

CABINET

9 March 2022

Present:-

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

Apologies:-

Councillor J Hart

Members attending in accordance with Standing Orders 8 and 25

J Brazil, R Hannaford and S Randall-Johnson

* 119 Minutes

RESOLVED that the minutes of the meeting held on 11 February 2022 be signed as a correct record.

* 120 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 121 Announcements

The Chair, at the start of the meeting, asked the Cabinet and those present for a moment of contemplation, in support of Ukraine. Members stood in silence.

The Chair then paid tribute to Jennie Stephens (Chief Officer for Adult Care and Health) for her long and distinguished career. He expressed his thanks for her service to the Council and wished her well in her retirement.

* 122 Petitions

There was no petition received from a Member of the Public or the Council.

* 123 Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the Chair and relevant Cabinet Member responded to six questions from Members of the Council on the following matters.

- Work with key partners in response to the crisis in Ukraine to support Ukrainian people and families already working and living in Devon;
- work with others with regard to the United Kingdom Ukrainian Resettlement Programme;
- what specific work would the Council be coordinating and leading on with Ukrainian refugees;
- work with local communities, churches, charities and others, to help the people of Devon provide humanitarian aid, including medical supplies, clothing and food to the Ukraine;
- review of supply chains to provide assurance there was no exposure to Russia and remove any that may exist; and
- direct contracts or procurements with Russian companies and the termination of any that may exist.

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

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

* **124** **Budget Monitoring - Month 10**

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

The Cabinet considered the Report of the Director of Finance (DF/22/37) outlining the Budget Monitoring position at Month 10, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

At month 10 it was estimated that budgets would overspend by just over £5.8 million, a reduction of £2.5 million from month 8 and the Dedicated Schools Grant projected deficit, relating to Special Educational Needs and Disabilities (SEND), was forecast to be £39.9 million (to be carried to future years in line with Department of Education guidance).

Government had continued to provide a number of grant funding streams to help support Local Authorities during the pandemic. The confirmed additional funding the Council was expected to receive directly this financial year was currently £57.5 million, in addition to the £25.6 million carried forward from 2020/21.

Adult Care and Health services were forecast to overspend by just over £3.8 million, a reduction of £1.3 million from month 8.

Children's services were forecasting an overspend of £8.8 million, a reduction of £300,000 from month 8, however, the figure did not include the projected deficit of £39.9 million on Special Education Needs and Disabilities (SEND). A management plan had been prepared and the Council continued to participate in the Safety Valve Intervention Programme with the Department for Education (DFE).

Highways, Infrastructure Development and Waste were forecasting an underspend of £450,000, an improvement of £160,000 from month 8. However, substantial clear-up costs resulting from storms Dudley and Eunice, were not yet finalised and the impact had not been included within the month 10 forecast.

Communities, Public Health, Environment and Prosperity (COPHEP) were forecasting an underspend of £2.6 million, an improvement of £1.1 million since month 8.

Non-service items, which included capital financing charges and business rates pooling gain, were forecast to underspend by £3.3 million.

The approved capital programme for the Council was £217.2 million. The year-end forecast was £174.7 million, producing forecast slippage of £42.5 million. The main areas of slippage could be attributed to variations and programme delays in Planning, Transportation and Environment, which reflected the complexity of the major schemes and also material and labour price increases were being experienced which were detrimentally impacting the delivery costs and tender prices being returned.

Corporate aged debt stood at £2.4 million, being just over 1.0% of the annual value of invoices, against the annual target of 1.9%.

The Cabinet noted it was positive that the forecast overspend had reduced since month 8 and the pressures within Adult Care and Health and Children's services had continued to stabilise. Close monitoring would continue, and action would be taken where possible to manage pressures further before the end of the financial year. The continuing growth in demand for new Education and Health Care Plans within the Special Educational Needs and Disabilities services continued to be a concern but the commencement of the Safety Valve intervention would, it was hoped, provide the support necessary to bring the service back in to balance.

The matter having been debated and the other relevant factors set out in the Director of Finances Report and/or referred to above having been considered:

it was **MOVED** by Councillor Twiss, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that the month 10 budget monitoring forecast position be noted; and

(b) that progress on the delivery of the Dedicated Schools Grant Management Plan also be noted.

* **125** **Stover Park - Approval of funding bid to the National Lottery Heritage Fund for Restoring the Park**

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

The Cabinet considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/8) seeking approval of a funding bid to the National Lottery Heritage Fund for restoring Stover Park. The Report had been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Council had been leading an ambitious project that aimed to revitalise and enhance the biodiversity, historic landscape, and recreational value of Stover Park. The Park was of national importance, as recognised by inclusion on the Register of Parks and Gardens of Special Historic Interest in England (Grade II) as well as individual features such as the granite gatehouse/lodge listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 for their special architectural or historic interest.

The report listed all the current features of the park for recreation and public enjoyment such as the Interpretation Centre (visitor centre, classroom, rangers' office, and public toilets (open 8 am to 5 pm) and other recreational resources such as interpretation boards, an aerial walkway, a bird hide, walking routes, a car park, and picnic areas.

In developing the capital elements of the project, the Council had engaged with a variety of stakeholders and partners and the Development Phase had included a substantial programme of research, feasibility, design, and costings which has identified priorities for action.

The plans for community engagement had six key focuses which included ecology and the environment, knowledge of climate change and sustainability, understanding nature and heritage, promoting volunteering and community, enabling learning and skills and nurturing Health and Wellbeing.

The Report highlighted that the Council had previously been awarded a Development Grant (£341,300) from the National Lottery Heritage Fund (NLHF) which had enabled work to be carried out to develop proposals to restore and enhance Stover Park and in accordance with NLHF procedures, the Council would soon be eligible to submit a Delivery Phase grant application to implement the developed proposals. It was hoped that the grant application could be submitted in May 2022, with a decision expected in

September 2022 and subject to successful awards of grant, the Delivery Phase would run for 3 years until September 2025.

Following the project development work, priorities had been established for the proposed Delivery Phase and actions were focused on Lake Restoration, Historic Landscape and Buildings (related images included in Annex A), upgrading and extending the Discovery Centre, improved visitor welcome and enjoyment (car park layout, improved accessibility and connectivity) and activities (community engagement targeting existing visitors and under-represented audiences).

All of the actions would directly contribute to the delivery of priorities as set out within the Devon County Council Plan 2021 – 2025.

Costs estimates were being finalised as part of the current Development Phase, alongside identifying all the partnership funding. However, estimated expenditure and income (NLHF, National Highways, Devon County Council, Local Transport Fund (grant) and other local partners, leases licences and charges etc) was outlined at paragraph 6.

In summary, if approved, the Council would be able to maximise opportunities to secure external funding to protect and enhance key assets at Stover Country Park as well as boost revenue generation to aid future management and maintenance of Stover Country Park.

The Chief Officer's Report also contained an Impact Assessment which was circulated for the attention of Members at the meeting but was also available at [Stover Park Restoration - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/stover-park-restoration-impact-assessment). This highlighted that the Project would deliver substantive positive environmental impacts including biodiversity gain, landscape enhancement, water quality improvements, increased walking and cycling, greater energy efficiency and sustainable waste water treatment. Equality impacts would also be beneficial, with significant improvements to accessibility and outcomes for economically and socially disadvantaged communities.

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

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

RESOLVED

(a) that the submission of the Delivery Phase grant bid to the National Lottery Heritage Fund be approved;

(b) that the submission of associated grant funding bids to National Highways, and other relevant grant aiding bodies also be approved; and

(c) that the Chief Officer for Highways, Infrastructure Development and Waste be given delegated authority, in consultation with the Cabinet Member for Climate Change, Environment and Transport, to make minor changes if necessary to the bids.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and at [Stover Park Restoration - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk)).

* **126** **Approval of Improvement to Cedars Junction, Barnstaple**

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

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/22/8) which sought approval for improvements at Cedars Junction in Barnstaple, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In order to try to control the congestion on the Bickington Road approach to the Cedars junction Barnstaple a trial had been undertaken in February 2019. The trial was considered a success, as set out in previous reports to North Devon Highways and Traffic Orders Committee (HATOC) in June 2019 and November 2021, and approval was now sought for the permanent scheme.

A scheme location plan was available in figure 1 of the Report and the introduction highlighted the additional pressures of an additional 1300 houses planned/expected to 2031, along the corridor, which would add traffic through the Cedars Roundabout as there was no alternative route to drive to Barnstaple.

The proposal could be seen in full in plan no. 70086553-WSP-HGN-100-DR-02 in Appendix 1. The scheme consisted of a staggered toucan crossing, which required the road to be widened slightly on both sides to accommodate the crossing and adequate road widths for an A class road. All proposed works were within the public highway boundary.

As a result of public consultation additional bus priority measures through the Cedars Junction would be investigated and if possible designed and incorporated into the scheme where possible. The Report outlined in full the consultation process which took place between 15 December 2021 and 1 February 2022, and was publicised through press releases to local media and the creation of a webpage on the Council's Have Your Say website (<https://www.devon.gov.uk/haveyoursay/consultations/new-pedestrian-and->

[cyclist-crossing-in-barnstaple/](#)). The Report also detailed the responses received.

Whilst the proposal was to progress this as a standalone scheme, it was part of an emerging wider strategy which aimed to also improve the Wrey Arms roundabout, provide a new pedestrian/cycle bridge over the A361 bypass and railway line to Seven Brethren; and a new access junction from the A361 bypass to the new housing at 'Larkbear' behind Petroc joining the A361 to Old Torrington Road.

The cost of the scheme was estimated at £1 million and would be funded by section 106 contributions from housing developments in the area. Adequate funding had already been secured from developments over previous years to deliver this scheme at the estimated price.

The Head of Service's Report incorporated an Impact Assessment which had been circulated for the attention of Members at the meeting and was available on the website at [Cedars Crossing – Impact Assessment February 2022](#). The proposals were expected to have overall positive social, environmental and economic impacts, by reducing overall traffic delays approaching the Cedars Roundabout, and thus reducing pollution and improving access to employment and businesses. However, as the scheme would give greater priority to those approaching the roundabout from the west at the expense of those approaching from the south, the impacts may vary by location. Constructing the pedestrian/cycle crossing was expected to deliver environmental and social benefits (e.g encouraging walking and cycling) however there would be some localised adverse environmental impacts associated with the removal of trees and Devon hedge bank.

The Cabinet also noted that proposal was likely to have a positive impact on traffic from the Bickington/Fremington corridor. However, there could be other queues and delays formed elsewhere on the road network as traffic diverted to other routes to avoid the traffic lights. This would be monitored, and signal timing could be adjusted to ensure the capacity of the junction was shared fairly between the main approaches.

The Chair also read out a supporting statement from the Local Member (Councillor Biederman) expressing his desire for Cabinet to support the proposals.

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

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

RESOLVED

(a) that the design and construction for a new pedestrian and cyclist crossing and associated works (plan no. 70086553-WSP-HGN-100-DR-02 in Appendix 1) and potentially additional bus priority measures with an estimated cost of £1 million on the A3125 south of the Cedars roundabout in Barnstaple be approved; and,

(b) that the Head of Planning, Transportation and Environment and the Chief Officer for Highways, Infrastructure Development and Waste in consultation with the Cabinet Member for Climate Change, Environment and Transport and relevant Local Member be given delegated authority, to make minor variations to the scheme as required.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and at [Cedars Crossing – Impact Assessment February 2022](#)).

* **127** **Flood Risk Management Action Plan 2022/2023**

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

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/22/9) on the Flood Risk Management Action Plan, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The purpose of the Report was to present the achievements in delivering the essential flood improvements approved in the 2021/22 Action Plan and to seek approval for the new 2022/23 Action Plan. The Report detailed how the Council had worked in partnership with the other Risk Management Authorities to reduce the risk of flooding and the level of external funding that had been and would continue to be secured to support delivery of the much-needed improvements.

With regards to physical works, over £1.5million of major flood improvements had been delivered in Sidmouth, Ivybridge, Stokeinteignhead, Harbertonford, South Pool and Chillington providing a reduction in flood risk to over 200 properties. A more detailed account of the projects could be found in Appendix A of the Report.

It was noted that the ongoing risk of flooding continued to be evident with a number of significant events happening over the year.

The proposed Action Plan for 2022/23 was provided in Appendix B. The Council was in the first year of Defra's 6 year programme for 2021-27 and in anticipation of this there were four major schemes (Sidmouth, Colaton Raleigh, Beeson and Broadhempston) and a number of smaller interventions

in the pipeline for delivery in 2022/23 which made up the majority of spending in 2022/23.

However, studies had been commissioned for Barnstaple (continuation of previous work), Exeter Phase 3, Ilfracombe, Teignmouth, Exmouth, Crediton, Newton Abbot, Bideford, Okehampton, Dawlish, Budleigh Salterton and Seaton and opportunities for delivering natural flood management (NFM), where the risk of flooding to properties could be reduced, would be explored in partnership with other Risk Management Authorities and in collaboration with non-government organisations.

The Impact Assessment had been previously circulated and could be found at <https://www.devon.gov.uk/impact/flood-risk-management-strategy/>. To support the production of the revised Local Flood Risk Management Strategy a full Strategic Environmental Assessment had been carried out and would be referred to when carrying out flood improvements to ensure any impact on the environment was minimised. All major capital flood schemes would also require a bespoke Environmental Assessment to consider not only impact on the environment but also to identify any enhancements that could be achieved.

The threat of flooding continued to be a high risk for Devon's communities. The Flood & Coastal Risk Management Team continued to maintain the required level of resource to deliver the statutory responsibilities and to deliver essential flood improvements across the County. The Action Plan for 2022/23 identified the proposed investment for developing the programme that will help reduce the risk of flooding to those communities in Devon.

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

it was **MOVED** by Councillor Croad, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that budgets be allocated to the Annual Flood Risk Management Plan schemes in the 2022/23 Action Plan as set out in Appendix B, noting the level of overprogramming planned; and

(b) that delegated authority be given to the Head of Planning, Transportation and Environment in consultation with the Cabinet Member for Public Health, Communities and Equality to made amendments to the Revenue and Capital allocations.

(NB: The Impact Assessment referred to above may be found at <https://www.devon.gov.uk/impact/flood-risk-management-strategy/>).

* 128 **Managing Big Problems in Small Places in Rapid Response type Catchments: Approval to submit Outline Business Case to deliver a Flood Resilience Partnership project across Devon funded by the government's Flood & Coastal Resilience Innovation Programme**

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

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/22/10) which sought approval to submit an Outline Business Case to deliver a Flood Resilience Partnership project across Devon (funded by Government's Flood & Coastal Resilience Innovation Programme), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report outlined that in the 2020 Budget, DEFRA had announced a new programme of funding for innovative projects to help communities be more resilient to flooding and coastal change. The programme, managed by the Environment Agency, allocated £150 million to 25 partnership projects across England through a competitive process. The Council and Partners had been selected to develop a project which would increase flood resilience at a catchment level within communities in rapid response 'type' catchments where traditional flood defences were shown not to be appropriate or cost beneficial.

Devon had a long history of flash flooding in rapidly responding catchments and the allocation of funding nationally, based on number of properties affected, did not reflect the very real risks and issues in Devon. The project sought to address several challenges and pre-existing barriers to delivering flood resilience in rapid response type catchments, for example the effects of climate change, lack of a single source of information on flood events and flood resilience, current definitions of a Rapid Response Catchment, which does not pick up key Rapid Response Catchment communities, community engagement in flood risk issues and no provision for surface water flood warnings within current systems.

The project had a number of objectives including empowering local communities to participate in the development, delivery, monitoring, maintenance and ownership of flood resilience interventions, installation of Property Flood Resilience measures in community assets, enhance existing warning systems, identify & develop alternative funding models, develop new spatial planning tools and approaches, improve and embed flood resilience in planning and land use policies and decisions and deliver robust and replicable learning.

There were eighteen partners and all were delivery agents of the project. However, the Council was the lead partner responsible for the delivery of the

project to time, quality, and budget in compliance with the funding programme requirements.

The estimated cost(s) of the proposals and funding sources/budgets was £7,608,000. The Council would also provide a proportion of staff time towards the project. In addition, staff time would be provided by Partners as part of the programming, delivery & monitoring of the interventions.

A first tranche of funding of the value of £656,000 was released in August 2021 to help project partners develop the project further, undertake feasibility studies and produce the Outline Business Case. The remaining amount would be released over the next 5 financial years once the Outline Business Case had been approved.

By using nature-based solutions, the interventions would reduce the risk of flooding. The nature-based solutions also had the potential to increase water quality of watercourses, create new and diverse wildlife habitats and provide additional carbon sequestration. Overall, the project would have a positive benefit to biodiversity and climate change.

For each pilot community intervention, project partners leading the intervention would undertake an environmental impact considerations assessment.

The Head of Service's Report also incorporated an Impact Assessment for the attention of Members at the meeting, which was also available at [Flood Resilience: Managing Big Problems in Small Places Project - Impact Assessment \(devon.gov.uk\)](#). This highlighted that part of the project was to consider innovative way of engaging participating communities which would include debiasing the approach to community engagement. Accessible communication standards would be used and additional support or alternative formats where required. The project would trial flood resilience solutions to targeted locations in Devon, the solutions implemented and piloted would directly affect local communities and the assessment would ensure the approach used to deliver flood resilience solutions would help manage any potential effects on communities, local economic conditions, individuals and vulnerable/potentially vulnerable groups.

The Cabinet noted that the project presented the Council with a unique opportunity to inform Government on future flood risk management policies and support the implementation of a National Strategy.

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

it was **MOVED** by Councillor Croad, **SECONDED** by Councillor Twiss, and

RESOLVED

(a) that Devon County Council leads a Partnership to develop an Outline Business Case to deliver a flood resilience partnership project across Devon “Managing Big Problems in Small Places in Rapid Response type Catchments”;

(b) that the Head of Planning, Transportation and Environment in consultation with the Cabinet Member for Public Health, Communities and Equality be given delegated authority to approve the details of the project, allocation of funding, and the preparation of collaboration agreements with partners covering the delivery stage of the project; and

(c) that the submission of the Outline Business Case to the Environment Agency to bid for funding to the amount of £7,608,000 from the Flood & Coastal Resilience Innovation Programme for the delivery of the project be approved, noting that the submission includes match funding secured from the County Council and partners by way of staff time and potentially financial contributions.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and at [Flood Resilience: Managing Big Problems in Small Places Project - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/press-releases/flood-resilience-managing-big-problems-in-small-places-project-impact-assessment)).

* 129 **Health and Adult Care Scrutiny - Motor Neurone Disease (MND) Charter**

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

The Cabinet noted that at its meeting on 20th January 2022 and in accordance with Standing Order 23(2), Councillor L Hellyer had asked that the Committee consider the Motor Neurone Disease (MND) Charter to recommend a reference to the Cabinet to ask the Council to adopt the Charter. The Committee RESOLVED that the Cabinet be requested to approve the following:

(a) that Council adopts the Motor Neurone Disease Charter.

(b) that Council encourages the District Councils in Devon to adopt the Charter.

(c) that Council asks the relevant Cabinet Member(s) to ensure the Council's services and facilities are delivered in accordance with the Charter.

(d) That the Council's communications team promotes the adoption of the Charter, and promotes how the Council's services and facilities are accessible.

It was **MOVED** by Councillor McInnes **SECONDED** by Councillor Gilbert and

RESOLVED

(a) that the five points of the Motor Neuron Disease Charter be noted, and that they chime with how Adults and Children's Social Care in Devon and across the country is delivered, and how together we approach everyone with care and support needs as a result of any condition, disease or injury that they may have been born with or acquired. This also includes supporting those caring for others with any condition, disease or injury. The Council does this collectively across the wider health and care partnerships and beyond:

The five points of the Motor Neurone Disease Charter are:

1. The right to an early diagnosis and information
2. The right to access quality care and treatments
3. The right to be treated as individuals and with dignity and respect
4. The right to maximise their quality of life
5. Carers of people with MND have the right to be valued, respected, listened to and well-supported.

(b) that Cabinet acknowledges there are no additional resource implications from adopting the charter as it states quality of practice and approach that is part of 'business as usual' within Devon County Council; and

(c) that the Charter be adopted and all the recommendations made by the Health and Adult Care Scrutiny Committee be accepted.

* 130

East Devon Highways and Traffic Orders Committee - A3052: Speed Limits and Facilities for Active Travel - Greendale to Cat & Fiddle

(Councillors Brazil, Hannaford and Randall Johnson attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that the East Devon Highways and Traffic Orders Committee had, on 14 February 2022, considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/4) related to the A3052: Speed Limits and Facilities for Active Travel - Greendale to Cat & Fiddle. The Committee had RESOLVED (a) that Cabinet be requested to support an extension of the 40mph speed limit to the eastern boundary of the Cat and Fiddle (minute *24 referred).

The Cabinet Member highlighted that a reduction in the speed limit along the A3052 from 50 mph to 40 mph had been considered several times in the past. However, he acknowledged that Members were concerned about the speed and increasing number of large HGVs, the inadequate size of the road island at the Cat and Fiddle, increased use of the Exeter City Football Club youth

training ground and planning permission for a 30 bed hotel at the Cat and Fiddle car park site.

It was **MOVED** by Councillor Hughes, **SECONDED** by Councillor McInnes and **RESOLVED** that the matter be deferred pending a site visit for the Cabinet Member for Highway Management to meet the local Members, police, and road safety officers.

131 Notices of Motion

(a) **Neonicotinoid Ban (Councillor Brazil)**

(Councillor Brazil attended in accordance with Standing Order 8 and Councillor Hannaford attended in accordance with 25(2) and spoke to this item).

It is desperately disappointing that once again the Government has permitted the use of a pesticide known to have catastrophic effects on bees. This Council will not permit the use of thiamethoxam or any neonicotinoid pesticides on County farms or any County land. We would also encourage farmers to adopt more sustainable farming practices and reduce their reliance on toxic pesticides. The Government needs to support our farmers to do this and uphold its own ban on neonicotinoids'.

Members considered the Officer's factual briefing note on the matter (CSO/22/6) which referred to the history of the use of Neonicotinoids, their highly detrimental effect on bees and other insects, the granted emergency use authorisations for neonicotinoid seed treatments and that Defra granted this type of emergency use authorisation to counter the threat to sugar beet crops from beet yellow virus. The Council did not use any neonicotinoid insecticides on the corporate estate, however in relation to Farms, there were no provisions within the leases that would enable the landlord to prevent the tenant using authorised pesticides provided the tenant was acting within the law and industry best practice. Despite this, the Council had, through its Pollinator Action Plan, signalled its intent to promote environmentally sustainable alternatives.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken:

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

RESOLVED that Council be recommended to endorse the spirit of this Notice of Motion given the significant environmental concerns relating to the use of neonicotinoids and calls on Government to carefully review its consideration of emergency use applications to ensure consistency with the objectives of the National Pollinator Strategy and the 25 Year Environment Plan. It will continue to pursue relevant action in line with its Pollinator Action Plan.

(b) Cost of Living Crisis (Councillor Hannaford)

(Councillor Hannaford attended in accordance with Standing Order 8 and spoke to this item).

Council notes with concern that;

According to the **House of Commons Library**, the **UK cost of living** has been rising since **early 2021**, but in **December 2021** inflation reached its highest recorded level in decades, seriously affecting the ability of households to afford basic goods and essential services. Economic experts agree that the UK is now expected to experience will be the **sharpest fall in disposable incomes since records began in 1990**, as the cost of living crisis wreaks havoc among **middle and lower-income households**.

Inflation

Consumer prices, as measured by the **Consumer Prices Index (CPI)**, were **5.4% higher in December 2021** than a year before – **the highest inflation rate recorded since 1992**. In mid-December, the **Bank of England forecast** the CPI inflation rate to remain around **5%** over the winter, before rising to **6% in April 2022**. **However now against a backdrop of rising household energy prices, the Bank said** inflation was on course to peak close to 7.25% in April, a **sharp adjustment to its previous forecast**.

Fuel and Petrol Prices

Petrol and diesel prices both fell over the first two months of the first lockdown. At the end of May 2020 they were at their lowest level for around five years: the UK average was 104.9 pence for a litre of petrol and 111.7 pence for diesel. Prices increased steadily during most of 2021 and particularly rapidly in October and November. Petrol reached a **record price of 147.5 pence per litre** on 29 November 2021. Diesel reached a **record price of 151.3 pence per litre** on the same day. Both prices have fallen slightly since then; on 17 January 2022 average prices were 144.8 and 148.7 pence for a litre of petrol and diesel respectively. However these prices were still historically very high and are even more economically regressive in a rural county like Devon, where driving is often essential.

Housing Costs

Particularly in the private rental sector ever rising costs are adding pressure to those in most in need. The latest **HomeLet Rental Index** figures show average monthly rental costs in the UK rose by **8.6**

percent, with the average rent being **£1,060**. An article on the cost-of-living crisis in the homeless charity magazine, **The Big Issue**, noted, “Already, data shows that private rents are unaffordable for the poorest in the country, with data from 2021 showing that there are **just two areas in England** where the poorest families spend less than **30 per cent** of their income on **rent costs**.”

As proven by the research done by **Team Devon**, the distortion of the rental market from ever more **holiday homes, second homes**, and an explosion in **Airbnb properties**, and the scarcity of affordable and social housing in all parts of Devon, are all feeding into this crisis.

Also following recent **Bank of England** interest rate increases, homeowners with mortgages are expected to see an average £15-a-month increase, but for many its much higher, , depending on their own individual rates, and especially in Devon where property prices remain some of the highest in the UK.

Energy Prices and Devon’s Fuel Poverty

A particularly important driver of inflation is obviously energy prices, with household energy tariffs increasing . Between January and November 2021 domestic **gas prices increased by 28%** and **domestic electricity prices by 19%**.

Energy regulator **Ofgem** has now announced the new energy price cap on , confirming it will increase by **54 per cent, or £693**, from 1 April. This will allow energy firms to charge customers up to **£1,971 per year**, up from the previous limit of **£1,277**. The energy price cap is the maximum amount a utility company can charge an average customer in the UK per year for the amount of electricity and gas they use.

Consultancy Cornwall Insight said that the households whose energy bills are tied to the price cap can expect the cap to rise further, to around **£2,350**, at the next review in **October**.

The number of homes set to be plunged into ‘**fuel stress**’ could rise to over **six million in April** when a new price cap comes into play, according to the think-tank **Resolution Foundation**. **This will see the proportion of households in England in fuel stress rise from nine per cent to 27 per cent.**

The current international situation in **Ukraine** could make matters even worse, with **Europe highly dependent on Russian natural gas**. Although the UK imports barely any gas from Russia. It meets about half of its gas requirements from the North Sea, while another third is sourced from Norway. The rest is imported by pipelines connecting the UK to Europe, or in the form of liquefied natural gas (LNG), which is transported by tankers typically from Qatar or the US.

However the UK's gas sources could all becoming eye-wateringly expensive if markets in Europe soar. The UK's market is closely connected to markets in Europe, so a price rise in Germany or the Netherlands , should tensions rise , **would also lead to higher prices in Britain.**

Rising energy charges such as these could **devastate the UK's poorest families**, analysis suggests, as many adults could be forced to **spend more than half of their income after housing costs on electric and gas bills.**

The latest government information from April 2021 , that does not factor in the forthcoming price hikes, already indicates **substantial fuel poverty in Devon**, and it is also widely estimated that these figures hide a much higher actual number in reality.

	Number of of households ¹ households in poverty	Number fuel	Proportion of households fuel poor (%)
Devon	355,130	38,051	10.7
East Devon	64,942	6,148	9.5
Exeter	54,298	6,439	11.9
Mid Devon	36,079	4,162	11.5
North Devon	43,963	5,073	11.5
South Hams	40,597	3,834	9.4
Teignbridge	59,478	5,886	9.9
Torridge	30,763	3,637	11.8
West Devon	25,010	2,872	11.5

Food Prices

Food and non-alcoholic drink prices were up by 4.2% in the year to December 2021 on the official CPI measure of inflation. They may rise further in the coming months. However some everyday food items have increased in price by 344% in a year.

It comes as food poverty campaigner, activist and chef **Jack Monroe** has successfully urged the **Office for National Statistics (ONS)** to reconsider how the cost of living is actually measured in the wake of rising prices for **everyday essentials**, such a **flour, pasta, rice and milk**, rather than luxury items , that the poor cannot afford and never buy.

Nationally its estimated that **Foodbanks** are already handing out 32 meals a minute, despite seeing a big drop in donations because of the cost of living crisis.

One in 10 households in the Devon County Council area suffer "substantial disruptions" to get enough food. Overall, **17%** of households were shown to experience some **food insecurity** and "not having reliable access to enough affordable, nutritious food".

Other Pressures On Household Budgets

As well as higher inflation, household budgets will be also be further squeezed by changes in taxes and benefits in the coming months. This includes an **increase in National Insurance Contributions from April 2022**, and **changes to income tax**, as well as the **withdrawal of the £20 Universal Credit uplift**.

Stagnant wages will also affect household incomes. Furthermore **public transport costs** will be raised.

Overall a recent report by **The Resolution Foundation** predicts households will be on average at least **£1,200 a year worse off from this year**.

Low Income Households & Child Poverty

Low income households spend a larger proportion than average on energy and food, and will therefore be relatively more affected by increases in prices. **The Joseph Rowntree Foundation (JRF)** say that low-income families may have to spend, on average, **18%** of their income on energy bills, which rises to **54% for single adult households**, and around a quarter for **single parents and couples without children**.

Low income households are paying an estimated "**poverty premium**" of **£478 each year**, according to research by the campaign group **Fair By Design**.

As a result **thousands of people already in poverty across Devon** are paying more for essentials such as **energy and insurance**, because they are unable to afford lump sums and instead have to opt for pricier regular payments. This includes higher tariffs and fees through **prepayment meters** and **car insurance premiums**. Recent data from **2016** shows that **12.3% of children in Devon are in low income families** compared to 17% for England, although this does not take into account the social and economic effects of the pandemic.

However a **fifth of children were living in households with a low income for at least three of the four years between 2016-2019**, rising to around one in three children in single-parent families. **The**

child poverty rate for children in families with three or more children, was almost twice as high as the rate for children in one- or two-child families (47% versus 24%).

Financing Progressive Measures

The governments financial position is much better than expected. **Tax revenues are coming in higher than forecast**, and some substantial expected **government spending has not occurred**. We are nine months into the current financial year and thanks largely to that more money is coming into the exchequer than expected, the deficit is lower than expected. It is still huge, **£147bn**, because of the economic effects of the global pandemic , but that is **£13bn less** than the **Office for Budget Responsibility** expected. So in conjunction with an new **annual windfall tax** and **some careful strategic borrowing** , the government does have some considerable financial headway to make sure **its leveling up agenda in the face of a cost of living crisis is more than just an empty slogan.**

Council Notes:

The recent announcements by the **Chancellor** including;

- All households will receive **£200 off their energy bills in October under a rebate and claw back” scheme** – but then pay the discount back by £40 a year over five years from 2023.
- **Council taxpayers** in England in bands A to D would receive a **rebate of £150** from their bills in April, which will not have to be paid back.
- Local authorities would receive **£150m** to make **discretionary payments** to the neediest.
- The number of poorer households eligible for the **warm homes discount** – worth **£150 from October** – would be **increased by a third to 3m.**

Council Believes That:

The Government has made **an limited intervention** to tackle the energy bills crisis. **But this isn't the only cost of living challenge families face.**

As such the Chancellor's announcements are **hopelessly inadequate**. For most families it's just £7 a week and more than half must be paid

back. It's too little, it's poorly targeted, and it's stop gap measures instead of fixing the big problems.

The support may not reach people quickly enough. The £200 energy bills rebate won't arrive in people's bank accounts until October. But people are struggling right now.

And while the **£150 Council Tax rebate** is coming this April, **one-in-eight of the poorest families in England won't even qualify** for support because of the houses they live in.

Finally, most of the £9 billion of support is being paid for via higher energy bills over the next five years. This is a very risky strategy, especially if the cost of gas doesn't fall sharply and soon. **High energy bills could be a feature of the 2020s** – continuing to hammer the poorest in society – and **a reminder of the need to wean ourselves off fossil fuels.**

Council therefore resolves;

To call on the UK Government and our local Members of Parliament to effectively tackle the cost-of-living crisis facing Devon families and act now to support them with the following specific measures;

- a) A new **revised local government settlement** that adequately funds local councils so that **council tax does not have to be raised this year** to protect and operate vital front line services.
- b) A twelve month pause in the proposed **National Insurance rise** to directly help those on low and fixed incomes.
- c) Revise the planned **3.1%** increase in the **value of welfare and benefits**, and build in a rise of 6% to protect the poorest and most vulnerable in society.
- d) A VAT cut on everyone's **home energy bills** for a year from **5% to 0% percent.**
- e) Increasing the **Warm Home Discount** from **£140 to £400** per year and expanding the number of households eligible to **9.3 million.**
- f) Introducing a **year-long increase to corporation tax** for North Sea oil and gas producers in order to secure at least a **£1.2 billion windfall** from their increased price rise profits to help mitigate household energy bills.

Members considered the Officer's factual briefing note on the matter (CSO/22/6) which referred to factors currently combining to increase the cost of living for Devon's households, and that cost of living increases would disproportionately affect those on middle and lower incomes and the subsequent push of more people into poverty. It covered the issues with household fuel bills, fuel poverty, pay levels across the County and an analysis of this. Other issues included rental availability (which affected key workers and local people), the Council tax rebate scheme, warm homes Discount, the programmes that the County Council were leading on to tackle poverty and inequality, which was a priority of the new Strategic Plan and the opportunities within the Devon Devolution Deal.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken:

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

RESOLVED that that Council be recommended to

(a) note that one the Council's Strategic Plan priorities for 2021 to 2025 is to make Devon a fairer place, address poverty, health, and other inequalities, and ensure support for those people and families struggling most;

(b) agree that the Annual Plan for 2022/23 should include measures to address poverty in the light of current increases in the costs of living; and

(c) work with Plymouth City Council, Torbay Council and Team Devon in the forthcoming devolution deal negotiations with Government to devolve flexibilities and responsibilities which will help to address issues described in the Notice of Motion.

(c) Motion for the Ocean – Ocean Recovery Declaration (Councillor Aves)

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

Devon County Council is developing the Devon Carbon Plan aiming to reach net zero carbon by 2050 at the latest. The Plan includes the ambition to enhance the ability of habitats along our 200 miles of coast, in our countryside and in our villages, towns and cities to store carbon. This offers tremendous opportunities to reverse the decline of biodiversity and restore healthy ecosystems. This council has shown its wider environmental values through its support of projects such as the Exe Estuary Management Partnership.

In May 2019, after Devon County Council declared a Climate Emergency, a partnership formed to respond to the climate and

ecological emergency in Devon. Its members represent private sector interests, environmental organisations, academic institutions, and public bodies, including our neighbours Plymouth City Council and Torbay Council. Plymouth City Council is leading the way in connecting people to the ocean through the development of the UK's first National Marine Park, in Plymouth Sound and as the first Council to pass the Ocean Recovery Declaration.

International and national context

The UN Decade of Ocean Science for Sustainable Development runs from 2021 to 2030. Last year the UK hosted COP26 in Glasgow and the G7 came to Cornwall. The UK Government has publicly declared its ambition to be a global leader in marine conservation. All eyes are on the ocean.

There is national and global recognition that the world ocean is in crisis. The impact of the climate crisis on the ocean is profound, including in our local waters. Raised atmospheric carbon dissolves in the seawater and causes ocean acidification, dissolving the shells, reefs and other hard parts of marine animals. The heating of the climate causes ocean heating too which makes some parts of the ocean intolerable for life and is changing what lives and is caught locally. It also increases the volume of the ocean which causes sea level rise, added to by ice melt at the poles. Thanks to a more turbulent climate, increased storminess and sea level rise is a serious threat to all coastal communities, economies and infrastructure including Devon coasts. Marine microplastics have been found in all marine environments and in the bodies of many species, including humans. Fish stocks collapse from permitted and illegal overfishing. Poor water quality is impacting seafood and preventing safe bathing.

We must play our part in securing the sustainability and health of the ocean. Action is needed at all levels, from individuals developing their ocean literacy (understanding of the relationship between people and the ocean), individual and collective marine citizenship (promoting and demanding an ocean recovery through local, national and international policy changes).

This Council declares an urgent need for Ocean Recovery.

We recognise that we need ocean recovery to meet our net zero carbon targets, and we need net zero carbon to recover our ocean.

This Council pledges to:

1. Report to Full Council within 6 months on the actions and projects that will begin an ocean recovery in Devon.

2. Embed ocean recovery in all strategic decisions, budgets, procurement and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy), aligning with climate change mitigation and adaptation requirements and considering ocean-based solutions in our journey towards a carbon neutral and climate resilient future.
3. Ensure that local planning supports ocean recovery, working closely with the Marine Management Organisation to embed strong links between the Local Plans and the South West Marine Plan to support ocean recovery.
4. Work with partners locally and nationally to deliver increased sustainability in local marine industries and invest in the development of a sustainable and equitable blue economy that delivers ocean recovery and local prosperity, including the local fishing industry and the vital work of the Devon and Severn Inshore Fisheries and Conservation Authorities (IFCA).
5. Grow ocean literacy and marine citizenship in the county, including ensuring all pupils have a first-hand experience of the ocean before leaving primary school, and promote sustainable and equitable access to the ocean through physical and digital experiences for all students.
6. Create an online portal of the Council website to update on ocean recovery progress, signpost to ocean literacy development opportunities, and marine citizenship pledges.
7. Write to the Government to put the ocean into net recovery by 2030 by
 - a. Ensuring Inshore Fisheries and Conservation Authorities have the resources they need to effectively research and monitor our growing number of marine protected areas, and to set and enforce appropriate fishing levels that support local economies and deliver environmental sustainability.
 - b. Work with coastal communities to co-develop marine policy to ensure it delivers equitable and sustainable outcomes in local placemaking.
 - c. Appoint a dedicated Minister for Coastal Communities.
 - d. Stop plastic pollution at source by strengthening the regulations around single-use plastics and set standards for microfibre-catching filters to ensure that all new domestic and commercial washing machines are fitted with a filter that captures a high percentage of microfibres produced in the wash cycle.

e. And by listening to marine and social scientific advice to update the Marine Policy Statement and produce a national Ocean Recovery Strategy which will:

- i. Enable the recovery of marine ecosystems rather than managing degraded or altered habitats in their reduced state.
- ii. Consider levelling up, marine conservation, energy, industrial growth, flood and coastal erosion risk management, climate adaptation and fisheries policy holistically rather than as competing interests.
- iii. Develop a smarter approach to managing the health of the entire ocean that moves beyond Marine Protected Areas and enables links to be made across sectors towards sustainability.
- iv. Establish improved processes for understanding the benefits from ocean management, leaving no doubt the links between this and human lives, livelihoods, and wellbeing.

Members considered the Officer's factual briefing note on the matter (CSO/22/6) which referred to the 'Ocean Recovery Declaration', which had been promoted by the Ocean Conservation Trust. A key advocate for and one of the authors of the model motion was the marine scientist, Dr Pamela Buchan (Vice Chair of Devon & Severn Inshore Fisheries and Conservation Authority (IFCA)). The Cabinet Member had already instructed officers to consider the possible adoption of this 'Motion for the Ocean' and the notice of this provided an opportunity to formalise this. Such action would accord with the significant commitment already shown to marine and maritime issues. A Motion for the Ocean for Devon County Council was appended to the Report (Appendix 1).

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

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

RESOLVED that Council be recommended to:

(a) support the adoption of the 'Motion for the Ocean', based around the model motion advocated by the Ocean Conservation Trust, as set out in Appendix 1 to the Report; and

(b) that the Cabinet Member for Climate Change, Environment and Transport writes to the Secretary of State for the Environment to urge Government to put the ocean into net recovery by 2030.

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

There was no question from a Member of the public.

* **133** **Minutes**

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

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

Standing Advisory Council on Religious Education - 17th February 2022

* **134** **Delegated Action/Urgent Matters**

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

* **135** **Forward Plan**

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

* **136** **Exclusion of the Press and Public**

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

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial and business affairs of both the Joint Venture Company and of the County Council and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in

maintaining the exemption outweighs the public interest in disclosing the information.

* 137 **Part 2 - Skypark Development Partnership Joint Venture – Update to Proposals**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

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

The Cabinet considered the Report of the Head of Economy, Enterprise and Skills (EES/22/2) on updated proposals on the Skypark Development Partnership Joint Venture, circulated prior to the meeting accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report followed Cabinet approvals in June 2019 and October 2020 and set out the key actions required to develop Skypark going forward. The Report sought approval for the resources required and set out the timescales.

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

It was **MOVED** by Councillor Gilbert, **SECONDED** by Councillor Twiss, and

RESOLVED that recommendations (a) to (e), as outlined in the Report (EES/22/2), relating to progress with previous Skypark recommendations, endorsement of business plan, agreed budgetary provision (2022/2023) and intended procurement be agreed.

NOTES:

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

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

The Meeting started at 10.30 am and finished at 12.00 pm

