

CABINET – DECISION NOTICE

13 April 2022

Present:-

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

Members attending in accordance with Standing Order 25

Councillors H Gent, R Hannaford, S Randall-Johnson and C Whitton attended in person

Councillors A Connett and A Dewhirst were in remote attendance.

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Minutes

RESOLVED that the minutes of the meeting held on 9 March 2022 be signed as a correct record.

* 6

Highway Infrastructure Asset Management Policy and Strategy

RESOLVED

(a) that the revised Highway Infrastructure Asset Management Policy and Strategy be adopted;

(b) that delegated authority be given to the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the Cabinet Member for Highways Management, to make minor amendments to the documents and continue the development of the Highway Infrastructure Asset Management Plan; and

(c) that Devon MP's be briefed outlining the pressures our highway service is under in maintaining the highway network.

* 7

County Road Highway Maintenance - Capital Budget and Progress on 2021/22 Schemes and Proposals for the 2022/23 Programmes and the On-street Parking Account 2022/23

RESOLVED

(a) that progress on 2021/22 capital funded highway maintenance schemes detailed in Appendices 2 and 3 to the Report be noted;

(b) that the capital funded highway maintenance programmes for 2022/23 as set out in Appendices 4 and 5 be approved;

(c) that the Highways, Infrastructure Development and Waste 2022/23 capital programme be enhanced by £11.691million (as explained in section 3 of this report) funded by external grants;

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

(e) that the programme funded from the On-street Parking Account for 2022/23, as set out in Appendix 6, be approved.

* 8 **Formal Consultation Submission to the Devon Climate Emergency Partnership's responses to the recommendations of the Devon Climate Assembly**

RESOLVED that the consultation submission from Devon County Council to the Devon Climate Emergency partnership's consultation on its responses to the recommendations of the Devon Climate Assembly (section 3 of the Report) be approved.

* 9 **South West Exeter Housing Infrastructure Fund: Update on project including approval for submission of planning application and to award tenders**

RESOLVED

(a) that the Head of Planning, Transportation and Environment in consultation with the Cabinet Member for Climate Change, Environment and Transport be given delegated authority to progress the proposals for

- i. Devon Hotel roundabout and Trood Lane signal-controlled junction
- ii. Alphington village enhancements
- iii. Southern spine road
- iv. A379 junctions

including going out to tender and to award contracts for the schemes within the project budget;

(b) that the Head of Planning, Transportation and Environment in consultation with the Cabinet Member for Climate Change, Environment and Transport be given delegated powers to make any necessary changes to the design and progress the proposals for the community building and GP surgery and that this includes the submission of a planning application, going out to tender and to award contracts, subject to available project budget and necessary legal agreements to facilitate delivery;

(c) that the proposals in relation to the allocation of funding recovered from developers be conditionally approved including up to

- i. £5.5 million towards the electricity substation
- ii. £2 million towards Cranbrook community building;

(d) that the allocation of part of the Housing Infrastructure Fund grant towards the purchase of land and undergrounding of electricity cables associated with the delivery of the electricity substation and the proposal to enter into a contract with Western Power Distribution for the undergrounding of the cables be approved.

* 10 **Construction of a community facilities building in Cranbrook Town Centre providing flexible space for County Council services including children's, youth, and libraries**

RESOLVED

(a) that the Cranbrook New Community Partners offer of a £3 million phased contribution towards the construction of a single building to provide flexible space for County Council services including children's, youth, and libraries be accepted;

(b) that the offer of a single 0.4ha of serviced land in a town centre location at Cranbrook to construct the building also be accepted;

(c) that a reserved matter planning application be prepared and submitted for the provision of the building;

(d) that approval be given to use up to £2 million of funds recovered from the South West Exeter Housing Infrastructure Fund grant to make up any shortfall between the developer contribution and the cost of the building; and

(e) that in the event that all of the funding is not secured a further report be presented to Cabinet to consider the financial implications of providing the building.

* 11 **Plymouth and South Devon Freeport**

RESOLVED

(a) that the work undertaken by the partners towards government's approval of the Outline Business Case and towards the Full Business Case, due for submission to government on 22nd April 2022, be noted;

(b) that it also be noted that the Freeport designation ensures 25 years of retained business rates for the participating authorities, for the designated sites;

(c) that the Council borrows up to £15 million of capital investment to leverage the Government's seed capital funding of £9.6 million to deliver transport schemes, to support the development of the Freeport sites in Devon and that this borrowing will be repaid from retained business rates in future years;

(d) that the Council becomes a founder member of a company limited by guarantee to operate the Freeport, alongside South Hams District Council (SHDC) and Plymouth City Council (PCC) and that the appointment, in due course, of a Member of Devon County Council to serve as a director of the company, following the completion of steps required to effect such appointment also be approved;

(e) that the Head of Service for Economy Enterprise and Skills, in consultation with the Leader of the Council, portfolio holder for Economic Recovery and Skills and the Director of Finance and Head of Legal and Democratic Services be given delegated authority to:

- i. approve and submit the Final Business Case (FBC) for the Plymouth and South Devon Freeport;
- ii. approve the articles of association and reserved matters for the Freeport company and enter into member agreements for the company between SHDC, PCC and DCC;
- iii. enter into the business rates sharing agreement with South Hams District Council; and
- iv. approve the Freeport Business Rates Policy, which with the business rates sharing agreement defines the basis for loan repayments and distribution of any surplus achieved, which will include contributions to ongoing running costs of the Freeport company and other activities which aim to avoid Business Rate displacement.

(f) that Cabinet note appropriate scrutiny arrangements will be put into place in conjunction with SHDC and PCC regarding the operation of the Freeport.

* 12 **Bideford Library/Art Centre Project - Approval requested to award the Construction contract**

RESOLVED

(a) that it be noted that the Council has completed a competitive tender procedure to award a contract to undertake works ("construction contract") to the Bideford Arts Centre building;

(b) that Cabinet further notes that an RIBA Stage 4 design was completed by NPS South West which informed the basis of the Council undertaking the tender procedure;

(c) that the total Project cost of £1,696,052.70 made up of the construction contract value of £1,431,571.70, and NPS South West's fees of £264,481 be approved;

(d) that the construction contract value falls within the Capital Programme budget previously agreed for this Project, and to approve virements in the sum of £100,000 from the Estates maintenance programme, and £16,052 from the Library Management Programme to cover the total Project cost be noted; and

(e) that the award of the construction contract to Pearce Construction (Barnstaple) Limited in the value of £1,431,571.70 be approved.

* 13 **Commissioning for Peninsula Fostering Services, with Independent Fostering Agencies Tender Approval and Arrangements for Award of the Contract.**

RESOLVED

(a) that approval be given for a tendering process to be undertaken during summer 2022 with independent fostering agencies (IFAs), for the delivery of fostering services from October 2022, as per the recommendations and design set out in this Report;

(b) that the Chief Officer for Children's Services, in consultation with the Cabinet Member for Children's Services & Schools, be given delegated authority to agree non-material changes within the overarching strategy detailed in section 4 (proposal); and

(c) that the Chief Officer for Children's Services, in consultation with the Cabinet Member for Children's Services & Schools, be given delegated authority to approve contract award recommendations for Peninsula Fostering Services with IFAs.

* 14 **Workforce Stability: Attracting Agency Children's Social Workers to Devon - Agency Pay Rate Proposals**

RESOLVED that up to an additional £1.4 million to be funded from reserves, to strengthen the recruitment and retention of agency social workers, as set out in the Report, be approved.

* **15** **Children's Scrutiny Committee: Children's Standing Overview group**

RESOLVED

(a) that increases in house prices and rents; overall reduction in the number of properties available to rent; and lack of affordable, good quality housing is contributing to difficulties in recruiting and retaining a wide range workers whose jobs are critical to the safety, health and wellbeing of everyone in Devon be noted;

(b) that it be noted that at its meeting on 2 December 2021 the Council agreed to take action to address Devon's housing crisis and that Team Devon (Leaders and Chief Executives) has now established a Devon Housing Task Force;

(c) that Cabinet continue to work with Devon's Members of Parliament on supporting the powers, funding and flexibilities proposed in the Devon, Plymouth and Torbay devolution deal which would improve the availability, quality and affordability of both new and existing housing; and

(d) that the Council contribute to the work of Devon's District Councils, housing providers, registered social landlords, Homes England and the NHS in finding short, medium and long-term solutions to the provision of suitable, secure and affordable accommodation.

* **17** **Minutes**

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

Devon Audit Partnership – 8 March 2022
Devon Education Forum – 16 March 2022

* **19** **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 and noted the additional item for May 2022 'Bid Into Government Levelling Up Fund – Round 2'.