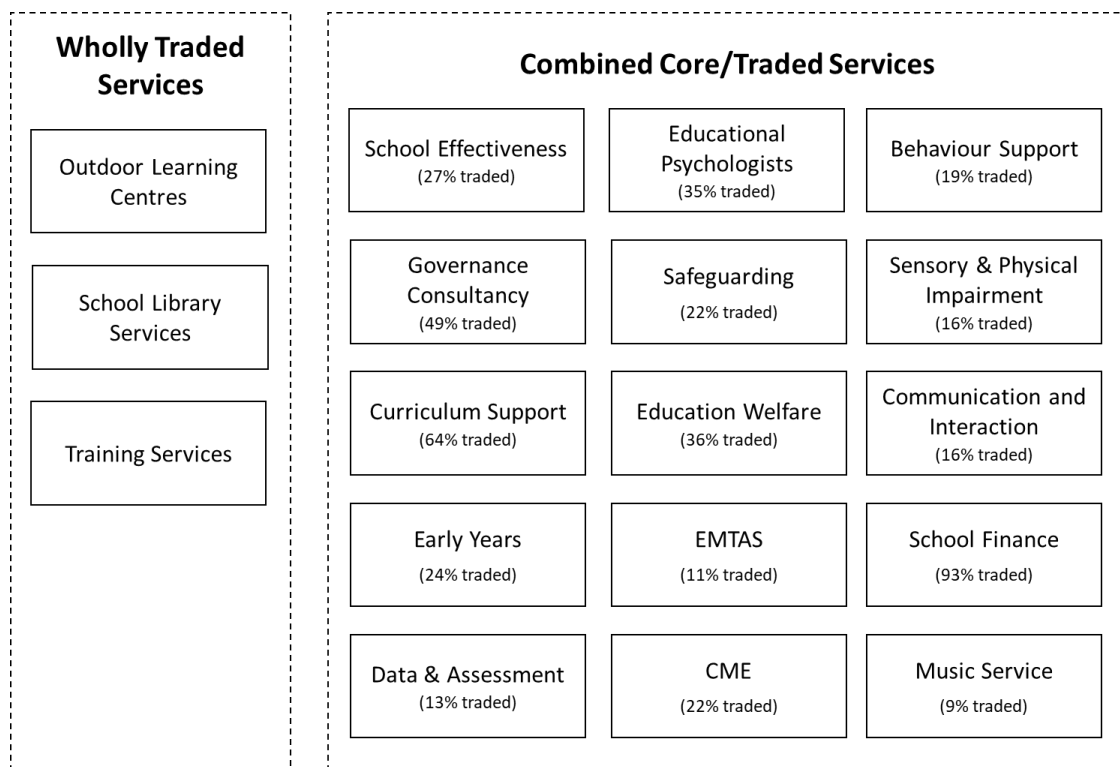
“Furthermore, in the event that the LLP is wound up or otherwise ceases to provide the traded services, the Council will need to determine how the traded services will continue to be provided. These services still provide valuable support directly to schools and would have a significant impact on their ability to deliver and support learners if they were lost. Our commitment to schools in any new arrangements for the Education and Inclusion Services will ensure the traded services are not impacted.”

2. PROPOSAL

For information, the following definitions apply:

Wholly traded – Services that are traded directly between Babcock LDP and schools or other local authorities and will continue to be traded between DCC and schools/other local authorities moving forward.

Partly traded – Core elements which form part of DCC’s statutory duties are funded by DCC (and currently commissioned out to Babcock LDP) but schools can then top up the service they receive by buying additional hours with the same professionals.



- 2.1 We propose all traded services currently being delivered by Babcock LDP, both partly and wholly traded, are brought in to DCC as a separate branded, zero budget line, trading offer to be delivered through Education and Learning.
- 2.2 This approach would allow for unlimited trading with schools and academies. The same staff deliver both the partly traded offer and the core DCC funded elements so will be transferring to DCC whether the traded element transfers or not. Continuing to provide the traded elements would ensure continuity of

provision to schools with staff they know and trust. It will also mean we can retain people of full-time contracts which will help retention.

- 2.3 The wholly traded work is currently promoted and co-ordinated alongside the partly traded offer. This means schools receive a coherent offer for all Education and Inclusion services. Splitting the wholly traded work away from the partly traded work would add an additional level of complexity and management oversight and would also mean a more fractured offer for schools.
- 2.4 Bringing the traded services delivery into DCC would make the best use of capability and capacity that would then sit within Education and Learner Services. This would help retain market share and aid the viability of the traded service but without the additional structure and cost involved in setting up an arm's length company.
- 2.5 Using a separate branding for the service (potentially LDP) will also allow the traded services to be more attractive to the market, increasing the viability. The approach has proven successful with schools for HR ONE and SCOMIS and from feedback would also mitigate the risk for these traded services.

3. OPTIONS/ALTERNATIVES

- 3.1 Traded services, both those that are partly traded and linked to commissioned service and those that are wholly traded, provide their own challenges as they are not commissioned by DCC. Despite this, the traded services are intrinsically linked to the commissioned services and the considerations and options explored for commissioned services directly relate to traded services as well.
- 3.2 DCC has made a commitment to ensure their continuation but without commissioning them directly. Therefore, these services need to cover their own costs, be commercially viable and retain the purchaser's (schools and academies and other Local Authorities) custom.
- 3.3 The following alternative options were previously considered and rejected:

3.3.1 Commission traded services from an external provider or include with externally Commissioned services

As the Education and Inclusion services are being insourced there would be no external provider and commissioning the traded services directly would incur significant additional costs to DCC.

Soft market engagement was carried out to identify the market size and appetite. This identified significant risks in the market which would also jeopardise the traded services.

3.3.2 Deliver traded services through a DCC owned arm's length company

This could be either through a normal trading company owned by DCC or through a company structured as a Teckal company. Both of these

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arrangements would require a company structure with all of the associated costs, governance, legal structure and reporting structures needing to be put in place.

The arm's length company would be free to trade unless it were a Teckal company (limited to 20%). Existing staff would TUPE into the arm's length company.

This would in effect split the teams delivering commissioned services who would be integrated into DCC and the teams delivering the traded services who would be in the arm's length company. This would significantly impact the resource, capacity, shared learning and use of engagement and resource of both teams and go against the principle of insourcing the teams to provide an integrated service, which is a particular priority for the SEND services.

3.3.3 Delivery through a partnership arrangement (Alliance)

This approach would require DCC to select partners, potentially schools or academy groups to work together and deliver the services.

The aim would be that as DCC retain the controlling influence the teams delivering traded services could still link with those based in the Education teams.

There would be a potential for schools to be more invested in the service and be part of its development increasing their buy-in as customers.

The risks would be conflicting aims and drivers between partners, meaning commitment and partnership agreements would be required.

Governance may also prove difficult with so many different structures. This may also impact on the flexibility and responsiveness of the traded services.

Through early engagement with potential partners as part of the soft market testing, it was found that none of the potential partners were in a position to take part and would need significant development to reach this point.

Education and Learning will however continue to commission support from schools for specific services as it does now.

4. CONSULTATIONS

- 4.1 Extensive consultation was conducted as part of the rationale for the in-housing of the commissioned services currently being delivered through Babcock LDP. This was detailed in the Cabinet paper presented and approved on 10 March 2021.

5. FINANCIAL CONSIDERATIONS

- 5.1 There will be no additional costs to bring in the traded services to the Education and Learning teams, beyond those already detailed in a separate paper for the Education & Inclusion Direct Delivery project. This is because a) the staff deliver both commissioned and traded services and therefore there will be minimal difference to the number of people TUPEing over and b) the traded services will operate on a cost-neutral basis.
- 5.2 The traded services all currently make a profit. However, a quick decision needs to be made on the future of the traded services to avoid the risk of a loss of income due to an inability to bid for future contracts, many of which Babcock have been delivering for many years.
- 5.3 Babcock LDP have already experienced issues where existing contracts have come up for renewal but the tender for the new contract, that runs beyond 1 August 2022 when they transfer into DCC, includes a non-novation clause meaning they are unable to bid for it unless the commissioning body are prepared to remove that clause.
- 5.4 Babcock's Commercial team have now told Babcock LDP they won't allow them to bid for any further contracts that run beyond the date they transfer to DCC. This risks us losing the revenue from existing contracts which could have been brought in for the next four years. Being able to bid under the new trading arm ahead of the transfer would remove this risk.
- 5.5 In addition, many schools and Local Authorities are currently reviewing service requirements for the coming school year and would like assurance over the future of the services they are commissioning.

6. LEGAL CONSIDERATIONS

- 6.1 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 and the recommendations set out above.
- 6.2 The Local Authorities (Goods and Services) Act 1970 enables DCC to provide traded services of an administrative, technical and professional nature to other designated public bodies including local authorities, schools and academies.
- 6.3 DCC are permitted to market the traded services under a separate brand name provided it is clear the legal entity providing the services is DCC.

7. ENVIRONMENTAL IMPACT CONSIDERATIONS (INCLUDING CLIMATE CHANGE)

- 7.1 The recommendations made are not expected to have any measurable environmental impacts.

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8. EQUALITY CONSIDERATIONS

- 8.1 An Impact Assessment has been prepared and is published on the DCC website. <https://www.devon.gov.uk/impact/published>

9. RISK MANAGEMENT CONSIDERATIONS

- 9.1 A risk register is in place for the project and risks have been analysed. The most significant risks identified from a service and an organisational perspective are described below.
- 9.2 As detailed in Section 6 above, the traded services all currently make a profit. However, there is a risk of loss of income due to an inability to bid for future contracts unless a quick decision is made on the future of the traded services.
- 9.3 The bulk of the traded services also form part of DCC's core offer and are intrinsically linked. Staff deliver both the commissioned and traded elements of the service. Not bringing the traded element of the services in-house will mean staff are not being fully deployed resulting in additional costs to the Council.
- 9.4 The staff who currently deliver the commissioned element of the service also deliver the topped up (traded) element of the service, giving the child receiving the service more continuity. If the service is no longer delivered by one provider, this continuity will be lost, which could have a significant impact on some children.
- 9.5 If more schools move to academy status, there will be less demand for Local Authority provision through the core offer, which could lead to a financial loss or surplus of staff within the Council unless we are able to offer an alternative option to purchase those services in order to retain them, as in the current model.
- 9.6 Babcock LDP currently offers a number of wholly traded services, which are highly valued by schools and make a profit. If these services are not brought into Devon County Council along with the other services, these services will be lost as there is no appetite for anyone else to take these on. This would result in a failure to meet our commitment in paragraph 3.17 of the original paper approved by cabinet.

10. PUBLIC HEALTH IMPACT

- 10.1 The proposals outlined in this report are expected to have an overall positive effect on public health as well as on individual children and their families. The proposals support our partnership vision across education, health and social care for all children to have the best start in life and to improve their life chances, ensuring that they are able to achieve their potential and have opportunities to thrive.
- 10.2 Health elements are also picked up in the impact assessment for the report brought to Cabinet on 10 March 2021.

11. CONCLUSIONS

- 11.1 A quick decision on the future delivery of the traded services is needed to help us limit the risk of losing business during the interim period before the transition. It will also allow us to finalise the structure for the in-housing of all staff and the continuation of uninterrupted statutory duties to schools and reduce the impact on staff who are currently facing uncertainty around their future.
- 11.2 Transferring all the traded services into DCC Education and Learning service will enable DCC to provide a range of Education and Inclusion services, which provide consistency for both schools and children and young people and which support flexibility, recruitment and retention.

Background Paper	Date	File Reference
Impact Assessment		https://www.Devon.Gov.Uk/Impact/Published/

Continued

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Paper Part B - Education and Inclusion Direct Delivery Project: Resourcing Requirement Costs

1. Introduction

- 1.1 On 10 March 2021, [Cabinet approved the recommendations](#) to bring the services currently delivered by Babcock LDP into direct delivery by the Council through the Education and Learning teams.
- 1.2 The original driver for wanting to in-house the SEND and Inclusion teams from within Babcock LDP was to enable us to provide a more cohesive SEND offer across Devon as part of the ongoing SEND Transformation Programme. The results of this work aims to reduce demand for Education and Health Care Plans, which in turn will help secure sustainable delivery in line with the funding allocated from the DfE. If action is not taken, DCC will have an £83m deficit by the end of March 2022, and this will increase year on year.
- 1.3 Following a lengthy consultation process looking at the future delivery of these services, it was agreed at the Cabinet meeting on March 10th that the only viable option was to bring all of the services currently delivered by Babcock LDP and the staff who deliver them into DCC.
- 1.4 Initial estimates of the resources needed to deliver the project and to manage the transition of staff from Babcock LDP to DCC within the timescales were included in the March 10th cabinet paper. These estimates have now been fully developed.
- 1.5 This report lays out the costings of the additional staff resources requirements and requests the reserve allocation for the project be agreed.

2. Project Resourcing Requirements

- 2.1 The transition of approximately 250 staff from Babcock LDP to DCC will take place when the recently extended contract ends on 31 July 2022. There is no option to extend this contract further, so it is therefore imperative we are ready to transfer them over on 1 August 2022. Failure to do so will impact on DCC's ability to deliver our statutory requirements.
- 2.2 The project includes five different workstreams – Service Design; HR and Pensions; ICT, Estates and Business Support; Finance and Communications and Engagement. These workstreams and the overall project management will draw on both corporate and operational resources, both from within DCC and Babcock LDP.
- 2.3 Resources within key teams are already under pressure from a variety of demands, including high workload, the impacts of COVID plus demands of other transformational work which are currently underway. The pandemic response has left many teams under pressure as they are picking up work that had to be put on the back burner or are taking on additional projects triggered by the pandemic response. To provide the level of resourcing the Education and Inclusion Direct Delivery project departments will need to

recruit additional fixed term project resources and backfill some of the operational roles required for project work.

- 2.4 With the project spanning over the two financial years the costs are expected to be a maximum of £271,000 for 2021/22 and £168,000 for 2022/23.
- 2.5 The allocation will be held within the Business Transformation Reserve and actual costs transferred accordingly.
- 2.7 Once the service design has been identified any financial benefits will support the DSG Deficit Management Plan to reduce the pressures on the High Needs Block.

3. Financial Considerations

- 3.1 The contract to deliver the Education and Inclusion services through Babcock LDP will be coming to an end on 31 July 2022, with no option to extend further. This means that if the services and staff delivering them were not brought back into DCC, a procurement exercise would have to be undertaken to find a new delivery partner.
- 3.2 When the services currently provided by Babcock LDP were outsourced in 2011/12, consultants and external solicitors were brought in to run the procurement exercise and put in place the Joint Venture. The total cost for this was over £600,000.
- 3.3 If a tender process had needed to be run, the potential corporate costs would total £210,000, excluding external legal fees for any costs linked to setting up any new partnership arrangements.

A further breakdown of the costs is provided below:

Time input by the Strategic Procurement team for a tender process, assuming a straightforward single-phase process is used, would be in the region of £50,000, depending on volume of responses and unforeseen issues. This would be made up of Senior Officer input leading the process, some managerial input and additional input from a Procurement Officer during engagement, evaluation and moderations.

It is important to note that in addition to the Strategic Procurement team, input would also be required from:

- Children's Commissioning throughout the whole process
- Legal Team pre procurement to develop bespoke terms and conditions
- HR throughout to manage TUPE process
- Finance throughout the process
- Operational Education and Learning teams throughout the process for service specification award criteria and evaluation

Potential costs for these resources would be in the region of £160,000.

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As a result of the pandemic, additional resources would need to be brought in to cover all of these roles, including the Procurement resources, as the teams are all currently running at full capacity meaning the costs would be actual rather than indicative.

- 3.4 When considering costs for Education and Inclusion, it is important to note that through the soft market testing and engagement carried out by procurement it was identified that there was not a realistic provider market for the proposed services. This meant there was a significant risk of not receiving appropriate bids, which would have significant impacts, including increased costs. It was this issue that was considered during the delivery model appraisal.
- 3.5 If we are unable to secure funding for additional resources, teams within DCC would need to drop work that has only just restarted after being put on the back burner to resource the pandemic response. However, in some cases this wouldn't be possible as the resources are committed to other key projects and work, such as the How We Work programme and delivering capital receipts.

4. Conclusions

- 4.1 In conclusion, the successful delivery of the Education and Inclusion Direct Delivery project is a critical element in achieving the transformation of the Council's SEND offer across Devon.
- 4.2 The ability to bring in additional resources to do the work needed to ensure a smooth transition of staff from Babcock LDP to DCC on 1 August 2022 is vital. We request the allocation from the Business Transformation Reserve for up to £500,000, as defined above, to enable us to do this.

Chief Officer for Children's Services Melissa Caslake

Electoral Divisions: All

Cabinet Member for Education: Councillor Leadbetter

Head of Education and Learning: Dawn Stabb

Impact Assessment



Assessment of: - The impact of the recommendation for Education and Inclusion Services to be delivered by Devon County Council directly from 2022/23.

Service: - Education and Learning, Children's Services, Devon County Council.

Head of Service: - Dawn Stabb, Head of Education & Learning, Children's Services, Devon County Council
Melissa Caslake, Chief Officer of Children's Services, Devon County Council

Version / date of sign off by Head of Service: -

Assessment carried out by (job title):- Jade Torr, Commissioning Officer, Lucy Brewer Senior Commissioning Officer.

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

Devon County Council and its partners hold a number of statutory responsibilities concerning the education of and the safety and welfare of children and young people in Devon. Examples of these duties are summarised in a number of pieces of statutory legislation and guidance including:- *Education Act (1996)*; *Education Act (2002)*; *Children Act (1989)*; *Children and Families Act (2014)*; *SEND Code of Practice:- 0-25 Years (2014)*; *The Education (Health Standards) (England) Regulations, (2012)*; *Keeping Children Safe in Education (2019)*; *Working Together to Safeguard Children (2018)*; *School Standards & Framework Act, (1998)*; *Education & Inspections Act (2006)*; *Childcare Act (2006)*.

In 2012, Devon County Council and Babcock International entered into a joint venture partnership (a type of commercial enterprise involving two or

more parties, but where all parties retain their distinct identities) Babcock LDP. This arrangement has allowed both parties to work together to deliver a range of 'Education and Inclusion Services' in Devon which in turn respond to legal responsibilities held and referenced above. These services support through a range of practitioners and professionals working in education settings such as schools and early years settings both children and young people including those with Special Educational Needs and Disabilities (SEND). This is achieved by providing practitioners and professionals better access to education, support, training, and intervention, thus supporting education, and learning achievements and outcomes. These services also support the quality of education, helping and supporting education settings with improvements and development, alongside offering support to ensure and promote the safety, safeguarding and protection of children and young people in education settings.

The kinds of Education and Inclusion Services currently offered includes: -

- Educational Psychology services.
- Early Years Support and Advice services (for children aged 0-5 years).
- Children Missing from Education service.
- Elective Home Education.
- Teaching and Learning Advisory Support.
- Ethnic, Minority and Traveller Achievement Service and English as an Additional Language.
- Physical and Sensory Support.
- Multi-Sensory Impairment services.
- Communication and Interaction.
- Behaviour support and social, emotional, and mental health (SEMH).
- Education Welfare Service.
- Safeguarding services.
- School improvement and Quality Assurance services.
- Governor Support and Quality Assurance services.

The current Provider of the Education and Inclusion Services contract also provides other services not directly commissioned by DCC. This includes a 'traded service offer' which is a mixture of: -

- a) An equivalent to DCC commissioned services that can be bought by schools (for example additional Educational Psychologist work). This draws on the expertise and skills of practitioners across services summarised above to provide a package of bespoke support and intervention to education settings and wider practitioners who will choose to purchase these services directly from the Provider.

- b) 100% traded services which are not commissioned in any form by DCC but are still highly valued by schools and realise outcomes that otherwise would not be achieved. These wholly 100% traded services include: -
- The management of the Devon Music Education Hub, which is funded by grants. Through the Devon Music Hub all Devon schools currently have fully funded access to class sets of instruments. 2,800 instruments are currently on loan to schools and pupils across Devon and an increased number of children and young people are using the online facility to support home learning over the last calendar year.
 - The Outdoor Education service which provides a range of services from two outdoor education sites based on Dartmoor. These are accessed by schools directly and are self-funded drawing no resources from the commissioned services.
 - Library Service which provides book boxes to schools and, like the Outdoor Education service, is completely self-funded.

Education and Inclusion Services are currently being funded through a range of core education funding received by Devon County Council from the Government, as well as de-delegated funds (where schools pass equal % money back to the council for them to purchase services on schools behalf), which are used to commission services on behalf of schools. The 2019/20 value of the Education and Inclusion Services contract is around £9.8 million (includes Music Grant £0.9m). The value of the 'traded service offer' in 2019/20 was approximately £4 million.

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2. Reason for change / review

The contract and existing arrangements for the delivery of Education and Inclusion Services are due to end in 2022/23 after a period of potentially 11 years. Devon County Council are required to undertake a process and work to review, consider and facilitate decision making which will determine the design of and the arrangements for the delivery of any Education and Inclusion Services for the future. The services are also linked to other services being reviewed as part of the corporate SEND transformation project and as such need to be designed to align with that.

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

Our goal is to ensure the continuity and availability of service support and intervention which can best meet the future needs of children, young people, families, professionals, practitioners and partners in Devon.

It is intended as part of this goal: -

- To design services which are as efficient, sustainable, and flexible for the future as possible.

- Designed services continue to support Devon County Council in meeting its statutory responsibilities and obligations concerning the education, safety and welfare of children and young people in Devon.
- Designed services align and deliver in ways which support Devon's aims to improve outcomes for children and young people in Devon as described in our [SEND Strategy](#), [Children and Young People Plan](#), [Written Statement of Action](#) and [SEND Transformation Project](#).

An options appraisal has been undertaken to consider the ways in which Education and Inclusion Services could be delivered going forward.

This assessment follows this appraisal and aims to consider the impact of the recommendation to deliver Education and Inclusion Services through a different set of arrangements from 2022/23.

The recommended change proposes Devon County Council, from 2022/23, directly deliver all of the services currently included in the Education and Inclusion Contract, this would include continuing to ensure 'traded services are available, to provide a greater opportunity for integration and to support SEND transformation and improve outcomes for children. With the option to commission out the School Improvement and Quality Assurance services at a later point going forward.

Further rationale, analysis and explanation for this recommendation can also be found in the accompanying Cabinet paper.

4. People affected and their diversity profile

People affected would include children and young people aged 0-18 years living in Devon. It would include children and young people aged 0-25 years with Special, Educational, Needs and Disabilities (SEND) living in Devon. Additionally, families of children and young people living in Devon and a range of professionals and practitioners working across education (including early years) settings in Devon would be affected.

Reach: - The Joint Strategic Needs Assessment (JSNA) Devon Overview, 2018 indicates Devon has a population of about 750,000. Of this figure around 21% (157,500) are children and young people aged between 0-19 years. The 2011 Census indicated of the DCC population 94.4% identified as White British; 2.5% identified as White Other and 2.6% identified as Black, Asian or Other Ethnic Minority Group. Of the Devon population

responding to the DCC Community Insight Survey in 2019, 47% strongly agreed or agreed with the statement “I have good access to learning opportunities”.¹

In 2019, 65% of pupils in Devon achieved a pass (grades 9-4) in English and Maths. Attendance of children and young people in school settings is high, often above the national average. In 2019, there were only 1% of unauthorised absence/ sessions missed in state funded primary, secondary and special schools. In 2020, 92% of 2-3-year olds and 92% of 3-4-year olds were benefiting from funded early education with Providers judged to be ‘Good’ or ‘Outstanding’ by Ofsted.

At Autumn 2020, there were 106,000 children attending Devon schools. An additional 1,508 children and young people are known to be home educated. At October 2020, 20,794 children and young people were identified to have a special educational need in Devon. Of this number 13,316 are supported at school level and 7,478 children and young people with SEND had an Education, Health and Care plan (EHCP) to support their needs. Devon has more children supported at both SEN support level and with an EHCP than seen elsewhere in the country. Social, Emotional and Mental Health difficulties (SEMH), Speech, Language and Communication difficulties (SLCN) and Autism Spectrum Disorder represent the 3 highest categories of need for children and young people with SEND in Devon. The educational outcomes for children on SEN support and with EHCP are better in Devon than the National Average, with Devon having 32% of pupils that are achieving a good level of development compared to 30% for England.

127 1077 teachers across 290 schools in Devon are currently registered with the Devon Music Education Hub. 14,746 children and young people are using the online facility offered through the Hub to support home learning during COVID-19. 2,800 instruments are currently on loan to schools and pupils. All Devon schools have fully funded access to class sets of instruments.

The ‘traded service offers’ are currently purchased and used by a significant number of Education settings, including maintained special schools; mainstream settings and academies; and independent schools and colleges who are supporting children and young people, children and young people with SEND and in some cases supporting provision for them as described in their Education., Health and Care Plan.

Experience: - There are a variety of ways families are able to share their feedback and views with DCC. This includes: - through the Devon SEND Local Offer; through customer services; through the Parent Carer Forum operating in Devon. Details of engagement, feedback and consultation being undertaken relating to this topic is summarised in section 7 below. Education settings, Early Years settings and Governors are also able to

¹ Joint Strategic Needs Assessment (JSNA), Devon Overview, 2018, pages 51-53.

share their experience with DCC through a range of methods including via DCC website, surveys, as well as through strategic and operational meetings such as Heads Liaison group, Schools Finance group and Devon education Forum.

Dependence: - There is a high dependency on services delivered as part of the Education and Inclusion Services contract. As well as supporting quality and development of education settings and safeguarding of children and young people in education settings; services also support schools to support some of Devon's most vulnerable or disadvantaged pupils to have a good education which helps them to gain skills, knowledge and qualifications, achieving the best possible outcomes. This can enable children and young people to have aspirations for, and to access opportunities for training, further education and/ or employment in the future. Support and intervention services offered through Education and Inclusion contract in the academic year 2018/19 for instance, has supported over 325 early years settings with advice and information. Participation and engagement in specific intervention projects to reduce likelihood of exclusion and support literacy and reasoning to aid maths in both early years and other school settings have also been facilitated. Over 116 families with English as an additional language have been offered support. Growing numbers of schools have been supported with training, advice, guidance, development, and best practice resources to help them to support children and young people to achieve better outcomes. This has also included supporting schools to understand, support and monitor children and young people from minority ethnic groups. For instance, over 163 children and young people from Gypsy, Roma or Traveller families have been supported to access educational provision, online teaching, support through transition or have accessed a targeted programme to support attendance. Home visits and monitoring visits have been undertaken to support a number of children and young people who are being electively home educated. Support and involvement has been recorded in over 400 cases where children and young people have been identified to be missing from education. Moreover, through support there has been a reduction in the length of time children in Devon are remaining 'missing from education'. Furthermore, educational psychologists are working alongside Devon County Council to support input and improve timeliness of issued EHCP plans as part of initial assessments and/ or as a result of annual reviews for children and young people with SEND.

5. Stakeholders, their interest, and potential impacts

- Practitioners currently delivering Education and Inclusion Services currently employed by Babcock LDP. The outcome of decision making and arrangements for future delivery could have potential implications e.g. mean a change of employer for some practitioners.

- Headteachers, teachers and support staff in education settings in Devon including schools and early years settings. The outcome of decision making and arrangements for future delivery are important for this group in them understanding how they can access and who they can access services and support with/ from, in the future. School and education settings are also a joint commissioner of some of these services alongside the local authority.
- Officers and practitioners delivering service functions across DCC Children’s Services, for example 0-25 SEN, DCC Early Years and Inclusion Services. Depending on decision making there would need to be consideration for the transition of any staff to DCC teams internally.
- Devon County Council Elected Members. Overall decision-making lies with this group. Elected Members will be making decisions that represent and respond to the needs and interests of Devon communities based on the information and evidence provided to them by Officers. Elected Members also need to be assured in their decision making that Devon County Council are meeting their legal responsibilities and making the best use of public funds.
- Children and Young People, and their Families. As the recipient of the support offered either directly or indirectly by services.
- Wider services supporting Children, Young People and their Families. For example, Providers of community health and well-being services, in their assessment of, and delivery of provision to Children and Young People and through joint working across SEND.

Research used to inform this assessment

- [Joint Strategic Needs Assessment Devon Overview \(2018\).](#)
- [Devon Special Educational Needs and Disability \(SEND\) Local Offer and vision](#)
- [ONS 2011 Census- Office for National Statistics. Figures for DCC Population area.](#)
- <https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2019>
- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/support-education-health-and-care/care/short-breaks/shortbreakscodesign>
- <https://www.dcfp.org.uk/>
- <https://www.newdevonccg.nhs.uk/your-ccg/children-and-young-people-100144>
- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/the-picture-in-devon>
- <https://www.devon.gov.uk/equality/performance-and-monitoring/equality-information/2019insight>
- [Local Authority Interactive Tool \(LAIT\)](#)

7. Description of consultation process and outcomes

Outcomes and feedback obtained through engagement activity undertaken by Devon County Council and its partners is being used to inform the process seeking to agree and design arrangements for the delivery of Education and Inclusion Services from 2022/23. Engagement activity used to inform the proposals has included a range of stakeholders, for example, children and young people, parents, professionals working across children's services including in schools and therapeutic settings. Examples of engagement undertaken includes:- workshops, surveys and focus sessions as part of the Short Breaks Co-Design; as part of SEND transformation; the Community Health and Wellbeing Services engagement led by NHS Devon; a sensory service review; School Focus Groups; School Leader and Governor Surveys; focus sessions with other local authorities, market engagement opportunities.

Themes highlighted include:- the importance of supporting integrated working; adopting holistic approaches; identification and assessment; early help and accessing the right service at the right time and earliest point; clear pathways and skilled workforces.

Further information for some of the engagement pieces described above can be found on the following: -

- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/support-education-health-and-care/short-breaks/shortbreakscodesign>
- <https://www.devon.gov.uk/educationandfamilies/special-educational-needs-and-disability-send-local-offer/we-are-listening>
- <https://www.devon.gov.uk/educationandfamilies/archives/10372>

A public consultation was undertaken through the 'Have Your Say' website from 5/11/20 to 01/12/2020. A total of 115 online response were received. The consultation asked the following: -

The services being considered to be directly delivered by DCC are Educational Psychologists (EP), Children Missing Education (CME) and Early Years, with the remaining services to continue to be delivered through a tendered contract (s). Do you agree this would be the best way to deliver these services in the future?

Of the responses to the above 62 answered yes, 46 answered no, and 7 indicated they had no view.

Respondents were asked two further questions- for feedback in relation to the option presented, further considerations or issues that had not been taken into account and if the services could be delivered in a different way to that presented in the proposal. Themes identified through the consultation were around the importance of integrated and multi-agency working either within a local authority or commissioned service delivery model, as well as an appetite for increased service provision delivered by the local authority, evident in six of the 'no' responses. A number of the yes responses also expressed a preference for further services currently in scope of the project but not in the proposal to be directly delivered by DCC as well. There was some preference for additional services not currently in scope being commissioned out as an alternative to the proposed model, as well as some reference to a lack of trust and faith in the local authority or in commissioned services. The rich information fed back through the public consultation will also be used throughout the service design element, further informing principles and ways of working, in the future.

<https://www.devon.gov.uk/haveyoursay/consultations/education-and-inclusion-services-across-devon-county-council-consultation/>

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'Soft Market Testing' events, benchmarking, research sessions and dedicated open surgery engagement sessions have been undertaken throughout late 2020 and into January 2021 with both external Service Providers and Other Local Authorities (authorities who have recently undertaken a procurement process for delivery of a similar group of services). These engagement events and research sessions have been important in gathering further information from experts across the Provider market and to learn from the practice of Other Local Authorities. This has allowed Devon County Council to consider the feasibility of options for delivery of Education and Inclusion Services in the future, to collate evidence including to barriers as well as opportunities which are essential to achieving innovation and creativity to service delivery in the future. Additionally, these engagement opportunities have allowed Devon County Council to explore the interest and ability of external Service Providers to deliver Education and Inclusion Services in the future and achieve the intended outcomes outlined in section 2. These events have revealed: -

- A position of limited market interest and a decreasing interest from the market across opportunities which could include delivery of smaller numbers of services in partnership with Devon County Council.
- Challenges in achieving the impact and outcomes for children and young people and in the context of a changing and developing position with the SEND transformation work currently being undertaken by the Local Authority.
- Opportunities for collaborative delivery across partners though showing promise for the future are not yet developed and would take significant work to be able to respond to the service needs and objectives.

These have been important outcomes from engagement and ones which have had to be considered in the recommendation summarised above for the future delivery arrangements of Education and Inclusion Services.

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

<p>Characteristics</p>	<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>All residents (include generic equality provisions)</p>	<p>Delays in accessing services and/ or in receiving support, plans or intervention with services delivered by DCC.</p>	<p>The impact of this issue will be minimised as the recommendation described above would ensure all services would continue to deliver support and intervention to children and young people with SEND. Maintaining delivery of all services together and delivery by one organisation i.e. DCC has the potential to facilitate multi-agency working and joint partnership working in delivering these services. Thus, reducing the likelihood of delay in accessing services. Timeliness of intervention and support would be kept under review. DCC and its partners remain committed to transforming services for children and young people in Devon including children and young people with SEND. All will continue to develop mechanisms by which they can hear the voice of practitioners, children and young people and of families accessing services using this to sense check experiences of service and develop action plans as needed where improvements to service delivery maybe identified . DCC will undertake quality assurance procedures and checks as part of the delivery of services directly delivered. This should help to ensure professionals, children, young people, and families continue to receive support and intervention from services in a timely way and in ways which work for them positively. Hence this change should not impact on the experience of all those accessing Education and Inclusion Services for support and intervention in the future.</p>

<p>Characteristics</p>	<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>Disruption to services, changes to or inconsistent service delivery for Education settings, families, children, and young people, if the recommendation is agreed above and all aspects of Education and Inclusion Services are transferred to Devon County Council (DCC) in 2022/23.</p>	<p>The impact of this issue will be mitigated by DCC in a number of ways. DCC has a range of resources which will be made available to support the safe transition of Education and Inclusion Services to the Local Authority. DCC will continue to work in partnership with the current Service Provider to develop an action plan for both parties to ensure the smooth transition of services from the external Service Provider to DCC in a planned and safe way. DCC will take action to consult with existing practitioners and to retain the skills and expertise of current practitioners delivering services and/or to recruit any additional practitioners to ensure levels of staffing to allow for continued delivery of services. Therefore, it is considered there is a low likelihood services, in transfer to DCC, would be significantly disrupted or cease and would therefore continue as usual/ planned for any settings or families. DCC will also develop a plan for clear and co-ordinated communications and updates for all those who would and are known to be accessing Education and Inclusion Services.</p>

<p>Characteristics</p>	<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>Trust in the ability of DCC to deliver Education and Inclusion Services in ways which best support practitioners in education settings, children, young people, and families in Devon.</p>	<p>DCC are committed to hearing from and working alongside all partners in Children's Services, including children and young people and families in Devon. DCC continues to seek by the view of peoples experiences in various ways for example through our education website page, in order to improve services https://www.devon.gov.uk/educationandfamilies/give-feedback</p> <p>Through a variety of projects such as the SEND transformation project, DCC are seeking to explore and implement methods and mechanisms to keep all of our partners aware of how feedback is being actioned, what is happening with our services and how this is working. For example, through posts and 'You Said, We are Doing' functions on our SEND Local Offer. DCC are continually looking to improve in this area.</p> <p>Service functions are also monitored and explored routinely through DCC democratic functions, for example Children's Scrutiny Committee and Cabinet sessions led by Elected Members (outcomes of these functions are available to view on the website).</p>

<p>Characteristics</p>	<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>Knowing how to access Education and Inclusion Services and knowing who to go to, in order to access support.</p>	<p>DCC will develop a plan for clear and co-ordinated communications and updates for all those who would and are known to be accessing Education and Inclusion Services. To ensure equality and inclusion consideration would be given to formats in which these are made available to everyone e.g. producing Easy Read versions, using simple and plain English and a range of methods e.g. newsletter, online videos and social media, written information, links, telephone. This would facilitate access and awareness of services for the future.</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>
Age		<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3 would still require services to be personalised in ways which promote best understanding and support for that individual reflecting their age. This would include adapting delivery of services through a variety of method and medium which support engagement and provide the most appropriate support taking into account the individual's age. This would also include a requirement to obtain feedback from all who access the service to ensure improvements to delivery can continue to develop over time. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs of the public. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</p>

<p>Characteristics</p>	<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>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>Input to EHCPs following initial assessment and annual review for children and young people with (SEND).</p>	<p>Arrangements to bring the educational psychology function into direct delivery by Devon County Council has the potential to increase multi-agency working and improve the timeliness of input into EHCP's following an initial assessment or annual review for a child or young person with SEND. This would be beneficial for education settings such as schools who would be able to adapt provision and put in place support that best meets the needs of children and young people with SEND. This (and the wider elements of SEND services within the education and inclusion services) will support children and young people to continue to make good progress, develop life skills and gain qualifications as they move towards adulthood. Improving this process will also provide reassurance and contribute to positive wellbeing of parents and carers that their children and young people are being provided with support which best meets their needs and is promoting inclusion for their child or young person. Moreover, educational psychologists will continue to provide support to education settings through direct support and/ or provision of resources and guidance to support upskill of practitioners in education settings. In turn enabling them to personalise support to continue to meet needs of children and young people to achieve their potential.</p>

<p>Characteristics</p>	<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>Accessibility of services.</p>	<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be accessible to all. DCC would require staff delivering services to put in place reasonable adjustments to allow equal access to services and would implement accessibility plans for services to help monitor this as a function. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote services accessibility for the public. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</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>
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion, and belief	Continued delivery of Education and Inclusion Services in ways that show understanding of and reflect any families, child, young person, or practitioner's identity and or beliefs.	<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be personalised in ways which show an understanding of cultural beliefs, traditions or wishes which are important for each individual. DCC will require staff delivering services to put in place any adjustments to allow equal access to services and/ or adapt service delivery to take into account the individual's beliefs. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs of the public This should help to ensure practitioners, children, young people and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</p> <p>Additionally, as evidence is emerging through the COVID-19 pandemic suggesting an association between ethnicity, the occurrence of COVID-19 and adverse health outcomes more generally. Practitioners delivering services going forward will need to continue to consider carefully increased risks to Black, Asian and Minority ethnic groups accessing services and develop an action plan to implement any additional safeguards/ measures that may be needed to ensure extra protection for this group.</p>

<p>Characteristics</p>	<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>Sex, gender, and gender identity (including men, women, non-binary, and transgender people), and pregnancy and maternity (including women's right to breastfeed)</p>	<p>Continued delivery of Education and Inclusion Services in ways that show understanding of and reflect any families, child, young person, or practitioner's identity.</p>	<p>The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be personalised in ways which take account of an individual's sex, gender or gender identify. DCC will require staff delivering services to put in place any adjustments to allow equal access to services and/ or adapt service delivery to take into account the individual's beliefs. It could also include signposting individuals to any additional information or advice which could be beneficial to the individual. DCC as an employer have a number of policies, and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.</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? Are you complying with the DCC Equality Policy?</p>
Sexual orientation and marriage/civil partnership	Continued delivery of Education and Inclusion Services in ways that show understanding of and reflect any families, child, young person, or practitioner's identity.	The arrangements for delivery of Education and Inclusion services in the future as described in section 3, would still require services to be personalised in ways which are important for that individual. DCC will require staff delivering services to put in place any adjustments to allow equal access to services and/or adapt service delivery to take into account the individual's beliefs. DCC as an employer have a number of policies and resources available to staff teams which could be accessed for support and advice to continue to ensure and promote service accessibility in line with needs of the public. This should help to ensure practitioners, children, young people, and families continue to receive support and intervention from services in a timely way, in ways which work for them positively and enable them to achieve the best outcomes.

<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>Impact of COVID for families, children, and young people now and into the future.</p>	<p>Lack of income, potential redundancy and job loss in families in Devon as a result of the COVID-19 pandemic has the potential to adversely impact all families in Devon but particularly vulnerable families who may be in low paid occupations, single parent families, or where adults in families may need to shield and so cannot attend work, as well as families with children with SEND. Resources and multi-agency agency support will need to continue to be made available to support families through this difficult time. In delivering Education and Inclusion and Services in the future DCC would need to ensure training and have awareness of and the ability to signpost families to any other support services they may feel could support any additional needs observed. This could include signposting to support available through District Councils or external charities for example, and Early Help, initiating Early Help or MASH assessments appropriately for any additional support.</p> <p>National restrictions active during the COVID- 19 pandemic have the potential to adversely impact the learning of some children and young people and also to impact schools, early years, and other education settings. As education settings move through the pandemic, this could impact the kind of support and intervention they require going forward from school improvement, quality, and safeguarding functions, particularly during any 'recovery' phase in the year(s) following the pandemic. Moreover, the kind of intervention projects and specialist support that may be required to support and engage children and young people whose learning has been impacted by the COVID- 19 restrictions and measures will be important. School closures as a result of the COVID-19 pandemic could also result in more parents taking the decision to home educate their children, thus potentially increasing the number of children in Devon who are being home educated. The above will all be important considerations for DCC in delivering Education and Inclusion Services. DCC will need to demonstrate an ability to shape and adapt services</p>
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<p>Characteristics</p>	<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>flexibly over time, to meet emerging needs, and any increasing demand going forward.</p>

9. Human rights considerations:

Any arrangements and design agreed for the future delivery of Education and Inclusion Services would continue to require delivery of services in ways which support the vision, values and principles of United Nations Convention on the Rights of Children (1990) and the United Nations Convention on the Rights of Persons with Disabilities (2006). The United Nations Convention on the Rights of the Child (1990) describes a number of articles detailing the rights of all children and young people age 18 and under. This includes: - non-discrimination; best interests of the child; the right to life, survival, and development; health and health services; standards of living; right to education; freedom of expression and thought. In addition, The United Nations Convention on the Rights of Persons with Disabilities (2006) describes a further series of articles clarifying the rights of all individuals with a disability including children and young people. This includes:- respect for each person's dignity and personhood; disabled people being full and equal members of communities/ society; equal life chances; education; equal rights to family life whereby disabled children should never be forced to live away from parents and families unless this is the best thing for them; health without discrimination; independence; standard of living; right to enjoy culture; recreation, leisure and sport in an equal basis to people who are non-disabled.

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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?

The arrangements for delivery of Education and Inclusion services in the future, if agreed, would still collectively, positively support practitioners and professionals across education settings in Devon as well as positively support children, young people, and their families in Devon. Particularly helping to meet the needs of those who are most vulnerable or disadvantaged, to have a good education, which in turn, helps them to gain skills, knowledge, and qualifications, achieving the best possible outcomes. Support can help children and young people to have aspirations, achieve, become independent and thrive as they grow into adulthood. This can then allow children and young people to access opportunities for training, further education and/ or employment in the future.

The commitment to ensuring the continuation of the 'traded services offer' including Devon Music Education Hub for practitioners in schools across Devon and for children and young people in Devon will have positive impacts for health and wellbeing. For example, access to instruments and music as part of a child's experience, school curriculum and personally is important to physical development in promoting physical activity and co-ordination of the body and mind. Opportunities to engage in musical experiences can be important in developing a child or young person's confidence, self esteem and in supporting positive mental health and wellbeing. Music can help to capture and develop the imagination as well as facilitating emotional understanding and expression for a child or young person. This could positively impact their ability to regulate their emotions, their mood, manage behaviour and build resilience. Moreover, access to music can provide social opportunities for children and young people to build social relationships if playing a musical instrument as part of a band for instance.

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

The arrangements for delivery of Education and Inclusion services in the future, if agreed, would still collectively seek to promote, and support the quality, improvement and development of education settings including schools and early years settings. Both parties would still work together and across the system would support education settings to comply with safeguarding processes and best practice both locally and nationally. Thus, protecting and promoting the welfare of children and young people appropriately in Devon.

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

The arrangements for delivery of Education and Inclusion services in the future if agreed, would still seek to promote, and support the achievement of children and young people. Enabling increased confidence, skills and experience that can positively enable young people to feel confident in and become involved with community activities. Likewise supporting the inclusion of children and young people in accessing their learning environments.

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:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Conserve and enhance wildlife:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
Conserve and enhance Devon's cultural and historic heritage:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.

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Minimise greenhouse gas emissions:	NONE	The emergence of COVID-19 has meant where possible adapting the way in which services are delivered as far as possible. As such some Education and Inclusion Services have been delivered using technology and virtually, in place of face to face means during the pandemic. As learning is taken forward this could become included in 'business as usual' delivery (where appropriate) and variety of ways services could be delivered in the future. This could reduce the need for as much travel in and around Devon to reach training venues, location of education settings or children, young people, and their families at home. This has the potential to benefit the environment as there will be fewer emissions from vehicles due to travel if some different ways of working are taken forward/ continued as options for delivery in the future.
Minimise pollution (including air, land, water, light, and noise):	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support this thus increasing positive environmental habits etc.
Contribute to reducing water consumption:	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	NONE	These services will continue to support inclusion in education and learning where children and young people can learn about environmental impacts, ways to support increasing positive environmental habits etc.
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:		<p>The arrangements for delivery of Education and Inclusion services in the future (as described in section 3 above) are likely to have a neutral or the potential for a positive impact on knowledge and skills. It is likely knowledge and skills of the existing staff team would be retained and maintained as all efforts would be made to safeguard their expertise, involve and consult with staffing teams appropriately and retain existing employees (see impact and mitigations below).</p> <p>Opportunities to continue to enhance staff knowledge and skill through appraisal, supervision and CPD programmes, events or training are important. Devon County Council are a committed employer and have a comprehensive structure supporting appraisal, supervision and CPD programmes appropriately for</p>

		teams who would join the organisation. Opportunity for continuing to develop staff groups being able to learn and gain from each other's expertise will be considered and reflected through service design.
Impact on employment levels:	<p>There is a likelihood the arrangements recommended in section 3 could impact employment levels as it would result in all of the existing staff delivering Education and Inclusion Services having a new employer. There is a small risk some employees could leave their posts as a result of this. To mitigate this risk all agreed changes to arrangements would be overseen according to employment law and regulations. Part of this would be the requirement to safeguard and protect the rights of employees through the application of TUPE (Transfer of Undertakings (Protection of Employment) Regulations) as part of this process. Moreover, as part of the existing process DCC will continue to (as appropriate) engage and consult with, obtain feedback from, and include existing staff members at appropriate stages and via appropriate methods, ensuring this is taken into the design of services to be delivered by DCC directly going forward.</p>	<p>There is a likelihood the arrangements recommended at section 3 have the potential to positively impact retention and recruitment of particular groups of practitioners, for example educational psychologists. There are national challenges in recruiting Educational Psychologists currently. Research indicates where Local Authorities employ Educational Psychologists this can be more favourable, and the offer of employment can be viewed as more attractive.</p> <p>There could also be a potential of job opportunities in Devon in the future delivery of Education and Inclusion services. This could be linked to demand for and impact of services in local communities and/ or also to facilitate the development of services over time.</p>
Impact on local business:		There may be the potential for local and national businesses to bid for an opportunity to deliver School Improvement and Quality Assurance services in the future. This will be kept under review by DCC alongside changes and/or development in the position of the

		<p>external Provider market.</p> <p>The possible arrangements for the delivery of the 'traded service offer' to transfer to DCC as part of the recommendation described above, has the potential for a small negative impact. This could be if Education settings and practitioners across services do not or are reluctant to purchase bespoke offers of support and intervention from DCC directly instead of an independent external Provider. Any 'traded service offer' would need to be financially viable and sustainable. If these are not purchased through choice of the customer base this could impact the viability and sustainability of this offer of services by DCC into the future. To mitigate this Devon County Council will continue to engage with education settings, partners and practitioners to ensure awareness of 'traded service offers' and flexibility to adapt this to continue to best meet needs.</p>
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13. Describe and linkages or conflicts between social, environmental, and economic impacts (Combined Impacts):

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?

Arrangements for the future delivery of Education and Inclusion services will continue to support the quality and practice of early years settings, schools, colleges, and alternative education provisions and continue to provide support and intervention to vulnerable children, young people and their families. This will be important in ensuring the best education is provided and the right support is being provided at the right time. In turn this will facilitate in driving the achievements made by children and young people, in obtaining skills, knowledge and access to opportunities, which will allow them to be independent, thrive and have good health as they develop for the future. This could positively impact on wellbeing and improve social value in the years ahead.

15. How will impacts and actions be monitored?

A risk register is in place for the project. This will be routinely reviewed and updated through the project. Mitigating actions will be included on the risk register, monitored and risks re-assessed considering likelihood and impact using risk matrix as identified by Devon County Council. Oversight and monitoring of this and all other monitoring of action taken and impacts concerning the future arrangements and design of Education and Inclusion Services for the future, will be achieved through identified governance structures operating across Devon County Council. This will include the Project Board operating within Devon County Council (representatives from many service areas are included on this group); Children's Services Leadership Team and democratic functions such as [Children's Scrutiny Committee and Cabinet](#).

Moreover, a strategy and plan focusing on communication and engagement will be developed and kept under review as part of the above process. This will help to ensure co-ordinated communication and information updates to families and partners appropriately and continued engagement with all key parties as part of our processes.

CSO/21/11
Cabinet
14 July 2021

NOTICES OF MOTION

Report of the County Solicitor

Recommendation: that consideration be given to any recommendations to be made to the County Council in respect of the Notices of Motion set out hereunder having regard to the relevant factual briefing/background papers and any other representations made to the Cabinet.

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The Notices of Motion submitted to the County Council by the Councillors shown below have been referred to the Cabinet in accordance with Standing Order 8(2) - for consideration, reference to another committee or to make a recommendation back to the Council.

A factual 'Briefing Note/Position Statement' prepared by the relevant Chief Officer and / or Head of Service is also included, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) Speed Limits - Deaf Academy and Wider Devon (Councillor Dewhirst)**

#### ***Background to the Motion***

*The Deaf Academy has been providing education and support for deaf young people in Devon since 1826. In September 2020, they relocated from Exeter to Exmouth to a new campus at the old Rolle College Site at Douglas Avenue.*

*The Deaf Academy is an education hub for 50 students, 30 of which stay within the residential provision on campus. Students are incredibly diverse and come from all over the country, with varying needs ranging from mobility, visual and special educational needs alongside their deafness.*

*Last term the Student Council started a campaign to reduce the speed limit. Other schools in Exmouth have 20 mph speed limits outside their entrances.*

*Unlike hearing children, deaf children cannot clearly identify cars in the distance or around corners through sound. They rely on sight and trusting the public are driving slowly in the area.*

*Douglas Avenue currently has a 30mph speed limit with various blind spots and does not have any targeted highway signage, traffic calming measures or crossing points near the Academy.*

# Agenda Item 12

*Consequently, the avenue poses a risk to students, staff and visitors and therefore:*

## ***Motion to Council***

*1. This Council applauds the Deaf Academy Student Council campaign to reduce the speed of traffic in Douglas Avenue. Council calls on our Highway Officers to urgently introduce a 20 mph speed limit in Douglas Avenue and install a zebra crossing outside the school to ensure that these children and young people can cross the road in safety, and,*

*2. Additionally, this Council calls on Highway Officers to bring a Report to Council before the end of 2021 on implementing 20 mph speed limits in the vicinity of all schools in Devon to ensure that all children and young people can arrive and leave their schools in greater safety.*

## **Briefing Note / Position Statement from the Chief Officer for Highways, Infrastructure Development and Waste**

1. The location of the Deaf Academy on Douglas Avenue, Exmouth has been discussed with the local Members and transport planning officers.

Officers are aware of the concerns raised by the Student Council relating to the speed of traffic on Douglas Avenue raised by the Academy since it relocated from their Exeter site in September 2020. Officers are working with the Academy to look at what could be achieved.

Surveys have been carried out to understand the current traffic volume and speed so that engineers can begin a feasibility study on the options available including the requested zebra crossing. Any proposals will be presented to a future East Devon HATOC committee.

The current understanding is that pupils are dropped off within the grounds of the school meaning that vulnerable road user activity is lower than may be expected at a school site during the normal day. However, it is recognised that residential pupils must also be supported in accessing the wider community out of school hours.

2. Members may be aware the application of 20mph restrictions in Devon is currently under review as we undertake a community wide scheme in Newton Abbot (if supported by the community). This will be used to inform future speed limit policy.

If Members wish the wider principle of 20mph speed limits in the vicinity of schools to be reported on, this could be included as part of the Newton Abbot study.

## **(b) Councils for Fair Tax Declaration: Standing up for Fair Tax Practices (Councillor Aves)**

*The Council notes:*

*That local residents are asking Devon County Council to sign up to the Councils for Fair Tax Declaration.*

*The Fair Tax Mark has developed the Councils for Fair Tax Declaration in collaboration with UK cities, counties and towns who believe they can, and should stand up for responsible tax conduct. [Councils-for-Fair-Tax-Declaration.pdf \(fairtaxmark.net\)](#)*

*As recipients of significant public funding councils should take the lead in the promotion of exemplary tax conduct. Polls have found that 63% of the public agree that the government and local councils should consider a company's ethics and how they pay their taxes as well as value for money and quality of service, when undertaking procurement. That three-quarters of people would rather shop or work for a business that can prove it is paying its fair share of tax.*

*Fair Tax Mark said there was "a pressing need for action", claiming that research it commissioned had discovered that 17.5% of UK public procurement contracts commissioned by local and national government over the period 2014-19 were won by businesses with connections to a tax haven, with a combined value of £37.5 bn.*

*Billions are missing from our public purse because some companies choose to avoid paying their corporation tax - the same companies who have since benefited from taxpayer support through this crisis or have asked for bailouts.*

*This means we have less money available for the vital public services we all rely on, and that the smaller, local businesses in our county can't compete because it's not a level playing field.*

*That other Councils around the UK have already signed up to the Councils for Fair Tax Declaration including Peterborough City, Oxford City, Oldham, Cannock Chase, and the Royal Borough of Greenwich.*

*The Council believes:*

*Councillors across the UK work hard to serve their local communities and help direct the delivery of essential public services. The Coronavirus pandemic has exposed major weaknesses in our economy and deep-seated inequalities in our society. To Build Back Better we must tackle tax avoidance and Councils can pioneer the promotion of responsible tax conduct through:*

- *Leading by example on their own tax conduct*
- *Demanding greater transparency from suppliers*

# Agenda Item 12

*Having gone through a decade of austerity and reduced council spending caused by government reductions in grants, where funds have not kept up with demands of inflation and extra demands of new legal statutory duties, we're now living through an era of unprecedented public spending due to the pandemic.*

*As a council, we have seen first-hand the challenge that a funding squeeze created for crucial frontline services. Local government has a proud history of standing up for responsible public sector conduct, ranging from paying the real Living Wage to promoting Fairtrade.*

*The Council resolves to:*

- 1. Approve the Councils for Fair Tax Declaration [Councils-for-Fair-Tax-Declaration.pdf \(fairtaxmark.net\)](#)*
- 2. Lead by example and demonstrate good practice in our tax conduct right across our activities*
- 3. Require greater transparency from suppliers*
- 4. Consider a company's ethics and how they pay their tax as well as value for money and quality of service provided, when undertaking procurement*
- 5. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due*
- 6. Support Fair Tax Week events in Devon and celebrate the tax contribution made by responsible businesses who say what they pay with pride*
- 7. Demonstrate good practice including:*
  - ensuring contractors implement IR35 robustly and pay a fair share of employment taxes;*
  - not use of offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty,*
  - ensuring that there is clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position,*
  - undertaking due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates; and*
  - supporting calls for urgent reform of EU and UK law to enable councils to revise their procurement policies and better penalise poor tax conduct and reward good tax conduct.*

## **Briefing Note / Position Statement from the Head of Digital Transformation and Business Support.**

The 'Council's for Fair tax' group defines Fair Tax as including:

- Leading by example on own tax conduct
- Demanding greater tax transparency from suppliers
- Calling for more meaningful powers to tackle tax avoidance amongst suppliers when buying goods and services.

### **Background**

The County Council sets a high standard in how it administers its own tax affairs. It has a small team whose purpose is to try to ensure that all of the Council's financial transactions and processes comply with tax regulations and to raise awareness across the Council of the standards that must be met. The Council has a clean record in all its dealings with the Government 's tax agencies.

The Council also does its best to ensure that its suppliers operate high standards in carrying out their business activities. The Council's Financial Regulations and procurement approach is in line with statutory requirements, good practice and national policy, and ensures the Council's suppliers meet a range of requirements including:

1. The Council works in line with the requirements of the Public Contracts Regulations 2015 and the approach mandated by the Cabinet Office for supplier qualification. Supplier tax conduct is a criteria within a national approach which the Cabinet Office has determined for supplier qualification. The standard Selection Questionnaire has been developed to simplify the supplier selection process for businesses, in particular smaller firms, across the public sector.
2. Local Authorities are required to obtain permission from the Crown Commercial Service in order to depart from supplier qualification criteria approved by Government. This ensures suppliers have a common standard of accreditation to work with Government, as determined by the Cabinet Office. The County Council works in line with this and is embedded in its procurement approach.
3. Cabinet Office offers an open route to consider changes to its policy approach via its correspondence address:  
[publiccorrespondence@cabinetoffice.gov.uk](mailto:publiccorrespondence@cabinetoffice.gov.uk)
4. The Council publishes on its website any suppliers who have declared they have breached obligations relating to the payment of tax or social security obligations. There have been no recent suppliers in this category.

# Agenda Item 12

5. The Council has an IR35 working party which links with the Payroll Compliance Team. Its purpose is to improve employment status and off payroll working (IR35) across the Council and is already in place.
6. Supplier's adherence to applicable taxation legislation is captured within the Council's contractual terms and conditions.

The standards that Devon County Council requires of its suppliers are in line with national standards set out by Government, which consider this area in great depth.

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This Report has no specific equality, environmental, legal or public health implications that will not be assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements in relation to the matters referred to herein.

JAN SHADBOLT

[Electoral Divisions: All]

**Local Government Act 1972: List of Background Papers**

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

| <b><u>Background Paper</u></b> | <b><u>Date</u></b> | <b><u>File Reference</u></b> |
|--------------------------------|--------------------|------------------------------|
| NIL                            |                    |                              |



## **TREASURY MANAGEMENT STEWARDSHIP ANNUAL REPORT 2020/21**

Report of the County Treasurer

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: that the Cabinet be asked to endorse the report.

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1. Summary

- 1.1. The County Council has adopted the CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Services. A revised Code of Practice was published by CIPFA in December 2017 and a revised Policy Statement and Treasury Management Practices (TMPs) were agreed by Council in February 2018. These were not changed for 2020/21. The Treasury Management and Investment Strategy for 2020/21 was agreed by Council in February 2020 and forms part of the published budget book.
- 1.2. The purpose of this report is to show the outturn position, review performance and inform members of any key matters arising from the Council's Treasury and Debt Management activities during the 2020/21 financial year.

2. Minimum Revenue Position

- 2.1 Each year the Council has a statutory obligation to charge to the revenue account an annual amount of Minimum Revenue Provision (MRP), which is a charge to make provision for the repayment of the authority's external debt and internal borrowing. The charge is based on the historic borrowing required to fund the Council's capital programme.
- 2.2 The current policy is to charge MRP based on the period of benefit of the capital investment, i.e. straight line, over the life of the asset. However, all supported borrowing up to 1st April 2008 is charged over the life of the assets, calculated using the annuity method. The final outturn for MRP for 2020/21 was £14.257m.

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3. Treasury Management Outturn Position 2020/21 - Borrowing

- 3.1. The overall aims of the borrowing strategy are to achieve:
- Borrowing at the lowest rates possible in the most appropriate periods;
 - The minimum borrowing costs and expenses;
 - A reduction in the average interest rate of the debt portfolio.
- 3.2. Since 2009 the Council has followed a policy of containing the capital programme, taking out no new external borrowing and repaying debt whenever this can be done without incurring a financial penalty. Therefore, the Medium Term Financial Strategy (MTFS) assumption was that no new long-term borrowing would be required.
- 3.3. In accordance with the MTFS, no long-term borrowing was undertaken during the 2020/21 financial year. Instead all borrowing required to fund capital expenditure was met from internal cash balances.
- 3.4. Active treasury management and the maintenance of levels of liquidity have ensured that no short-term borrowing was required during the financial year. Cash positions are monitored daily and modelled over a monthly horizon to ensure that anticipated liquidity levels are forecast accurately.
- 3.5. No opportunities arose during the 2020/21 financial year to repay outstanding debt without incurring substantial premium penalties, which would negate any benefit of repaying the debt. The Public Works Loan Board (PWLB) sets premature repayment rates, and where the interest rate payable on a current loan is higher than the repayment rate, the PWLB policy imposes premium penalties for early repayment. Therefore, it will only make financial sense to repay debt early if the PWLB changes its current policy, or if interest rates rise and cancel out the repayment premiums. Given the current circumstances, it is extremely unlikely that gilt yields will rise sufficiently to cancel out the premiums in the medium term.
- 3.6. At 31st March 2021 the level of long term debt stood unchanged at £507.85m as detailed in the table below.

Analysis of Long Term Debt

	Actual	Interest	Actual	Interest
	31.03.20	Rate	31.03.21	Rate
	£'m	%	£'m	%
Fixed Rate Debt				
PWLB	436.35	4.99	436.35	4.99
Money Market	71.50	5.83	71.50	5.83
Variable Debt				
PWLB	0.00		0.00	
Money Market	0.00		0.00	
Total External	507.85	5.11	507.85	5.11

- 3.7. The carrying amount for long term debt figure that will be presented in the Statement of Accounts for 2020/21, comprising PWLB, LOBO and market debt, is £511.009m, just over £3m higher than the figure stated above. This difference is due to an accounting standard adjustment which requires us to

record the value of our long term debt at its Net Present Value in the Statement of Accounts. The LOBOs (Lender Option Borrower Option) have stepped interest rates and are revalued annually based on the effective interest rate for the duration of the loan. The revaluation has the effect of smoothing the stepping of the interest over the life of the loans.

4. Treasury Management Outturn Position 2020/21 - Investments

4.1. The overall aim of the Council's investment strategy is to:

- Limit the risk to the loss of capital;
- Ensure that funds are always available to meet cash flow requirements;
- Maximise investment returns, consistent with the first two aims;
- Review new investment instruments as they come to the Local Authority market, and to assess whether they could be a useful part of our investment process.

4.2. The Bank of England's Base Rate remained at 0.10% throughout the year following the reduction in rates in response to the pandemic. The average interest rate earned on investments, excluding the CCLA property fund, for the year was 0.65%, against the full year budget target return of 0.75%. The CCLA property fund has yielded an average rate of 4.02% for the same period against a full year budget target of 4.5%. The combined total return from all investments was 0.81%. When the Council set a target interest rate of 0.75% for 2020/21, it did so bearing in mind the risk of interest rates being cut as a result of a messy Brexit, but the impact of the pandemic has meant that rates have been cut further than would have been expected when the target rate was set.

4.3. The 2020/21 Treasury Management Strategy included the ability for the Council to invest in short-dated bond funds and multi-asset income funds. Short dated bond funds will invest in high quality short dated government or corporate bonds. Multi-asset income funds will invest in a wider range of investments designed to produce an income yield. In both cases, the funds concerned will invest in tradable instruments where the capital value of the investment will fluctuate. However, this provision was not utilised, as the current economic uncertainty suggested a more prudent approach, given that higher yielding investments will mean that there is an increased risk of loss of capital.

4.4. Revenue lending during 2020/21, including the use of term deposits, call accounts and property funds, earned interest of £1.78 million against a full year budget of £1.55 million. The surplus achieved over budget can be attributed to the higher levels of cash held than anticipated. This can partly be explained by the level of financial support provided by the Government for the COVID pandemic which was mostly received in advance of expenditure being incurred. The interest figure quoted is the return from the Council's Treasury Management activity and is different from the figure presented in the Outturn Report and the Statement of Accounts which also includes interest generated from a number of other sources.

4.5. All lending has been carried out in accordance with the Council's Treasury Management Strategy and with institutions on the list of approved counterparties.

Agenda Item 13

4.6. The following table shows the County Council's fixed and variable rate investments as at the start and close of the financial year:

Schedule of Investments

		Actual 31.03.20	Interest Rate	Actual 31.03.21	Interest Rate
	Maturing in:	£'m	%	£'m	%
Bank, Building Society & MMF Deposits					
Fixed Rates					
Term Deposits	< 365 days	72.50	1.00	80.00	0.86
	365 days & >	20.00	1.40	18.00	1.13
Callable					
Variable Rate					
Call Accounts		45.00	0.65	0.00	0.00
Notice Accounts		45.00	0.90	70.00	0.16
Money Market Funds (MMF's)		23.01	0.48	20.40	0.03
Property Fund		10.00	4.28	10.00	4.28
All Investments		215.51	1.04	198.40	0.72

4.7. The figure as at 31st March 2020 included £6.9m related to the Growing Places Fund (GPF). Devon County Council was the local accountable body for the GPF, established by the Department for Communities and Local Government to enable the development of local funds to address infrastructure constraints, promoting economic growth and the delivery of jobs and houses.. However, responsibility for the Growing Places Fund, together with the current balance of the fund, was transferred during the year to Somerset, to be consistent with their role as host authority for the Local Enterprise Partnership.

5. Prudential Indicators

5.1. Linked to its Treasury Management Strategy, the County Council is required to monitor its overall level of debt in line with the CIPFA Code of Practice. Part of the code requires consideration of a set of Prudential Indicators in order to allow the Council to form a judgement about the affordable, prudent and sustainable level of debt.

5.2. The purpose of the indicators is to demonstrate that:

- Capital expenditure plans are affordable;
- All external borrowing and other long term liabilities are within prudent and sustainable levels;
- Treasury management decisions are taken in accordance with professional good practice.

5.3. Three Prudential Indicators control the overall level of borrowing. They are:

- **The authorised limit** - this represents the limit beyond which any additional borrowing is prohibited until the limit is revised by the County Council. Revision may occur during the year if there are substantial and unforeseen changes in circumstances, for example, a significant delay in achieving forecast capital receipts. In normal circumstances this limit will not require revision until the estimate for the following year is revised as part of the budget setting process.
- **The operational boundary** – this indicator is based on the probable external debt and other long term liabilities during the year. Variations in cash flow may lead to occasional, short term breaches of the Operational Boundary that are acceptable.
- **The upper limit for net debt** - the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the Capital Financing Requirement.

5.4. During the Budget process, the following Borrowing Limits were set for 2020/21:

- Maximum borrowing during the period (Authorised Limit) £780.972m.
- Expected maximum borrowing during the year (Operational Limit) £755.972m.
- Maximum amount of fixed interest exposure (as a percentage of total) 100%.
- Maximum amount of variable interest exposure (as a percentage of total) 30%.

5.5. Members are asked to note that during 2020/21 the Council remained within its set Borrowing Limits and complied with the interest rate exposure limits.

6. 2021/22 Update

6.1. As set out in the 2021/22 Treasury Management Strategy, the impact of COVID 19 makes it very difficult to predict what the financial requirements of the Council will be over the next few years and the resources that will be available to it to meet those requirements.

6.2. The Medium Term Financial Strategy (MTFS) continues to assume that, over the three year period, no new long-term borrowing will be required, but this will be kept under review. If key priorities cannot be delivered due to a reduced availability of external funding, the Authority's cash resources, or capital receipts, then external borrowing may be required. This will need to be balanced against the ability to support additional capital financing costs from within the revenue budget.

6.3. The Bank of England has kept base rates at 0.1% since March 2020 so new deposits made during the year have been on much lower interest rates than previously obtained. The interest rate target for 2021/22 has been set at 0.3% and assumes that the current Bank of England base rate remains unchanged. It is still envisaged that this target rate can be achieved. The

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yield from investment in the CCLA Property Fund is assumed to be 3.8%. This assumes potential reductions in yield as a result of the pandemic.

- 6.4. The provision in the strategy to invest in short-dated bond funds and multi-asset income funds has yet to be utilised. Any decision to invest in such funds would be subject to agreement by the Cabinet Member for Resource Management and a competitive process to identify suitable funds. Given the current low rates of interest available from banks, building societies and other local authorities, the potential to invest in these funds and secure a higher level of income is something that will be reviewed later in the year.

7. Summary

- 7.1. No long term or short-term borrowing was undertaken during 2020/21. It is not envisaged that any new long-term borrowing will be required over the next three year period but this will be kept under review in relation to the Council's capital priorities.
- 7.2. No opportunities arose during the 2020/21 financial year to repay outstanding debt without incurring substantial premium penalties, which would negate the benefit of repaying the debt.
- 7.3. Investment income of £1.78 million was achieved in 2020/21 against a full year budget of £1.55 million. This represented a return of 0.81%, including the Property Fund investment. Successful prudent management of the Council's short-term cash reserves has delivered a surplus of £230,000 for the 2020/21 financial year.

Mary Davis
County Treasurer

Electoral Divisions: All

Local Government Act 1972:

List of Background Papers: Nil

Contact for Enquiries: **Mark Gayler**

Tel No: **01392 383621** Room: **G97**

Public Health Annual Report 2020-21

Report of the Director of Public Health

Recommendation: Cabinet is asked to receive the annual report of the Director of Public Health 2020-21 on 'Covid-19' and to note its recommendations.

~~~~~

### 1. Background

1.1. The Director of Public Health has a statutory duty to write an annual report, and the local authority has a statutory duty to publish it (section 73B [5] & [6] of the 2006 NHS Act, inserted by section 31 of the 2012 Health and Social Care Act). This enables the Director of Public Health to make an independent judgement about the state of the health of the local population and ensures that the report will be published and in the public domain. The annual report by the Director of Public Health is therefore different from all other reports received from an officer in that it is not a Cabinet Member report.

### 2. Introduction

2.1 This Annual Public Health Report for Devon County Council is my first report as Director of Public Health.

2.2 This year's annual report looks back over the past twelve months, describing the story of COVID-19, assessing the impact it has had on people's lives, and on local services, workplaces and businesses.

2.3 The report also covers the general health of the population of Devon; increasingly the detail about health and wellbeing can be found in the annual Joint Strategic Needs assessment which is available at: [www.devonhealthandwellbeing.org.uk/jsna](http://www.devonhealthandwellbeing.org.uk/jsna).

2.4 The COVID-19 pandemic has affected everyone, but it has not affected everyone to the same extent. What we have known for a long time is that not everybody in society has the same risk of becoming ill or of dying early and the differences are related to many factors including gender, ethnic group, and poverty.

2.5 The report is structured to give a timeline of significant dates and events during the past twelve months and then covers the key impacts of the pandemic on individuals, families and how inequalities have been exacerbated due to the pandemic. The report also considers the wider impact on communities and society and reflects on how communities came together to respond and support one another.

2.6 The report highlights how the learning from previous events can help guide us as we work together to recover from the pandemic. The report contains a number of recommendations to help us to live safely with COVID during the years to come, and help us Build Back Fairer.

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## **3. Recommendations**

3.1 The 10 recommendations set out in the report are:

1. Public Health Devon, working with colleagues within Devon County Council, the NHS and Public Health England, maintains a comprehensive COVID-19 surveillance system to provide real-time monitoring data to enable swift and decisive actions to any increase in cases or outbreaks.
2. An effective local testing and contact tracing service, run by Public Health Devon, is maintained for as long as required to support the NHS Test and Trace service.
3. The local authority's health protection function is reviewed in the light of the pandemic and the relationship with the new UK Health Security Agency\* (replacing Public Health England) is established.
4. Lessons from reviews of the response informs how we prepare for and respond to future communicable disease outbreaks and shapes our recovery.
5. Devon County Council continues to work with NHS partners and other stakeholders to promote the uptake of the COVID-19 vaccination programme, with a particular focus on addressing inequalities in uptake.
6. Public Health Devon continues to advocate for and contribute to Devon-wide, as well as place-based, plans for tackling poverty and reducing health inequalities.
7. Public Health Intelligence Team and Smarter Devon, with stakeholders, coordinate the gathering and sharing of intelligence on the wider impacts of the pandemic in Devon and that this is used to inform partners' recovery plans.
8. Public Health Devon continues to advocate for a collaborative, cross-sector asset-based approach to reducing inequalities ensuring that communities' assets, priorities and perspectives are understood by, and inform the support offered by, organisations.
9. Recovery programmes should be based on the evidence of what works to reduce health inequalities.
10. Review how agencies' policies and programmes and the use of impact assessment tools harness the potential we have for addressing the climate emergency and reducing inequalities

## **4. Financial considerations**

4.1 Contained within the report.

## **5. Sustainability considerations**

5.1 Contained within the report.

## **6. Carbon impact considerations**

6.1 Contained within the report.

## **7. Equality considerations**

7.1 Contained within the report.

## **8. Legal considerations**

8.1 The publication of the annual report of the Director of Public Health by Devon County Council discharges a statutory responsibility under the Health and Social Care Act 2012.



## 9. Risk management considerations

9.1 Contained within the report.

## 10. Public Health Impact

10.1 Contained within the report.

## 11. Recommendation

11.1 Cabinet is asked to receive the annual report of the Director of Public Health and to note its recommendations.

**Steven Brown**  
**Director of Public Health**  
**Devon County Council**

**Electoral Divisions: All**

Cabinet Member for Public Health: Councillor Roger Croad

Local Government Act 1972: List of Background Papers

Contact for enquiries: Steven Brown ([steve.brown@devon.gov.uk](mailto:steve.brown@devon.gov.uk))

Room No. 142 County Hall, EXETER. EX2 4QD

Tel No: 01392 383000

### **Background Paper    Date    File Reference**

Previous annual reports and this 2020-21 annual report of the Director of Public Health can be found at: [www.devonhealthandwellbeing.org.uk/aph](http://www.devonhealthandwellbeing.org.uk/aph)



## FARMS ESTATE COMMITTEE

14 June 2021

### Present:-

Councillors J Yabsley (Chair), J Brook, A Dewhirst, H Gent, L Samuel, C Whitton and L Warner

### Co-opted Members

L Warner (Tenants' representative)

### Apologies:-

Councillor J Berry

\* **1** **Minutes**

**RESOLVED** that the minutes of the meeting held on 22 February 2021 be signed as a correct record.

\* **2** **Announcements**

The Chair wished to record the Committee's thanks to former Members R Edgell, C Chugg and T Inch for their past contribution to the Committee.

\* **3** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* **4** **Revenue Monitoring (Final Outturn 2020/21), Revenue Budget 2021/22 and Revenue Monitoring (Month 1) 2021/22**

The Committee received the Report of the County Treasurer (CT/21/50) on the County Farms Estate Revenue Monitoring (Final Outturn) 2020/21, Revenue Budget 2021/22 and Revenue Monitoring (Month 1) 2021/22, noting the target surplus of £464,000 and providing a summary of the annual budget and detailing income and expenditure to date.

\* **5** **Capital Monitoring (Final Outturn) 2020/21, Capital Budget 2021/22 and Capital Monitoring (Month 1) 2021/22**

The Committee received the Report of the County Treasurer (CT/21/51) on the County Farms Estate Capital Monitoring (Final Outturn) 2020/21, Capital Budget 2021/22 and Capital Monitoring (Month 1) 2021/22, noting that the approved capital programme for 2021/22 included schemes totalling

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FARMS ESTATE COMMITTEE

14/06/21

£1 million.

There was an underspend of £215,019 in 2020/21 thus the balance of capital available to spend in 2021/22 amounted to £1,215,019 (subject to approval at Cabinet in July 2021).

## \* 6 The County Farms Estate - Annual Report 2020/21

The Committee received the Report of the County Treasurer (CT/21/52) incorporating the 30th Annual Report of the County Farms Estate. The Annual Report 2020/21 covered the Committee's functions, financial performance, Estate management performance, and highlighted notable Estate achievements and events throughout the year.

Due to the Covid-19 pandemic, Members noted that the annual Farmwise event did not take place last year, but it was hoped it would be possible again in 2022.

Members welcomed the Report.

## \* 7 Management and Restructuring Issues

The Committee considered the Report of the Head of Digital Transformation and Business Support (BSS/21/06) on County Farms Estate management and restructuring issues.

### (a) Land at Combefishacre Farm, Ipplepen

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Dewhurst and

**RESOLVED** that the land at Combefishacre Farm, Ipplepen amounting to 11.18 hectares (27.62 acres) be advertised to let in internal competition between the tenants of Bulleigh Elms Farm, Ipplepen; Lomans Farm, Broadhempston; Fairfield Farm, Denbury; Coppa Dolla Farm, Denbury; Buckridge Farm, Denbury and Cobberton Farm, Dartington on a Farm Business Tenancy for a term of up to five years commencing 25 March 2022, subject to terms being agreed.

### (b) Part Middle Winsham Farm, Braunton

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Yabsley and

**RESOLVED** that the barns and 0.16 acres or thereabouts of land forming NG 9497 be declared permanently surplus to the operational requirements of the Estate and sold on the open market.

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

The Meeting started at 2.15 pm and finished at 2.48 pm

## DEVON EDUCATION FORUM

16 June 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

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)(substitute member)

Mr G Hill

Ventrus Multi Academy Trust

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

Mr B Blythe

PETROC

Mr M Gurney

Teachers Consultative Committee

##### Observer

Councillor A Leadbetter

Cabinet Member – Children’s Services and  
Schools Services

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DEVON EDUCATION FORUM

16/06/21

## Apologies

Ms S Barreto

Ms S Lockwood

RC Diocesan Schools, Plymouth

Exeter Diocesan Board of Education

## 1 **Minutes**

### **DECISION:**

That the minutes of the meeting held on 17 March 2021 be signed as a correct record.

## 2 **Standards Committee Monitoring**

The Chair welcomed Mrs Saltmarsh to the meeting, attending in accordance with the County Council's Standards Committee's monitoring of meetings role.

## 3 **Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet/f40**

(There were no matters raised.)

## 4 **Membership**

### **DISCUSSION:**

(a) The Chair welcomed Councillor Andrew Leadbetter, recently appointed as Cabinet Member – Children's Services & Schools Services and serving as a Formal Observer on this Forum (replacing Councillor James McInnes);

(b) The Chair thanked on behalf of the Forum, the following members for their service and commitment as they were stepping down from the Forum by 31.8.21. There was particular appreciation of the long service of Mr Dobbins and Mrs Warne:-

(i) Mr Malcolm Dobbins – primary maintained governor

(ii) Mrs Jacqui Warne – special school headteacher

(iii) Ms Moira Marder – secondary academy headteacher

(note: other membership change Mr Jan Stokes – primary maintained governor had resigned (May 2021)).

## **DECISION:**

That the Forum formally place on record their appreciation to retiring members Mr Dobbins, Mrs Warne and Ms Marder.

## **ACTION:**

County Solicitor (Fiona Rutley)

## **5**      **SEND Transformation Update**

### **DISCUSSION:**

The Head of Education & Learning gave a progress update on the SEND Transformation draft proposals for a SEND graduated support offer, following consultation with children and young people with SEND and their families, as well as professionals across education, health and social care, in which there was overwhelming support for the proposed model in which children and young people with SEND and their families are at the centre.

This aimed to provide two levels of SEND support, bringing together education, health, and social care into SEND Support Hubs providing first SEND support (includes non-statutory services); and SEND Locality Partnerships providing further SEND support (includes statutory services).

The draft proposals would be presented to the SEND Improvement Board and the SEND Transformation Steering Group, then through education, children's social care, adult's social care and health leadership teams. After the next phase of implementation final recommendations would be presented to Devon Children and Families Partnership Executive for agreement.

The Forum's 16-19 representative further offered his and FE sector support within the process.

## **6**      **Finance Update**

### **DISCUSSION:**

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/21/07) regarding the Dedicated Schools Grant (DSG) and schools funding outturn report 2020/21.

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 26 May 2021.

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DEVON EDUCATION FORUM

16/06/21

In summary:-

-the draft outturn position for the Dedicated Schools Grant (DSG) was an overspend of £22.5m (comprising individual school balances of £21.1m, ringfenced balances of £5.4m and cumulative DSG Deficit of just under £49m;

-although this was an improvement of £740,000 from month 11 position the continued demand on High Needs and the growing demand on SEN placements within the independent sector continued to drive the pressure which remained extremely concerning;

-the overspend on the High Needs Block was expected to be £22.8m at the start of the year but had worsened by £6.8m in year to an overspend of £29.6m; and

-in line with government requirements the DSG Deficit balance of £49m would be transferred to a DSG adjustment account.

Members comments included:-

-in respect of the report summary (above) and table 2 (High Needs 2020/21 summary), a simplified way to assist Members to quickly identify, track and understand changes in the deficit and funding gap, with a separate accounting line was requested;

-that Members wanted to be alerted to any savings in key areas where they would not necessarily wish to see savings/change to service (eg paragraph 5.11 of the Report: SEN Therapies – Multi-Sensory Impairment (MSI) where the contract 2020/21 had temporarily come back in house to DCC and support commissioned from Babcock had seen a genuine saving rather than any reduction in service; and paragraph 6.1 of the Report: the Early Years Disability Access Fund;

-clarification of figures and how they were presented re: paragraphs 5.22 and 5.23, independent special schools £2.5m overspend;

-a detailed breakdown of the Alternative Provision (AP) £533,000 underspend was requested by the AP representative;

-two academy Members expressed their dissatisfaction at a recent letter sent by the County Council to its staff directly employed within maintained schools advising that a token honorarium would be made in recognition of their work carried out during the pandemic. They suggested that this was divisive as it did not include all the Devon schools family. They had written to the Council's Chief Executive and now sought an assurance (a) that this was to be funded directly by the County Council and not from any education/DSG budget and (b) that the LA did not appreciate maintained staff over academy staff. The Head of Education & Learning stated that the Chief Executive would be sending a formal response, however she confirmed that this token was being



made as the employer of maintained school staff from its own funds. She personally absolutely appreciated the phenomenal response of all the Devon schools family during the pandemic which had been recognised nationally also.

**DECISION:**

(a) that the DSG Draft Outturn position (subject to Statement of Accounts sign off) as set out in sections 1-6 of Report (DEF/21/07);

(b) that the surplus budget carry forwards for Schools, de-delegated, central school services and High needs as set out in Section 7, table 3 be noted;

(c) that the Early Years surplus carry forwards as set out in Section 7, table 3 be approved; **(Vote: Schools, Academies and PVI members)**

**Table 3: Surplus budget carry forward requests**

| Budget Line                          | Amount<br>£'000 | Notes                                                                              |
|--------------------------------------|-----------------|------------------------------------------------------------------------------------|
| Growth Fund                          | 182             | Rolled forward 2020/21 underspend to fund ongoing growth fund                      |
|                                      | 1,544           | Rolled forward to fund SEND 100 projects (DEF/21/04 minute 183, 20 Jan 2021)       |
| <b>Total Schools</b>                 | <b>1,726</b>    |                                                                                    |
| Maternity                            | 556             | Rolled forward 2020/21 underspend to fund ongoing maternity cover                  |
| Schools and DSG Contingency          | 2,300           | Rolled forward to fund contingency agreements in 2020/21 onwards                   |
| Invest to save projects              | 78              | Rolled forward for payments linked to projects in 2020/21                          |
| Facilitation and representation      | (7)             | Rolled forward overspend to be funded from 2021/22                                 |
| <b>Total School De-delegated</b>     | <b>2,927</b>    |                                                                                    |
| Phase Associations – Devon SLS       | 55              | Rolled forward to fund phase association agreements in 2021/22 onwards             |
| Phase Associations – Schools Forum   | 5               | Rolled forward to fund Schools Forum arrangements in 2021/22                       |
| Other DSG Services                   | 28              | Money Following Excluded Pupil (MFEP) rolled forward to 2021/22                    |
| <b>Total Central School Services</b> | <b>88</b>       |                                                                                    |
| SEND 100                             | 70              | Project support funding for SEN 100 in 2021/22 (DEF/21/06 minute 194, 17 Mar 2021) |
| <b>Total High Needs</b>              | <b>70</b>       |                                                                                    |
| Early Years                          | 300             | Disability Access Fund                                                             |
| Early Years                          | 116             | Rolled forward 2019/20 underspend to review one-off Summer Term financial support  |

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DEVON EDUCATION FORUM

16/06/21

|                                      |              |                                                                  |
|--------------------------------------|--------------|------------------------------------------------------------------|
| Early Years Other Early Years Grants | 215          | PVI Pupil Premium and Teachers Pay Grant arrangements in 2020/21 |
| <b>Total Early Years</b>             | <b>631</b>   |                                                                  |
| <b>Total Carry forward requested</b> | <b>5,442</b> |                                                                  |

(d) that the Individual School Balances carry forwards as set out in Section 7, table 4 be noted;

(e) that the DSG Deficit Reserve transfer as set out in Section 7, table 5 be noted;

(f) that a detailed breakdown of the Alternative Provision (AP) £533,000 underspend be provided to the AP representative; and

(g) that Officers follow up on other Members comments raised above.

## **ACTION:**

County Treasurer (Adrian Fox)

7

## **DSG Management Action Plan Meeting with DfE**

### **DISCUSSION:**

Members were advised of the DSG Management Action Plan meeting with the DfE held on 9 June 2021, between senior DCC Officers, Education and Skills Funding Agency (ESFA) and a DfE SEND adviser. Following meetings ESFA had held with other LAs they had now changed their process for meeting with LAs and submission of the management plan.

The meeting on 9 June was informal covering a wide range of challenging and searching scrutiny. Devon was required to submit its management plan within 6-8 weeks, to be followed up by formal meetings. This was a separate process to any discussion with DfE regarding a 'safety valve' agreement (additional central government funding).

The 9 June meeting covered information and figures that DEF members had previously received. DCC Officers also raised issues around equitability, funding deprivation factors, increase in number and complexity of EHCPs and the outstanding review of HNB consultation.

At this stage ESFA had not challenged Devon's draft plan, monitoring or its timescales but this could come within the formal meeting process.

In response to Members questions:-

-the plan was required to be in place before there could be any discussion regarding a safety valve; and

- it was noted that Officers were analysing individual EHCP cases in relation to need within the maintained/independent sector, but that this could be further refined to help predict trajectories.

## **ACTION:**

Head of Education & Learning (Dawn Stabb – EHCP further analysis)

## **8 Standing (and other) Groups**

The Forum received the following from its standing and other groups:-

### (a) Standing Groups

#### (i) Schools' Finance Group (SFG)

Minutes of the meeting held on 26 May 2021 (considered under Finance Update minute above)

## **DISCUSSION:**

In light of earlier discussions at today's Forum meeting regarding monitoring and scrutiny of the DSG Management Action Plan, Members wished to review SFG's terms of reference, noting that Forum groups were advisory without delegated powers with decisions to be taken by the whole Forum. One aim was to limit any unnecessary duplication, whilst balancing the need for, information and debate at both SFG and Forum meetings.\*

Members also queried an action point within the SFG minutes (note 4, bullet 3) which stated: "DEF to consider need for a named accountable person for the SEND 100 project outcomes." The Head of Education & Learning and Alternative Provision Member advised that the project lead was now in post, who was accountable for the progress of the SEND 100 project. However accountability for the financial performance of the DSG management plan would be set out within the governance tab of the plan when finalised.

\*(note: ESFA Schools Forum guide (March 2021) Paragraph 64 refers:- "The groups can also include wider representation...to consider detail...The reference group would then be able to give its considered view on the local authority's proposals to the schools forum. The schools forum should not delegate actual decisions or the finalisation of advice to a working group, as this may have the effect of excluding legitimate points of view)."

## **DECISION:**

That SFG review its terms of reference and reporting style in light of the above and report back to the next meeting of this Forum for consideration.

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DEVON EDUCATION FORUM

16/06/21

## **ACTION:**

County Treasurer (Adrian Fox)/Education & Learning (Heidi Watson-Jones)

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

Minutes of the meeting held on 25 May 2021

(b) Other Groups:

(i) SEND Transformation

See SEND Transformation Update minute above.

(ii) Briefing for Devon Education Forum Members

Report of the meeting held on 10 May 2021.

## **9 Devon Education Forum Proportionality, Autumn Term 2021**

### **DISCUSSION:-**

The Forum noted that pupil census data predicted to the autumn term (as previously circulated to members) indicated that no change to the proportionality of Forum seats was required for autumn 2021. Elections would be held over the summer to fill any vacancies.

### **ACTION:-**

County Solicitor (Fiona Rutley) and Phase association election officers.

## **10 Dates of Future Meetings**

Meetings usually held at County Hall, Exeter, at 10am. However please check venue/arrangements during the current situation.

Wednesday 17 November 2021

Wednesday 19 January 2022

Wednesday 16 March 2022.

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

### **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

The Meeting started at 10.00 am and finished at 12.15 pm

## DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

16 June 2021

### Present:-

Councillors R Croad, D Harvey, G Jung, C Mott, N Pearson and A Dewhurst

### Apologies:-

Councillors K Baldry, C Leather and M Morey

### Members attending virtually via Microsoft Teams

Councillor Slade

#### \* 1 **Election of Chair and Vice-Chair**

**RESOLVED** that Councillor Jung and Councillor Croad be elected Chair and Vice-Chair respectively for the ensuing year.

#### \* 2 **Minutes**

**RESOLVED** that the Minutes of the meeting held on 15 October 2020 be signed as a correct record.

#### \* 3 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

#### \* 4 **Terms of Reference**

The Committee noted its operating rules and Terms of Reference.

#### \* 5 **Budget 2021/22 Position Statement**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/29) which summarised the final out-turn for the 2020/21 budget and requested approval for how the carry-over would be spent.

The Report highlighted underspend across numerous budget lines, with each having underspend for reasons that related to the COVID-19 pandemic. The most significant underspend was that of the Reuse shops, which were closed for the majority of the 2020/21 year, with their underspend totalling £40,058. The total underspend across all budget lines was £65,151.

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DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

16/06/21

The Report proposed that the underspend of the Reuse shops was reallocated to boost their reduced 2021/22 budget to promote recovery from the COVID-19 pandemic. It was proposed that the combined underspend of the Don't let Devon go to waste fund and the Waste and Advisors Recycling contract (£21,235) be carried forward to develop a countywide Waste Prevention Pack for people moving house. It was proposed that the remainder be used to support the Clean Devon partnership.

Members' discussion points with officers included:

- concern that the £65,151 proposed to be allocated to Reuse shops could be spent better elsewhere because funding for Reuse shops would stop at the end of the financial year;
- the particulars of the Waste Prevention Pack including suggestions that adjustments would need to be made to the leaflets for Devon's varying districts; and
- the importance of focusing on all 'transient' populations (including people moving into new houses and students) under this scheme in order to further reduce waste.

The Committee requested that more detail about the Waste Prevention Pack Pilot be brought to the next meeting.

It was **MOVED** by Councillor Croad, **SECONDED** by Councillor Dewhirst, and

**RESOLVED** that

- a) the 2020-21 final out-turn be noted; and
- b) the decision taken by the previous Vice-Chair of this Committee in approving the carry forward budget be noted and the proposals for spending the carry over and maintaining a contingency in paragraphs 3 and 5 be approved.

\* 6

## **Government Consultation Responses**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/30) which summarised the responses given to the Government consultations on the Extended Producer Responsibility for Packaging (EPR) and a Deposit Return Scheme (DRS), which closed on 4<sup>th</sup> June 2021. The report also highlighted key aspects of the Government consultation on Consistency which would close on 4<sup>th</sup> July 2021.

Appendix I to the Report outlined the response from Devon Authorities Strategic Waste Committee to the consultation regarding the EPR which would make the producers of packaging responsible for meeting the full net

cost of the packaging they placed onto the market. In the response, Devon Authorities Strategic Waste Committee broadly welcomed the proposals.

Appendix II to the Report outlined the response from Devon Authorities Strategic Waste Committee to the consultation on the DRS which would involve a producer paying an up-front deposit on an item at the point of purchase to be redeemed on the return of this item at a designated return point. In the response, Devon Authorities Strategic Waste Committee raised concerns around various aspects of the proposal and suggested it be pushed back.

The Consistency in Household and Business Recycling in England set out proposals for consistency in recycling. The response of Devon Authorities Strategic Waste Committee was being drafted to be shared with Members at a later date after the Government consultation had closed.

Members' discussion points included:

- the potential implications for rural areas should a Deposit Return Scheme be introduced, namely the lack of suitable areas for a Reverse Vending Machine; and
- the financial risk to businesses already struggling in the wake of the COVID-19 pandemic.

It was **MOVED** by Councillor Jung, **SECONDED** by Councillor Dewhirst and

**RESOLVED** that

- a) the responses submitted to the Government consultations on the Extended Producer Responsibility for Packaging (EPR) and a Deposit Return Scheme (DRS) be noted; and
- b) the key points in the consultation on Consistency in Household and Business Recycling in England (Consistency) be noted.

the Committee expressed their gratitude for the Officers' work.

\* 7

## **Resource and Waste Management Strategy for Devon and Torbay**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/31) which summarised the consultation response to the draft Resource and Waste Management Strategy for Devon and Torbay and proposed amendments for inclusion in the final strategy.

The response summary and Appendix I to the report highlighted general support for the proposals which had been developed with Government proposals in mind. Areas of particular concern included: working with

# Agenda Item 16c

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DEVON AUTHORITIES STRATEGIC WASTE COMMITTEE

16/06/21

businesses, manufacturers, retailers and government to reduce packaging waste; caution surrounding the cost and carbon impact of electric vehicles; and ensuring adequate focus on education and community engagement. The Report provided responses to these concerns.

Members' discussion points included:

- concern that the proposed target of waste collected of 400kg per head per year includes Household Waste Recycling Centres (HWRCs) which increases the average, and a resulting wish for Members to see whether a target for the districts alone would be appropriate;
- concern around the lack of empirical evidence surrounding the impact of the COVID-19 pandemic on amount of waste produced and collected and a need to potentially revisit targets when such evidence is available; and
- the importance of undertaking community engagement and education aimed at reducing waste production, and work currently being done on this subject.

It was **MOVED** by Councillor Croad, **SECONDED** by Councillor Pearson and

**RESOLVED** that

- a) the results of the public consultation be noted;
- b) the proposed reduction to the waste prevention target to 400kg/head/year by 2030 be agreed; and
- c) the Strategy be endorsed and recommended for final approval to the Devon Authorities Strategic Waste Committee (DASWC) partner authorities.

\* 8

## **Waste Prevention and Reuse Strategy Action Plan for 2021/22**

The Committee received a presentation by the Senior Specialist (Waste), South Hams District Council / West Devon Borough Council on the Waste Prevention and Reuse Strategy Action Plan for 2021/22.

The presentation highlighted several proposals and their respective aims that covered a large spectrum of waste materials aimed at waste reduction. These included: proposals to promote the use of Repair Cafes and HWRCs; ensuring consistent messaging surrounding the use of any type of bag for food waste bins; and various proposals on the reduction of single-use plastic.

The Chair offered his thanks for the presentation.



**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 2.15 pm and finished at 3.43 pm

# Agenda Item 16c

# 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](mailto: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> |                                              |            |                        |                                                                                                                                                                  |                                                         |
| 14 July 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 Locality Director 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<br>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 |
| February 2022    | Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year                                      | School / Academies /Members                    | Online                                | 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 |
| 13 April 2022    | Highway Maintenance Capital Budget and On Street Parking Account: Progress on the 2021/2022 Capital Programme and Proposals for the 2022/2023 Programmes |                                                |                                       | 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 |

| Specific Matters for Consideration |                                                                                                            |                                        |                           |                                                                                                                                                                                                  |                         |
|------------------------------------|------------------------------------------------------------------------------------------------------------|----------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 14 July 2021                       | Education and Inclusion Traded Services (BABCOCK)                                                          |                                        |                           | 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 July 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 |
| 14 July 2021                       | Dawlish – Secmaton Lane to Exeter Road Link – Progress Planning, Design, Land Acquisition and Construction | Land Owners, Public & Key Stakeholders | Public Consultation       | 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                 |

|                     |                                                      |                                                                                                                             |                                     |                                                                                                                                                                                                          |                      |
|---------------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <p>14 July 2021</p> | <p>Community Renewal Fund – Approval of approach</p> | <p>Devon wide stakeholders – businesses, voluntary and community sector, district councils, further education providers</p> | <p>Webinars, Website, Briefings</p> | <p>Report of the Head of Economy, Enterprise and Skills outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. Prospectus</p> | <p>All Divisions</p> |
|---------------------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|

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| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 192</p> <p>8<br/>September<br/>2021</p> | <p>Approval of the Resource and Waste Management Strategy for Devon and Torbay</p> | <p>Cabinet,<br/>County Councillors,<br/>Public,<br/>Devon District and Unitary Authorities,<br/>Town and Parish Councils,<br/>Community Groups;<br/>Cornwall Council,<br/>Somerset County Council,<br/>Dorset Council</p> | <p>Cabinet report,<br/>Online Public Consultation<br/>, Press Release,<br/>Emails,<br/>Social Media via RecycleDevon</p> | <p>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.</p> | <p>All Divisions</p> |
| <p>8<br/>September<br/>2021</p>                                                                               | <p>Recruitment &amp; Retention Business Case (Children's Social Work)</p>          | <p>TBC</p>                                                                                                                                                                                                                | <p>TBC</p>                                                                                                               | <p>Report of the Chief Officer for Children's Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>                            | <p>All Divisions</p> |



|                  |                                                                                                                                                                |                                                               |                                                                                         |                                                                                                                                                                                                                  |               |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 8 September 2021 | Bideford Heritage Railway Centre: Agreement of Leases                                                                                                          | Bideford Railway Heritage Centre Community Interest Company   | Written Correspondence and Meetings                                                     | 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. | Bideford East |
| 8 September 2021 | Transport Capital Programme Updated Proposed Allocation 2021/22 and 2022/23                                                                                    | Public, District Councils, Stakeholders and Delivery Partners | LTP 2011-2026 consultation, meetings, planning applications and local plan consultation | 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 |
| 8 September 2021 | Domestic Abuse Act – new statutory duties<br>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 |
| 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 |

|                        |                                                                                                                                                        |                      |                                                            |                                                                                                                                                                                                     |                                    |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 8<br>September<br>2021 | Emergency Duty Service Review                                                                                                                          |                      | Subject to staff consultation                              | Report of the Head of Childrens Social Care outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                       | All Divisions                      |
| 10<br>November<br>2021 | Government Housing Infrastructure Scheme at 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;<br>Cullompton & Bradninch |
| 3<br>October<br>2021   | Property consultancy and facilities management service model                                                                                           | Scrutiny Committee   | n/a                                                        | 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                      |
| 13<br>October<br>2021  | Active Devon – Options Appraisal and Governance Review                                                                                                 |                      | Project Board                                              | Report of the outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                     | All Divisions                      |
| 10<br>November<br>2021 | Childcare Sufficiency Assessment - Annual Return<br>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                      |

**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 |
|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| 19 January 2022<br>17 February 2022                                         | Pay Policy Statement 2022/2023                                                                                           | Appointments , Remuneration and Chief Officer Conduct Committee                                                                               | Meetings                | Report of the County Solicitor outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |
| 01 February 2022<br>17 February 2022                                        | Revenue Budget, Medium Term Financial Strategy 2022/2023 - 2025/2026 and the Capital Programme for 2022/2023 - 2026/2027 | Consultation with Trade Unions / Business and those that champion the interests of older people and the voluntary sector. Scrutiny Committees | Meetings                | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |
| <b>PART C - OTHER MATTERS</b><br>(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 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                  |                         |                                                                                                                                                                                                                       |                                                         |
| <i>Regular / Annual Matters for Consideration</i>                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                  |                         |                                                                                                                                                                                                                       |                                                         |
| Between 14 July 2021 and 8 May 2025<br><span style="writing-mode: vertical-rl; transform: rotate(180deg); position: absolute; left: -40px; top: 50%; font-size: small;">Page 196</span> | 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 14 July 2021 and 8 May 2025<br><br>Between 14 July 2021 and 8 May 2025                                                                                                          | Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)<br><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                                           |

|                 |                                                |                                                                     |           |                                                                                                                                                                           |               |
|-----------------|------------------------------------------------|---------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 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 |
| 3 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>      |                                                                     |           |                                                                                                                                                                           |               |

