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To: The Chair and Members  
of the Cabinet

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

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Date: 5 April 2022

Contact: Karen Strahan, 01392 382264

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## **CABINET**

Wednesday, 13th April, 2022

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Council Chamber 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 March 2022 (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 Highway Infrastructure Asset Management Policy and Strategy (Pages 1 - 68)

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/18) seeking approval of the Highway Infrastructure Asset Management Policy and Strategy, attached.

The Cabinet is also asked to note that a Standing Overview Group of the Corporate, Infrastructure and Regulatory Services Scrutiny was held on the 3 March 2022 to consider the draft Policy and Strategy. The Overview Group recommendations were considered by the full Corporate, Infrastructure and Regulatory Services Scrutiny Committee on 24 March 2022.

The Scrutiny Committee resolved “that the report be accepted as an accurate record of the meeting held and that the recommendations contained therein be endorsed and commended to Cabinet, namely:

- (a) repair and maintenance of our road networks be underpinned by a positive and proactive approach and efforts to be made to implement this mindset into the working practices of DCC staff and contractors;
- (b) the Community Road Warden Scheme and the Snow Warden Scheme be continued and expanded;
- (c) annual work programmes be produced to cover integrated schemes and additional detail is included where these include drainage repair;
- (d) graffiti be explicitly recognised in the Plan as a notable problem and innovative solutions to graffiti removal be investigated; and
- (e) further exploration of local council involvement in highway maintenance is undertaken, to include closer relationships between local councils and the County Council.”

Cabinet is asked to note that the draft documents have been updated to incorporate these recommendations and these will be further developed in the review of the Highway Infrastructure Asset Management Plan and annexes, as paragraph 5.2 of the Report refers.

An Impact Assessment is also attached for the attention of Members at this meeting. Also available on the website - [Published Impact Assessments - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/press-releases/2022/03/24/2022-03-24-01)

*Electoral Divisions(s): All Divisions*

- 8 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 (Pages 69 - 92)

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/22/19) on the 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, attached.

The Impact Assessment for this item is the budget [Budget 2022/2023 - Impact Assessment \(devon.gov.uk\)](#) that has previously been circulated to Members.

*Electoral Divisions(s): All Divisions*

- 9 Formal Consultation Submission to the Devon Climate Emergency Partnership's responses to the recommendations of the Devon Climate Assembly (Pages 93 - 114)

Report of the Head of Planning, Transportation and Environment (PTE/22/15) outlining the proposed consultation submission to the Devon Climate Emergency partnership's responses to the recommendations of the Devon Climate Assembly, attached.

An Impact Assessment is also attached for the attention of Members at the meeting and can be viewed online at - [Proposed Responses to the Devon Climate Assembly - Impact Assessment](#).

*Electoral Divisions(s): All Divisions*

- 10 South West Exeter Housing Infrastructure Fund: Update on project including approval for submission of planning application and to award tenders (Pages 115 - 148)

Report of the Head of Planning, Transportation and Environment (PTE/22/16) on the South West Exeter Housing Infrastructure Fund: including an update on the project including seeking approval for submission of planning application and to award tenders, attached.

An Impact Assessment is also attached for the attention of Members at the meeting and can be viewed online at - [Published Impact Assessments - Impact Assessment \(devon.gov.uk\)](#)

*Electoral Divisions(s): Alphington & Cowick; Exminster & Haldon*

- 11 Construction of a community facilities building in Cranbrook Town Centre providing flexible space for County Council services including children's, youth, and libraries (Pages 149 - 154)

Report of the Head of Planning, Transportation and Environment (PTE/22/17) seeking approval for the construction of a community facilities building in Cranbrook Town Centre to provide flexible space for Council services, attached.

*Electoral Divisions(s): Broadclyst*

- 12 Plymouth and South Devon Freeport (Pages 155 - 186)

Join Report of the Head of Economy, Enterprise and Skills and Director of Finance (EES/22/3) on the Plymouth and South Devon Freeport, attached.

*Electoral Divisions(s): Bickleigh & Wembury*

- 13 Bideford Library/Art Centre Project - Approval requested to award the Construction contract (Pages 187 - 190)

Report of the Head of Communities (SC/22/1) seeking approval to award the construction contract in relation to Bideford Library/ Arts Centre, attached.

*Electoral Divisions(s): Bideford East*

- 14 Commissioning for Peninsula Fostering Services, with Independent Fostering Agencies Tender Approval and Arrangements for Award of the Contract. (Pages 191 - 228)

Report of the Chief Officer for Children's Services (CS/22/5) relating to the re-commissioning for Peninsula Fostering Services and contract award, attached.

An Impact Assessment is also attached for the attention of Members at this meeting.

*Electoral Divisions(s): All Divisions*

- 15 Workforce Stability: Attracting Agency Children's Social Workers to Devon - Agency Pay Rate Proposals (Pages 229 - 234)

Report from Head of Childrens Social Work (CS/22/06) relating to Workforce Stability and proposals for attracting agency children's social workers via agency pay rate proposals, attached.

*Electoral Divisions(s): All Divisions*



## **MATTERS REFERRED**

### 16 Children's Scrutiny Committee: Children's Standing Overview group

In considering the Minutes of the Children's Standing Overview Group (Minute 38 refers), the Children's Scrutiny Committee at its meeting on 15 March 2022 had RESOLVED to:

(b) Raise concern to Cabinet about the critical lack of affordable housing as a barrier to recruitment and retention in Devon. The Committee understand that the Devon Housing Taskforce are looking at housing in the county as part of any potential devolution deal and will be drawing up strategic recommendations. Nevertheless, we raise our concern to Cabinet about the immediate challenge that the lack of affordable housing is having now on our recruitment and retention of key staff, not just in Children's Services but across the wider public sector.

(c) Asks Cabinet to recognise that in order to continue to deliver our statutory duties in Children's Services, the Council must be equipped to attract and accommodate a highly skilled, diverse workforce right across the County. At this time, the lack of accommodation for prospective permanent and agency staff places us at a major disadvantage compared with other local authorities. In particular, there is an immediate need for solutions in the north of the County in order to recruit to these areas.

(d) Asks Cabinet to consider investing in pilot schemes to provide accommodation for those who cannot currently secure accommodation. This might include the temporary solutions and home share initiatives being explored by Cornwall Council or the Council of the Isles of Scilly. The Council previously did this over the COVID-19 Pandemic for other sectors and services for temporary accommodation. This would be limited to 'move on' housing solutions such as bulk renting hotel rooms, renting properties, buying properties or other innovative housing solutions such as 'micro homes'.

(e) Asks Cabinet to work with other partners such as registered social landlords and government agencies such as Homes England to explore these solutions.

(f) Asks the Devon Housing Taskforce, via the Cabinet and Team Devon, to meet as soon as is practicable to look into this issue as part of their work and report this back to the Committee.

(g) Asks Cabinet, when considering these matters, to also consider suitable, affordable accommodation for our care leavers too.

## Recommendations

(a) that Cabinet acknowledge 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;

(b) that Cabinet further note 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.

*Electoral Divisions(s): All Divisions*

## **STANDING ITEMS**

17 Question(s) from Members of the Public

18 Minutes

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

a Devon Audit Partnership - 8 March 2022 (Pages 235 - 240)

b Devon Education Forum - 16 March 2022 (Pages 241 - 248)

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

19 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](#).

20 Forward Plan (Pages 249 - 260)

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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Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

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**





HIW/22/18  
Cabinet  
13 April 2022

## **Highway Infrastructure Asset Management Policy and Strategy**

Report of the Chief Officer for Highways, Infrastructure Development and Waste

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:**

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

### **1. Summary**

The Highway Infrastructure Asset Management Plan (HIAMP) is a suite of documents that layout the Authority's policy, strategy and plan for the management and maintenance of all highway assets.

The previous plan was approved by Cabinet in 2016. These documents have been refreshed to reflect the changes in government guidance and to align to the recently published Strategic Plan 'Best Place'.

Adoption of the revised Policy and Strategy will allow the detailed Plan document to be developed.

### **2. Introduction**

Infrastructure asset management planning is an established and widely recommended approach in highway management and other sectors both in the UK and internationally. Asset management has been widely accepted by central and local government as a means to deliver a more efficient and effective approach to the maintenance of existing infrastructure.

It enables best use of limited resources by taking a long-term view of how highways are managed, focusing on outcomes by ensuring that funds are spent on activities that prevent, as far as possible, expensive short-term repairs. This makes the best use of public money whilst minimising the risk involved in investing in highway maintenance.

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The new Policy and accompanying Strategy have been developed to ensure the highway network and associated assets are maintained in an appropriate way to meet the challenges identified in the new Strategic Plan 'Best Place'.

This can be achieved through the adoption of defined levels of service for different highway assets, the use of data and information to establish maintenance needs, matching maintenance needs to available funding and prioritising investment to get the best overall network outcomes. In addition, asset management planning will support the case for funding, enable effective communication with interested parties, and enable a greater understanding of the contribution highway infrastructure assets make to the economic prosperity of our local communities.

### 3. Proposal

In 2013 guidance for Highway Infrastructure Asset Management was published by Highways Maintenance Efficiency Programme (HMEP) in association with the UK Roads Liaison Group and with the sponsorship of the Department for Transport (DfT).

This document promotes a joined-up approach to determining how all highway infrastructure assets such as roads, bridges, streetlights etc. are managed and lays out the case for Highway Authorities to produce a HIAMP. The guidance recommends the following approach.

- Highway infrastructure asset management policy
  - A concise document describing what the Council's approach is and how it links with the Council's overarching objectives.
- Highway infrastructure asset management strategy
  - The Organisation's overall approach to delivering highway asset management.
- Highway infrastructure asset management plan and annexes
  - Detail and depth describing how the Council uses asset management tools to develop effective processes to plan, operate, monitor and review the highway network assets.

This hierarchy of documents should be read and referenced as a framework in order to understand the background and reasoning for Devon's approach to asset management and how this will be delivered by the Highways and Traffic Management Service.

To encourage use of the guidance published by HMPE and 'reward' authorities that demonstrate they are delivering value for money, the DfT link approximately 10% of their annual capital funding budget to the maturity of the plans produced by highway authorities. To date DCC have always met the highest level of funding; this has meant nearly £6m additional funding for 2022/23.

Since approval of the current Asset Management Policy, Strategy and Plan by Cabinet in November 2016 a number of significant changes have occurred that need



to be considered:

- The revised County Council strategic plan, 'Best Place' was published in November 2021.
- A revised Code of Practice 'Well Managed Highway Infrastructure' was issued in 2018. The revised code outlines a risk-based approach for highway infrastructure maintenance.
- The DfT have confirmed a three-year capital settlement (through to 2024/25) based on a funding scenario that will see a likely deterioration in the condition of highway assets.
- Government policy has become much more focused on the carbon agenda. A number of key documents such as Bus Back Better, Gear Change and Decarbonising Transport have been published since 2020.
- The highway service has improved engagement with communities to support the identification of local priorities.
- The highway service has continued to develop its highway systems to enable customers to self-serve and report issues on-line.

All of the above have contributed to shaping the highway service and to driving a review and update of highway asset management planning.

The Highway Infrastructure Asset Management Policy outlines the links between the statutory duty to maintain the highway network and the opportunity to support the priorities of the new Strategic Plan 'Best Place'.

The Highway Infrastructure Asset Management Strategy explains how the policy will be achieved and how long-term objectives will be delivered. The Strategy outlines the Devon County Council's Asset Management Framework and provides details of the components which make up the core asset management planning tools. These have been developed by following Highways Maintenance Efficiency Programme national guidance.

The framework includes

- Risk Management
- Levels of Service and
- Performance Management

Following the adoption of the Policy and Strategy the Highway Infrastructure Asset Management Plan will be drafted to record and communicate the detailed approach to the management of assets over a period of time. This Plan will be brought to Cabinet later this year.

The Highway Infrastructure Asset Management Policy and Strategy are provided in Annexes 1 and 2 respectively.

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## 4. Options/Alternatives

Failure to refresh the existing Asset Management Framework will impact the ability of the Service to contribute to the objectives of the Strategic Plan and likely to lead to a reduction in DfT capital funding.

## 5. Consultations

### 5.1 National Highways and Transport Public Satisfaction Survey

The results of the 2021 National Highways and Transport (NHT) Public Satisfaction Survey reflect public perception of performance, importance and the desire for various activities to be funded. Analysis shows that the condition of the highway network and the speed and quality of repairs are important to the public.

A summary of the NHT highway maintenance benchmarking indicator results illustrating public satisfaction levels and importance in the services delivered show Devon to be above the average against other regional and peer group authorities.

The summary of the survey undertaken in June 2021 gives overall a comforting position and shows no significant change to the previous year's survey, however it did highlight areas in highway condition where the public are showing a satisfaction level slightly under the national average.

The complete survey can be seen at [2021 Survey Public Reports \(nhtnetwork.co.uk\)](https://nhtnetwork.co.uk/2021-Survey-Public-Reports)

### 5.2 Corporate Infrastructure and Regulatory Services Scrutiny Committee

A Standing Overview Group of the Corporate, Infrastructure and Regulatory Services Scrutiny was held on the 3 March 2022 to consider the draft Policy and Strategy and inviting members to be involved in helping to shape the key performance measures used to monitor the levels of service set out in the Strategy. The notes of the Overview Group are available at [SOG notes.pdf \(devon.gov.uk\)](https://www.devon.gov.uk/~/media/Devon%20County%20Council/Files/2022/03/SOG-notes.pdf). The Overview Group recommendations were considered by the full Corporate, Infrastructure and Regulatory Services Scrutiny Committee on 24 March.

The Scrutiny Committee resolved “that the report be accepted as an accurate record of the meeting held and that the recommendations contained therein be endorsed and commended to Cabinet, namely:

- (a) repair and maintenance of our road networks be underpinned by a positive and proactive approach and efforts to be made to implement this mindset into the working practices of DCC staff and contractors;
- (b) the Community Road Warden Scheme and the Snow Warden Scheme be continued and expanded;
- (c) annual work programmes be produced to cover integrated schemes and additional detail is included where these include drainage repair;
- (d) graffiti be explicitly recognised in the Plan as a notable problem and innovative solutions to graffiti removal be investigated; and

- (e) further exploration of local council involvement in highway maintenance is undertaken, to include closer relationships between local councils and the County Council.”

The draft documents have been updated to incorporate these recommendations and these will be further developed in the review of the Highway Infrastructure Asset Management Plan and annexes.

## 6. Discussion

### 6.1 Levels of Service

Strategic levels of service are identified in the Highway Infrastructure Asset Strategy (Annex 2). These inform the development of specific levels of service for each asset group. Defining levels of service enables us to meet our objective of managing demand, having considered current and future capability to deliver within the resources available.

The high level aims for levels of service for the highway asset is that it:

- Is **safe and serviceable** for people to use
- Enables **access** to and from communities for people, goods and services
- Supports and promotes **active and healthy** lifestyles
- Promotes the development and maintenance of **sustainable communities**
- Contributes to wider **economic growth**
- Contributes to wider **environmental management**
- Makes **effective and efficient** use of our local resources
- Is **maintained** appropriately to retain its value and condition into the future.

The specific levels of service for each asset group are listed in Section 3.1 of the Strategy in Annex 2.

### 6.2 Performance Framework

Performance measures can be used to monitor progress against levels of service and to track actual performance. The 8 key measures are identified in section 10.0 of the Strategy document in Annex 2. It is intended that these will be reviewed annually, and progress reported to Councillors via the Corporate Infrastructure and Regulatory Services Scrutiny Committee.

## 7. Financial Considerations

A well-defined asset management approach enables the County Council to demonstrate it has a clear methodology for valuing highway infrastructure assets and determining their condition.

Establishing maintenance needs illustrates that there is a clear gap between the capital maintenance funding provided by DfT and the funding needed to maintain the current asset condition.

The result is that whilst higher priority assets can be maintained in an acceptable condition this is not possible for lower priority assets. Therefore, the condition of

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some lower priority assets will deteriorate in future years. For such assets, like some minor roads, only safety related reactive interventions will take place.

It is unavoidable that deteriorating condition will lead to an increase in revenue funded reactive repairs and increased future planned maintenance costs. In the long term there will also be an impact on the selection of journey routes and the reliability of journey times.

By adopting good asset management practice the above impacts will be minimised.

## **8. Legal Considerations**

The documents have been developed to ensure the Council continues to meet its statutory obligations as the Highway Authority and the relevant highway legislation including the Highways Act 1980 and the Traffic Management Act 2004.

## **9. Environmental Impact Considerations (Including Climate Change)**

The maintenance of the highway network and its use by the public has historically generated a significant proportion of the County Council's carbon emissions. Since the adoption of the previous Plan in 2016 the importance of reducing carbon emissions globally has been recognised and has become a key focus for the Service and wider organisation.

The Highways Infrastructure Asset Management Strategy includes a section on risk management which addresses the impact of climate change and how the highway service needs to adapt to ensure the resilience of the highway network. Environmental impacts are also considered in the development of the strategic levels of service and the specific asset group levels of service (Appendix 1 Asset Strategy)

The review of these documents provides an opportunity to reset the Service priorities and approach, ensuring everything is being done to minimise the environmental impact of maintenance operations.

## **10. Equality Considerations**

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

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

taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a

decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

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

In progressing this review, 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: [Highway Infrastructure Strategy and Policy - Impact Assessment](#) which Councillors will need to consider for the purposes of this item.

## **11. Risk Management Considerations**

Successful implementation of the Devon Asset Management Framework requires an understanding of the impact and consequences of strategic risks. Analysing risks provides information on the effect events will have on the desired performance of an asset.

A risk register has been developed to evaluate high level strategic risks and is linked as a supporting document to section 9.0 of the Strategy in Annex 2. It is intended that the register will be regularly reviewed with particular regard to managing and responding to threats and agreeing mitigation measures with a view to reducing the impact of the risks over time.

## **12. Public Health Impact**

The Framework recognises the focus on the physical and mental health of our communities flows through the Strategic Plan.

The cumulative reduction in budgets could have an impact on public health with reduced maintenance affecting sustainable travel alternatives, and potentially more injuries resulting from crashes, trips and falls, however the recommended approach minimises this risk, by targeting investment.

## **13. Conclusions and Reasons for Recommendations**

The Highways Infrastructure Asset Management documents have been revised to reflect the latest industry guidance and national code of practice. Adopting the revised plans will help enable the Council to maximise its grant funding allocations from government for highways maintenance and ensure the Council is managing its highway asset in an effective and efficient manner.

Enabling the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the Cabinet Member for Highway Management, to make minor amendments to the documents will allow for the flexibility needed to ensure it can continue to develop. The framework of documents has been developed as living documents recognising the asset management journey the Council is on and the need to continue to develop the plan as well as to adapt to changes in legislation and

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guidance.

Meg Booth

Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All

Cabinet Member for Highway Management: Councillor Stuart Hughes

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

Contact for Enquiries: Joe Deasy

Tel No: 01392 383000      Room: County Hall, Exeter

<b>Background Paper</b>	<b>Date</b>	<b>File Reference</b>
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Nil

Highway Infrastructure Asset Management Policy and Strategy - Final

## **Annex 1 to HIW/22/18 - Highway Infrastructure Asset Management Policy**

### **Highway Asset Management Policy**

Devon County Council has established a long-term vision and purpose for the county. The plan focuses on how we will help the county to recover from the COVID-19 pandemic, build on the resilience of local people and communities to create a fairer, healthier and more caring place, and grasp the opportunity to create a greener, more prosperous and inclusive future for all.

The County Council wants Devon to be the Best Place to...

#### **Grow up**

*We are committed to being a child friendly Devon where all children and young people are safe, healthy, ambitious, and can fulfil their potential*

#### **Live well**

*We are committed to being a fairer Devon: inclusive, compassionate and caring, where everyone is safe, connected and resilient*

#### **Prosper**

*We are committed to being a greener and prosperous Devon, with opportunities to create a sustainable future for all*

This ambition sets the context for the Highways and Traffic Management Service. The network is one of the few universal services that is used by all of Devon's communities as well as the hundreds of thousands of visitors that Devon welcomes each year. The assets we maintain includes

- Carriageways (including Drainage)
- Bridges
- Retaining Walls
- Footways and Cycleways
- Public Rights of Way
- Shared Community Trails (off road trails for walkers and cyclists)
- Drainage Systems
- Streetlights
- Traffic Signals
- Fencing and Barriers
- Trees and Soft Landscape

This Highways Infrastructure Asset Management Policy and the accompanying Strategy have been developed to ensure the highway network and associated assets are maintained in an appropriate way as required by the Highways Act 1980 and to help the Council tackle the priorities identified in the Strategic Plan.

#### **Respond to the Climate Emergency**

*Climate change poses a serious threat to quality of life now and for future generations. It will damage biodiversity, disrupt food production, damage infrastructure, threaten jobs, and harm human health.*

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*Disadvantaged and less affluent groups are likely to be most negatively affected by climate change, and the effects of climate change may make disadvantage worse. As a community leader, the County Council has an important role to help tackle the climate emergency and enable communities to adapt to climate change.*

## Be ambitious for children and young people

*Work together to ensure all children are safe, healthy and can thrive with opportunities to fulfil their potential.*

## Support sustainable economic recovery

*Help Devon achieve inclusive economic recovery and sustainable growth, ensure more people can take advantage of opportunities, and invest carefully to improve infrastructure*

## Tackle poverty and inequality

*Make Devon a fairer place, address poverty, health and other inequalities, and ensure support for those people and families struggling most.*

## Improve health and wellbeing

*Help people to be healthier and more resilient, ensure everyone gets the care they need, and support people to live their lives well.*

## Help communities be safe, connected and resilient

*Support all our communities to be safer, better connected and more resilient with a focus on communities at greatest risk or in greatest need.*

To achieve these aims we will

- Continue the development of a carbon calculator tool to identify opportunities and priorities for reducing the carbon emissions associated with the maintenance of all highway assets.
- Regularly collect and maintain good quality asset condition survey data to inform the development of a Highway Infrastructure Asset Programme.
- Take a long-term view using a systematic, risk-based approach based on defined levels of service for each asset
- Consider the whole life costs of maintaining an asset; we will look at what will provide best return on the money we spend in the long term, rather than a 'worst-first' short term maintenance treatment
- Encouraging and enabling communities to influence and undertake elements of the service
- Understand the lifecycle of each asset and use this knowledge to plan when is the best time to do maintenance to keep the asset in a safe and serviceable condition and when it is time to replace it with new.
- Measure and review Highway Infrastructure Asset Management Plan performance to promote continuous improvement and influence spending on different assets.
- Develop maintenance programmes using asset condition data as the starting point and utilising local intelligence where appropriate
- Present an Annual Maintenance Programme annually to Cabinet for investment decision making approval.



**Annex 2 to HIW/22/18 - Highway Infrastructure Asset Management Strategy**

## Highway Infrastructure Asset Management Strategy

Devon County Council 2022 - 2025



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## 1.0 Introduction

This Strategy is part of a suite of documents that describes the Council's highway asset management approach:

[Highway infrastructure asset management policy](#)

A concise document describing what the Council's approach is and how it links with the Council's overarching objectives.

[Highway infrastructure asset management strategy](#)

The Organisation's overall approach to delivering highway asset management.

[Highway infrastructure asset management plan and annexes](#)

Detail and depth describing how the Council uses asset management tools to develop effective processes to plan, operate, monitor and review the highway network assets.

[The Strategy](#)

This Strategy identifies the overall approach being undertaken over the next three years to effectively manage the highway asset infrastructure in Devon. It identifies the asset groups and describes the current and future demand that each of these faces and how we will determine levels of service throughout the life of this Strategy. It also considers what resource is available and how funding allocation will be considered and approved. The Strategy also uses national guidance and asset management tools to predict how an effective asset management approach will limit an anticipated decline in the network during this time. The information in this document will enable the council to make more informed decisions to ensure that management of the highway network contributes to Devon being the best place to grow up, live well and prosper.

What do we mean by asset management? Firstly, an asset, in the context of this strategy, is 'a useful or valuable thing'. In terms of asset management, a definition used by the Institute of Asset Management reads "**Asset management is the combined activity of an organisation to realise value from its assets.**"

As further context, the UK Roads Liaison Group has produced national guidance for highway Infrastructure asset management and define asset management as:

**"A systematic approach to meeting the strategic need for the management and maintenance of highway infrastructure assets through long term planning and optimal allocation of resources in order to manage risk and meet the performance requirements of the authority in the most efficient and sustainable manner."**

## 2.0 Developing the Council’s vision for Highway Infrastructure Assets

### Introduction

This Strategy replaces the Highway Infrastructure Asset Management Strategy approved by Cabinet in 2016. It takes account of changes in national guidance and in particular a revised code of practice, ‘Well-Managed Highway Infrastructure’. In reviewing and updating the Strategy the service has undertaken an asset management maturity review and a highway data management review with external support. In addition, the Highway and Traffic Management Service has undertaken a guided self-assessment review facilitated by the Future Highway Research Group. Although these reviews identify that the Service is in good shape and asset management is used effectively, there are recommendations and suggestions for incorporation in our Strategy for the next few years and these have been addressed in this update.

The Service can demonstrate an improvement in the condition of highway network assets throughout the last five years and the detail of this is available throughout this document and our updated Highway Infrastructure Asset Plan.

### Highway Asset Groups

As part of the asset management framework, and in accordance with other national guidance, our highway asset has been divided into asset groups. Each group is then broken down into asset components and activities. The asset groups and components are described below.

**Our Asset groups and components:** Highway infrastructure assets have been divided into groups and components as listed in Table 1.

Table 1: Highway Asset Groups		
Group	Components	Further information
Carriageways	Road surfaces	12,971 km of roads
Footways and Cycle ways	Footways surfaces	3,972 km of footway Over 1,000 km of cycle routes
Structures	Bridges, retaining walls, culverts etc.	3,317 bridges 1,810 retaining walls
Drainage	Piped systems, gullies, grips buddle holes and easements	180,000 Gullies
Safety Fencing	Vehicle restraint systems, guard rails, fences	3,000 km

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Highway Lighting	Columns, illuminated signs, etc	80,000 streetlights
Public Rights of Way	Footpaths, bridleways, byways, signs, styles gates etc.	5,017 km of Public Rights of Way
Traffic Management systems	Signals and pedestrian crossings	1617
Street Furniture	Signs and other street furniture	100,000 items
Land	Highway verge	17,000 km

Graphs and tables illustrating the change in condition of the various asset groups can be found in Appendix A. This will also be assessed and forecast in more detail in the Highway Infrastructure Asset Management Plan.

## Factors influencing the direction of travel

The diagram below illustrates the inputs that have been considered and will continue to influence the Council's asset management approach.

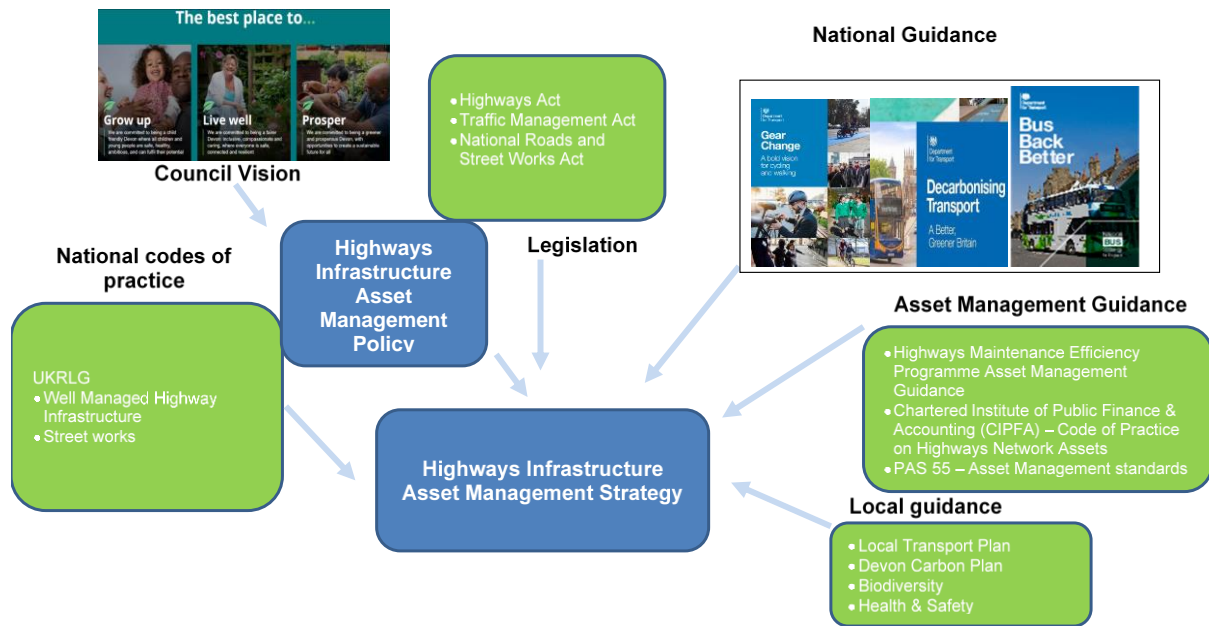


Fig.1 Factors influencing strategic approach

It is important that we identify how we will contribute to the Council's Strategic Plan 'Best Place'. The Highway Infrastructure Asset Management Policy outlines the priorities identified in the Strategic Plan which are listed below.

- Respond to the Climate Emergency
- Be ambitious for children and young people
- Support sustainable economic recovery
- Tackle poverty and inequality

Improve health and wellbeing

Help communities be safe, connected and resilient

Further details on how this strategy aligns to the Council's Strategic Plan are provided in the Levels of Service section of this document and in the Policy document.

The objectives of this Strategy are to:

Continue the development of a carbon calculator tool to identify opportunities and priorities for reducing the carbon emissions associated with the maintenance of all highway assets.

Regularly collect and maintain good quality asset condition survey data to inform the development of a Highway Infrastructure Asset Programme.

Take a long-term view using a systematic, risk-based approach based on defined levels of service for each asset.

Consider the whole life costs of maintaining an asset; we will look at what will provide best return on the money we spend in the long term, rather than a 'worst-first' short term maintenance treatment.

Encouraging and enabling communities to influence and undertake elements of the service.

Understand the lifecycle of each asset and use this knowledge to plan when is the best time to do maintenance to keep the asset in a safe and serviceable condition and when it is time to replace it with new.

Measure and review Highway Infrastructure Asset Management Plan performance to promote continuous improvement and influence spending on different assets.

Develop maintenance programmes using asset condition data as the starting point and utilising local intelligence where appropriate.

Present an Annual Maintenance Programme annually to Cabinet for investment decision making approval.

## [The National Perspective](#)

Since the last Highway Infrastructure Asset Management Policy, Strategy and Plan were drafted in 2016 there have been significant national and international events that have had a dramatic influence on local and national policy.

In October 2018 the UK Roads Liaison Group published '[Well-managed Highway Infrastructure: A Code of Practice](#)'. This document promoted the transition from a series of specific guidance and recommendations to an integrated risk-based approach determined by individual Highway Authorities in accordance with their local needs, priorities and affordability. This publication has been key in the development in Devon's approach to determining levels of service and identifying need across the network.

In May 2019 the [Devon Climate Emergency Response Group](#) of which DCC is a partner organization declared a climate and ecological emergency and endorsed the [Devon Climate Declaration](#). One of the key commitments within the declaration is:



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***“We understand that the Intergovernmental Panel on Climate Change (IPCC) has advised that carbon emissions must reduce globally by at least 45% by 2030 from 2010 levels and reach net-zero by 2050 if we are to avoid the worst effects of climate change by keeping warming below 1.5 degrees.”***

In support of this commitment DCC has pledged to:

Reduce the 2012/13 corporate carbon footprint by 70% by 2030/31, as a minimum,  
Retain the existing target to source 30% of its total corporate energy requirement from renewable sources by 2030/31,  
Incrementally increase the percentage of the remaining carbon footprint that is offset, from 5% in the current year to 100% by 2030/31,  
Engage with contract providers to reduce carbon emissions from their operations and offset the remainder by 2030/31. As a first step, the council will engage the ten highest-value contract providers, and  
Offset residual emissions from the supply chain from the year 2030 onwards.  
The asset management activities undertaken by the Council account for a significant proportion of the total carbon emissions and provide an opportunity to meet the challenge.

The Council are investigating, considering, and embedding new ways of working that help decarbonise the designing and commissioning of highways activities. Carbon emission calculations include all areas of impact from the activity, from sourcing primary materials through to their disposal at the end of a project's life.

DCC will look at carbon emissions not just for an isolated project, but also during the lifespan of an asset (*referred to as whole life carbon costing*). This will help the Council make the right decision for carbon reduction when selecting treatment types and intervention times.

The Highway Service and their supply chain need to work towards a carbon net zero position by 2030, for this to be achievable the service will need to reduce the overall carbon footprint of highway maintenance. This goal will only be achieved by selecting treatments, materials and operations that have a low carbon impact across their service life.

The specifications used by the Highway Service to procure work already include measures to reduce carbon, these include:

Warm mix asphalt included as default choice,  
Inclusion of recycled material in the production of asphalt, and  
Use of recycling for carriageway maintenance.  
Use of electric vehicles.

In light of the need to reduce carbon emissions, the Government has issued a number of new strategy documents. In September 2019 the first long-term bus strategy was laid



out, backed by a funding settlement. This focus on buses was reinforced with the publishing of [Bus Back Better](#) in March 2021.

Bus Back Better is a national strategy that lays out the Government's vision and commitment to deliver better bus services across England. A coherent and integrated transport network should serve schools, health, social care, employment and other services. The management of highway assets can assist the aims to reduce journey times and improve reliability. There is a clear expectation in the strategy that the Government expects to see significant increases in bus priority including physical measures such as:

Traffic signal priority,  
Bus gates, which allow buses to enter a road that prohibits access to other traffic, and  
Clear and consistent signage.

In addition to a much greater commitment to public transport the Government published their plan for increasing levels of active travel in a document titled '[Gear Change](#)' that was released in July 2020.

The aim of the Gear Change document is to create a step change in levels of cycling and walking to help tackle the following challenges

Improving air quality,  
combatting climate change,  
improving health and wellbeing,  
addressing inequalities, and  
tackling congestion on our roads.

Decarbonising Transport: A Better, Greener Britain was published in July 2021 and sets out how the Government intends to deliver emission reductions and the associated benefits across all modes of transport including marine and aviation.

The response to the climate emergency is going to have significant impacts on the management of highway assets. There are going to be new types of assets on the network such as EV charging points and additional maintenance implications for new technologies such as connected and autonomous vehicles.

There is also new legislation impacting on how the Council manages highway traffic. With the introduction of Part 6 of the Traffic Management Act, Local Authorities will be able to take on powers to enforce a range of "moving traffic" offences, including prohibition of turns and yellow box junctions. The regulations giving effect to these powers were laid in Parliament on 27<sup>th</sup> January 2022. There will be an increasing requirement for all Authorities to audit and maintain these restrictions across their network.

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## Funding

As most of the funding to renew or improve highway assets is received centrally from the DfT, in order to help us determine our strategy, it is important to consider what is currently happening nationally with highways and the indications for the future.

DfT data indicates there has been a decline in maintenance conditions across the local road network during the last 30 years with minor roads being the most affected. Furthermore, over the last 6 years the RAC reports that motorists believe road conditions are getting worse. A one-time catch-up to remove the national backlog of road repairs would take ten years to complete and cost over £10bn.

There is further detail on the national perspective of future funding challenges in chapter 7.0 Funding and investment strategy.

Considering funding from the Devon perspective, the Council's asset modelling work suggests that across all highway assets (carriageway, footways, street lighting, bridges, drainage system, etc.) the current backlog to return all these assets to an as new condition is £1.6bn. However, the Council understand that funding on that scale is not realistic. A more realistic ambition is to manage highway assets in their current condition. However, the modelling suggests the Council should be investing over £62m per year to keep up with annual deterioration each year. With an annual settlement of £52.8m already agreed for the next 3 years, some further deterioration is expected. Further details on how this will be managed are provided in section 7.0 Funding and Investment Priorities within this strategy.

With an increasing focus on supporting bus services through the Bus Back Better strategy, it is also clear that a long-term investment strategy is required for the Council's Park & Ride (including Park & Rail) sites, to ensure that these remain fit for purpose to support their services in coming years.

## Future Demand

The population of Devon is increasing by 1% each year and whilst Devon will continue to encourage active travel, the population growth, together with new business and housing development will continue to add new highway assets to manage and maintain. This strategy will work closely with the Devon and Torbay Local Transport Plan 2011-2026 to address this.

## Collaboration and partnership working

A key element of the Council's strategic approach is building capacity through collaboration and partnership working. There is much evidence of the benefit in identifying common goals with other organisations and sharing knowledge and other resources to enable outcomes.

## Community Self-Help

The Highway Service has a well-developed community self-help approach which includes a Public Path Partnership (P3), and schemes for Community Road Warden and Snow Warden enabling community involvement in highway work activities, where the council's own resources are finite.

Although the Council has a legal responsibility to keep the highway safe for the user it does not have a legal responsibility to keep areas clean and tidy. Many people take pride in their communities and, especially in Devon, rely on tourism to boost the local economy. In order to assist communities with keeping public highway areas clean and tidy, and in response to feedback we have received, we are helping to enable communities and businesses to carry out minor works and promote planting on verges.

## Collaboration with highway industry partners

The Council work closely with contractors, other highway authorities and industry to contribute and learn. For example, as part of the Devon County Council's drive to become carbon neutral by 2030 we are continuing to investigate, consider, and embed new ways of working that help reduce the carbon output when designing and commissioning highway maintenance operations. This involves developing carbon emissions calculations, taking a 'cradle to grave' approach from sourcing primary materials through to their disposal at the end of the project life. The Council is taking a lead role working with Exeter University and nationally with other authorities through the Future Highways Research Group to develop average carbon intensity for various key work activities using a Carbon Impact Assessment Tool. This information will then be used to establish the potential for utilising different treatments or to drive through procedures and processes that will reduce our carbon usage.

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## 3.0 Highway Infrastructure Asset Management Framework

The Highway Infrastructure Asset Management framework is guided by national codes of practice and policies but is also heavily influenced by The Councils own policies and The Strategic Plan. How the various documents interact with the various levels of the framework is illustrated in Appendix B.

## 4.0 Summary of Review Outcomes

### Asset Management Maturity Review – January 2021- WSP

WSP have developed a questionnaire based on the international asset management standard ISO 55001 to understand their 12 Highway Authority commissions current position and preparedness for change. The questionnaire assesses the asset management maturity within each commission. Assessing the seven attributes

Organisation

Leadership

Planning

Support

Operation

Performance

Improvement

This asset management maturity self-assessment process provided a good overall benchmark. The overall score for DCC was average at 86% in comparison with the 12 other commissions. However, the DCC score was lower than 3 other large networks indicating there is room for improvement. 29 potential actions were identified. The highest priority areas were:

Undertake a review of how DCC currently processes its asset data to inform works, in particular relating to programme and scheme development.

Undertake a review of the asset management systems.

Review performance framework regime.

### Asset Management Review- Data and Systems May 2021. DCC/WSP

Supported by WSP the service undertook an asset management data review in 2021.

The objectives of the review were to:

Identify risks associated with the current processes in place for managing asset data.

Seek opportunities for improvements in the management of asset data that are aligned with the asset management objectives.

Establish whether the existing systems remain fit-for-purpose and whether these systems are likely to support the Council's needs now and in the coming years.

Establish how existing asset data and systems have been deployed to develop understanding of the asset through modelling and life cycle analysis.

Seek opportunities for making improvements to this understanding.

A key observation from this work was,

***Overall, there is comprehensive asset data available to enable DCC to carry out the activities set out in the Highway Asset Management Plan.***

This provides good assurance that the data systems the Council are currently using and developing are fit for purpose.

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The report made 26 observations and recommendations, and these were risk assessed the recommendations associated with highest risks are shown below.

A definitive, up-to-date asset register for carriageways, footways and drainage should be identified.

Improve the resilience of the service by sharing the detailed knowledge of the Senior Asset Intelligence Officer (Data).

The deterioration models used in life cycle modelling have been determined from data on other networks. While these models may represent the behaviour, it is recommended that they are calibrated to the deterioration models observed for Devon's network.

## Future Highways Research Group

In January 2021 the Service undertook a value for money assessment with the support of the Future Highways Research Group (FHRG). This review considered the following key areas.

Economy  
Efficiency  
Effectiveness  
Strategic Value  
Stakeholder Value

Following this exercise, the Service has developed a series of priorities that are being addressed as capacity allows.

Economy Factors	
Income/Services Trading	Devon Highways trades some services successfully, in particular its materials laboratory, but could do much more to support its challenging revenue position by exploiting some of the broader opportunities being commercialised by other FHRG members. The Service will need to develop both capacity and political support to enable it to pursue a more commercial strategy.
Front Line Operatives and Sub-Contractors	Whilst the front-line workforce and supply chain is relatively lean, flexibility and workflow remain challenging with the Service struggling to resource all activities at certain points of the year and having a surfeit of resource at others. The current business model promotes good competition but does require considerable contract management and can compromise continuity. It is timely for the Service to review its business model to ensure: •The business model facilitates robust programming, productivity and workflow. •Client-side capacity is appropriate for the chosen model.
Transaction Costs	There is some evidence from benchmarking that the Service is paying above market rate for safety defects currently. This is being investigated

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Efficiency	
Management Capacity	The current business model requires a considerable level of contract management. Client-side capacity does not reflect this and whilst DCC Highways is clearly ambitious, the focus on operational delivery has stifled innovation and prevented the implementation of service improvement initiatives that could deliver real medium-term benefits in productivity.
Programming and Planning	All parties concur that earlier identification of schemes and better long-term planning would facilitate more productive use of operative and staff resource. In addition, the Doing What Matters initiative has identified a number of wasted steps in current processes.
Stakeholder Management	Whilst Devon Highways is, in many respects, an exemplar regarding wider stakeholder engagement, it does not manage day to day customer communication well. A multitude of communication channels and a customer service centre that does not triage effectively means that many technical staff are embroiled too heavily in day-to-day customer contact. This is a significant inhibitor to productivity.
Productivity Measures and Benchmarking	Devon Highways sits in the bottom quartile with regards to CQC measures and has limited productivity measures in place for non-professional staff currently, with little external benchmarking.
Effectiveness	
Service Development and Innovation	– The contract with Skanska contains specific clauses around additionality and innovation. Both parties acknowledge these have not been delivered to date, with the focus on getting BAU right, and that it is now time to look up and ensure innovation and best practice from across the Skanska group and more widely is being properly exploited in Devon.
Quality of Service	– Customer are considered to be broadly satisfied with the quality of service, with most complaints being about policies rather than quality. Member satisfaction has also improved in recent years. However, the Service lacks a comprehensive set of SMART outcome and quality measures which would enable consistent benchmarking and evidence-based performance evaluation. As a first step, the Service has commenced a project to develop a contemporary set of strategic objectives around which these measures can be delivered.
Environmental Benefits	– Devon Highways is doing some sector leading work around the carbon agenda and has worked well with its contractor to ensure staff have been properly trained in environmental practices and procedures. The Service acknowledges it is still at the start of this journey however with much more to achieve.

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Cashable Financial Benefits	– ECI is not pursued currently in the development of business cases for capital schemes and the Service may be missing potential cashable benefits as a consequence. DfT has been critical of some outline business cases because of the absence of ECI.
Scope and Scale of Service	– The Service currently delivers only the statutory minimum service level in many areas and aspires to deliver a much greater scale of service. The issues identified elsewhere in this report regarding capacity, budget, innovation and productivity will need to be addressed to realise this ambition.
Strategic Value	Devon Highways' current business plan expires in 2021. The Service has commenced an exercise to develop a contemporary, forward-looking set of strategic objectives that flow from the Council's four strategic drivers. It will be important to underpin the new strategic objectives with a comprehensive suite of outcome-based performance measures and milestones.
Stakeholder Value	Segment and survey each identified Stakeholder Community to develop a comprehensive picture of each Stakeholder's view of the Service and observations on opportunities for further improvement.

## Council Scrutiny Review

The Standing Overview Group of the Council's Corporate Infrastructure and Regulatory Services Scrutiny Committee meets regularly as an informal information sharing and member development session where issues are presented to the councillors to raise awareness and increase knowledge. The Standing Overview Group considers key updates and pertinent issues from across different services, with the aim of developing Members' knowledge, and bringing to the forefront any areas which may benefit from further scrutiny.

The group considered the emerging drafts of the revised Highway Infrastructure Asset Management Policy and Strategy on the 3rd of March 2022. The following recommendations were made to Cabinet, namely that:

- (a) repair and maintenance of our road networks be underpinned by a positive and proactive approach and efforts to be made to implement this mindset into the working practices of DCC staff and contractors;
- (b) the Community Road Warden Scheme and the Snow Warden Scheme be continued and expanded;
- (c) annual work programmes be produced to cover integrated schemes and additional detail is included where these include drainage repair;
- (d) graffiti be explicitly recognised in the Plan as a notable problem and innovative solutions to graffiti removal be investigated; and



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(e) further exploration of local council involvement in highway maintenance is undertaken, to include closer relationships between local councils and the County Council.

The draft documents have been updated to incorporate these recommendations and these will be further developed in the review of the Highway Infrastructure Asset Management Plan and annexes.

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## 5.0 Levels of Service

### What are Levels of Service

Levels of Service are statements or themes that demonstrate the relationship between the Council's corporate objectives, including the Strategic Plan for 2021 - 2025, and the performance of highway infrastructure assets in terms of stakeholder requirements. They relate to performance and outcomes of the whole network rather than individual assets, and cover key aspects of performance including safety, serviceability, and sustainability.

### Establishing Levels of Service

The Council establish the Levels of Service with stakeholders, senior decision makers and the public. The Council will review levels of service to confirm that they are affordable. Where funding is limited, maintaining statutory requirements will be a priority.

Factors used to define levels of service are:

- **Safety** – this is a statutory requirement for highway authorities.
- **Serviceability** – asset performance contributes to meeting stakeholder expectations.
- **Sustainability** – e.g. reducing carbon usage and noise pollution, re-use materials, recycling, low noise surfacing.
- **Accessibility** – reducing congestion, improving journey reliability, providing access to isolated communities and the vulnerable.
- **Financial Performance** – service delivery, choice of materials, third party funding and value for money.

### DCC Levels of Service Statements

#### Responding to the climate emergency

- To maintain and improve walking and cycling infrastructure.
- To ensure that environmental best practice is embedded into the design and delivery of all works.
- To promote the recycling of highway materials.
- To maintain and improve public transport facilities and infrastructure.
- To progressively reduce carbon emissions generated by maintenance operations.

#### Be ambitious for children and young people

- To ensure that school transport roads operate effectively.

#### Support sustainable economic recovery

- To ensure network availability and condition supports freight distribution and commuter travel to work.

#### Tackle poverty and inequality

- To maintain access arrangements for all communities, with particular consideration of harder to reach groups across Devon.

- To continue developing works programmes based on asset need evidenced by data.

## Improve health and wellbeing

- To support promotion of walking and cycling through maintenance and improvement of both leisure and utility routes.

## Help communities to be safe, connected, and resilient

- To enable communities to be involved in highway maintenance activities.
- To provide traffic management facilities and regulation for all highway users.
- To respond to highway safety issues.
- To maintain streetlighting.
- To actively seek community input into highway defect repair and planned works.

## Our Assets

The Council's approach to asset management that is outlined in this strategy embeds continuous improvement. Best practice, national, and international developments are taken into consideration. Details of continuous improvement, within the constraints of available budget, are developed in the Highway Infrastructure Asset Management Plan. Other assets may be added to the scope of this document as data or resources become available.

## Carriageway including Drainage

The Council maintain approximately 12,900km of roads in Devon, which is the largest Local Authority managed highway network in the country. This comprises 1,000km of A-roads, 700km of B-roads, 4,500km of C-roads and 6,700km of unclassified roads.

As it is integral to the asset operating safely, highway drainage is considered as part of the carriageway. Highway drainage systems capture surface water run-off to alleviate flooding and protect the fabric of the road. Highway drainage includes gullies, grips, chambers, culverts, drainage pipes, ditches and easements.

## Footways and Cycleways

The Council has a hierarchy of footways and cycleways that reflects their needs, priorities, and actual use. It is a tool for determining maintenance standards, targets, and performance.

The Council maintain over 3,972km of footways.

Cycleways are either managed as part of the carriageway or footway assets. As more cycling infrastructure is added to the network, subject to funding levels, the Council will develop a separate inventory of cycle routes.

## Structures

Highway structures are defined as any bridge or other structure that resides in any way within the footprint of the highway or that materially affects the support of the highway or land immediately adjacent to it that meets certain dimensional criteria.

Highway structures include bridges, culverts, subways, footbridges, retaining walls and miscellaneous structures.

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Devon County Council is responsible for a bridge stock of over 3,500 and 1,579 retaining walls.

## Public Rights of Way

As well as public footpaths and bridleways, the public rights of way team manage off-road shared use trails and unsurfaced unclassified country roads across the county and Stover Country Park and the Grand Western Canal.

The Council maintains approximately 5,000km of public rights of way, 560km of unsurfaced unclassified roads and 225km of off-road recreational trails, including the Devon sections of two National Trails (the South West Coast Path and England Coast Path).

## Traffic Signals and Street Lighting

The primary purpose of street lighting and traffic management is to improve safety for highway users. Not only do traffic management systems keep the network safe, but they also keep the network moving by managing congestion and sustaining economic viability.

The Council maintains approximately 80,000 streetlights, 8,000 illuminated traffic signs, 2,000 illuminated bollards and 250 illuminated school patrol signs.

## Fencing and Barriers

The primary purpose of road restraint systems (barriers) is to reduce the risk to the travelling public of hazards adjacent to the highway such as steep inclines or physical obstructions. Devon is a predominantly rural county with a highly varied topography leading to many steep inclines. The Council maintains approximately 3,000 km of roadside barrier.

In general fencing is the responsibility of the adjacent landowner. There are many cases across the county where fences have been erected as part of highway improvement schemes or where DCC council is the landowner. The total length of fencing that Devon County Council is responsible for is unknown.

## Trees and Soft Landscape

DCC is the owner of a significant tree stock across the county, much of which is on the highway.

Trees provide immense environmental benefits: they store carbon, clean the air, collect rainwater, provide shade, reduce noise, protect soil from erosion and harbour wildlife. Furthermore, they provide amenity and functional benefits, e.g., slowing vehicle speeds and providing shelter from wind.

However, trees are different from other highway assets because they are living; they grow, both above and below ground. They also shed leaves and branches and can occasionally fall over, all of which can present a hazard to highway users.

The Council intends to collect more information on the tree asset to better understand its value and contribution and allow proactive management.

Highway verges are an important and diverse part of the highway. Often they provide an important safety function in terms of visibility to highway users but also, they can offer a diverse habitat for flora and fauna, some of which can be rare.

Our primary aim is to ensure that the highway verge performs any safety critical function it is designed to do. This usually means keeping any vegetation to a certain height to prevent obstruction.

Where safety is not a concern, to either the highway users or those accessing the verges, the Council encourages local groups of residents and stakeholders to actively manage the verges and establish regimes that will promote local ecology, further contributing to environmental aims.

## Decision Making and Funding Priorities

Details around how The Council intends to prioritise the funding received for the various types of assets will be detailed further in the Highway Infrastructure Asset Management Plan. This will include, where feasible, affording a greater priority to assets that offer greater benefit to the wider strategic objectives of The Council, all of which will be based on funding levels and evidence of need.

## Achieving Levels of Service

Appendix C contains a table showing how Levels of Service will be achieved, with measures against each asset and service along with an indication of how they relate to the Council's Levels of Service Statements.

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## 6.0 Stakeholder and Community Engagement

### Who are the Stakeholders?

There are many groups of people, or organisations, that have a vested interest in the Council's highway network and how it is maintained. The groups that are Stakeholders and therefore part of the conversation are wide ranging and consist of, but not limited to:

<ul style="list-style-type: none"><li>• Devon residents</li><li>• County Councillors</li><li>• District Councils</li><li>• Parish &amp; Town Councils</li><li>• DCC Staff</li><li>• Contractor staff</li><li>• Customer Service Centre (CSC) Staff</li><li>• Emergency Services</li><li>• Bus Companies/operators</li><li>• Holiday Makers (passing through the county)</li><li>• Devon businesses</li><li>• School Transport</li><li>• Dartmoor/Exmoor National Park</li><li>• Utility Companies</li><li>• RAC/AA</li><li>• School Transport</li></ul>	<ul style="list-style-type: none"><li>• Freight Groups</li><li>• Motorcycle Action Group</li><li>• Local Access Forum</li><li>• Countryside Landowners Association</li><li>• Living Options</li><li>• National Farmers Union</li><li>• Cyclists Touring Club (CTC)</li><li>• Health Authorities</li><li>• Ramblers Association</li><li>• Local Access Forum</li><li>• Devon Senior Voice</li><li>• Neighbouring Authorities</li><li>• South West Highway Alliance</li><li>• Schools</li><li>• Highways England</li><li>• Sustrans</li></ul>
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### Why Communicate?

Explaining **what** we do, **why** we do it and **when** we will do it, is key to ensure that the people affected by the Council's decisions are kept informed. Primarily the Council needs to engage with stakeholders so that the specific needs are understood, which helps the Council understand certain priorities and therefore inform the planning process for highway maintenance works. Following that, keeping people informed of the work the Council plans to undertake is essential to ensure everyone understands what is happening, along with mitigating any potential impacts. Communicating these messages, both internally and externally, is essential for the effectiveness our business and the business of our stakeholders.

### Our Aims

The Council aims to communicate the policies, plans, priorities and programmes of work effectively, consistently and at the most suitable time focusing on digital by design principles. This will be through a variety of internal and external channels to ensure the messages are clear and consistently delivered by the team.

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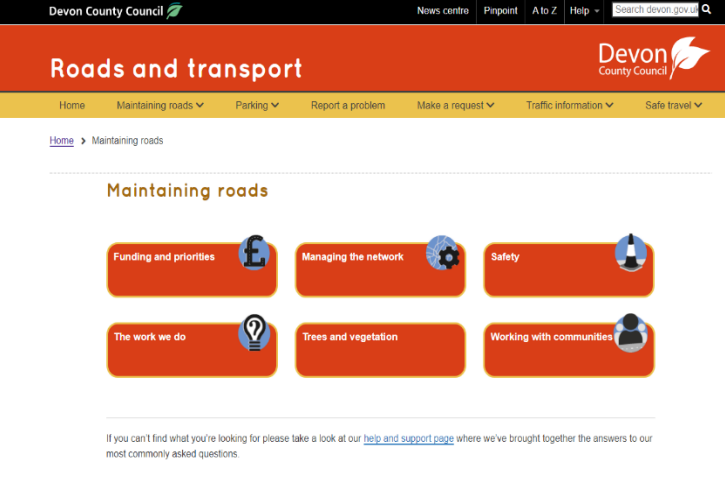
The Council will evidence the positive work being carried out to maintain and improve the council's network.

The Council will engage with our stakeholders, through a variety of channels, to not only provide information but also to actively seek feedback to plan for the future. The Council will also demonstrate that they have listened to the feedback and detail the subsequent action taken.

Below is a table that sets out some of the ways we currently communicate with stakeholders, along with how improvements can be made.

What the Council are doing already	How the Council would like to improve
<p>Elected Members – County Councillors</p> <p>Councillors are encouraged to regularly engage with their Neighbourhood Highway Officer (NHO) who are a first point of contact. The NHO will be able to respond or source appropriate contacts for most issues. Whilst there are regular opportunities for Members to contact team members on specific highway matters, there are in addition some formal reporting arrangements outlined below.</p>	<p>Build on the existing communication with Asset Management Officers joining Neighbourhood colleagues in updating Councillors on locality issues.</p>
<p>Elected Members – Local Councils</p> <p>Parish and Town Councils are also encouraged to communicate with their local NHO as a first point of contact. There are also some additional formal communications maintained. Each year, there is an <i>Annual Town and Parish Council Conference</i> arranged. The agenda topics are largely derived from current issues and opportunities available for collaborative work.</p> <p>A bi-annual newsletter '<i>Roadmap</i>' is also compiled and issued to all Town and Parish Councils.</p> <p>The 'doing what matters' planned work pilot has shown the value of structured conversations with parish councils to determine which routes and repairs are important to them. This is being developed further with <b>Local asset capital programmes</b>.</p>	<p>Build on the current approach increasing awareness and knowledge of the Asset Management Strategy and capturing local intelligence in the evolving forward programme.</p>
<p>Performance Dashboard Report.</p> <p>There is a standing item for Scrutiny Committee to receive and discuss a Highways Performance Dashboard Report. The intention of this report is to provide Members with an overview of the performance of Devon Highways. The report can vary in coverage from time to time to focus on topical areas of interest but typically features progress updates on the following areas: Winter service; Reactive works including potholes and drainage cleaning; Delivery of planned works; Management of Defects; Term Contractor performance; and Staffing Issues.</p>	<p>Continue this approach regularly seeking feedback from Scrutiny on topical areas.</p>

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<p><b>Annual Progress Report</b></p> <p>Each year a report is considered by Cabinet which reviews the progress of Highway Maintenance activity in the preceding 12 months and considers any changes in strategic approach and approves plans and programmes for the forthcoming year.</p>	<p>Continue this approach with the view to strengthening stakeholder knowledge regarding the asset management approach to managing highways in Devon.</p>
<p><b>Customer Reporting</b></p> <p>Other stakeholder communication is largely managed through web-based information and service provision.</p>  <p>There are services for reporting defects, planned work programmes and detailed information on policies and current levels of service.</p>	<p>An important consideration is what our customers think, and how we might improve our service. We want to regularly review feedback and update our information accordingly.</p>
<p><b>National Highway and Transport (NHT) Survey</b></p> <p>Every year we participate in the NHT survey (<a href="http://www.nhtsurvey.org">www.nhtsurvey.org</a>) which asks highway users to rate the service they receive across multiple areas. We use the results of this survey to assess where there may be areas of improvement required to offer better satisfaction to our residents and stakeholders. We also use the results as a benchmarking tool with other authorities that participate in the survey.</p> <p>In 2021, 90 of the 140 key indicators used were rated at above average.</p>	<p>The survey has highlighted that the condition of the road surface is an area of key importance for our residents, yet it is an area of least satisfaction, despite other data indicating an improvement. This highlights a need to better communicate the work we are doing and the results that have been achieved.</p>

## Further Information

Alongside this Strategy the Council are also developing a Communication Strategy that sets out certain criteria on how to better communicate with its stakeholders.



## 7.0 Funding and Investment Strategy

Funding for Devon County Council's Highways and Traffic Management service is either a **Capital** or a **Revenue** allocation.

- **Capital** - reflects investment in an asset and is defined in the Accounting Code of Practice as "expenditure which adds to, and not merely maintains, the value of a fixed asset."
- **Revenue** - covers day to day expenditure and income, including works which maintain, rather than increase, the value of a fixed asset.

### How we Allocate the Funding

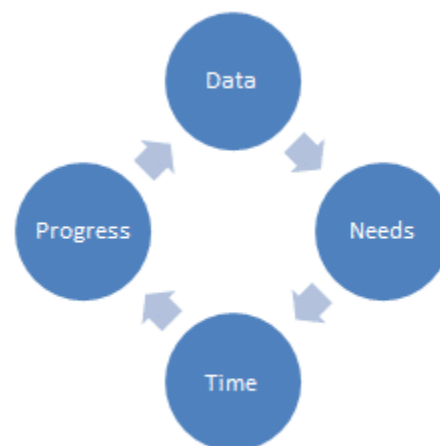
#### Revenue

The overall Highway and Traffic Management Service revenue budgets have been through a rigorous 'zero based' budgeting review in recent years in order to drive out the required efficiencies from budgets that had previously been allocated on a historical basis. Where possible budgets are now based on need with the overall strategy focused on maintaining statutory and safety related level of service over the long term. Once the overall total has been determined, individual budget line allocations are calculated, based on the Highway Asset Management Plan and taking account of factors such as specific savings, pressures, the condition of the asset and maintenance priorities. For weather dependent activities such as winter maintenance and emergencies, budget allocations are based on an average of the previous 5 years expenditure. The safety related functions that support the statutory duties such as safety defect repairs and winter service take priority over other workstreams such as preventative cyclic maintenance. Due to the pressure on revenue budgets across the wider Authority there is insufficient funding to carry out adequate preventative maintenance, this leads to an increase in pressure on the capital budget.

#### Capital

The Highways and Traffic Management capital budget is set by adopting an asset-based approach. This involves a systematic strategic review looking at:

- Highway condition data and other intelligence, such as customer feedback,
- Spending requirements for each asset group, such as bridges, main road network, drainage, street lighting etc., are then determined, and
- Taking a long-term approach to provide optimal use of the funding available.



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Progress against asset condition targets is annually reviewed and will inform the next year of funding allocation.

## Cross Asset Prioritisation

In addition to identifying priorities within asset group programmes it is vital that the Council consider priorities between the various competing group demands also. The principles that are used to do this are listed below:

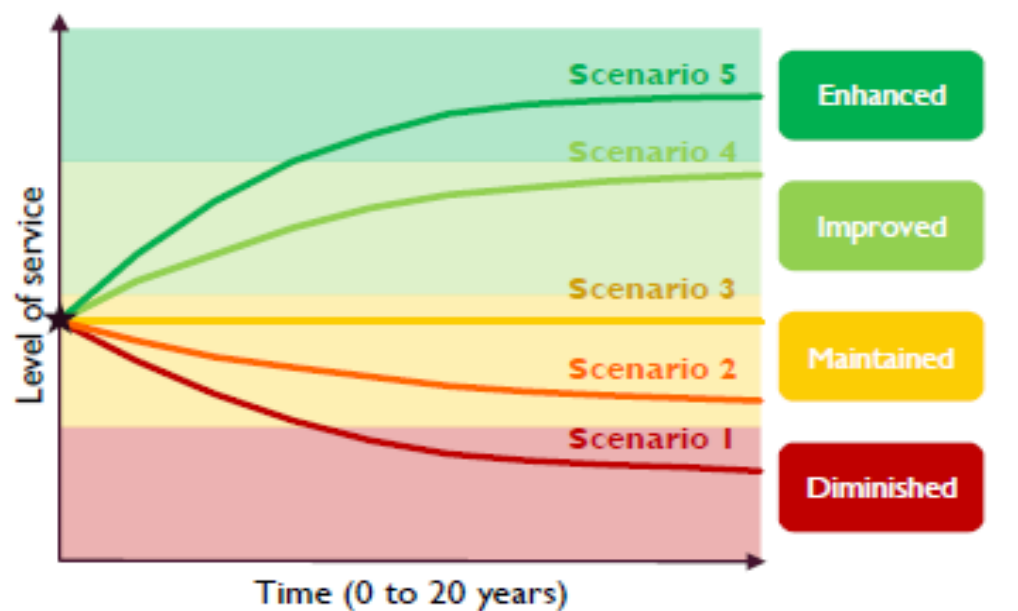
- historical funding
- asset condition and valuation
- performance and benchmarking
- alignment with Strategic Plan
- safety/critical needs and minimum levels of service
- establishing target outcomes
- consideration of risk within and between asset groups
- the need to react and respond (often in-year) to safety critical events
- to incentivise good practice solutions

These principles are defined by undertaking an annual workshop with senior managers and asset group leads. Whilst annual funding is reducing, the impact and consequence of reduced funding will be identified and will inform the proposed priorities to be approved by the Council's Cabinet.

## Future funding allocations and scenario planning

UK Roads Liaison Group on behalf of Local Councils has provided a report to the DfT outlining how different investment scenarios will affect the local road network over the next twenty years. They have outlined five separate investment scenarios and the required funding for each together with projections of the outcome that each of these will lead to.

At one end of the scale there is a strategy of accelerated improvement while at the other end there is a strategy of decline (matching the 21/22 funding allocation), with further details of how 3 other investment scenarios in between are likely to play out. The accelerated improvement scenario would see the backlog of road maintenance repair reduce by £400 m each year, eliminating all the backlog over 10 years.



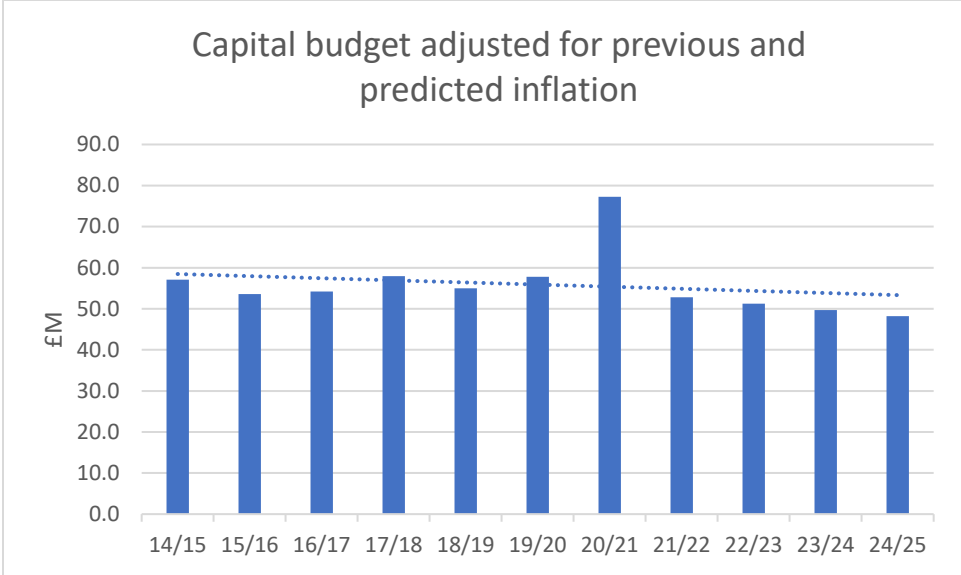
In the autumn budget of 2021, a funding allocation of £2.7bn over the next three years was announced which follows the worst possible scenario of a decline.

What we can expect to see as a result, is an increase in annual backlog of repairs growing by £375m nationally each year. Network conditions will continue to decline and will be evidenced by bridge restrictions, increased flooding, more footway and carriageway defects and increasing resources directed at safety and reactive repairs.

The three-year funding allocation identified in the 2021 budget and spending review enables the Council plan with a degree of certainty its capital strategy for the next three years. The intention is to continue to invest in each asset group to achieve, as far as is practicable, a managed decline. There will be a continuing theme of utilising the road and footway hierarchy to maintain the assets on the sections of the network that are most well used.

However, as the graph below illustrates it is anticipated that a reduction in investment will lead to a return to poorer condition of all highway assets. As carriageways represent 87% of the asset value much of the decline will be evidenced in this asset group. For example, scenario modelling predicts that there is a £20m annual shortfall in funding to maintain roads in a steady state and the cost of backlog of repairs to C and Unclassified roads will increase by a further £180m by 2030.

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## 8.0 Approach to Minor Road Network

The reduced funding available for the next two years will have a significant impact on the maintenance and condition of minor roads. The asset management approach will rightly focus the funding decisions towards main roads to hold these critically important community connections in a steady condition.

The inevitable decline of the minor network will continue to see safety critical intervention to meet the statutory duty. In order to reduce the growth of safety related defects, some funding will be directed to non-critical service defects, where early action can be justified to protect the asset and assist in managing our safety-critical resource. This includes year-round operation of four Dragon Patch teams and a countywide resource to address minor patching defects. Where this funding allows, the Council may also look to undertake preventive work on roads that are in reasonable condition and serve a strategic function to communities. This will extend the life of these roads for a lower cost, allowing the Council to maximize the amount of work that can be undertake.

A new framework contract has been developed to provide road recycling repair options and the service will be undertaking some testing of value and quality of this innovative approach. In addition, the more conventional current patching approach is being reviewed to establish whether a more cost-effective, fit for purpose, specification can help stretch the limited funding further on minor roads.

The Council will continue to seek opportunities to review and downgrade the maintenance category of roads where changing use or alternative options exist. The Council will also continue to engage with Parish and Town Councils and communities to identify funding or volunteer resources to address local needs that are not a priority to be delivered in the annual programme.

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## 9.0 Risk Management

Identifying and managing risk is a central theme of the 'Well-managed Highway Infrastructure: A Code of Practice'. The Council uses a risk-based approach extensively and have followed the agreed methodology for considering, reporting and managing risk, which is about being risk aware and not risk averse. The focus of this section will be consideration of managing risk in the context of *successful delivery of this strategy*. Consequently, some of the items identified will also feature on other registers such as term contract management and overall service level and corporate risks.

The corporate approach to risk management is specifically focused on the organisation and looks to identify events with the potential to stop the Council from achieving the objectives. Once identified, it is important that steps are taken to try and stop them happening or reduce their impact if they do. The Council identify and manage risks utilising risk registers at a corporate and service level, as well as at an operational and project level.

Risk management within the Highway Authority supports the delivery of the organisational objectives. The understanding and management of risks informs and supports the approach to key decisions regarding performance, investment, and implementation of works programmes. The process is regularly reviewed but is also agile enough to allow the approach to managing risk to change as risk levels change. The following key risks associated with the successful delivery of the Highway Infrastructure Asset Management Plan have been identified and are actively managed using a risk register:

- Planning Risks  
Funding and investment,  
Extreme weather events,  
Ongoing impacts of the COVID -19 pandemic, and  
Effects of inflation on budgets.
- Management Risks  
Failure to communicate the HIAMP effectively,  
Competence of staff, and  
Resources.
- Delivery Risks  
Quality of programme development and delivery, and  
Contractor resources.
- Asset Risks  
Performance and loss of service common to all assets, and  
Extreme weather events.

## Risk-Based Approach

There are no prescriptive or minimum standards in the Code. Adoption of a risk-based approach, taking account of the advice in the Code, will enable authorities to establish and implement levels of service appropriate to their circumstances.

The County has implemented a road hierarchy that is based on use and local factors rather than road classification. This includes our Resilient Road Network and Major Road Network (MRN), such as the South Devon Highway and North Devon Link Road, and informs where resources are directed.

The risk management process is based on ISO 31000 and is underpinned by five stages, with stages 1. and 5. continuing throughout the process with the potential to impact on all stages:

1. Communication and Consultation
2. Establish Risk Context
3. Risk Assessment
  - a. Identify Risks
  - b. Analysis
  - c. Evaluate Risks
4. Manage Risks
5. Monitoring and Review

Regular training is given to staff undertaking roles in asset management to maintain their competency and ensure the Council continues to prepare, implement, and review its approach to asset management efficiently and effectively.

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## 10.0 Performance Framework

A performance management framework is fundamental to support the implementation of an asset management strategy and can be used to measure performance and continuous improvement in general.

The Asset Management Plan contains the key performance indicators that are used for measuring the service level across the seven main components of the asset that form the Local Roads: Carriageways, Footways and Cycleways, Structures, Public Rights of Way and Shared Community Trails, Traffic Signals and Street Lighting, Safety Fencing, and Trees and Soft Landscape.

At the strategic level, the Council have adopted an approach to performance management that is closely aligned to the Department for Transport's Incentive Fund against which we have been self-assessing since it was established in 2015. The Council have selected eight key measures from the Incentive Fund questionnaire to create a performance management tool that follows national guidance and identifies: the model evidence required to be successful, the current status and priority actions.

The tool uses three shades of green to rate our status:

Colour	Rating	Attainment of Measure	Model Evidence
Light Green	1	Measure has not been met	Model evidence is not in place
Mid-Green	2	Measure has been met	Most model evidence is in place, and/or is in place and could be strengthened
Dark Green	3	Measure has been met	Strong model evidence is in place

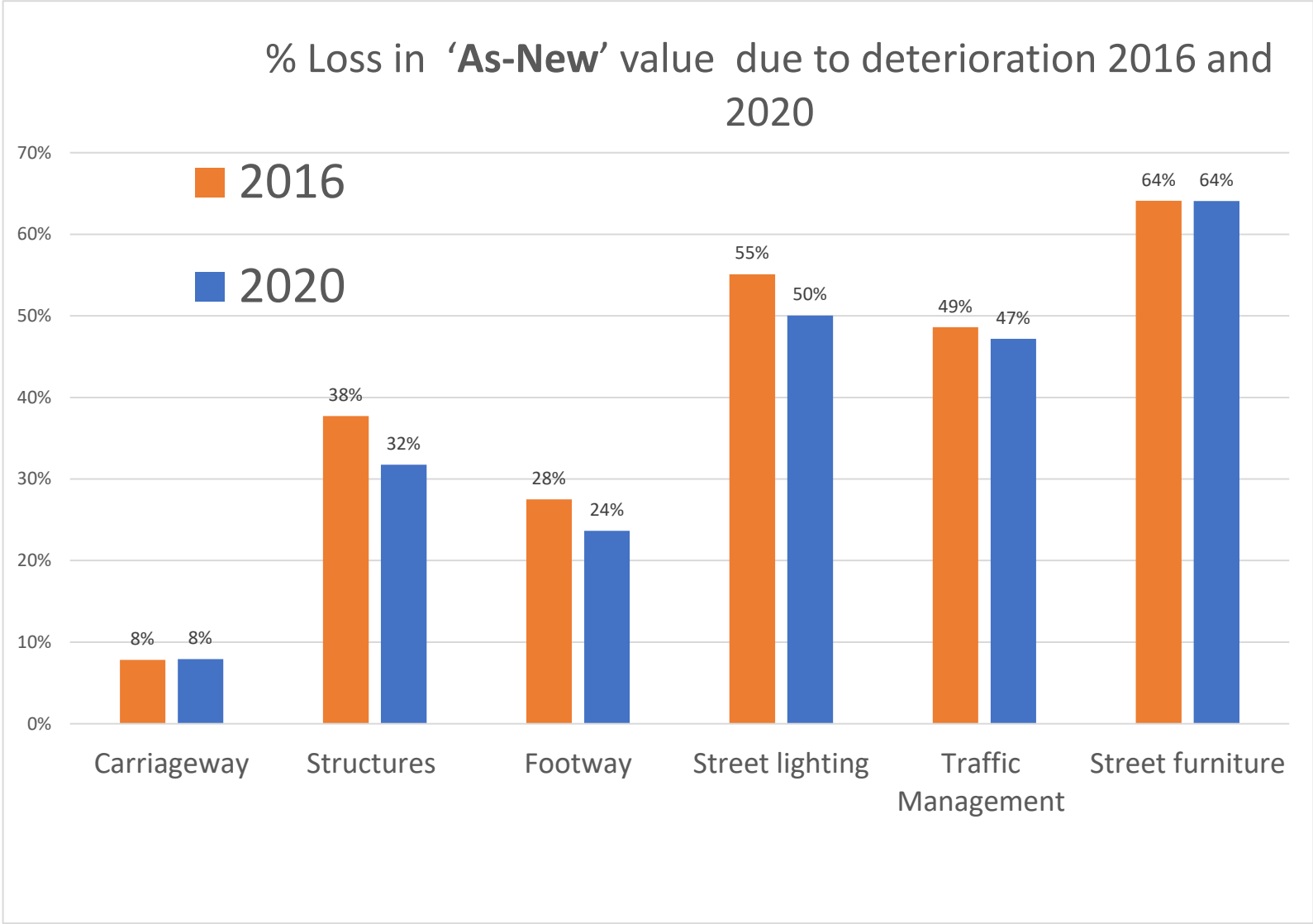
The eight key measures that are assessed are:

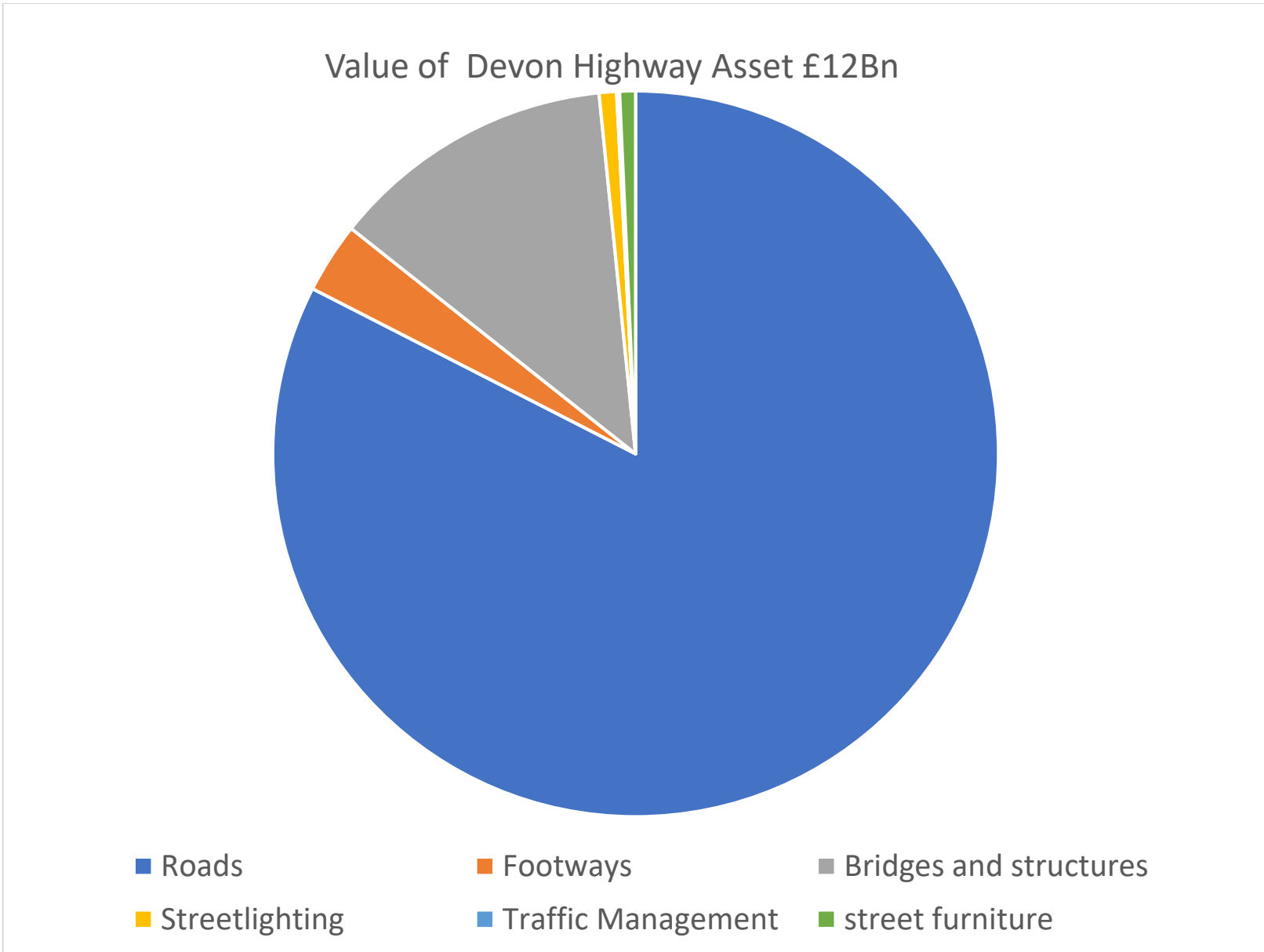
1. The asset management approach has been communicated and is understood.
2. The authority has the competence and training required to deliver highway asset management effectively.
3. There is an asset investment strategy linked to funding and levels of service.
4. Levels of service are set, and performance reviewed.
5. The risks associated with delivering the Asset Management approach have been identified and are monitored.
6. Works are identified planned and programmed effectively.
7. Our plans and processes are fully embedded to ensure least whole life carbon generation when selecting suitable materials/processes.
8. The asset approach is reviewed regularly.

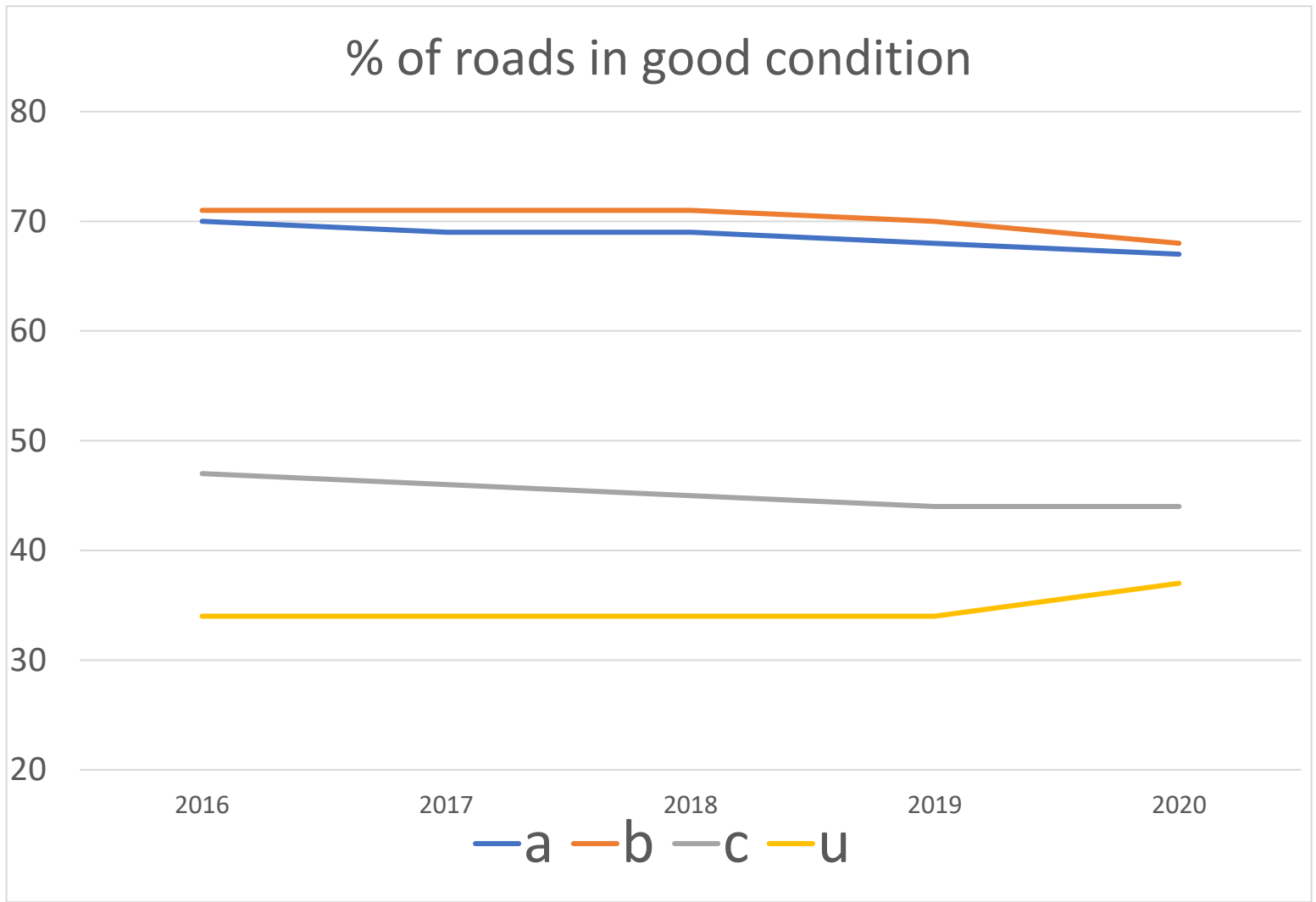
Our approach to performance management is reviewed regularly as part of the ongoing reviews of our asset approach.



Appendix A: Highway Asset Group Change in Condition Graphs and Diagrams

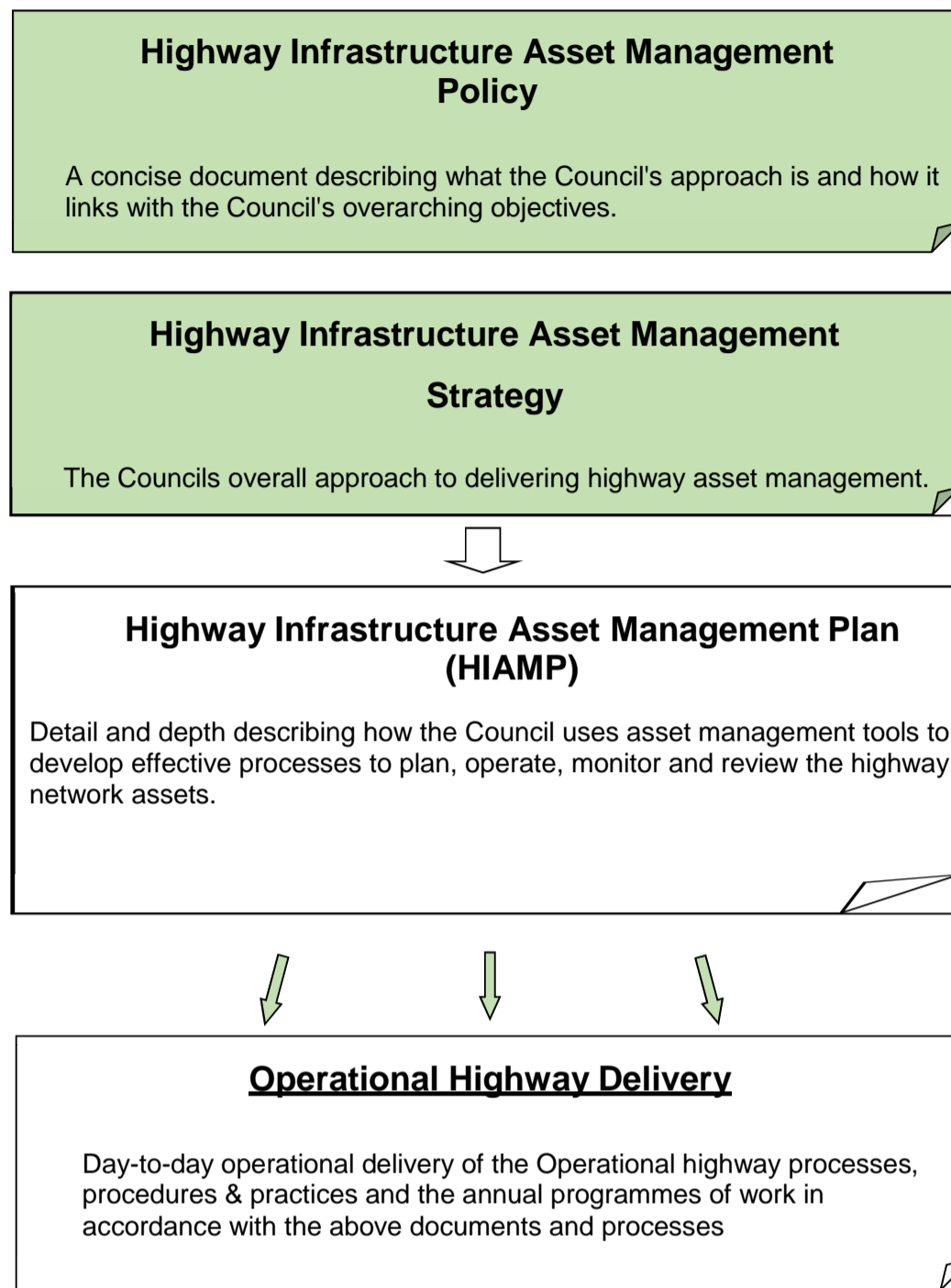


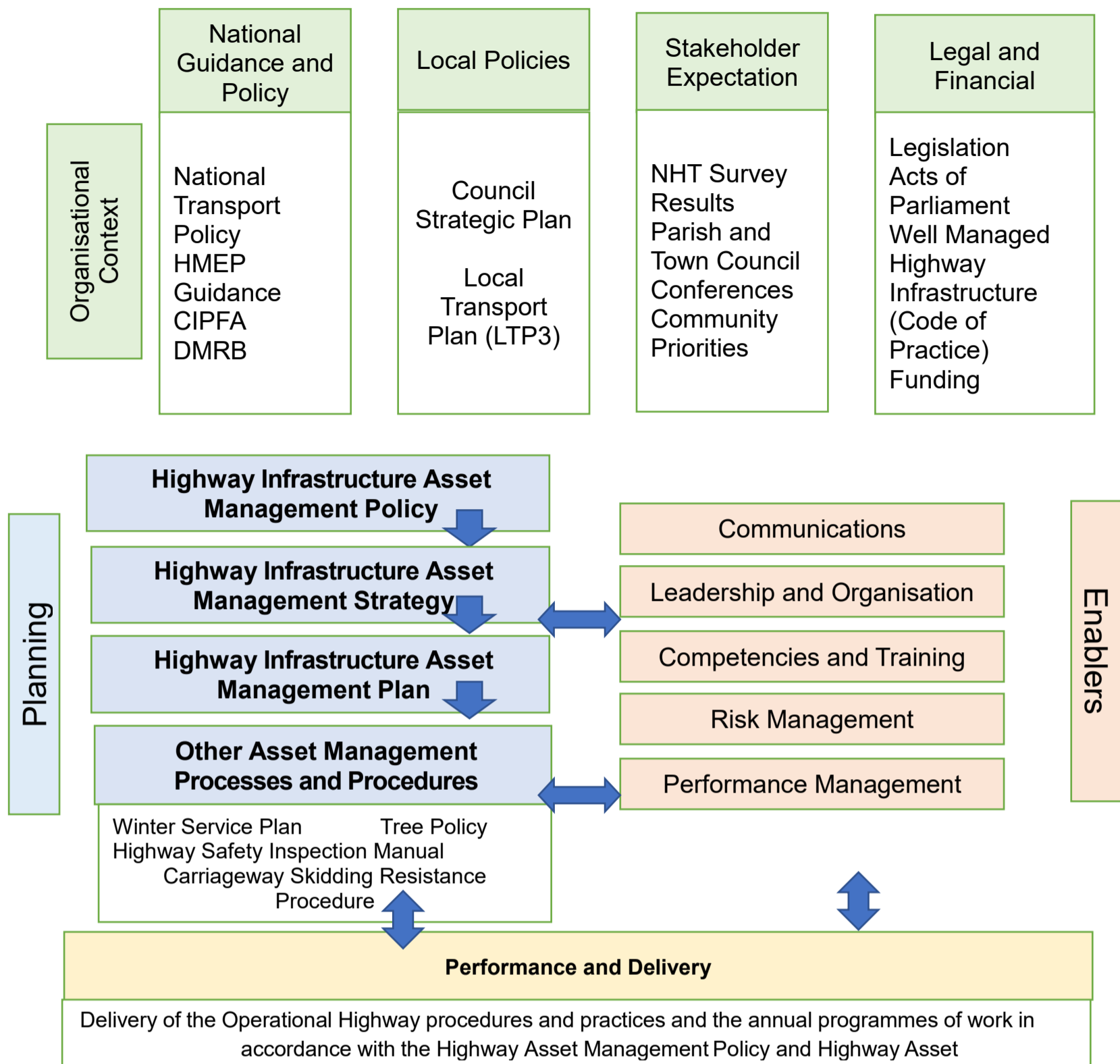




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## Appendix B: Highway Infrastructure Asset Management Framework Diagrams





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## Appendix C: How Levels of Service will be achieved

Asset	Service	Measure	Responding to the climate emergency	Be ambitious for children and young people	Support sustainable economic recovery	Tackle poverty and inequality	Improve health and wellbeing	Help communities to be safe, connected and resilient
Carriageways	Surface	Inspect highways at set frequencies and prioritise repairs to safety defects in accordance with the Highway Safety Inspection Policy.	✓		✓			✓
		Continue the development of the Community Road Warden Scheme (CRWS) by providing training, equipment and materials to local volunteers to assist with carrying out minor amenity maintenance activities and repairing non-safety defects.	✓		✓			✓
		Respond within 2 hours to any occurrence or incident that poses a threat to life or renders the highway unusable or unsafe.			✓	✓		✓
	Surface	Using road condition data and community feedback to develop and deliver an annual programme of carriageway structural maintenance repairs including resurfacing, patching and surface dressing to maintain roads within available budgets.	✓		✓	✓	✓	✓
		Survey skidding resistance on A roads and investigate, monitor and repair deficiencies and/or put-up slippery road warning signs.			✓			✓
		Operate a winter service of precautionary salting and snow clearance on strategic roads and when possible on secondary routes as laid out in our Winter Service and Emergency Plan.			✓			✓
	Drainage	Support communities in their efforts to organise volunteers to clear snow and spread grit on routes considered locally important by providing support and training to snow wardens as well as equipment and bagged salt where applicable.			✓			✓
		Investigate reports of highway flooding and damaged or blocked highway drains and take appropriate measures to keep water off the highway, alleviate or mitigate flooding as appropriate.	✓		✓	✓	✓	✓
		Prepare a cyclical programme of gully cleansing.	✓		✓	✓	✓	✓
	Traffic Signs and Road Markings	Jet drainage systems on a reactive basis as they are reported or found through inspection.	✓		✓			✓
		Carry out an annual programme of grip cleaning and cutting.	✓		✓			✓
		Repair or replace any safety signs knocked down or damaged by routine traffic accidents			✓			✓
Footways and Cycleways	Surface	Inspect footways and cycleway at set frequencies and prioritise repairs to safety defects in accordance with the Highway Safety Inspection Policy.	✓	✓	✓	✓	✓	✓
		Develop and deliver an annual programme of footway and cycleway maintenance repairs.	✓	✓	✓	✓	✓	✓
Structures	Bridges, Retaining Walls, Culverts	Carry out structures inspections in accordance with the national code of practice.			✓			✓
		Monitor those structures considered to be below standard.			✓			✓
		Using condition data develop and deliver an annual programme of bridge and retaining wall maintenance and structural repairs to maintain structures within available budgets.	✓		✓		✓	✓
		Target structures which are in the Poor/Very Poor condition band where this has a potential impact on safety.			✓		✓	

Asset	Service	Measure	Responding to the climate emergency	Be ambitious for children and young people	Support sustainable economic recovery	Tackle poverty and inequality	Improve health and wellbeing	Help communities to be safe, connected and resilient
Public Rights of Way and Shared Community Trails	Footpaths Bridleways, Byways, Signs, Styles, Gates	Carry out regular ease of use inspections on footpaths.	✓		✓	✓	✓	✓
		Continue the development of the Parish Paths Partnerships (P3) by providing support, training, equipment, materials and funding to enable volunteer maintenance of footpaths.	✓		✓		✓	✓
Traffic Signals and Streetlights	Traffic management	Respond within 4 hours to signal failures.			✓			✓
		Operate an annual inspection, electrical testing and repair regime for all traffic signals and pedestrian crossings	✓		✓		✓	
	Streetlighting	Respond within 2 hours to reported traffic accidents involving lighting columns or other lighting emergencies			✓		✓	
Safety Fencing	Vehicle restraint systems, Guardrail, Fences	Develop and deliver a programme of column repair and replacement in order to maintain the street lighting asset and reduce the risk of column failure.	✓		✓		✓	✓
		Assess safety fences when they are knocked down or damaged and repair, replace or remove as required.	✓					✓
Trees and Soft Landscape	Highway verge	Carry out annual programme of grass cutting to maintain safe visibility at junctions and visibility splays	✓					✓
	Trees	Inspect highways trees and prioritise repairs to safety defects in accordance with the Tree Inspection Policy	✓				✓	✓





# Impact Assessment



Version 2020b. To publish, please send a signed off PDF/A format to [impactassessment-mailbox@devon.gov.uk](mailto:impactassessment-mailbox@devon.gov.uk) (delete this note)

Assessment of: Highway Infrastructure Asset Management Policy and Strategy

Service: Highways, Infrastructure, Development and Waste

Head of Service: Meg Booth

Version / date of sign off by Head of Service: 16 March 2022

Assessment carried out by (job title): Joe Deasy (Asset Management Group Manager), Richard Brown (Highway Asset Principal Officer), Chris Bonnett (WSP Principal Highway Engineer)

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

The highway network is the most valuable physical asset that the County Council manages and maintains and is key to enable safe and resilient links for people to connect with their communities, health services, workplace and education. By managing and maintaining these links it provides the means to lead Devon's people to healthy, prosperous lives, to participate in leisure and exercise and to provide and facilitate the means to build Devon's economy both within and beyond its borders.

The Highway Infrastructure Asset Management Policy and the Highway Infrastructure Asset Management Strategy sets out the framework for delivering highway maintenance in Devon. Together they will ensure the aims set out in the Corporate Strategy for Devon to be a safe and healthy

place to live will be achieved and that people who reside in, or visit, the County benefit from an effective, safe and sustainable highways network. These are high level documents that explain the services approach to meeting our objectives and the framework we will use to manage the highway network

This Highways Infrastructure Asset Management Policy and the accompanying Strategy have been developed to ensure the highway network and associated assets are maintained in an appropriate way to meet the following challenges identified in the Strategic Plan.

## Climate change

*Climate change poses a serious threat to quality of life now and for future generations. It will damage biodiversity, disrupt food production, damage infrastructure, threaten jobs, and harm human health.*

*Disadvantaged and less affluent groups are likely to be most negatively affected by climate change, and the effects of climate change may make disadvantage worse. As a community leader, the County Council has an important role to help tackle the climate emergency and enable communities to adapt to climate change.*

## Devon's changing population

*Devon's population is ageing and growing, with proportionately more older people when compared nationally.*

*More adults have complex health needs and are living with them longer. This requires a good quality health and social care system for a future population that is rising and ageing, and for more people living longer in ill-health.*

*Some of Devon's young people grow up in areas that are relatively deprived and where their prospects of achieving greater financial success are limited, so all young people must be supported to have good life opportunities and job prospects.*

## Fairness and equality

*COVID-19 has brought to wider consciousness inequalities within society, in areas from healthcare to technology. These inequalities are felt along various lines, including ethnicity, disability and income.*

*We need to continue, in all that we do, to reduce inequalities for vulnerable, disadvantaged or isolated communities, to ensure more people can reach their own potential, have equality of opportunity and are free from discrimination and harassment.*

## Trust and confidence

*Research during the pandemic shows that trust in local government and feelings of local unity have remained higher than at the national level, and local communities have become more important than ever.*

*Maintaining this trust by acting as a community leader, drawing together different public sector partners and community groups, and engaging more fully with citizens are more important than ever as we recover and look forward.*

## Financial resilience and prosperity

*The pandemic has caused an economic decline not witnessed in the UK since the 1930s. Even before the pandemic, Devon was home to the District area with the lowest average wages in the UK.*

*We need to help level up our economy, supporting areas of low economic growth and social mobility, to provide a prosperous future for all our communities.*

## 2. Reason for change / review

The current Highway Infrastructure Asset Management Policy, Asset Management Strategy and Asset Management Plan were approved by Cabinet in November 2016. There is a need to review and approve an updated suite of documents to take account of the revised Council Strategic Plan, the latest national guidance and a revised Highway Code of Practice, adopt emerging best practice and learning from peer reviews, as well as to enable Devon to maximise its funding grant for highway maintenance.

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

- Regularly collect and maintain good quality asset condition survey data to inform the development of a Highway Infrastructure Asset Programme.
- Take a long-term view using a systematic, risk-based approach based on defined levels of service for each asset
- Consider the whole life costs of maintaining an asset; we will look at what will provide best return on the money we spend in the long term, rather than a 'worst-first' short term maintenance treatment
- Encouraging and enabling communities to influence and undertake elements of the service
- Understand the lifecycle of each asset and use this knowledge to plan when is the best time to do maintenance to keep the asset in a safe and serviceable condition and when it is time to replace it with new.
- Measure and review Highway Infrastructure Asset Management Plan performance to promote continuous improvement and influence spending on different assets.
- Develop maintenance programmes using asset condition data as the starting point and utilising local intelligence where appropriate
- Present an Annual Maintenance Programme annually to Cabinet for investment decision making approval.

## 4. People affected, diversity profile and analysis of needs

The service is used by anyone who travels on the public highway in Devon, whether that is on foot, wheelchair, cycle, horse or using motorised transport.

The highway assets we have are:

- 12,971 km of roads, the longest highway network in the country
- 3,972 km of footway
- 3,317 bridges
- 1,810 retaining walls
- Over 1,000 km of cycle routes
- 5,017 km of Public Rights of Way

The Highway Infrastructure Asset Management Policy and Strategy address the travelling needs of all road users of the Devon highway network, both from a local and visiting user's perspective, whichever mode of transport is used. Each scheme, programme and operation will necessitate specific considerations in relation to equality and its impact on the road user and this will be specifically addressed in line with the objectives and framework set out in these documents.

### The National Highways and Transport (NHT) Network Survey

The NHT Survey has become an unrivalled resource of public perception on Highways and Transport services in local authority areas going back fourteen years. It has been sent to over 5.2 million households since it was first launched in 2008 and over 1.1 million members of the public have made their views known. The public's responses can be categorised by; age group, gender, whether they have an illness, disability or infirmity limiting their daily activities or are a blue badge holder, employment status and ethnicity. Devon has taken part in the NHT Survey 13 times. The latest survey (2021) was sent to 3,300 households across the authority area and 1,048 members of the public responded. This represents an overall response rate for Devon of 31.8% compared with the national average of 23.8%.

#### Importance, Satisfaction & Spending Priorities

The Survey asks the public to consider the following matters and rate how important and how satisfied they feel with each one. It also asks where they feel that the level of service provided could be reduced by spending less or improved by spending more.

The Categories are: Pavements; Cycle Routes/Lanes; Local Bus Services; Local taxi services; Community Transport; Demand Responsive Transport; Safety on Roads; Traffic Congestion; Traffic Pollution; Street Lighting; Condition of Roads; Local Rights of Way Network.

## Importance

The Devon public placed most importance on 'Safety on roads' and 'Condition of Roads' and least importance on 'Local taxi (or minicab) services' and 'Demand responsive transport'.

## Satisfaction

In terms of satisfaction the public were most satisfied with 'Street lighting' and least satisfied with 'Condition of Roads'.

## Importance/Satisfaction Gap

The biggest difference between how important and how satisfied the public felt was for 'Condition of Roads' and the closest alignment was for 'Local bus services'.

## Spending Priorities

'Local taxi (or mini-cab) services' was the most popular choice for a possible reduction in the level of service by spending less, while 'Condition of Roads' was the most popular choice for improving the level of service and spending more

Community, Staff and Service profiles are available [online for you to refer to](#). Delete this note and insert text here]

## 5. Stakeholders, their interest and potential impacts

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It is predicted that the condition of highway assets will deteriorate because of funding constraints. Some of the impacts that this will have on key stakeholders are listed below:

- Devon County Council Staff – greater level of contact with dissatisfied customers.
- County Councillors, District Councillors and Town and Parish Councillors – greater level of contact with dissatisfied customers.
- Emergency Services – increased callouts.
- Term Maintenance Contractor – increased level of reactive safety defect works.

## 6. Additional research used to inform this assessment

Benchmarking against other highway authorities has been undertaken to see how they have approached impact assessment.

The County Council's Race and Equality Report, December 2021, was considered although it was not felt that there are any particular requirements from this.

The 2021 Joint Strategic Needs Assessment (JSNA) has been reviewed. It identifies a diverse and sparse community, which makes access to services more difficult. Some of the key findings were:

- An ageing population,
- Areas of deprivation, and
- Proportionately fewer younger people when compared nationally.

This reinforces the approach and objectives of the Council's Strategic Plan 2021 – 2025, which are supported by the Highway Infrastructure Asset Management Policy and Strategy, including a focus on:

- Keep connected – health services and sustainable travel,
- Safe walking routes and active travel, and
- Highway network hierarchy – keeping routes open.

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## Description of consultation process and outcomes

A formal consultation has not been undertaken as it is not necessary for the revision to the existing Policy and Strategy.

The NHT Survey provides an insight into the opinions and priorities of the public. This has been reviewed, along with the JSNA, which has informed the revision to the Policy and Strategy.

Public can provide feedback on the service using the Council's Feedback and Complaints facility and Highways Complaints services.

A representative group of staff, including the Highways Senior Management Team, will be consulted on the revision to the Highway Infrastructure Asset Management Plan before it is considered at Scrutiny

## 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.

The Strategy sets out how Highways Asset Management work will be prioritised based on the condition of the asset, focussing first on statutory and safety workstreams and then on other needs including those of protected characteristics. This means that more resources could be utilised in some parts of the county than in others, and therefore funding is not necessarily shared equally across communities in any given year.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and <a href="#">See RED</a>]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <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 <a href="#">DCC Equality Policy</a>?</p>
<p>All residents (include generic equality provisions)</p>	<p>All users of the highway network will be affected in different ways at different times.</p> <p>The asset management approach sets out our high-level aims for levels of service of the highways asset to promote the wellbeing of citizens and communities of Devon and understanding how different groups are affected by our network and the maintenance activities carried out upon it.</p>	<p>The Highway Infrastructure Asset Management Policy and Strategy focus on the service's high-level approach to meeting our objectives, the framework we will use to manage the highway network and, through the Highway Infrastructure Asset Management Plan, identifies how the maintenance programmes are used to reduce deterioration and maintain a safe network that provides the optimum service with the available resources.</p> <p>The equality considerations and impacts are assessed in a proportionate manner.</p> <p>The service's strategic performance framework relates to our purpose to maintain the highway network and specifically the one question 'How effectively are we managing the highway asset infrastructure?' Delivering the service impacts on the user and consideration is given at the delivery level on specific equality issues.</p> <p>The Highway Infrastructure Asset Management Strategy places a focus on active travel and a reduction in carbon emissions for an improved environment.</p>



Characteristics	Potential or actual issues for this group.  [Please refer to the Diversity Guide and <a href="#">See RED</a> ]	How will the project / service / policy / activity: <ul style="list-style-type: none"> <li>eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <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 <a href="#">DCC Equality Policy</a>?</p>
Age	May be challenged by the Levels of Service e.g., deteriorating condition of footway surfaces.	As above.
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	May be challenged by the Levels of Service e.g., deteriorating condition of footway surfaces.	As above.
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief		As above.

Characteristics	Potential or actual issues for this group.  [Please refer to the Diversity Guide and <u>See RED</u> ]	How will the project / service / policy / activity: <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> 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 <u>DCC Equality Policy</u> ?
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)		As above.
Sexual orientation and marriage/civil partnership		As above.
Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban	Residents in rural areas could be more affected by a deterioration in the condition of minor roads and footways.	As above.



## 9. Human rights considerations:

Devon County Council and partners are fully committed to Human Rights legislation and national policies.

## 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?

Communities are involved in Highway Infrastructure Asset Management in the following ways:

- Volunteering Services, including the 'P3' Public Rights of Way scheme and Community Road Warden and Snow Warden schemes,
- Devolved services to Town and Parish Councils, including grass cutting and Lengthsmen services,
- Some services have been procured through Community Payback,
- Feedback on our Scheme Programmes from Town and Parish Councils, and
- Feedback from Public through the Public Information Portal and dedicated Customer Service system.

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

It is our ongoing strategy to maintain the highway in a safe condition as a base level of service.

In addition, the service focuses on specific needs. For example: upgrading of street lighting to LED lanterns and liaising with community safety partnerships to understand and address their requirements.

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

Refer to sections above.

## 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	X
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:		
Conserve and enhance wildlife:		
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:		
Conserve and enhance Devon's cultural and historic heritage:		
Minimise greenhouse gas emissions:		
Minimise pollution (including air, land, water, light and noise):		
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):		

## 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:		The Asset Management Plan continues with the widening and development, training, support and funding of community schemes such as the Community Road Warden Scheme, Parish Paths Partnerships, Snow Wardens, grass cutting, wildflower planting and similar community schemes to support sustainable communities and contribute to the wider economic growth. The authority training of people from these communities opens up opportunities for further local employment due to increased employability.
Impact on employment levels:		Specifications and policies used in the asset management process avoid processes that would eliminate the use of local resources and enterprises thereby providing the best possible opportunity for local economic growth through suppliers working for the authority.
Impact on local business:		For the larger contracts there is a requirement for the contractor to provide annually the percentage of total work being undertaken by local based SME's. Additionally, the contractor is encouraged to adopt an intelligent and values-based approach to the management of the supply chain through Social Value links.

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

A link has been made within the asset management approach and through the delivery contracts about ensuring:

- Social value is maintained through the supply chain on the larger contracts.
- Equity clauses with the standard Equality act 2010.
- Standard clause covering the Human rights Act 1998.
- Managing expectation.

### 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?

The Council's toolkit for identifying added Social Value benefits and sustainability was used to identify opportunities which could be realised in the delivery phase of the model.

The levels of service described within the Highway Infrastructure Asset Management documents have been developed to align with the objectives within the council's Strategic Plan.

The outcomes of a review identified possible methods of risk and impact reduction as summarised below.

- Highway maintenance has a reputation for adverse environmental impact, through increased social disruption from highway works and the use of virgin aggregates and refined oil-based materials in the maintenance process.  
The impact is mitigated by ensuring the specification enables the use of locally sourced materials and, wherever possible, facilitates the recycling of all excavated materials back into the highway network. Additionally, improvements in the operational methods and the introduction of innovative more sustainable maintenance procedures, is encouraged within the contracts.



The asset planning approach specifies that only toxic waste from drainage cleaning operations can be disposed of to tip otherwise all other materials are processed for eventual inclusion back into the highway network.

- There is a risk that reductions in services provided may damage public opinion and the authority's reputation. The impact of reputational damage can be difficult to recover from quickly and could significantly impact on Member's electoral areas. Adequate formal responses that demonstrate clear compliance with the authorities strategic goals and policies provides suitable mitigation in support of the reduced service levels.

## 15. How will impacts and actions be monitored?

Impacts and actions will be monitored as part of annual performance monitoring. The Highway Infrastructure Asset Management Policy and Strategy will be kept under continuous review and updated periodically.



HIW/22/19  
Cabinet  
13 April 2022

## **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**

Report of the Chief Officer for Highways, Infrastructure Development and Waste

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:** that:

- (a) progress on 2021/22 capital funded highway maintenance schemes detailed in Appendices 2 and 3 to this report is noted;
- (b) the capital funded highway maintenance programmes for 2022/23 as set out in Appendices 4 and 5 is approved,
- (c) 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) detailed allocation of the available budget be determined by the Chief Officer for Highways, Infrastructure Development and Waste, in consultation with the Cabinet Member for Highway Management, on the basis of the Highways Infrastructure Asset Management Plan, and within the limits of the approved budget;
- (e) the programme funded from the On-street Parking Account for 2022/23 as set out in Appendix 6 be approved.

### **1. Summary**

This report deals with both capital maintenance funding and the On-street Parking Account (OSP), reviewing for the capital programme what was delivered in 2021/22 and the proposed programmes for 2022/23.

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

This report presents information on the progress of highway capital maintenance programmes and schemes delivered in 2021/22; and Section 7 of the report details the proposals for capital funding of highway maintenance schemes in 2022/23.

The 2022/23 funding awarded to Devon County Council (DCC) from central government included in this report, was approved by Full Council in February 2022.

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This report seeks approval from Cabinet to allocate the capital funding across the programmes and schemes proposed in 2022/23 as listed in appendices 4 and 5.

The allocations include an anticipated overprogramming brought forward of Local Transport Plan (LTP) monies from 2021/22 of £250,000, subject to approval of the revenue and capital outturn report, to be submitted to Cabinet in July.

The report also seeks approval from Cabinet for the programme of work identified in accordance with the provisions of Traffic Management Act 2004, to be funded from the On-street Parking Account as listed in appendix 6.

## **2. Learning and Innovation**

The Service is performing well and can evidence this to central Government and consequently is receiving additional funding through the Incentive Fund as a Band 3 authority for the 6th consecutive year.

Learning and adapting has been a central theme and has evolved into a new style of working. This has led to greater attention to understanding root causes of asset deterioration, an emphasis on integrating highway maintenance activities into single schemes and a consideration of which repairs and what routes are locally important to communities.

With the developing local asset programmes, there is a greater understanding amongst locally based officers of the overall need, and justification of priorities is becoming more transparent. There is an acknowledgement that programme management needs to be improved. Resources are being focused on providing improved communication of annual programmes and better explanation of changes that occur.

Innovation is also a central theme in delivering excellent highway services. Devon is one of only a few highway authorities to retain an in-house Materials Laboratory. This continues to provide a huge advantage in effectiveness and efficiency. The Laboratory is involved in all aspects of asset management including consultancy on treatment types, specification of materials and analysis of workmanship. In recognition of the pressure on funding, the Laboratory is currently exploring lower cost but fit for purpose solutions for patching repairs on minor roads.

This year an innovation board has been developed with the Highway Term Maintenance Contractor. This is an incentivised approach to share efficiency savings resulting from successful new ideas and approaches.

Throughout this report there is also further description of the innovative approach we are adopting to tackle the climate emergency and to protect the environment. Carbon management is an area where, with the support of Exeter University, we are taking a national lead with other highway authorities.

## 3. Capital Programme

### Financial Considerations and Sources of Funding for 2022/23

In 2022/23 Highway Maintenance Block (HMB) funding is £29.346 million and consists of:

- HMB funding LTP 'Needs' based formula is £23.477 million and is for maintaining and improving the network, based upon local knowledge, circumstances and priorities. This is equivalent funding compared with 2021/22
- HMB funding 'Incentive' element allocation is £5.869 million and is a mechanism to enable an authority to receive additional funding over and above the 'Needs' based formula.

In addition to the HMB funding is the 2022/3 Potholes Fund allocation of £23.477million.

At the time of setting the capital programme for 2022/23, Department for Transport (DfT) allocations had not been announced. The budget was set at £41.132 million, based upon the 2020/21 original LTP settlement. In February, the DfT published local authority allocations which included the elements above and totalled £52.823 million.

Further funding support was provided to the 2021/22 capital budget through financial provisions and carry over funding as follows.

- £209,000 associated with ecological mitigation works for the Slapton Line works, is expected to be brought forward, subject to approval of the revenue and capital outturn report submitted to this Cabinet.
- In support of the Authority's Carbon Reduction Plan and to save revenue funding on energy, £8.7 million was allocated to convert the remaining 45,000 Street Lighting assets, which are principally in residential areas, to LED over a three-year period. During the past year 7,000 lights have been converted. The current 2022/23 capital programme includes £860,000 and it is anticipated that at the end of 2021/22 a carry forward request will be sought for £2.36 million.
- During 2021/22 a bid to the DfT was invited for the replacement of site-specific traffic signals grant. Devon was awarded £500,000 of which £210,000 was profiled in 2021/22 and £290,000 in 2022/23.

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Table 1 summarises the funding sources for 2022/23 as:

LTP Needs Formula Allocation 2022/23	£23,477,000
Incentive Funding (Band 3)	£5,869,000
Potholes Fund	£23,477,000
Projected LTP/Potholes Fund overprogramming projected b/f from 2021/22 (subject to approval)	£250,000
Traffic Signals maintenance specific DfT grant	£290,000
A379 Slapton Line projected b/f grant from 2021/22	£209,000
Highways Lighting LED £860k per the budget book plus projected variance b/f from 2021/22 £2,360k (subject to approval)	£3,220,000
<b>Total</b>	<b>£56,292,000</b>

**Table 1 – Funding Sources**

It is worth noting that the available funding for 2022/23 is over £12 million (17.6%) less than 2021/22. This is due partly to prudent profiling of £7.7 million of the 20/21 Potholes Fund into the last financial year. Although the LTP Needs Formula and Potholes Fund settlements are the same this year, there are no longer any challenge bid opportunities. This revised lower level of funding is the DfT proposed settlement for the subsequent two years also with no allowance for inflation. There is further detail on this and the implications in the revised Highway Infrastructure Asset Management Strategy being considered by Cabinet as a separate report.

#### **4. Road Condition and Strategy**

The condition of Devon's Road Network has improved considerably in the last few years.

Assessment of road surface condition of classified roads throughout the United Kingdom is provided using automated survey vehicles (SCANNER) and through visual surveys which ensure a consistent method of determining and comparing road condition across the UK network. The main measure of road condition is the Road Condition Indicator (RCI), this is made up of several parameters, such as cracking and rutting which combine to give an overall measure of the state of the road and an indication of surface condition. The underlying data can then be used along with other data to inform decisions about maintenance and future programmes.

Under the Local Government Act, Local Authorities (LA) are required to provide, over a two-year cycle, data to the Department for Transport (DfT) on the conditions of their 'A', 'B' and 'C' roads. In addition, because the percentage of unclassified roads make up more than 52% of the total road network in Devon, we also measure the road condition of this important part of the network, and this survey is undertaken over a three-year cycle.

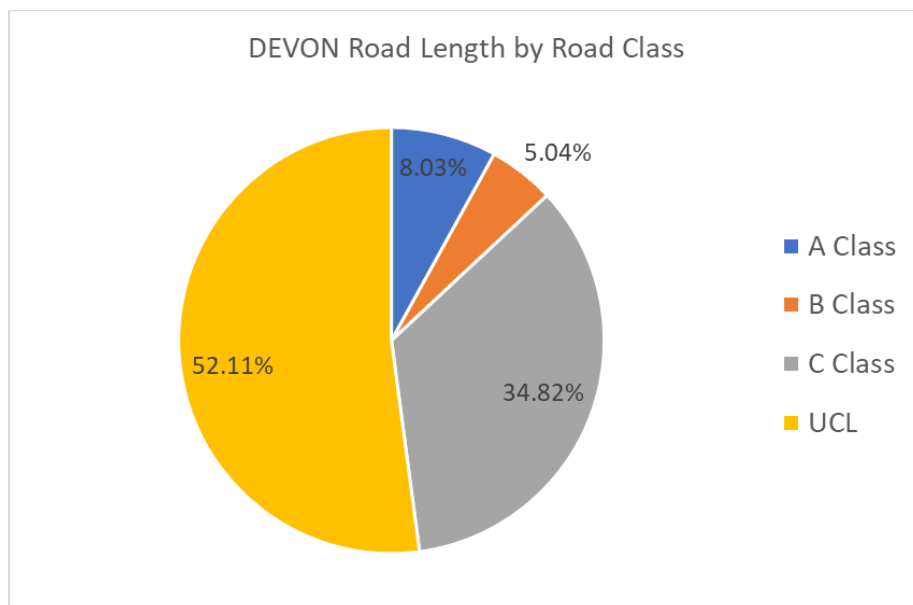
Based on the RCI data, sections of road are split into 3 categories (red, amber, green) representing the general condition of that piece of highway with red being the worst condition and green carriageways in a good state of repair.

The roads categorised in a 'red' condition indicate poor overall condition and are roads likely to require major maintenance soon, some possibly immediately. If left untreated the cost of maintaining these roads increase significantly the longer they are left. Those roads within an 'amber' condition are roads that are in a reasonable condition but have some apparent deterioration requiring further investigation to determine the optimum timing for planned maintenance. Often intervention maintenance on these roads will extend the life of the road at a considerably reduced cost than if the section of road was allowed to deteriorate to a 'red' condition category where more extensive and major works will be necessary.

## Road Network

Figure 1 shows the proportion of classified and unclassified roads across the network.

Almost every journey begins and ends on local roads. The local road network is of critical importance in connecting people and driving economic growth and should be treated as an important national asset which must be managed appropriately. Individuals, families and communities depend on their local road network and it acts as the key arterial system that drives economic growth in our villages, towns and cities. In Devon unclassified roads combined with 'C' roads make up 87% of Devon's total road network.



**Figure 1 - Devon's Road Length by Road Class**

## 5. Road Statistics and Analysis

Devon has a commitment under our Highway Infrastructure Asset Management Plan (HIAMP) to maintain the 'A' and 'B' class road network to a minimum condition of

# Agenda Item 8

below 4% in the red national indicator band. This commitment absorbs a significant part of the funding streams with the remaining budget spread across Devon's significant remaining road network of 'C' and unclassified roads.

Reviewing the 2021 survey data for Devon, the percentage of roads categorised in red condition was:

- 'A' road's 2%
- 'B' road's 3%
- 'C' road's 12%
- Unclassified road's 15%

Appendix 1, Figures 1 to 4 incl. provides a summary of Devon's (RCI) road condition indicator data in a graphical form over time by road classification using the national indicator bands.

The graphs indicate a significant improvement and is a demonstration of what can be achieved with the higher level of investment received in recent years.

Recent asset modelling (Jan 2021) estimates that to fix the most deteriorated roads requiring maintenance now would cost the authority over £168.1m and to maintain the road network as it is, steady state, would require an annual investment of more than £50 million. Scenario modelling predicts that there is a £20 million annual shortfall in funding to maintain roads in a steady state and the cost of backlog of repairs to C and Unclassified roads will increase by a further £180 million by 2030.

For many years funding restrictions have seen a growing reliance on preventative and short-term less expensive treatments, however such treatments, although providing an excellent short to mid-life solution, cannot be used indefinitely. At some point more robust treatments are required to avoid the repetitive cycle of pothole repairs. With Devon's road network being predominantly rural and with instances of minor roads structurally poor, a high proportion of the network is more vulnerable and susceptible to the formation and propagation of potholes.

Although Devon's overall bridge stock remains classed as "good" and continues to be placed in the top three of LA's in the UK for bridge condition, the large size of Devon's bridge asset still means there are over 800 bridges classed as either of 'fair' or 'poor' condition. With 'good' condition rating representing a low risk to public safety conversely a 'poor' condition rating indicates a significant risk to public safety and to mitigate this level of risk locations have to be managed by weight restriction signs, physical measures, monitoring or strengthening.

Recent programmes of work are showing the average condition of the retaining wall stock is improving due to the larger proportion of the Bridge Assessment and Strengthening (BAS) budget being allocated to the maintenance of this asset type.

## **6. Capital Highway Maintenance Programme: 2021/22**

Progress on the 2021/22 Highway Structural Maintenance Programme is shown in Appendix 2 of this report and the 2021/22 Bridges Assessment and Strengthening



Programme can be found in Appendix 3, further area specific scheme programmes can be provided.

Throughout the last year there have been additional challenges and restrictions imposed upon society by the pandemic. Adding to these challenges are the personal challenges that staff have had to endure over the past 12 months but delivery of the service has still been met through the remarkable efforts of our officers, a collaborative approach with our supply chain partners and effective and collective communication procedures that ensured, as far as restrictions permitted, the delivery of a normal maintenance service. This collaborative approach has enabled the successful delivery of an extremely ambitious capital programme.

In 2021/22 a total of 166 bridge and structures projects were included in the annual programme for design, inspection or works. The number of landslides and retaining wall failures has increased in recent years and the Bridge Assessment budget has been under increasing pressures year on year to cover this unplanned engineering work. In instances where embankment failures and slippages occur affecting highway stability issues the funding for this work will be provided through the Highway Structural Maintenance (HSM) budget.

Over 1,500 ageing streetlight columns have been replaced during 2021/22 and in parallel inspecting and testing some of our ageing and some younger columns has been undertaken to identify the risk. Testing columns was a key process last year and enabled us to target high risk columns.

Traffic signals have been upgraded at 31 locations over the past year which both improves the safety of the asset and by use of extra-low voltage and LED signal heads reduces the energy consumption.

## 7. Capital Highways Maintenance Programme: 2022/23

The 2022/23 total allocation is £56,292,000 (subject to the carry forward requests, being approved as part of the revenue and capital outturn report being considered by Cabinet in July 2022) with a breakdown of the respective programme elements included in Appendix 4 and 5. It is proposed to allocate the funding as follows:

Highway Structural Maintenance	£47,292,000
Bridge and Structures Programme	£9,000,000
<b>Total</b>	<b>£56,292,000</b>

**Table 2 – Programme Allocation**

The funding is £12 million less than in 2021/22. A cross-asset prioritisation exercise has been conducted as recommended in the code of practice. Considering this, and the management of risk, it is proposed to continue to maintain historic funding levels in structures, streetlighting, traffic signal equipment and public rights of way. Consequently, the impact of reduced funding will impact most on the minor road and footway network. The road and footway hierarchy will help prioritise demands.

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In 2021/22 our principal term contractor, changed from Skanska to Milestone Infrastructure Ltd (MI) a subsidiary company of M Group Services. In November, Cabinet approved that the Term Maintenance Contract (TMC) held with Milestone Infrastructure be extended by three years to 31 March 2027 (the maximum permitted extension under the contract). An innovative and pragmatic approach is being developed to ensure that the contract is sustainable focusing on effective use of resources and providing value for money.

In addition to the Term Maintenance Contract (TMC), there are several other contracts in place that deliver other significant elements of the capital programme. A framework contract is currently out to tender and will provide alternative supply chain delivery options for surfacing and patching works, high friction surfacing and in-situ and ex-situ recycling. There are also separate contracts for the delivery of specialist works such as surface dressing, micro texturing and road restraint systems.

Key elements of the proposed programme include:

## **7.1 Highway Structural Maintenance (HSM): Principal Roads (A class roads)**

Overall condition on principal roads has improved over the last 12 months the level of amber state at 27% is an indicator that the approach is effective in continuing to keep this important and heavily used part of the network in a steady state. To ensure we retain principal roads at less than 4% 'red' condition this budget line has been retained at £7.0 million for carriageway resurfacing and patching. It will ensure those roads which need immediate attention are treated whilst also optimising the treatment for planned maintenance on those roads which are beginning to show signs of deterioration.

## **7.2 Skid Resistance Treatment (SCRIM)**

Skidding resistance surveys (SCRIM Surveys) are undertaken by local authorities and Highways England. They provide a measure of the road surface contribution to the frictional forces developed between a vehicle's tyres and the road when accelerating, braking or cornering. Skidding resistance figures do not necessarily reflect safety levels on the network but rather sites where further investigation is required.

Devon limits routine annual SCRIM surveys to the principal road network only as it is considered neither affordable nor practicable for all roads on the highway network to be surveyed for skid resistance. The remaining untested network is covered under the strategy in the Annual Wet and Dry Collision Review, other roads identified as requiring further investigation are also included in the programme of assessment.

It is not possible to treat all parts of the principal road network that are currently below the current standard therefore the work is prioritised and limited to potentially high-risk sites with a history of collisions. This includes sites with a reported skidding resistance deficiency and a history of collisions on wet surfaces, others with a high deficiency (greater than or equal to 0.15) and collisions on dry surfaces.

The allocation for SCRIM deficient sites is £2.011 million.

## 7.3 All Roads

Key elements include:

### 7.3.1 Local Asset Programme

Following our 'Doing What Matters' testing and learning we are working in a different way with greater emphasis placed on local involvement into scheme selection. A large element of available budget has been devolved out to the locality areas. 2021/22 has been a transition year to facilitate this new way of working and to prepare the locality areas in developing their local programmes. A countywide provision of £13.485 million has been allocated based on asset management principles. The factors determining allocation include road length and condition, traffic volume, pothole damage and footway length and condition. Local priorities are determined by a review of physical condition, the knowledge of the Neighbourhood Team and in discussion with the local community, typically through the Parish or Town Council. An integrated approach to repairs is being encouraged combining patching, drainage and other repair needs, to reduce the number of roadworks and the degree of disruption to the traveling public.

### 7.3.2 Preventative Programme

Surface dressing and microasphalt are low carbon and low-cost surface treatments that restore texture and extend the life of roads and prevent the formation of potholes. £5.0 million is being targeted to treat over 150 sites this summer.

### 7.3.3 Minor Road Strategy

A substantial portion of the allocation is being directed to minor repair across the network.

- £4.354 million is allocated for Highway Improvements Hand Patching for localised issues, identified as serviceability issues from staff and the public.
- £2.2 million has been allocated to operate four 'Dragon Patchers' located strategically around the county which provide an effective and efficient additional option for the repair of small to medium size patches on selected parts of the network.

### 7.3.4 Road Restraint Systems

£600,000 has been allocated to continue with the upgrading and replacement of road restraint systems. The programme is developed based on high-risk sites including potential for railway incursion, accident severity, commercial traffic data and speed limit.

The strategy will be further reviewed in 2022/23.

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## **7.3.5 Road Weather Stations**

An ongoing programme valued at £100,000 per annum is being undertaken to upgrade road weather stations that are used to inform winter decision makers on the appropriate response to deal with various winter service scenarios. Replacing these stations and upgrading their communication will provide greater resilience to managing winter service and severe weather events over the next decade.

## **7.3.6 Highway Lighting Column Upgrades and LED Replacement**

8% of street lighting columns are over 40 years old and a significant proportion of younger columns have been identified with specific failure modes that need to be checked. In response to this £1.5 million has been made available annually to facilitate a continuing programme of column replacement, to mitigate the liability that this represents.

Over 1,500 ageing columns were replaced in 2021/22 but in parallel the opportunity was taken to check and test some ageing and younger columns to identify the risk of failure. Testing columns was a key process last year and enabled high risk columns to be prioritised. During 2022/23 this work will continue with the risk-based column replacement programme along with testing a further 10,000 columns. Inspections and testing have enabled better identification of risk and management of stock.

The on-going street lighting programme to upgrade all lights to LED continues into 2022/23, with a budget of £3.220 million (£860,000 plus requested carry forward of £2.460 million), all remaining lanterns are planned to be upgraded over the next 12 months.

Although the ongoing programme has had some delays outside the control of the Service, over 11,000 conversions were carried out during 2021/22. The continuation of this programme into 2022/23, with a budget of £4.770 million, will see all remaining lanterns upgraded over the next 12 months. In 2021/22, projected spend is £2.410 million, therefore £2.360 million will be requested as a carry forward to add to the budget above.

## **7.3.7 Traffic Signal Replacements**

The traffic signal upgrade programme continues over the coming year with £1.4 million being invested. We continue to refurbish traffic signals junctions and pedestrian crossing with a program to refurbish 12 pedestrian crossing and 14 traffic junctions during 2022/23. This is to improve the safety of the asset and by the use of modern controllers, detection equipment, extra-low voltage (ELV) and LED signal heads to reduce the energy consumption.

Additional DfT signals funding approved in 2021/22, will continue in 2022/23 on specific site approved schemes.

## **7.3.8 Bridges and Structures**

Whilst there hasn't been a national survey for some years it can be assumed the

condition of Devon's bridge stock is still ranked 3<sup>rd</sup> in the UK out of 203 Local Authorities. However, the RAC Foundation continues to report that Devon has the largest number of substandard bridges in the UK at 249 although when considered in context with the total bridge stock in Devon, this is not a cause for concern, for three reasons:

1. Devon has the largest stock of Local Authority bridges in the UK by a significant amount and the 249 substandard bridges represent only 6% of the total stock.
2. A significant proportion of the 249 bridges are in fact ancient 'clapper' bridges on Dartmoor and although we cannot prove the full load carrying capacity of these ancient bridges they continue to do so without any signs of distress. These bridges will not be strengthened nor will have weight limits imposed upon them.
3. There are many bridges in Devon with weight limits that are appropriate for the location they are in; they do not cause transportation difficulties nor limit access for users consequently there are no plans to remove the weight limits on these structures.

The Bridge and Structures maintenance allocation for 2022/23 is £9 million. The programme for 2022/23 will continue with further strengthening projects to improve the resilience of the network. The ongoing programme of inspections and major examinations will continue to ensure the risk of failure of an asset is kept to an acceptable and manageable level. The first stage of safeguarding of the public by modifying fencing on high bridges was completed in 2021/22 and further works on other identified bridges will continue in 2022/23.

### **7.3.9 Storm Damage (resilience contingency)**

In line with DfT requirements for highway authorities to make provision within their funding allocation, a resilience contingency reserve of £673,000 has been incorporated within the programme should storm damage be experienced during the year. This is larger than previous to assist with responding to uncertainty regarding the predicted decline in network condition.

### **7.3.10 Cycleway and PROW Network**

Throughout the pandemic there has been an increased volume in the number of people using both our cycle routes and PROW. This is good news in terms of public health and the wellbeing of society, but the impact of increased footfall and cycling means an increase in maintenance. £1.75 million is being invested into these budget areas to ensure these amenity transport assets continue to be maintained to a safe and usable condition and promote active travel.

## **8. Options and Alternatives**

The current approach to scheme selection uses a preventative regime based upon

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need and sound asset management principles that optimises the use of available funding to reduce whole life maintenance costs. An alternative to this preventative regime would be to repair roads on a 'worst first' basis by focusing maintenance on the sections of road in the poorest condition.

Experience and learning gained from working differently under the Doing What Matters (DWM) umbrella has demonstrated that a combination of both traditional approaches combined with greater influence and input from a community perspective offers a more transparent service. Through greater local involvement it offers a more robust and pragmatic focus on scheme selection by ensuring those locally identified important roads are 'fit for purpose'. 2021/22 was the transition year in preparing the Asset and Neighbourhood Teams for adopting a countywide Local Asset Programme approach in 2022/23.

It is important however to note that any departure from our asset management approach as defined in the HIAMP could adversely affect future financial settlements from the DfT who see the use of sound asset management principles as fundamental in delivering cost effective maintenance solutions. It is therefore essential that developments within the plan continue to incorporate and amalgamate these and other principles within the assessment of its works programmes as the DfT have clearly said they will take this into account in future submissions for funding.

## **9. On-Street Parking Account**

The expenditure of on-street parking income is restricted by the Road Traffic Regulation Act 1984. The costs of operating the on-street parking service is the first call on the income held in the On-street Parking Account. Any remaining surplus must then be used in accordance with the eligibility criteria set out in Section 55 of the Act, with surpluses used for:

- The provision or operation of public transport services
- The provision of facilities for public transport services
- Highway or road improvement projects
- Environmental improvements.

The 2022/23 Highways Maintenance budget includes £1.7 million for highways cyclic revenue maintenance works, which are funded from the On-street Parking account. Full details of the proposed On-street Parking Account non-operating expenditure for 2022/23, totalling £4.503 million, are shown in Appendix 6.

The estimated balance of the account is now expected to reduce from £1.4 million at 31 March 2022 to £860,000 by 31 March 2023. Expenditure charged to the On-Street Parking Account is regularly reviewed in order to ensure the fund is used effectively.

### Traffic Management Plans

There continues to be a high demand from communities for the review and implementation of parking restrictions. Larger schemes looking at community wide

changes (including measures such as residents parking) are served via the £25,000 Traffic Management Plans budget in the On-street Parking account.

The current level of demand means that the 2022/23 programme is filled with existing commitments, and a full programme of works has been developed by the Traffic Management Team with regular updates shared with Members.

Due to continued high levels of demand, requests for new schemes are prioritised on the basis of traffic management need, sustainability, and community support for inclusion in future programmes to ensure resource and monies are used to best effect. To ensure sustainability, schemes should be substantially self-financing, including components of residents parking and / or pay & display, in line with our policy on new residents parking schemes.

## **10. Consultations**

The results of the 2021 National Highways and Transport (NHT) Public Satisfaction Survey reflect public perception of performance, importance and the desire for various activities to be funded. The overall perception of highway maintenance is slightly lower than the national average, however, in comparison to other County Councils, Devon remains slightly above average. Analysis shows that the condition of the highway network and the speed and quality of repairs are important to the public. The public would also like to see more funding directed to improving the condition of roads.

The summary of the survey undertaken in June 2021 gives overall a comforting position and shows no significant change to the previous year's survey however it does highlight a difference between public perception and other evidence of highway condition. Pothole numbers have reduced and condition survey results have improved yet the perception is that condition has deteriorated.

## **11. Environmental Impact Considerations (Including Climate Change)**

The ability to efficiently transport people and goods around the County underpins Devon's economy and has a direct impact on the quality of our environment. When maintenance work is undertaken, it is managed to ensure that the effect on the surrounding environment is kept to a minimum.

On carriageways and footways, surface treatment and reconstruction works are tightly controlled to achieve long term durability. Devon continues to use recycled materials within their hot mix materials and trials are underway to further improve asphalt durability through the addition of materials such as lime, rubber crumb and graphene. Whenever possible the use of recycled materials and secondary aggregates are encouraged and now with all local quarries supplying carbon efficient warm asphalts, Devon is by example, leading in its efforts in meeting its carbon neutral target by 2030.

The use of tyre bales has been successfully developed as a recycling alternative for embankment stabilisation. This provides a long-life, cost effective and easy to install solution.

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Prior to installation, highway construction materials are subjected to rigorous testing to ensure their suitability within the construction and how its use impacts on the environment. All construction contracts also include for recycling plans to ensure that the use of natural resources is reduced where recycled alternatives exist.

Biodiversity net gain is an important consideration and where appropriate wildflower planting is encouraged on highway verges and roundabouts.

As part of the Devon County Council's drive to become carbon neutral by 2030 we are continuing to investigate, consider, and embed new ways of working that help reduce the carbon output when designing and commissioning highway maintenance operations. This involves developing carbon emissions calculations, taking a 'cradle to grave' approach from sourcing primary materials through to their disposal at the end of the project life. The Council is taking a lead role working with Exeter University and nationally with other authorities to develop average carbon intensity for various key work activities using a Carbon Impact Assessment Tool. This information will then be used to establish the potential for utilising different treatments or to drive through procedures and processes that will reduce our carbon usage.

It is now estimated that the authority has saved over £2 million on energy over the past year since it embarked on the switch to energy efficient LED from 2014 within the street lighting asset. The remaining lanterns are planned to be upgraded to LED over the next 12 months with a continuing programme of column replacements. The contractor has also committed to, and are progressing towards, zero waste to landfill by 2022 and being carbon neutral by 2030.

Once the Street Lighting programme to upgrade all lights to LED is complete, Devon County Council will have reduced the carbon emissions generated by its streetlighting by 75%, reducing carbon emissions by more than 15,000 tonnes each year, the equivalent of taking 8,000 cars off the road.

Within the traffic signals asset, the use of extra-low voltage and LED signal heads has reduced the energy consumption by 28% since 2015.

## **12. Equality Considerations**

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

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

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming



to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

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

An overview of the impact assessment entitled '2022/23 Budget Impact Assessment' for all service areas has been circulated separately and is available to all Members of the Council at: [Budget 2022/2023 - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/budget-2022-2023-impact-assessment)

## **13. Legal Considerations**

The lawful consequences of the recommendations have been considered in the preparation of this report.

With the condition of parts of the network there is likely to be an increase in user dissatisfaction and complaints which could lead to an increase of challenges to the Authority under Section 56 of the Highways Act.

## **14. Risk Management Considerations**

The proposals contained in this report have been assessed and all reasonable actions are taken to safeguard the Council's position. Inability to undertake sufficient planned and general preventative maintenance work at the optimum time will result in an increased depreciation to the highways asset. This will lead to increased deterioration and defects and consequently, increased repair costs with potential for claims, which will put pressure on revenue and staffing budgets.

Where risks have been identified which could disrupt the capital programme by causing higher than anticipated costs or delays, such as those associated with cost, inflation, Covid-19 or inclement weather, the implications have been accounted for in preparing this report. This includes developing long term programmes and the provision for reasonable contingencies in the estimates for capital highway and bridge maintenance schemes.

## **15. Public Health Impact**

The cumulative reduction in budgets could have an impact on public health with reduced maintenance effecting sustainable travel alternatives, and potentially more injuries resulting from crashes, trips and falls, however the recommended approach limits this risk, by targeting investment.

## **16. Reasons for Recommendations and Conclusion**

It is important to report to Cabinet on the performance of the highway network.

The DfT capital settlement for 2022/23 provides funding for capital maintenance of highway assets and this report sets out proposed programmes to optimise their availability and safe use for the travelling public. Approval of schemes and programmes of highway maintenance will enable the delivery of the 2022/23 plan to

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proceed.

The report alerts Members to the fact that Government provides insufficient capital funding to meet all network maintenance needs. However, the proposed programme is designed to make best use of the available financial resources using the Cabinet endorsed Asset Management approach.

Meg Booth  
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of Background Papers

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Tel No: (01392) 383000

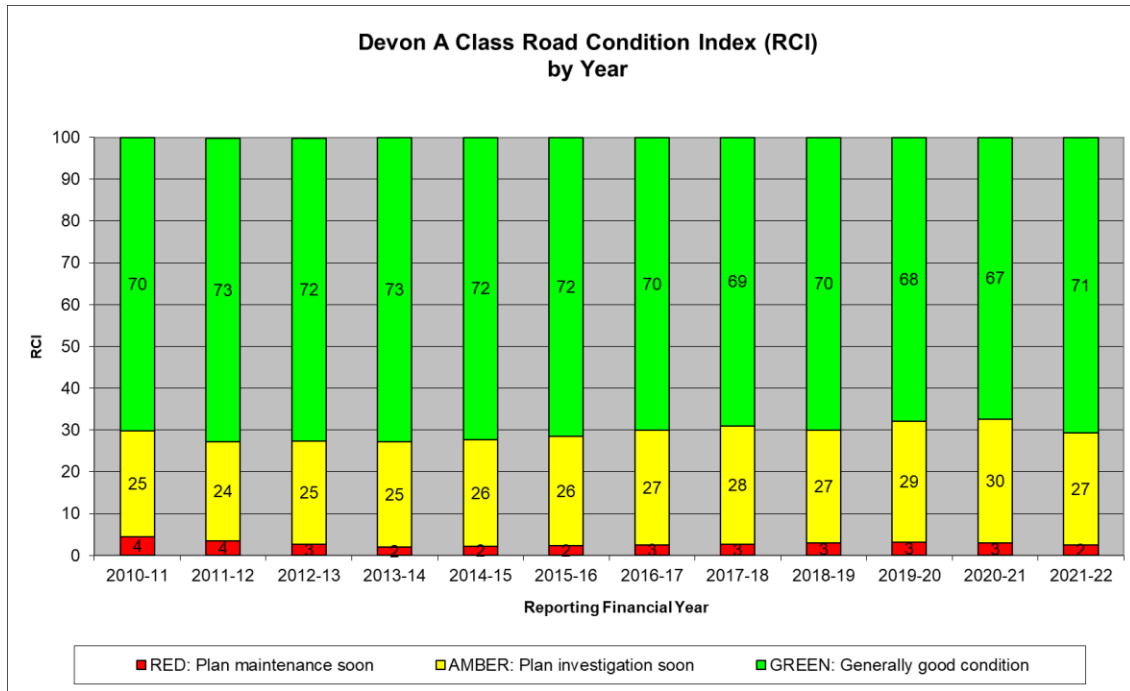
Background Paper	Date	File Reference
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Nil

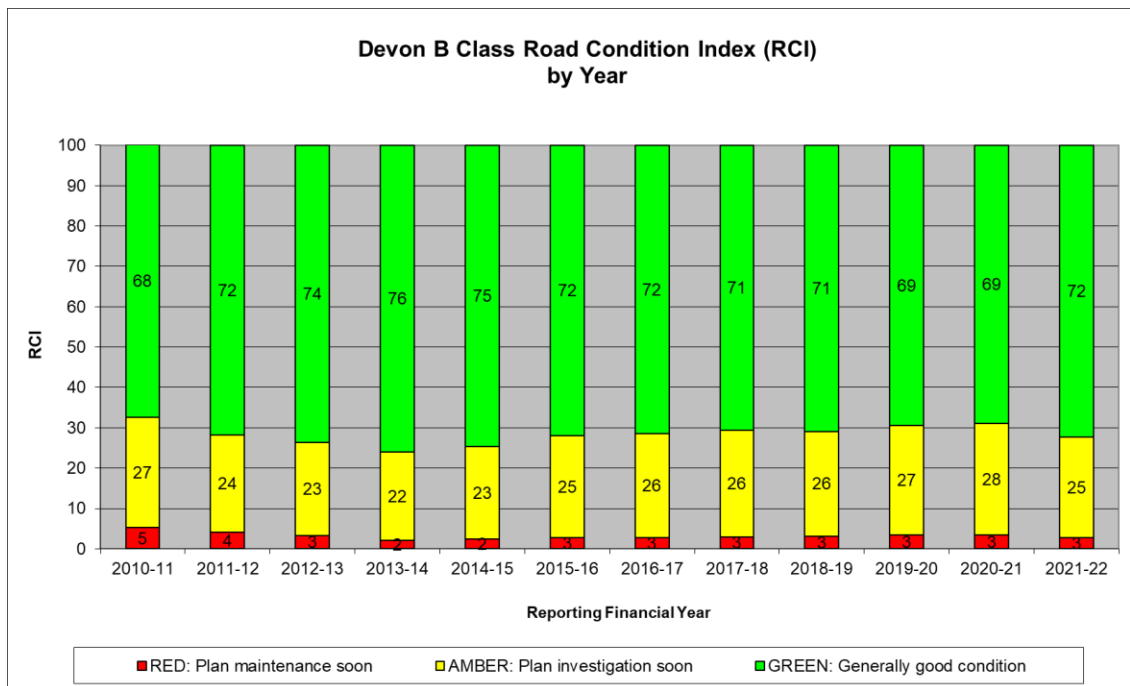
County Road Highway Maintenance Capital Budget Programme 2022 23 and the On Street Parking Account 2022 23 - Final

## Appendix 1 to HIW/21/19

### Road Condition Indicator (RCI) by Year



**Figure 1**

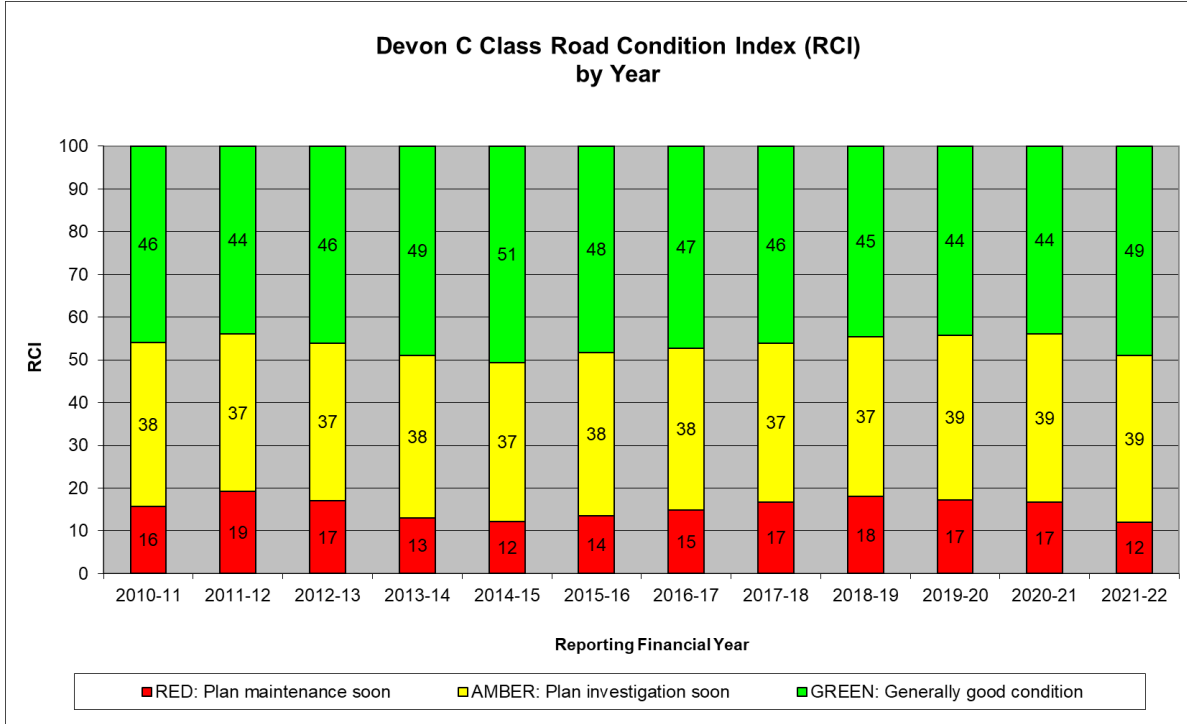


**Figure 2**

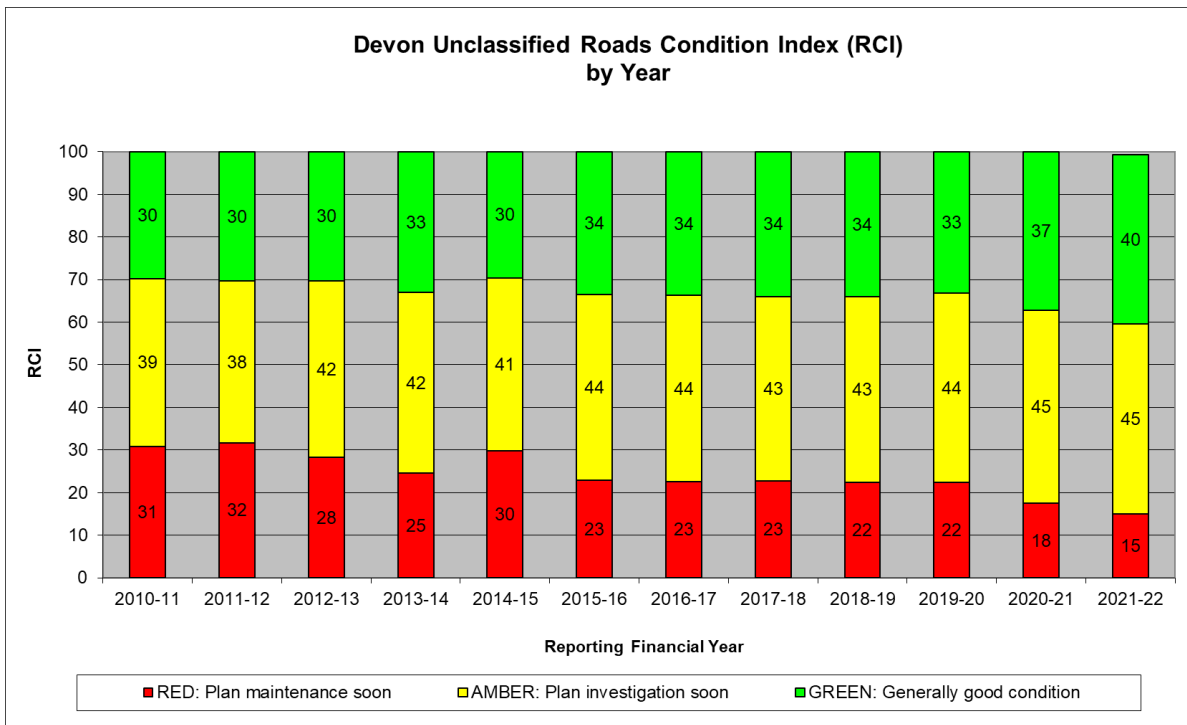
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## Appendix 1 to HIW/21/19 continued

### Road Condition Indicator (RCI) by Year (continued)



**Figure 3**



**Figure 4**

## Appendix 2 to HIW/21/19

### Highway Structural Maintenance Programme 2021/22

Function	Projected £000's
<u>Principal Roads</u>	
A Roads	5,634
A380 Teign Viaduct to Ashcombe Cross	3,244
A379 Slapton Line	0
SCRIM Remedial Works	2,019
<u>Non-Principal Roads</u>	
Non-Principal Road Recovery Programme	3,787
Preventative Programme (surface dressing & microasphalt)	7,872
Pre-Patching for 2021/22 & 2022/23	4,140
Preventative Programme	4,140
<u>All Roads</u>	
Doing What Matters	7,974
Highway Improvements Triage Patching	4,100
Dragon Patcher	1,750
Joint Sealing	244
Wet/Dry Collision Sites	10
High Skid Resistance Surfacing Programme	408
Carriageway Condition Surveys	304
Fixed Contract Overhead Charge	2,850
Material Testing	250
Scheme Delivery Group	750
Footways	1,256
Cycleway, PROW & Unsurfaced Roads	1,300
Road Restraint Systems Upgrade Strategy	737
Drainage	1,268
Gully cover replacement	270
Cattle Grid Structural Repairs	146
Extreme Weather Resilience Contingency	365
Surface dressing scheme design	400
Road Weather Station Renewal Programme	105
Highway Lighting Column Upgrades	1,519
Highway Lighting LED replacement	2,410
Traffic Signal Replacements	1,380
Traffic signal maintenance specific grant	210
NOCC Improvements CCTV Upgrade	100
Depots	627
Minor Traffic Management Improvements	50
<b>HSM Projected Spend Total</b>	<b>57,879</b>
<b>Allocation 2021/22</b>	<b>58,816</b>
<b>Projected variance</b>	<b>-937</b>

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## Appendix 2 to HIW/22/19 continued

Projected carry forward request explained as follows: -

LTP/Potholes Fund overprogramming (including bridges projected under in appendix 3)	-250
A379 Slapton Line	209
Street Lighting LED C/F to 2022/23	2,360
Total projected variance as at month 11	2,319

## Appendix 3 to HIW/21/19

### Bridge Assessment and Strengthening Programme 2021/22

Function	Projected £000's
Bridge Strengthening	1,169
Retaining Wall Strengthening	3,222
Major Refurbishment	481
Minor Refurbishment	1,652
Joints and Bearings	141
Sub-Standard Parapets	405
Bridge Safeguarding	103
Bridge Assessments	318
Principal Inspections	468
Scour Assessments / Protection	56
Post Tensioned Special Inspections	192
Low Head Room Signage	60
Management of Sub-standard Structures	15
Rockface Management	188
<b>Total BAS projected spend</b>	<b>8,470</b>
<b>BAS Allocation 2021/22</b>	<b>9,852</b>
<b>LTP projected under (included in the table above)</b>	<b>-1,382</b>

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## Appendix 4 to HIW/21/19

### Highway Structural Maintenance Programme 2022/23

Function	Budget £000's
<b><u>Principal Roads</u></b>	
A Roads	7,000
SCRIM Remedial works	2,011
A379 Slapton Line	209
<b><u>All Roads</u></b>	
Local Asset Programme	13,485
Preventative Programme 2022/23	5,000
Gully cover renewal	150
High Friction Surfacing	400
Road Restraint Systems	600
Wet/Dry Collision Sites	100
Carriageway Condition Surveys	350
Depots	600
Resilience Contingency	673
Scheme Delivery Group	750
Scheme Design	400
Investigation and Testing (Materials Laboratory)	250
Dragon Patcher	2,200
Highway Improvements Hand Patching	4,354
Cycleway, PROW & Unsurfaced Roads	1,750
Road Weather Station Renewal Programme	100
Highways Lighting Column Upgrades	1,500
Highways Lighting LED	3,220
Traffic Signal Replacements	1,400
Traffic signals maintenance DfT specific grant	290
Minor Traffic Management Improvements	500
<b>HSM Programme Total</b>	<b>47,292</b>



## Appendix 5 to HIW/21/19

### Bridge and Structures (BAS) Capital Maintenance Programme 2022/23

Function	Estimate £000's
Bridge Strengthening	3,080
Retaining Wall Strengthening	2,250
Major Refurbishments	1,175
Minor Refurbishments EDG	650
Minor Refurbishments NHT	100
Joints, Bearings & Waterproofing	200
Sub-Standard Parapets	350
Bridge Safeguarding	100
Bridge Assessments	275
Principal Inspections - Bridges	350
Principal Inspections - Retaining Walls	100
Scour Assessments / Protection	100
Post Tensioned Special Inspections	150
Low Head Room Signage	50
Management of Sub Standard Structures	10
Rockface Management	60
<b>Total BAS Allocation 2022/23</b>	<b>9,000</b>

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## Appendix 6 to HIW/21/19

### On-street Parking Account (OSP) 2022/23

<b>Function Narrative</b>	<b>2022/23 Budget Allocation £</b>
Transport Co-ordination Service: Bus, Rail, and Community Transport Support	2,118,000
Civil Parking Enforcement road signs & road markings	225,000
Traffic Management Plans	25,000
Cyclical Maintenance for the purposes of Environmental Improvement	1,700,000
Traffic and Parking IT Systems	30,000
Safety Camera Partnership	10,000
Real Time passenger information	45,000
Variable Message Signs	10,000
Road Safety Improvements - Reactive	50,000
Park & Ride business rates / minor site maintenance	71,000
Country Parks	219,000
<b>Total Other Expenditure</b>	<b>4,503,000</b>

## **Formal consultation submission to the Devon Climate Emergency partnership's responses to the recommendations of the Devon Climate Assembly**

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 approves 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 this report).

### **1. Summary**

This report presents a proposed submission to the Devon Climate Emergency partnership's consultation on its responses to the recommendations of the Devon Climate Assembly (Section 3 of this report). The consultation has been live between the 17<sup>th</sup> March and 14<sup>th</sup> April 2022.

### **2. Introduction**

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

An [independent Net-Zero Task Force](#) of specialists was set up by the partnership, who have subsequently involved the public in the preparation of the [Interim Devon Carbon Plan](#) whilst preparations for a Devon Climate Assembly were progressing.

The Devon Climate Assembly was held last summer after a year's delay due to COVID-19. Seventy randomly-selected individuals, representative of Devon's population, were invited to discuss three of Devon's key climate issues: onshore wind, how to encourage less car use, and how to accelerate the upgrading of buildings.

In [its report](#), the Assembly has made recommendations about how they would like to see the issues addressed. Their recommendations take the form of headline resolutions and supporting conditions to guide the implementation of the resolutions.

Over the past few months, the organisations of the DCE partnership have worked together to respond to the Assembly's recommendations. Some of the partnership's responses are actions to include in the next version of the Devon Carbon Plan, which will be available for partners to adopt from August 2022.

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Relevant officers at DCC and the membership of the Corporate Infrastructure and Regulatory Services Scrutiny Committee Standing Overview Group have had the opportunity to influence the proposed responses ahead of the public consultation. These have been considered by the DCE Secretariat, alongside feedback from the other DCE partners, to arrive at the proposed wording of the responses.

The consultation is the public's chance to say whether the DCE partnership has interpreted and responded to the Devon Climate Assembly's resolutions reasonably and effectively. The full list of the partnership's proposed responses is available on the [consultation website](#).

### **3. Proposed Consultation Response**

DCC remains incredibly grateful to the Net-Zero Task Force for overseeing the design and implementation of the Devon Climate Assembly, particularly during the challenging conditions presented by the COVID-19 pandemic. This exemplar of citizen engagement has attracted interest from many local authorities in the UK and elsewhere. The Authority also extends its appreciation to the seventy people who took part in the Assembly to share their concerns about climate change and their preferred approaches for reaching net-zero in Devon.

This administration agrees with the Assembly that wind farms, where sited appropriately to minimise effects on communities and the environment, can be part of providing Devon's energy needs and that the benefits of new energy infrastructure should be retained locally wherever possible – not only will this reduce Devon's dependence on carbon-dense fossil fuels, alongside other forms of low-carbon energy, but also increase Devon's energy security. We also agree that Devon needs better active and public transport infrastructure, and that it should be more affordable and convenient, alongside providing confidence to drivers to switch to electric vehicles. Additionally, we believe much more must be done to support people to upgrade the energy efficiency of their homes and businesses.

The Authority endorses the Devon Climate Emergency's proposed response to the Assembly's recommendations and will do what it can to implement relevant actions within its areas of responsibility. DCC understands that the proposed responses have had to be designed to be palatable to the whole partnership. As such, the Authority is content that whilst in some cases they reflect a compromise position, they represent a position that enables the partnership to move forward to address the climate and ecological emergencies together – this will be vital for success.

Just as for the changes required by the existing Interim Devon Carbon Plan, new or changed regulation at national level and enhanced resources are necessary to address many of the proposed responses. DCC will continue to pursue additional resources and work with Government to put in place the framework necessary to accelerate carbon emissions reductions.

DCC is already delivering projects as part of its emergency response that help deliver many of the recommendations of the Assembly. It is continuing its long-standing support for communities to take ownership of local energy via the £200k Community Energy Fund. Transport improvements include the preparation of Local Cycling and Walking Improvement Plans; the installation of electric-vehicle charging infrastructure on-street and in car parks; the continued development of strategic multi-use trails,

such as the Teign-Estuary trail; and the submission to government of the Bus Service Improvement Plan. People are being supported immediately to retrofit their homes through the £6m Sustainable Warmth project whilst the Retrofit Devon project is using Community Renewal Fund money to pilot approaches to providing impartial advice to people who are willing to pay for home upgrades. Alongside this, it is establishing a Devon energy advice service in partnership with community energy organisations. This project is also experimenting with novel approaches to engaging businesses with retrofit advice and funding models.

The Authority, spurred on by the latest Intergovernmental Panel on Climate Change report which reminds us that there is still hope of minimising global warming to 1.5 degrees but only if we all take concerted action, continues to drive down emissions across its own operations: Its largest buildings are being retrofitted with cutting-edge insulation and heating technology, more electric vehicles are arriving in the fleet, solar panels are being fitted to rooftops, lower-carbon materials are being trialled in highways maintenance, and land has been purchased for tree planting.

DCC continues to be committed to playing its part in achieving net-zero in Devon by 2050 at the latest and looks forward to receiving the next iteration of the Devon Carbon Plan for consideration later in the year.

#### **4. Options/Alternatives**

DCC has three options available:

- a. Endorse the partnership's proposed responses (the recommendation of this report).
- b. Endorse the intent of the partnership's proposed responses but provide further feedback on points of detail. This is not recommended because feedback from officers and the Corporate, Infrastructure and Regulatory Services Scrutiny Committee Standing Overview Group has been collected over the past few months and considered by the DCE Secretariat, alongside feedback from the other DCE partners, to arrive at the proposed wording of the responses which are designed to be palatable to the whole partnership.
- c. Do not endorse the proposed responses. This is not recommended for the same reason as option b and this would add substantial delay to the DCE process.

#### **5. Financial Considerations**

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

This situation also applies to the proposed responses to the Devon Climate Assembly's recommendations that will be incorporated into the next version of the Devon Carbon Plan. Where proposed responses can be implemented within existing resources, this will be indicated in the Plan.

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At this time there are no new financial requests on DCC for the implementation of the Devon Carbon Plan. Once in the implementation phase, individual projects to be led by DCC may approach the Authority for funding if deemed appropriate, and which will be considered in accordance with the established approvals process, subject to affordability.

## **6. Legal Considerations**

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

## **7. Environmental Impact Considerations (Including Climate Change)**

The Interim Devon Carbon Plan and these proposed responses to the Devon Climate Assembly's recommendations are explicitly designed to reduce carbon emissions to net-zero by 2050 at the latest across Devon.

Regarding the three issues discussed by the Devon Climate Assembly, there is scope for onshore wind and the upgrading of buildings to negatively affect landscape quality and character, wildlife and elements of the historic environment. However, these issues are acknowledged by the Interim Devon Carbon Plan and actions to work collaboratively with communities and statutory bodies to navigate them, and indeed turn these potential negative effects into opportunities for positive effects, are proposed.

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

## **8. Equality Considerations**

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

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

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

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

In progressing this particular scheme/proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at: [Proposed Responses to the Devon Climate Assembly - Impact Assessment](#), which Councillors will need to consider for the purposes of this item.

Climate change will affect everybody in the county, and it will affect people less able to adapt the most. These include less affluent people, those living with physical and mental health conditions, those living in coastal communities or other areas prone to flooding, and young people who will live with the effects becoming worse over their lifetimes. Postcodes with the lowest Indices of Multiple Deprivation were over-represented in the initial recruitment of people onto the Devon Climate Assembly because the experience of the external facilitators had shown that it can be difficult to engage people in those categories. The result was that the Assembly make-up matched demographic data for Devon very well. Black and Asian people were over-represented in the Assembly in comparison to baseline data because it was suspected that the baseline data underrepresented these members of our communities.

Implementing the recommendation will help grow efforts to reduce international carbon emissions and minimise these impacts on everyone.

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

The Plan has been designed with an overarching principle (Principle 9) that:

*"A just transition is required to ensure that:*

- a) Vulnerable and low-income segments of society and rural communities are not disadvantaged.*
- b) The differing impacts of climate change on different groups e.g. disabled, minorities, gender, are addressed.*
- c) Actions to decarbonise Devon must not be at the expense of other communities or ecology globally"*

This principal also applies to the implementation of the proposed responses to the Devon Climate Assembly's recommendations.

## **9. Risk Management Considerations**

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

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

# Agenda Item 9

DCE partners and communities throughout the county and our partners in the wider southwest.

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

## 10. Public Health Impact

Encouraging everyone to be more active by walking and cycling; improving air quality through the electrification of vehicles; and insulating our homes to make them warmer are examples of the co-benefits for public health arising from implementing the proposed responses to the Devon Climate Assembly's recommendations.

There is evidence that poorly-sited onshore wind turbines can negatively affect the health of people living nearby. This issue will need to be managed carefully by acting on the science and involving communities in any schemes that come forward for development.

## 11. Summary

The Devon Climate Assembly has deliberated three of Devon's key climate issues and made recommendations to the Devon Climate Emergency partnership about how they would like to see them addressed.

The Authority endorses the proposed responses developed by the partnership and will do what it can to implement relevant actions within its areas of responsibility.

DCC looks forward to continuing the formal collaboration with partners on the Devon Climate Emergency Response Group and working in partnership with everyone to continue the reduction of Devon's greenhouse gas emissions and the required adaptation to the inevitable impacts of climate change.

Dave Black  
Head of Planning, Transportation and Environment

Electoral Divisions: All

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

## Local Government Act 1972: List of Background Papers

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

## Background Paper

*Impact Assessment for the Proposed Responses to the Recommendations of the Devon Climate Assembly, March 2022*

The above mentioned Reports are published on the Council's Website at:  
<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

Formal consultation submission to the Devon Climate Emergency partnership's responses to the recommendations of the Devon Climate Assembly - Final



# Impact Assessment



Assessment of: Devon County Council's endorsement of the Devon Climate Emergency partnership's proposed responses to the Devon Climate Assembly

Service: Planning, Transportation and Environment

Head of Service: Dave Black

Date of sign off by Head of Service: 22/03/2022

Assessment carried out by: Doug Eltham, Environment and Sustainability Policy Officer

## 1. Description of activity under review

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

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

zero by 2050 at the latest.

An [independent Net-Zero Task Force](#) of specialists was set up by the partnership, who have subsequently involved the public in the preparation of the [Interim Devon Carbon Plan](#) whilst preparations for a Devon Climate Assembly were progressing.

The Devon Climate Assembly was held last summer after a year's delay due to COVID-19. Seventy randomly-selected individuals, representative of Devon's population, were invited to discuss three of Devon's key climate issues: onshore wind, how to encourage less car use, and how to accelerate the upgrading of buildings.

In [its report](#), the Assembly has made recommendations about how they would like to see the issues addressed. Their recommendations take the form of headline resolutions and supporting conditions to guide the implementation of the resolutions.

Over the past few months, the organisations of the DCE partnership have worked together to respond to the Assembly's recommendations. Some of the partnership's responses are actions to include in the next version of the Devon Carbon Plan, which will be available for partners to adopt from August 2022.

Relevant officers at DCC and the membership of the Corporate Infrastructure and Regulatory Services Scrutiny Committee Standing Overview Group have had the opportunity to influence the proposed responses ahead of a public consultation. These have been considered by the DCE Secretariat, alongside feedback from the other DCE partners, to arrive at the proposed wording of the responses.

The proposed wording is now available for public consultation. The consultation is the public's chance to say whether the DCE partnership has interpreted and responded to the Devon Climate Assembly's resolutions reasonably and effectively. The full list of the partnership's proposed responses are available on the [consultation website](#).

Devon County Council's Cabinet is recommended to endorse the proposed wording of the responses.

## 2. Reason for change / review

The Interim Devon Carbon Plan does not include actions to that respond to the recommendations of the Devon Climate Assembly. The change is needed to incorporate the Assembly's recommendations into the next version of the Devon Carbon Plan.

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

DCC has three options available:

- a. Endorse the partnership's proposed responses (the recommendation made to Cabinet).
- b. Endorse the intent of the partnership's proposed responses but provide further feedback on points of detail. This is not recommended because feedback from officers and the Corporate Infrastructure and Regulatory Services Scrutiny Committee Standing Overview Group has been collected over the past few months and considered by the DCE Secretariat, alongside feedback from the other DCE partners, to arrive at the proposed wording of the responses which are designed to be palatable to the whole partnership.
- c. Do not endorse the proposed responses. This is not recommended for the same reason as option b and this would add substantial delay to the DCE process.

### 4. People affected and their diversity profile

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

### 5. Stakeholders, their interest and potential impacts

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

Implementing the recommendation will require fundamental changes to society, including for example how energy is used in buildings, how transport services operate and where energy comes from. This has the potential to impact negatively and positively on different communities.

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

## 6. Research used to inform this assessment

- United Nations' Intergovernmental Panel on Climate Change, 1.5-Degree Special Report, 2018.
- Grantham Institute Briefing Paper No.31, Co-benefits of climate change mitigation in the UK, 2019
- The recommendations from the Devon Climate Assembly – a representative sample of Devon's population.

## 7. Description of consultation process and outcomes

This assessment has not been the subject of consultation. The Assembly's recommendations have been consulted with the Devon Climate Emergency partners who in turn have prepared responses to those recommendations. The Corporate Infrastructure and Regulatory Services Climate Change Standing Overview Group and officers at Devon County Council have influenced the partnership's responses.

## 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 <a href="#">Diversity Guide</a> and <a href="#">See RED</a>]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> <li>eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible.</li> <li>foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <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 <a href="#">DCC Equality Policy</a>?</p>
<p>All residents (include generic equality provisions)</p> <p>Page 104</p>	<p>The partnership's responses to the Devon Climate Assembly will become part of the next version of the Devon Carbon Plan.</p> <p>The Plan shows that the transition to net-zero will have far reaching and profound implications for how communities function and how behaviours will need to change.</p> <p>Implementing the recommendation will encourage further action locally that in turn can build momentum for national and international action on decarbonisation to reduce the impacts of climate change on all characteristics.</p>	<p>The Devon Climate Assembly is a 70-strong panel of Devon residents that is demographically representative of Devon as a whole. Postcodes with the lowest Indices of Multiple Deprivation were over-represented in the initial recruitment of people onto the Devon Climate Assembly because the experience of the external facilitators had shown that it can be difficult to engage people in those categories. The result was that the Assembly make-up matched demographic data for Devon very well. Black and Asian people were over-represented in the Assembly in comparison to baseline data because it was suspected that the baseline data underrepresented these members of our communities.</p> <p>The Devon Carbon Plan has been designed with an overarching principle (Principle 9):</p> <p style="padding-left: 40px;">"A just transition is required to ensure that:</p> <ol style="list-style-type: none"> <li>a) Vulnerable and low-income segments of society and rural communities are not disadvantaged.</li> </ol>

		<ul style="list-style-type: none"><li>b) The differing impacts of climate change on different groups e.g. disabled, minorities, gender, are addressed.</li><li>c) Actions to decarbonise Devon must not be at the expense of other communities or ecology globally”</li></ul> <p>Tactical-level changes to DCC’s services over the next decade will need to undertake their own impact assessment to consider their effect on the equality characteristics of service users.</p>
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Age	See above	See above
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	See above	See above
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	See above	See above
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	See above	See above
Sexual orientation and marriage/civil partnership	See above	See above
Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options,	See above	See above



rural/urban		
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## 9. Human rights considerations:

The Plan shows that the transition to net-zero will have far reaching and profound implications for how communities function and how behaviours will need to change. Implementing the recommendation will help grow efforts to reduce international carbon emissions and minimise these impacts on everyone.

The Plan has been designed with an overarching principle (Principle 9):

“A just transition is required to ensure that:

- a) Vulnerable and low-income segments of society and rural communities are not disadvantaged.
- b) The differing impacts of climate change on different groups e.g. disabled, minorities, gender, are addressed.
- c) Actions to decarbonise Devon must not be at the expense of other communities or ecology globally”

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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?

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

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

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

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

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

## 11. Environmental analysis

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

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

	<b>Describe any actual or potential negative consequences. (Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).</b>
Reduce, reuse, recycle and compost:		Retrofitting homes and encouraging less car use will involve using resources more efficiently.
Conserve and enhance wildlife:	There are potential negative effects on wildlife from new sustainable energy and transport infrastructure, however planning policies and procedures exist to avoid or minimise such impacts.	There is a statutory requirement to achieve biodiversity 'net-gain' from development of energy and transport infrastructure.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	The need for new sustainable travel and energy infrastructure, as well as retrofitting buildings, will introduce new features into the landscape. These will need to be managed appropriately, taking into account existing landscape quality and character. Planning policies and procedures exist to avoid or minimise such impacts.	
Conserve and enhance Devon's cultural and historic heritage:	Potential negative effects on the historic built environment from new sustainable travel and energy infrastructure, as well as retrofitting buildings, however planning policies and procedures exist to safeguard these.	
Minimise greenhouse gas emissions:		Achieving net-zero across Devon will minimise greenhouse gas emissions.

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Minimise pollution (including air, land, water, light and noise):		<p>Minimising fossil fuel consumption will improve air quality and reduce land and water pollution.</p> <p>Achieving less car use would reduce plastic pollution from tyres and brake pads.</p>
Contribute to reducing water consumption:		Retrofitting homes may involve consuming less water.
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		Retrofitting homes properly will improve their resilience to overheating in hotter summers.
Other (please state below):		

## 2. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	None	There is considerable potential for the transition to clean transport, energy and retrofitting technologies to create new skills requirements.
Impact on employment levels:	Employment levels in carbon intensive and unsustainable sectors will decline, but these are expected to be outweighed by increased opportunities for employment in other sectors.	There is considerable potential for the transition to clean transport, energy and retrofitting technologies to create new jobs.
Impact on local business:	None	There is considerable potential for the transition to clean transport, energy and retrofitting technologies to increase local economic prosperity.  All business sectors that adopt clean vehicles and retrofit their business premises will have a competitive advantage.

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

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

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

improvement, green growth and the reduction of social vulnerability.

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

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

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?

See 13. Procurement is non-applicable.

15. How will impacts and actions be monitored?

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





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

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.

**Recommendations:** that the Cabinet be asked

- (a) to delegate authority to the Head of Planning, Transportation and Environment in consultation with the Cabinet Member for Climate Change, Environment and Transport 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 junctionsincluding going out to tender and to award contracts for the schemes within the project budget;
- (b) to delegate authority to the Head of Planning, Transportation and Environment in consultation with the Cabinet Member for Climate Change, Environment and Transport to make any necessary changes to the design and progress the proposals for the community building and GP surgery. 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) to conditionally approve the proposals in relation to the allocation of funding recovered from developers including up to
  - i. £5.5 million towards the electricity substation
  - ii. £2 million towards Cranbrook community building;
- (d) to approve 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.

### **1. Summary**

Devon County Council was successful in its bid to the Housing Infrastructure Fund (HIF) and since commenced delivery of the first pieces of infrastructure included within the bid. This report seeks to provide an update on the project as well as requesting approval for some elements to allow for the continual progression of the project.

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## 2. Introduction

As set out in previous Cabinet reports on this project, South West Exeter is a strategic allocation of 2,500 dwellings and 5 hectares of employment within the administrative areas of Teignbridge District Council and Exeter City Council. It is a complex site, with various constraints including a key arterial road (the A379) which bisects the development area, it is close to the Exe Estuary Special Protection Area, has difficult topography and has multiple land ownerships. It requires a significant amount of infrastructure to enable the development to come forward, much of which is needed early, and involves coordination to minimise disruption.

DCC was successful with its bid of £55.14 million to the Housing Infrastructure Fund (HIF), under the forward funding tranche of the programme. The HIF funding will enable the early delivery of the infrastructure to support the planned housing development at South West Exeter. The infrastructure to be delivered includes:

- Delivery of four signal junctions on the A379
- Realignment of Chudleigh Road
- Southern Spine Road
- Devon Hotel Roundabout upgrade
- Alphington Village enhancements
- School access road
- Pedestrian / cycle bridge
- Suitable Alternative Natural Green Space (SANGS)
- New electricity substation
- Community building which is intended to include a GP surgery.

Previously included was a new roundabout to serve employment land at Peamore and an upgrade to the foul drainage system. Both of these schemes are now proposed to be delivered by developers without HIF funding. This has not impacted the total amount of HIF funding available for South West Exeter, with funding for these schemes remaining within the overall project.

A plan identifying the development location and infrastructure to be delivered is included in Appendix 1.

Progress is being made with the infrastructure. Two new signal junctions have been delivered and a contract has recently been awarded for the delivery of the pedestrian / cycle bridge with work expected to start on site in the Summer. The first phases of the SANGS, which is being delivered by Teignbridge District Council, are due to open to the public shortly. Although not included within the HIF project, a new all-through school is being delivered by the Department for Education and work commenced on site for this in October last year.

## 3. Proposal

### Electricity Substation

The HIF project includes the delivery of a new electricity substation to increase the electricity capacity in the area. This is expected to provide sufficient capacity for development at South West Exeter as well as additional future development,

including the level of development expected to be allocated in the emerging Exeter Local Plan. The substation will connect into existing 132kV overhead cables and as such needs to be located in close proximity to these cables. A consultation was undertaken, commencing in January 2021, to seek views on three potential site options as well as providing an opportunity for alternative sites to be identified. Following this an officer decision was made to progress a planning application for the site at Matford Home Farm. The consultation and options appraisal reports are available on the project website – [www.devon.gov.uk/swexeter](http://www.devon.gov.uk/swexeter).

DCC is progressing discussions with the landowner regarding the acquisition of the site and preparing a planning application which it is expected will be submitted in the Autumn. DCC is working closely with Western Power Distribution (WPD) on the design and requirements for the substation.

Since the initial proposal for the substation, additional costs have been identified. Firstly, the type of substation required has changed. The type of substation is informed by WPD based on what is required to provide power taking into account existing and future demands on the electricity network. The proposed solution is a bulk supply point that requires a much larger site than originally envisaged, which will need to be purchased. Secondly, it is now proposed to underground the cables both through the development site and to the north, underneath the A379. Whilst these are additional costs for the scheme, they are considered necessary to secure the electricity required, whilst seeking to minimise the impact on the development. The benefit from the additional electricity to be provided by the scheme will be capacity for both South West Exeter and development in the wider area.

It is proposed that contingency in the project will initially be used to fund the delivery of the substation. Whilst there is sufficient funding currently within the contingency to facilitate this, there are a number of schemes still to be delivered and there have been increases in prices and staffing costs which may impact future schemes. In order to mitigate against this risk, it is proposed that should there be insufficient funding available within the contingency to deliver all of the remaining HIF schemes, funding recovered from developers can be used to meet any shortfall, up to a total of £5.5 million. Homes England are aware of the intention to use recovered HIF funding for this purpose, although formal approval will be required, and recognise that its use for the substation will support future development beyond South West Exeter.

In order to progress the substation, it is proposed to enter into a contract with WPD for the undergrounding of the existing overhead cables. This is in addition to the contract which DCC has entered into for the delivery of the substation. It is expected that there will be a contribution to this from WPD as well as the existing landowner, although the exact apportionment of costs is to be confirmed.

## Devon Hotel Roundabout and Trood Lane

Design has been undertaken for improvements to the Devon Hotel Roundabout, which includes a number of elements. An extra lane on the western A379 entry arm is proposed. In addition, the exit of the western A379 arm is planned to be reduced to a single lane to remove an existing issue with the roundabout which is a conflict

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between vehicles from the eastern arm travelling towards Marsh Barton and those travelling straight ahead and a reduction in the central island. Pedestrian and cycle crossing facilities are also proposed, recognising the expected increase in these trips from the development. A toucan crossing is included on the western arm and options for a crossing on Bad Homburg Way are being investigated. The aim is to provide a signal crossing on Bad Homburg Way but there are constraints in the land available to achieve this. Should a signal crossing not be achievable, noting the constraints of the location, an uncontrolled crossing will be investigated. The scheme is not dependent on the outcome of these investigations. There is an existing signalised crossing on the eastern arm.

The HIF Project Board has made a decision to combine the delivery of the Devon Hotel Roundabout scheme with the delivery of a new signal junction at Trood Lane. As well as a new signal junction, the Trood Lane scheme will provide pedestrian and cycle connections and new bus laybys on the A379. Combining the two schemes allows traffic management between them to be coordinated and brings forward the delivery of the Trood Lane scheme. As a larger package it has the potential to achieve better prices through the procurement process.

The current expectation for the scheme is to progress to tender in July with commencement on site expected in Autumn 2021. A plan of the scheme is included in Appendix 2.

## Alphington Village Enhancements

A consultation was carried out on proposals for Alphington from December 2021 to January 2022. The consultation included various options for schemes to be delivered within Alphington, with views sought on these. The options are included in Appendix 3. A report on the responses to the consultation is currently being produced. Following this and taking into account responses received to the consultation, the budget available and constraints of the existing highway, it is proposed that a scheme will be developed based on the options shown in Appendix 3.

## A379 Junctions

Detailed design for the remaining junctions on the A379 is progressing. A plan of the scheme is included in Appendix 4. The A379 junctions are proposed to be delivered following the construction of the necessary earthworks to be delivered as part of the Chudleigh Road scheme. Options to combine these two schemes together and tender as a single package will be reviewed at the appropriate time.

## Community Building

Initial design for the community building, which includes a GP surgery, has been undertaken. The requirements for the building have been informed by Exminster Parish Council, the NHS / GP surgery and the South West Exeter Development Framework. Whilst the requirements were aspirational, the cost estimate for the building is significantly over the budget allowed for in the HIF funding. This is impacted by an increase in the cost of construction and challenges relating to the

land identified for the building. Whilst it may be possible to make savings, this is unlikely to be of the order required.

It remains the intention to deliver a community building including GP surgery as this is considered important to meet the needs of the development and foster a sense of community. It is therefore proposed to revisit the design and requirements with the stakeholders to develop an alternative proposal. The suggested alternative is to deliver the building in phases. Additional phases could be delivered at a later date to meet community needs as the development progresses and in line with future funding, such as Community Infrastructure Levy that the parish council will receive from the development. This approach also reduces the operational costs in advance of the development being fully built out. It is recommended to deliver the GP surgery, community meeting rooms and managed office space. This could be used flexibly during the early stages of the development with the potential for hall space to be available at the neighbouring scheme which is expected to open in September 2023.

Appendix 5 shows the site layout for the costed scheme. As currently shown, it allows for the delivery of a GP surgery of approximately 500m<sup>2</sup>, with the potential to expand this at a later date as indicated on the plan. The footprint of a first phase is indicated in blue on the plan, although this would require further design.

On completion it is expected that the building will be transferred to Exminster Parish Council for its operation and discussions are ongoing to ensure that a viable building is delivered. This will require approval by the parish council at the appropriate point.

Subject to a suitable proposal, it is intended to progress the delivery of the building, including going out to tender and award of tender.

## Southern Spine Road

The spine road will connect the three development parcels to the south of the A379 together. The completion of the Eastern Junction works provides the first section of this and design is continuing for the spine road through the remaining two parcels. Planning applications are proposed to be submitted for each section in Autumn 2022, with tender proposed early 2023. Plans showing the expected alignment of the Spine Road are included in Appendix 6. The exact alignment will be informed through discussions with the relevant developers / landowners.

## Recovered funding

As alluded to above and set out in previous Cabinet reports on this project, a key benefit of HIF is the ability to recover the cost of the infrastructure from developers and recycle it for use on future projects. Funding will be recovered as development is delivered and will be in accordance with terms within legal agreements. To date section 106 agreements have been signed for the development and a bespoke legal agreement in relation to the Eastern Junction has also been signed. It is expected that further bespoke legal agreements will be signed with developers in advance of infrastructure being delivered. It is proposed to allocate £2 million of recovered funding towards a new community building at Cranbrook. This is conditional on

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recovering funds from developers. This funding is in addition to the £5.5 million identified above for the substation and the previously approved £6.55 million towards the A382 improvement scheme.

## **4. Options/Alternatives**

The alternative to delivering the infrastructure as set out above is for DCC not to progress the delivery of the infrastructure. Instead, developers could deliver the infrastructure themselves. As identified above, there are two schemes which developers have opted to deliver themselves and DCC is not in a position to object to this. No HIF funding is available to these schemes. Direct delivery by developers involves them accepting greater risk and generally is likely to lead to a more piecemeal approach with developers only delivering infrastructure as it is required for each phase. This removes the benefits of coordination that DCC's role will have. As infrastructure is delivered, there will be some unavoidable disruption on the highway network. This has a greater potential of being minimised if DCC delivers the infrastructure as it can work across the scheme as a whole. This is being demonstrated by combining the Devon Hotel Roundabout scheme with the delivery of the Trood Lane signal junction.

Another alternative would be to take a more gradual approach to progressing the project. In principle, this would allow the infrastructure delivery to be aligned to the housing sites as they come forward. The risk of this is not delivering the infrastructure within the timescales of the funding stream and could result in being in breach of the funding contract, which requires funding to be spent by the end of March 2024. This would also remove the coordination benefit.

A key benefit of the funding is being able to recover the funding from development as housing is delivered and recycling this into future schemes. Removing or slowing down DCC's role in the delivery of the infrastructure could impact the amount of funding recovered and the future benefits of this funding.

## **5. Consultation and Stakeholder Engagement**

Consultation regarding the proposed development at South West Exeter and the infrastructure to support it has taken place at a number of stages.

Consultation was undertaken at the Local Plan Stage on the allocation of development in this location. This was undertaken by both Teignbridge District Council and Exeter City Council. In addition to public consultation, the Local Plans were subject to examination by an independent Planning Inspector. Following the adoption of the Local Plans, further work was undertaken by the city and district councils through the production and consultation of a Development Brief for the development within Exeter and a Development Framework for the development within Teignbridge. These documents provide further detail on the infrastructure that is proposed to be provided at South West Exeter.

Consultation is also being undertaken throughout the project and varies according to the specific piece of infrastructure. Where the infrastructure to be delivered requires planning applications, these will be subject to appropriate consultation through the

planning process. Public consultations have also been undertaken for both the electricity substation and Alphington village enhancements to seek stakeholder and public feedback. In addition, DCC is working closely with stakeholders for the delivery of the community building, namely the NHS and Exminster Parish Council, to ensure that the building to be delivered will meet requirements.

Efforts are being made to ensure that stakeholders are kept up to date with the project. A dedicated project website has been set up ([www.devon.gov.uk/swexeter](http://www.devon.gov.uk/swexeter)) which is updated regularly to reflect progress on the project and newsletters produced at relevant points.

## 6. Financial Considerations

The HIF funding is a capital grant to the Local Authority, with DCC able to draw down funding in arrears on a monthly basis. To date claims have been made for approximately £7.5m. The funding approvals set out above are within the remaining funding available, with contingency available within the project to account for any overspend.

In addition, the proposals include allocating recovered HIF funding to the schemes set out in the table below. This is dependent on receiving the money from development.

<b>Scheme</b>	<b>Approval amount</b>
Electricity substation	£5.5 million
Cranbrook community building	£2 million

Forward funding of the recovered funding is not anticipated to be required. For the substation, use of recovered funding would only be required if there is insufficient contingency available. Whilst the site acquisition may take place in 2022/23, there is anticipated to be sufficient contingency for this. The undergrounding of cables is expected to be later during the substation construction, in advance of the substation going live, by which point further funding is expected to be recovered from developers. Forward funding of Cranbrook community building is not proposed and whilst recovered funding will be available for the project, the project will need to consider how this is forward funded if required.

## 7. Legal Considerations

There are no specific additional legal considerations to those which were set out in the previous Cabinet reports for this scheme, as the proposal involves following the course of action set out in the original funding bid.

Legal agreements will be required for the delivery of the infrastructure and recovery of funding, which will be progressed on a case by case basis. This approach is considered to be achievable, with three agreements already entered into with developers, in addition to section 106 agreements as part of the normal planning process.

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In awarding the works contract, DCC will comply with the Public Contracts Regulations 2015.

## **8. Environmental Impact Considerations (Including Climate Change)**

The planning applications for both housing and employment at South West Exeter, which includes consideration of the infrastructure that is needed to support it, have considered the environmental impacts of the development. These planning applications span the administrative areas of Exeter City Council and Teignbridge District Council. Planning applications for the infrastructure where required will be submitted to Devon County Council and have similar requirements, including the need to provide biodiversity net gain. All of the authorities that have or will determine planning applications are signatories to the Devon Climate Declaration.

The HIF project brings forward the infrastructure to support a large development which will function as an urban extension to Exeter. The earlier delivery of the infrastructure will enable access to facilities through sustainable modes at an early stage of development. Improved walking and cycling infrastructure is a specific inclusion in the Devon Climate Declaration and the infrastructure to be delivered includes provision for this. The completion of the spine road will allow access for a through route for public transport and the delivery of a community building and a new Free School will support the creation of a community and reduce the need to travel. In addition, the HIF funding supports the delivery of Suitable Alternative Natural Green Space (SANGS) which seeks to mitigate the development's impact on the Exe Estuary protected areas.

In addition, the HIF project includes the delivery of an electricity substation, which will provide additional electricity capacity in the area to support development in moving towards carbon neutrality in the future.

In terms of carbon the South West Exeter HIF in itself does not induce the creation any more carbon long term. There are no significant enhancements to highway capacity that will encourage more car travel. In terms of construction, the concept of a Carbon Management Strategy for construction is being piloted on a parallel scheme and the results of this, when available, will be incorporated in the design and tenders.

## **9. Equality Considerations**

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

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



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

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

In progressing this particular project an Impact Assessment was prepared, which has previously been circulated to Cabinet Members and is also available on the Council's website at: <https://www.devon.gov.uk/impact/south-west-exeter-housing-infrastructure-fund-hif/>, which Councillors will need to consider for the purposes of this item.

The HIF project will support the development of a new urban extension to Exeter. The delivery of the community infrastructure and school will support the creation of a community. Within the delivery of the infrastructure, consideration has been, and will continue to be, given to safe and sustainable access for all. This includes the provision of pedestrian / cycle routes and crossings, including the provision of a new bridge where volumes of pedestrians and cyclists are expected to be greatest.

## **10. Risk Management Considerations**

This proposal has been assessed and all necessary safeguards or action have been taken to safeguard the Council's position. A risk register is in place for the project which is reviewed and updated monthly in line with Project Board meetings.

The funding contract has inherent risks which will be minimised so far as is possible through appropriate project management to ensure that the conditions of the funding are met. A close working relationship has been developed with Homes England allowing any risks to be raised early and responses progressed as appropriate. As with the delivery of any scheme, there is a risk regarding delivery, with a maximum amount of funding available through the HIF. The bid included an appropriate level of contingency and a contingency sum will be applied to schemes as they progress to minimise the impact of risks. The approach identified above to use recovered funding to meet additional costs for the substation if required will help to address risks relating to the contingency.

There is a risk regarding recovery of funding and the need to enter into legally binding agreements with developers which have yet to be concluded. Developers are aware of the need to enter into contracts and a recovery contract has been entered into with one developer, which suggests the contracts are workable. Failure to enter into funding contracts for future pieces of infrastructure could impact the delivery timescales and/or the amount of funding recovered. The likelihood of this is considered to be small as developers require the infrastructure for the development and DCC has good working relationships with the various developers.

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## 11. Public Health Impact

The infrastructure is proposed to support sustainable development at South West Exeter. As part of this there will be the provision of sustainable transport which will encourage active travel and have the potential for a public health benefit.

Designs for the junctions include provision of suitable pedestrian / cycle crossing facilities. Prior to approval of the design, the junctions are subject to safety audit, with issues raised within the safety audit addressed as appropriate.

## 12. Summary

The proposals set out above allow progress with the project to continue. This is necessary to ensure that the funding is spent within the identified timeframe. The project will enable the earlier delivery of infrastructure as well as the coordination of this to minimise the impact of its delivery. Earlier delivery will help to support the creation of a community from the outset. It will also support housing delivery. Development at South West Exeter was stalled for a number of years, but started to progress following the announcement that the funding bid was successful and is now progressing well alongside the delivery of infrastructure, demonstrating the need to continue supporting infrastructure delivery at South West Exeter.

Dave Black  
Head of Planning, Transportation and Environment

Electoral Divisions: Alphington and Cowick, Exminster and Haldon

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

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

Contact for Enquiries: Sarah Ratnage

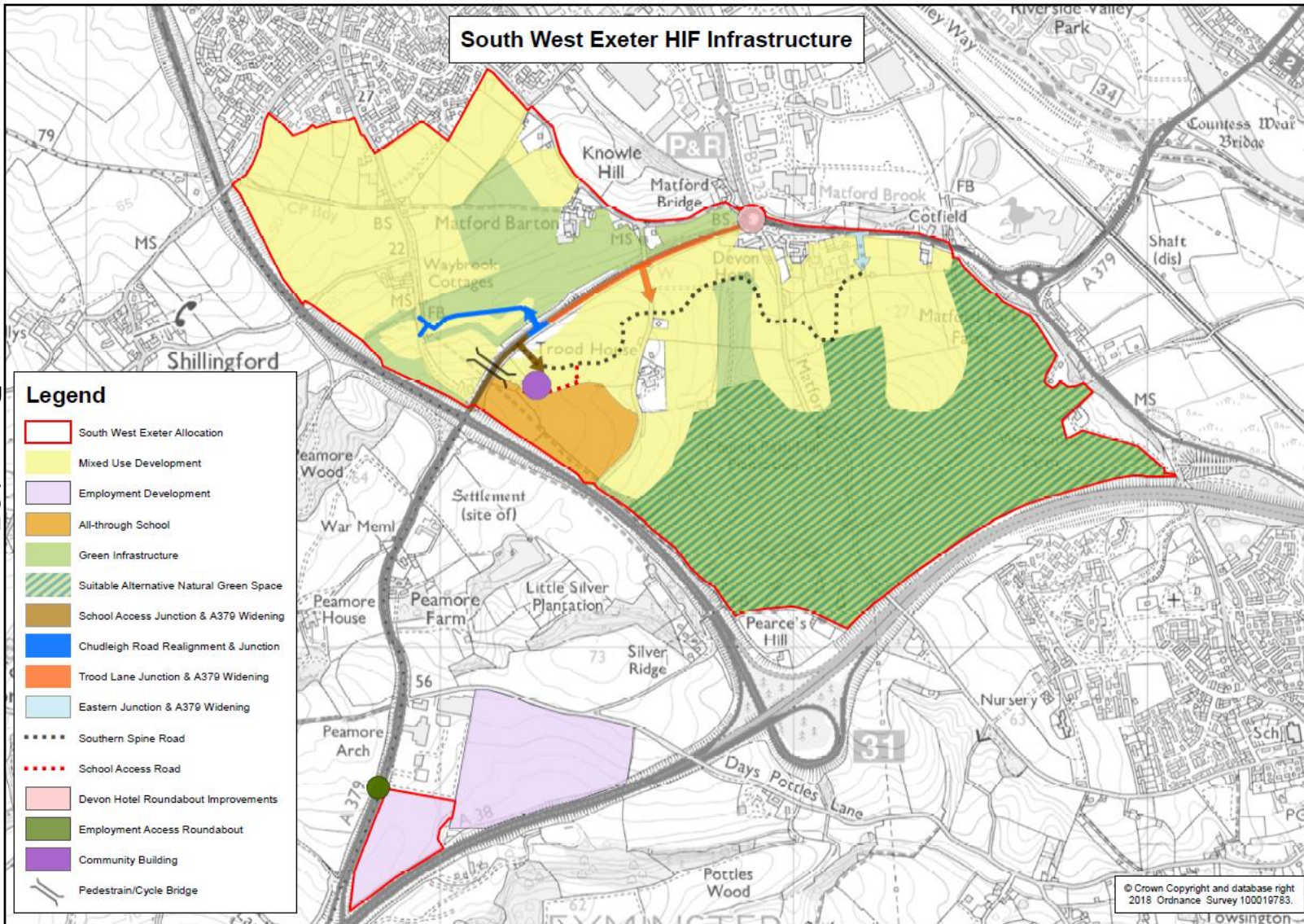
Tel No: 01392 383554 Room: 120, County Hall, Exeter, EX2 4QD

Background Paper	Date	File Reference
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Nil

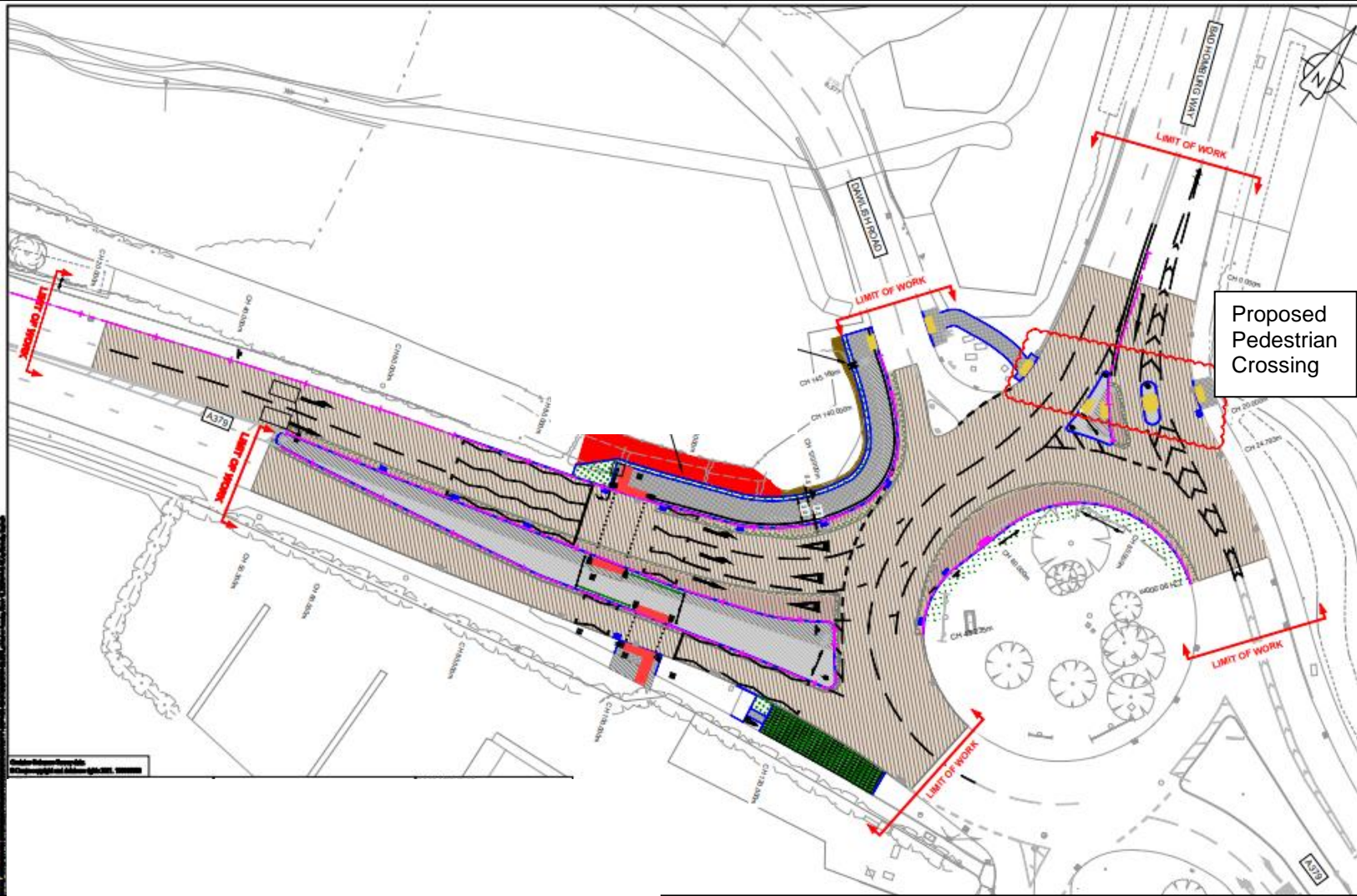
South West Exeter Housing Infrastructure Fund: Update on project - Final

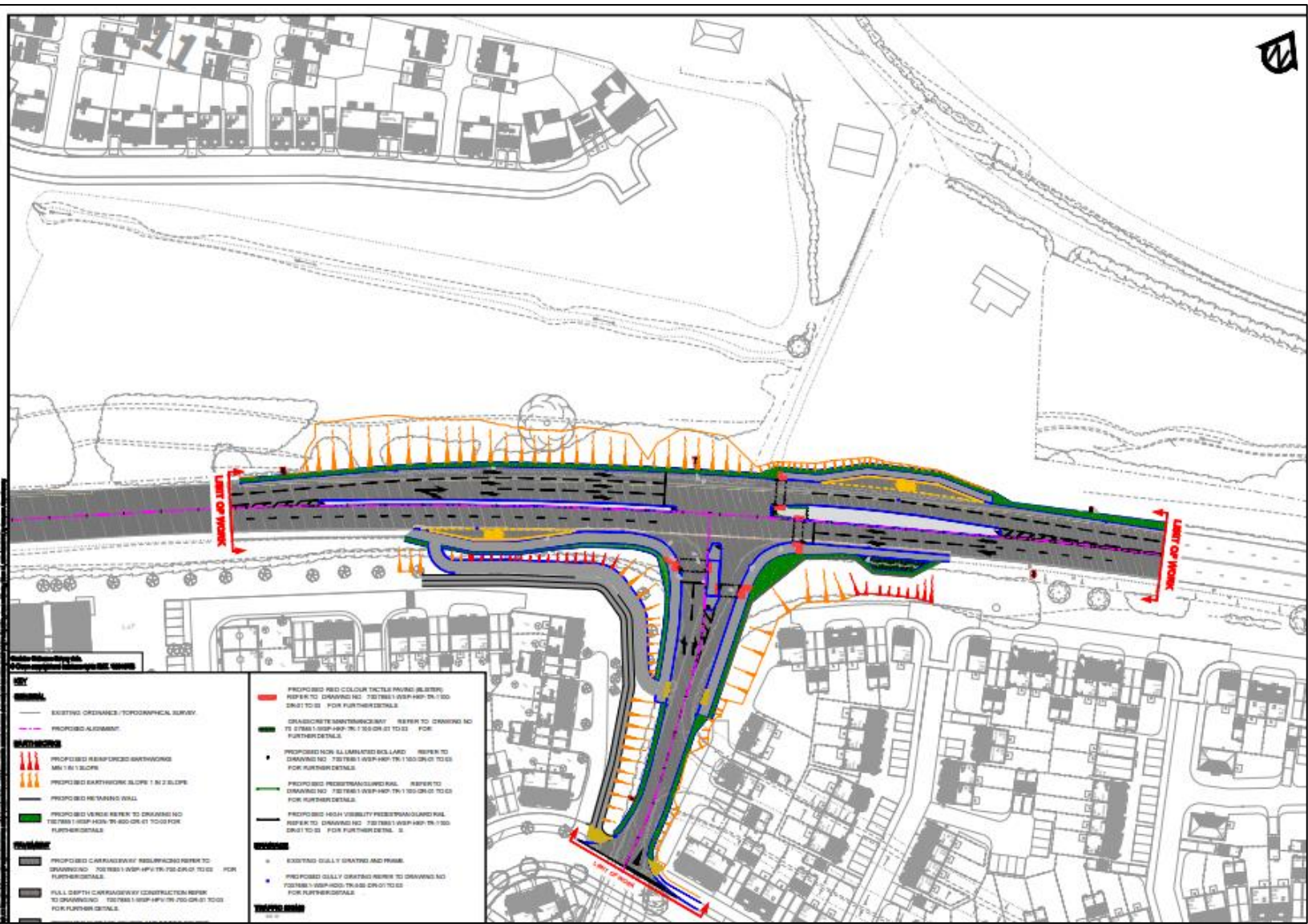
Appendix 1 to PTE/20/16 – Development and Infrastructure Plan





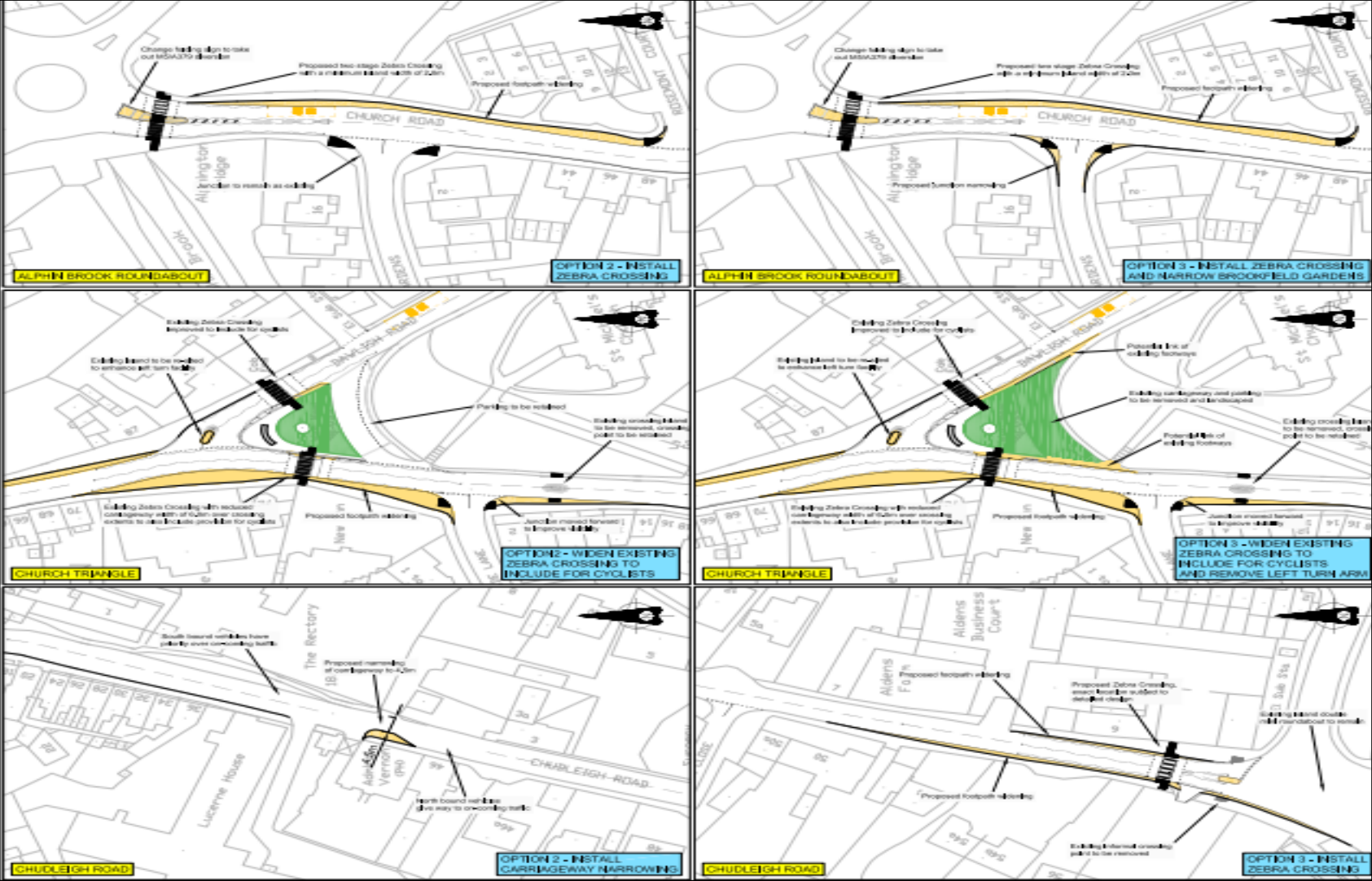
Appendix 2 to PTE/20/16 – Devon Hotel Roundabout and Trood Lane







Appendix 3 to PTE/20/16 – Alphington Village Enhancements



# Appendix 4 to PTE/20/16 – Community Building



**Key**

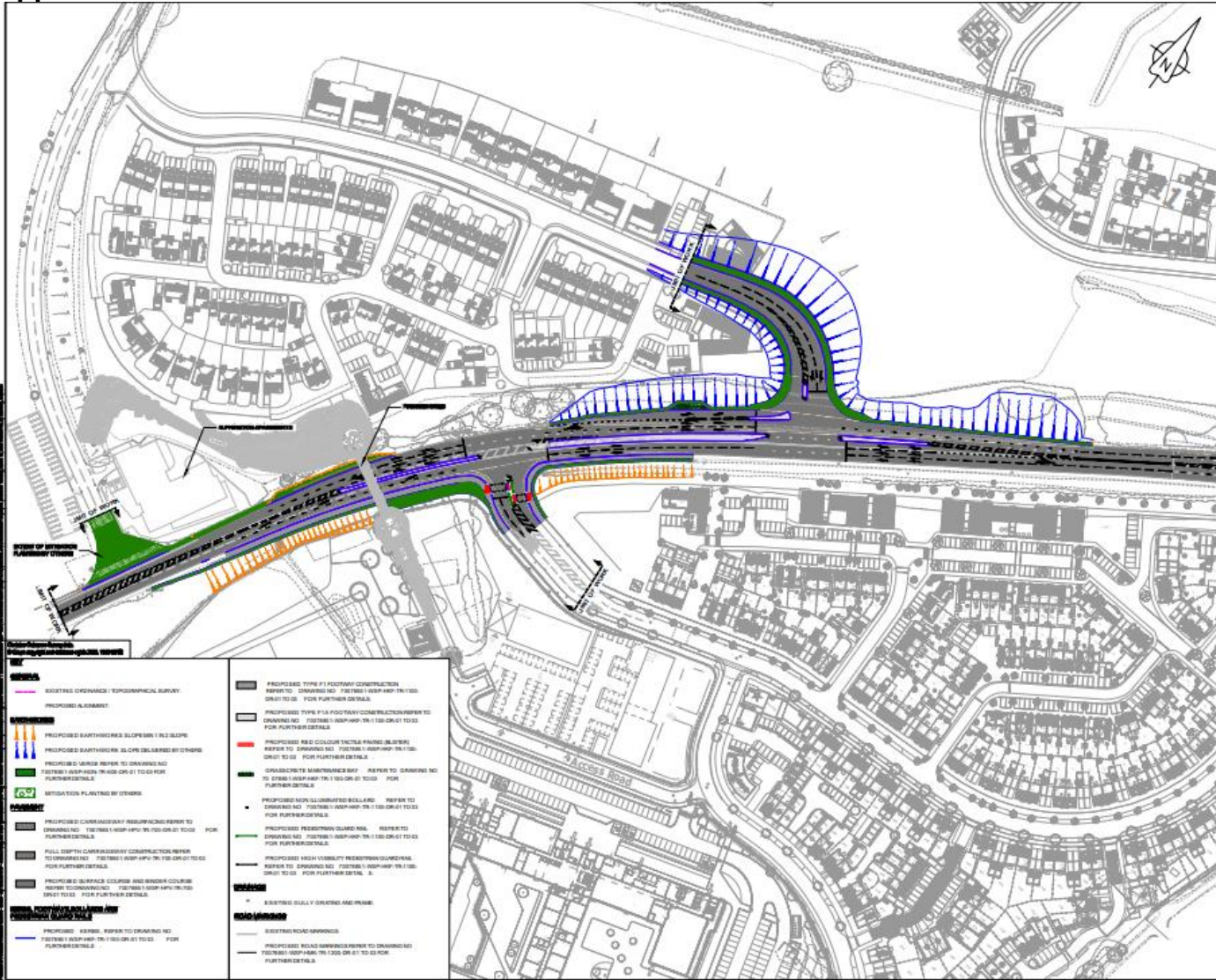
Grey

Requirements by Exminster Parish Council, the NHS / GP surgery and the South West Exeter Development Framework.

Blue  
Recommended Phase 1 - GP surgery, community meeting rooms and managed office space. Plus parking.

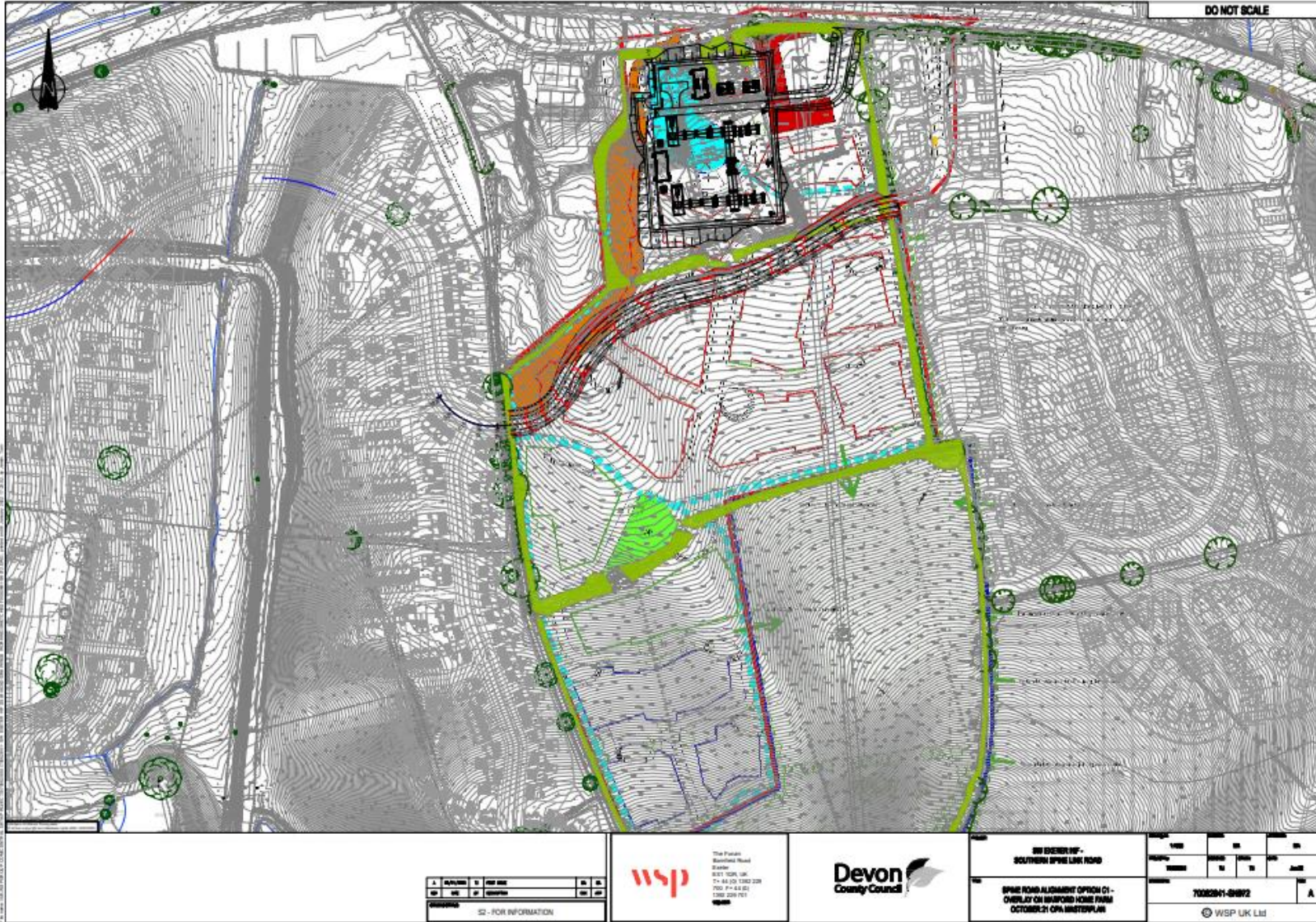


Appendix 5 to PTE/20/16 – A379 Junctions





Appendix 6 to PTE/20/16 – Southern Spine Road





# Impact Assessment

Version 2017

To publish, please send a dated PDF to [impactassessment-mailbox@devon.gov.uk](mailto:impactassessment-mailbox@devon.gov.uk)



<b>Assessment of:</b>	<b>South West Exeter Housing Infrastructure Fund (HIF)</b>
<b>Service:</b>	<b>Planning, Transport and Environment</b>

<b>Head of Service:</b>	Dave Black
<b>Date of sign off by Head of Service/version:</b>	8 <sup>th</sup> November 2019
<b>Assessment carried out by (incl. job title):</b>	Alex Crump, Senior Engineer Sarah Ratnage, Special Projects and Planning Manager

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## Section 1 - Background

<b>Description:</b>	<p>South West Exeter is a strategic allocation of 2,500 dwellings and 5 hectares of employment on the edge of Exeter, which spans two administrative areas – Teignbridge District Council and Exeter City Council. The Teignbridge Local Plan allocates land for 2,000 dwellings and the Exeter Core Strategy allocates land for 500 dwellings. SW Exeter is a complex site. The development straddles a key arterial road (the A379), is close to the Exe Estuary Special Protection Area requiring additional mitigation and has multiple land ownerships. It requires a significant amount of infrastructure to enable the development to come forward, much of which is needed early, and involves coordination to minimise disruption. To help deliver the infrastructure early, Devon County Council submitted a bid for £55.1 million of funding from the Housing Infrastructure Fund (HIF). In February 2019 it was announced that this funding bid was successful. The bid includes infrastructure such as</p>
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	new roads and junctions, upgrades to roads, a pedestrian/cycle bridge, a community building, Alphington Village enhancements and a Suitable Alternative Natural Green Space (SANGS).
Reason for change/review:	In September 2019 a previous Impact Assessment was produced (available <a href="#">here</a> ) for the two highway junctions which are likely to be delivered first. This Impact Assessment builds on this previous publication to include all of the infrastructure in the scope of the HIF bid.

## Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Page 134	Options Appraisal and Recommendations:	<p>As described in Section 1, South West Exeter is a strategic allocation of 2,500 dwellings and 5 hectares of employment. However, the nature of the site means there are significant difficulties associated with unlocking the development. Devon County Council therefore successfully bid for £55.1m of HIF funding to progress the works. This option has multiple benefits:</p> <ul style="list-style-type: none"> <li>• Reduced disruption to highway users and stakeholders through coordination of construction activities</li> <li>• Ensure timely delivery of a new school to meet existing need for secondary school places in the area. A delay in the delivery of the Interim School Access Junction would have the impact of delaying the delivery of the all-through school at South West Exeter, which cannot be delivered in advance of the junction works and access. The risk of a delay to the delivery of the school is the loss of the free school. This would have a significant cost implication for the county council as the cost of the free school is estimated to be in excess of £30 million. There would likely also be a delay to the delivery of the school, which is a significant risk as there is considerable pressure for secondary school places in Exeter.</li> <li>• County Council has increased influence over design of infrastructure to ensure needs of all users are considered</li> <li>• Holistic approach to infrastructure design to ensure all parcels are unlocked</li> </ul>
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	<p>The alternative would be that DCC do not deliver any infrastructure. This would likely delay delivery of housing and the school. Furthermore, the disruption to highway users would be spread over a longer period. Finally, landowners/developers who are less advanced in the planning process may be disadvantaged (e.g. lack of service capacity) and would struggle to develop</p> <p>Since then the HIF bid was approved, DCC's Cabinet have also approved a public consultation on the inclusion of an additional Park and Ride site. This option would be expected to have environmental benefits based on reducing traffic flows into Exeter.</p>
<p>Social/equality impacts (summary):</p>	<p>A Stakeholder Engagement Plan has been produced which includes identification of those who could be affected and how they will be consulted with. Those identified include highway users, local residents and businesses, landowners and developers, national/local government, emergency services etc.</p> <p>The positive impacts of this project include:</p> <ul style="list-style-type: none"> <li>• Coordination of infrastructure delivery</li> <li>• Delivery of new homes within the local area, including affordable housing</li> <li>• Delivery of a new all-through school, including nursery provision</li> <li>• Accelerated delivery of the development</li> </ul> <p>The following negative impacts may be realised:</p> <ul style="list-style-type: none"> <li>• Disruption due to traffic management (this would happen regardless of who delivers the development)</li> <li>• Increase in local highway users (again, this would happen regardless of who delivers the development but may be mitigated by the Park and Ride option)</li> <li>• DCC could delay delivery of the most advanced development sites due to the need to follow local government procurement regulations</li> </ul> <p>Throughout the development, stakeholder views will be considered and they will be kept informed of the proposed works and necessary traffic management.</p>

Environmental impacts  
(summary):

The planning applications for the 2,500 dwellings and employment, which includes consideration of the infrastructure that is needed to support it, have been supported by Environmental Statements where appropriate. These planning applications span the administrative areas of Exeter City Council and Teignbridge District Council, both of which are recent signatories to the Devon Climate Declaration along with Devon County Council. We are aware negotiations are currently taking place between the developers and the planning authorities to reduce the carbon generation of the development.

Specific environmental considerations associated with the HIF project include the following positive impacts:

- we are considering an option to ensure sufficient electric capacity is available for the whole development to go carbon neutral in the future
- The long-term aim, by 2030, is to work with our supply chain to enable carbon neutrality. This is in the process of emerging, we will therefore work with the suppliers of the HIF works to encourage them to reduce carbon emissions from their operations.
- Looking more specifically at the transport infrastructure discussed. The carbon footprint of end users of this infrastructure has been considered through the design of pedestrian/cycle provisions which include linking the new development with the existing strategic pedestrian/cycle network. Furthermore, the proposed pedestrian/cycle bridge will not only provide a gateway structure but also ensure low carbon transport modes are safe and desirable for pupils and residents alike. Improved walking and cycling infrastructure is a specific inclusion in the Devon Climate Declaration.
- An important aspect of the HIF infrastructure is the delivery of a spine road through the development. A key purpose of this is to enable good access to public transport with every house being within walking distance of a bus stop.
- The possibility of a Park & Ride site provides an opportunity to reduce carbon emissions further through reducing vehicle movements. This site also has the potential for the installation of a solar PV roof over parked vehicles. Devon County Council will encourage proposals for solar PV over the Park and Ride site in the stakeholder consultations. Using renewable energy systems and new public transport infrastructure are also specific aims of the Devon Climate Declaration.

	<ul style="list-style-type: none"> <li>• The project includes a Suitable Alternative Natural Green Space (SANGS) which aims to reduce the amount of dog walking on the Exe Estuary and thus minimise impacts on the estuary's wildlife</li> </ul> <p>The following negative impact will be realised:</p> <ul style="list-style-type: none"> <li>• The introduction of new signalised junctions may have a slight impact on air quality as vehicles will be required to stop at red lights</li> <li>• There will be the removal of vegetation to enable the delivery of the junctions. This has been considered through the planning application process</li> <li>• The scheme will require the introduction of some new street lighting</li> </ul> <p>There is expected to be a neutral impact on noise, given the existing road noise from the major highways in the area.</p>
Economic impacts (summary):	<p>The positive impacts outlined below will be achieved through this project:</p> <ul style="list-style-type: none"> <li>• Unlock housing at South West Exeter and associated employment</li> <li>• Unlock the school site (if this wasn't done it would have a significant cost implication for the county council as the cost of the free school is estimated to be in excess of £30 million.</li> <li>• Introduction of a community centre</li> <li>• Repayments from developers will be recycled by Devon County Council</li> </ul> <p>The following negative impact will be realised:</p> <ul style="list-style-type: none"> <li>• In the short term, during the construction works, it is anticipated that some negative impact will be realised as a result of traffic management.</li> </ul> <p>This negative impact will be mitigated as far as possible by liaising with Devon County Council's highway co-ordination, traffic management groups and other relevant stakeholders identified in the Stakeholder Communication Plan.</p>

<p>Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):</p>	<p>A broad range of stakeholders and consultees were identified in the production of the scheme's Stakeholder Management Plan. Devon County Council will communicate with those identified either specifically or via the scheme's website and press releases. Those identified include:</p> <ul style="list-style-type: none"> <li>• Highway users (impact minimised by DCC coordinating construction activities)</li> <li>• Local residents (impacts minimised through inclusion of a new community centre and ongoing resident engagement through Parish Councils, Alphington Village Forum, scheme website etc.)</li> <li>• Local Businesses (some businesses may be affected, and coordination will be required to mitigate this)</li> <li>• Landowners and developers (the development is allocated but close coordination around programme, access requirements etc. will be required to ensure timely and efficient delivery)</li> <li>• National/local government (HIF funding will be received from central government whilst Exeter City Council and Teignbridge District Council are the relevant Planning)</li> <li>• Emergency services (traffic management could impact services, this will be coordinated through DCC's Highway Coordination team)</li> <li>• Education providers (unlocking an all-through school site in a timely manner)</li> <li>• Supply Chain (procurement required for significant amount of infrastructure so supply chain will be engaged throughout)</li> </ul>
<p>How will impacts and actions be monitored?</p>	<p>Impacts and actions will be monitored in multiple ways:</p> <ul style="list-style-type: none"> <li>• The supply chain will be consulted through market engagement activities and the results report to Project Steering Board</li> <li>• Project management includes a Risk Register with mitigation strategies being discussed at Project Steering Board</li> <li>• Frequently Asked Questions (FAQ's) will be collated and published on the scheme's website</li> <li>• The Project Manager will meet landowners, developers and residents regularly</li> </ul>



# Background Analysis

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

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

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<p>People affected:</p>	<p>The delivery of the infrastructure will affect all road users of the A379 and surrounding road network. However, DCC will coordinate works to minimise this disruption.</p> <p>The A379 dissects the land allocated for development. This could adversely affect those who don't drive (young, elderly etc.) as it's currently difficult for non-motorised users to cross. The HIF bid therefore included funds for a new bridge to enable non-motorised users to cross the A379 safely.</p> <p>The Local Planning Authorities (Teignbridge District Council and Exeter City Council) includes minimum percentages of affordable housing to be included within the development.</p> <p>There is a requirement for additional secondary school places in the Exeter area and delivery of the school will affect those living in the wider vicinity.</p> <p>Local businesses may be affected by traffic management activities, particularly by any road closures. However, custom may also increase in medium/long term as the number of people living/working in the area increases.</p>
<p>Diversity profile and needs assessment of affected people:</p>	<p>As highlighted above, action has been taken where the scheme has the potential to have an adverse impact on a particular audience. It is not envisaged that the proposals will have an adverse impact on any other specific audience, regardless of age, race, gender, sexual orientation and religion / belief. However, all stakeholder/consultee needs will be understood through engagement.</p>
<p>Other stakeholders (agencies etc.):</p>	<p>A broad range of stakeholders and consultees have been identified through the Stakeholder Engagement Plan. These groups/individuals will be communicated with at the appropriate time. They include:</p> <ul style="list-style-type: none"> <li>• Highway users (interest in traffic management and long-term implications for network capacity)</li> <li>• Local residents (interest in community centre, education facilities, local roads, engagement through parishes councils/village forum etc.)</li> </ul>

	<ul style="list-style-type: none"> <li>• Local businesses (interest in local roads, changing market opportunities in the area etc.)</li> <li>• Landowners and developers (development has been allocated but maintain an interest in coordination, programme, funding etc.)</li> <li>• National/local government (Central government interest in funding, programme etc, local government interest as planning authority)</li> <li>• Emergency services (interest in traffic management)</li> <li>• Education (infrastructure unlocking an all-through school)</li> <li>• Supply Chain (interest in procurement for significant amount of infrastructure)</li> </ul>
<p>Consultation process and results:</p>	<p>Proposals for development have been through the planning process. This includes a consultation process and the acceptability of the proposals are considered as part of this. The planning process includes direct consultation with statutory consultees as well as site notices.</p> <p>Devon County Council's actions are governed by its Constitution which includes the role of Cabinet in making key decisions. Cabinet is a public-facing process and the most recent Cabinet Report/Update is available <a href="#">here</a></p> <p>A Stakeholder Engagement Plan has been used to identify those affected and suitable means for consulting with them.</p> <p>Market Engagement has been used to engage the supply chain and this will continue as required throughout the project (link <a href="#">here</a>).</p> <p>The scheme <a href="#">website</a> is updated regularly including a 'project progress' section</p> <p>Road closures and traffic management will be advertised (scheme website, Roadworks.org, <a href="#">WDM</a> etc.)</p>
<p>Research and information used:</p>	<p>Highway improvements are generally designed in accordance with Design Manual for Roads and Bridges and/or local network guidance like Manual for Streets. Improvements for vulnerable road users will also consider Sustrans guidance, Inclusive Mobility etc.</p>

## 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
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

<b>Characteristics</b>	<b>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</b>  <b>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</b>	<b>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, 'close gaps').</b>  <b>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</b>
All residents (include generic equality provisions):	The proposals allow for vehicular access to the site. Provision is also made for pedestrian / cycle access along the A379, with the addition of a separate crossing across the A379 in relation to the Eastern Junction.	Provision of connection across A379 to connect to existing pedestrian / cycle route. Design community building with input from local community to ensure integration of communities
Age:	The proposals will ensure the A379 does not act as a barrier to integration between communities. This will be achieved through altering the highway network and non-motorised user facilities e.g. new bridge (which is accessible to all ages)	Supports provision of all-through school which will benefit school age children.

Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	Separate crossing of the A379 in relation to the Eastern Junction will provide connection to existing pedestrian / cycle routes. Crossings will be delivered to ensure accessibility for disabled people (e.g. tactile paving, spindles on pedestrian crossing controls for visually impaired users etc.). disability needs to be considered in temporary situations (e.g. at roadworks) as well as permanent arrangement.	Crossings at junctions will be provided to ensure access for all pedestrians / cyclists. Crossings will be delivered to ensure accessibility for disabled people e.g. design in accordance with Inclusive Mobility etc. to ensure tactile paving
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	None Identified	None Identified
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	None Identified	None Identified
Sexual orientation and marriage/civil partnership:	None Identified	None Identified
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	Housing (delivered by others) will include a mix of affordable housing with the percentages being agreed by the relevant Planning Authority (Teignbridge District Council and/or Exeter City Council)	Ensure stakeholder engagement enables participation from all relevant groups/individuals and that responses are acted upon.

Human rights considerations:	None Identified
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### 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?	<p>The new HIF infrastructure will support the delivery of a new development and will thus be critical to quality of life of those living and working in the new community. It will also support those travelling around and through the community.</p> <p>The infrastructure will ensure everyone is suitably connected and therefore give opportunities for communities to access housing, education, employment, healthcare, community building, services etc.</p>
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	The infrastructure will be designed in accordance with relevant codes and legislation which includes independent safety audits where appropriate.
In what way can you help people to be connected, and involved in community activities?	As described above, the new HIF infrastructure is critical to ensuring the new communities are well connected. It will give opportunities for communities to access housing, education, employment, healthcare, community building, services etc.

### 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
X	Planning Permission
	Environmental Impact Assessment
	Strategic Environmental Assessment

	<b>Describe any actual or potential negative consequences.</b> <b>(Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes.</b> <b>(Consider how to improve as far as possible).</b>
Reduce, reuse, recycle and compost:		
Conserve and enhance wildlife:		
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:		
Conserve and enhance Devon's cultural and historic heritage:		
Minimise greenhouse gas emissions:		

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Minimise pollution (including air, land, water, light and noise):		
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

	<b>Describe any actual or potential negative consequences.  (Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes.  (Consider how to improve as far as possible).</b>
Impact on knowledge and skills:	None identified	Enables delivery of new all-through school at South West Exeter
Impact on employment levels:	None identified	Enables delivery of new all-through school at South West Exeter which will provide employment. Unlocks allocated employment land at Peamore.
Impact on local business:	Potential negative impact on local business e.g. at Marsh Barton during construction.	New development (2,500 houses etc.) may create new markets for local businesses



## Section 4d - Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	The implementation of the schemes will unlock housing at South West Exeter. Providing housing in areas where people want to live is one of the key aims of the Government.
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## Section 5 - 'Social Value' of planned commissioned/procured services:

How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?	The proposals will support the delivery of development and a new all-through school, supporting social value in the area.
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PTE/22/17  
Cabinet  
13 April 2022

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

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.

**Recommendations:** That the Cabinet:

- (a) accepts 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;
- (b) accepts the offer of a single 0.4ha of serviced land in a town centre location at Cranbrook to construct the building;
- (c) agrees that a reserved matter planning application is prepared and submitted for the provision of the building;
- (d) gives approval 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;
- (e) agrees that in the event that all of the funding is not secured a further report is presented to Cabinet to consider the financial implications of providing the building.

### **1. Summary**

This report seeks to update Cabinet on the progress of plans for the delivery of a community facilities building in Cranbrook town centre and recommend the way forward in progressing the provision of the building.

### **2. Background/Introduction**

At its meeting on 9 October 2019 Cabinet considered Report PTE/19/38 relating to a community facilities building, and resolved:

- (a) that the proposal to deliver a community facilities building in Cranbrook town centre providing flexible space for County Council services including children's, youth, adults and libraries be approved;
- (b) that officers be empowered to renegotiate the existing planning agreement to allow the provision of an integrated building at an earlier timescale;
- (c) that authority be delegated to officers to seek sources of funding to bridge any funding gap; and
- (d) that the Membership of the new Cranbrook Strategic Delivery Board be attended by the Cabinet Member for Economy and Skills and one of the two Local Members.

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The following link navigates to the 2019 Report

[Issue - items at meetings - Construction of a community facilities building in Cranbrook Town Centre providing flexible space for County Council services including children's, youth and libraries - Democracy in Devon](#)

Members will note the key issues from the 2019 Report which highlighted the development and future expansion of Cranbrook. By way of update, the current number of dwellings is around 2,650 with a population of about 6,230. The new Local Plan envisages 8,500 and a population of over 20,000, approximately the same size as Barnstaple and Newton Abbot. However, the provision of facilities within the town centre has stalled and it remains the case that the only building in the town centre is the public house.

The original plan for the town centre was based on a 'traditional' model with numerous retail units and food store with these being delivered by the private sector. The Cranbrook New Community Partners (NCP) is seeking to revise the approved town centre plans with a reduced commercial / retail element and provision of additional residential dwellings instead.

The ambition of the County Council was that the community facilities building would be constructed and open for use by October 2021. This ambition was not realised because the NCP were unwilling to consider separate negotiations with the County Council until it had reached agreement with the District Council on its proposed changes to the town centre.

Notwithstanding this, some progress has been made with the County Council securing outline planning permission in July 2020 on a 0.4-hectare site in the town centre.

### **3. Proposal**

The NCP is proposing a Memorandum of Understanding (MoU) which, if approved, would facilitate the revisions of the section 106 planning agreement. The MoU looks to agree the variation of the s106 by the:

- transfer of the land (with the outline permission) upon signing of the MoU;
- an initial contribution of circa £1million upon the signing of the MoU to be used for the design phase; and,
- the balance of the £3 million triggered by the commencement of the development of the additional residential dwellings in the town centre.
- If planning permission for the additional houses is not granted the second payment would be delayed until the occupation of the 3450<sup>th</sup> dwelling, this being the existing trigger for the construction of the library and youth building. In this event the second payment would be based on the calculated construction costs of the library and youth centre buildings, which is currently estimated by the NCP as £1,548,000.

Details of the offer letter from the NCP are attached as Appendix 1 to this report. Other aspects of the MoU include the agreement of the uses of parcels of land in the town centre; transfer of land for Town Council facilities; contribution to costs of the

Town Council offices; provision of blue lights facility land; delivery of a town square; delivery of a supermarket; and offer of town centre land for East Devon District Council to purchase to deliver commercial uses in the town centre.

Members should also note that planning applications for the expansion area have been submitted to East Devon District Council and following the planning examination, the expansion area Development Plan Document is soon to be adopted and it is likely that house building at Cranbrook will continue at pace.

If Members accept the NCP offer it is anticipated that work would restart on the preparation of a reserved matter planning application with a view to submitting the application in the autumn of 2022. It is envisaged that the building would be a well-designed two storey building facing into the town centre. As well as offering space for library, youth and children's services there is an ambition to provide flexible space for other uses such as public health nursing, hall space, meeting rooms and external multi-use games area.

Some initial work was commenced on the detailed design of the building and senior officers from the different service areas have been involved in the work. Further detailed design would be undertaken to ensure that the building will cater for the needs of the service areas as well as investigating the possibility of increasing the functionality of the building to create a flexible space that embraces future ways of working.

#### **4. Options/Alternatives**

The alternative option to the Council delivering a single integrated building is to maintain the current planning agreement which requires the construction of three separate buildings by the developers at the agreed specification at the agreed trigger points. Whilst the trigger point for the children's centre was reached the trigger point for the library and the youth facilities building is linked to the full build out of the existing permission.

#### **5. Consultations**

Consultation on the outline planning application was carried out in accordance with the statutory planning requirements (statutory consultees, members of the public and other stakeholders) and a further consultation will be carried out following the submission of the reserved matters planning application.

#### **6. Financial Considerations**

The estimated costs of the provision of the building and ancillary external works is in the region of £4.5 to £5 million. The offer from the NCP totals £3 million leaving a funding gap of £1.5 to £2 million. Members will note in the recommendation that approval is sought to use the funds recovered from the SW Exeter HIF grant to bridge the funding gap, subject to approval from Homes England.

The project will not proceed beyond the initial design stage, without all external funding being confirmed and does not require forward funding from the DCC. Should

# Agenda Item 11

external funding not be secured to bridge the funding gap, options will be returned for further consideration and subsequent approval.

## **7. Legal Considerations**

The recommendation to this Report refers to the agreement of the financial offer and the transfer of the land to DCC.

## **8. Environmental Impact Considerations (Including Climate Change)**

The design of the building would be subject to environmental analysis and the design would be mindful of climate change considerations with the building being designed to meet the Climate Emergency agenda. A single integrated building would offer betterment in terms of carbon emissions and use of natural resources.

## **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.

Following approval to progress the scheme, an Impact Assessment will be undertaken alongside development of detailed scheme design. This will assess the social/equality, environmental and economic impacts of the scheme in line with the County Council process.

## **10. Risk Management Considerations**

If the offer of the contribution for the NCP is accepted the main risk is securing sufficient funds to bridge the funding gap and the risk that the funding gap may be larger than anticipated, especially if building costs continue to rise. If funding is not secured a further report will be made to Cabinet.

There is a risk that the full build out of the development will not take place and in that case the youth facility and library will not materialise.

## 11. Public Health Impact

The scheme would result in significant public health benefits by providing dedicated space for children's, youth, and library services. There is also an opportunity of providing flexible space for other uses such as public health nursing, hall space, meeting rooms and external multi-use games area. Being in a town centre location the building would support community interaction and active travel.

## 12. Conclusions/Reasons for Recommendations

Cranbrook is a rapidly growing town and with the planned further expansion it will be one of the biggest towns in Devon. Whilst the district and town councils have plans for the delivery of town centre facilities these remain some time off and the commercial centre is reduced in size which will result in fewer shops and other commercial facilities that were originally envisaged.

Whilst there is a funding gap it is considered that the provision of a single multi-purpose building represents the optimum way forward. The provision of an integrated flexible building aligns with the priorities of the Devon County Council Plan 2021 – 2025 and will assist in improving health and wellbeing in Cranbrook, provide opportunities for children and young people and provide appropriate support for the community of Cranbrook.

It is therefore recommended that Cabinet accept the NCP offer and agree the detailed design work and submission of a reserved matter planning application.

Dave Black  
Head of Planning, Transportation and Environment

Electoral Divisions: Broadclyst

Cabinet Member for Economic Recovery and Skills: Councillor Rufus Gilbert

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

Contact for Enquiries: Mike Deaton

Tel No: 01392 382130 Room: 120, County Hall, Exeter EX2 4QD

Background Paper	Date	File Reference
Nil		

Construction of a community facilities building in Cranbrook Town Centre – Final

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## Appendix 1 to PTE/22/17



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brookbanks.com

28<sup>th</sup> March 2022

To whom it may concern,

### **10634 CRANBROOK – DCC BUILDING OFFER**

The Cranbrook New Community Partners (NCP) fully support the aims of Devon County Council (DCC) in the early provision of a community facilities building in a town centre location in Cranbrook.

As you are aware the terms of the planning agreement require the NCP to deliver a children's centre of 250 square metres (or provide a financial contribution) on a 0.1 hectare plot and the trigger for this has now been reached. At the trigger point of the occupation of 3450th dwelling the agreement requires that the NCP build a library of 450 square metres on a 0.1 hectare plot and a youth centre of 480 square metres on a 0.2 hectare plot.

In order to help facilitate the construction of a single building for DCC services the NCP are willing to offer a 0.4 hectare plot of serviced land (this being the site where DCC has obtained outline planning consent) with a phased contribution of up to £3million towards the costs of the design and construction. The transfer of the 0.4 hectare parcel of land and an initial payment of circa £1million (£742,000+Indexation) would be paid to DCC upon all signing of the Memorandum of Understanding. The Memorandum of Understanding being an agreement between the NCP, East Devon District Council, Devon County Council, Cranbrook Town Council and HDD Cranbrook Limited (the developer of the supermarket) which sets out the agreed way forward for the development of the Cranbrook town centre area. This includes an agreement between NCP and East Devon District Council for developing parcels of land in the town centre for residential development.

A second payment of circa £2million (to make a total of £3m) would be paid to DCC upon the commencement of the additional residential development in the town centre area. In the event that the additional planning permission is not forthcoming a second payment would be paid at the trigger point of the occupation of the 3450th dwelling. In this event the second payment would be based on the calculated construction costs of the existing library and the youth centre provision, which is estimated as £1,548,000 rather than the £2million payment.

Following the signing of the Memorandum of Understanding the planning agreement would be varied to accommodate the offer to DCC.

Yours sincerely  
Brookbanks Consulting Ltd

A handwritten signature in blue ink that reads "Brookbanks".

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Master Developer & Development Management  
Project Finance, Commercial & Cost Management  
Civil Engineering, Transport & Environmental Consultants

Company Registration No. 03482568



## **Plymouth and South Devon Freeport**

Joint report of the Head of Service for Economy Enterprise and Skills and the Director of Finance

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

### **Recommendations:**

- (a) Cabinet notes 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 22<sup>nd</sup> April 2022.
- (b) Cabinet notes that the Freeport designation ensures 25 years of retained business rates for the participating authorities, for the designated sites.
- (c) Cabinet approves 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. This borrowing will be repaid from retained business rates in future years.
- (d) Cabinet approves the Council becoming a founder member of a company limited by guarantee to operate the Freeport, alongside South Hams District Council (SHDC) and Plymouth City Council (PCC). Cabinet approves 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.
- (e) Cabinet delegates authority to 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 to:
  - a. approve and submit the Final Business Case (FBC) for the Plymouth and South Devon Freeport
  - b. 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
  - c. enter into the business rates sharing agreement with South Hams District Council
  - d. 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) Cabinet notes that appropriate scrutiny arrangements will be put into place in conjunction with SHDC and PCC regarding the operation of the Freeport.

# Agenda Item 12

## 1. Summary

The purpose of this report is to seek approvals necessary to submit the Full Business case on 22<sup>nd</sup> April 2022, ahead of a tax site designation, enabling operations to begin in the early summer and to set up a Company Limited by Guarantee to operate the Freeport owned by Plymouth City Council (PCC), South Hams District Council (SHDC), and DCC, with director representation from PCC, SHDC, DCC and the private sector.

This report is submitted in parallel with approval processes taking place at our Local Authority partners, South Hams District council (SHDC) and Plymouth City Council (PCC). Reports ensure decisions align across the 3 authorities with Plymouth and South Hams having approved recommendations at their March Cabinet meetings.

The Plymouth and South Devon (PASD) Freeport is the result of a successful bid submitted in February 2021, with an Outline Business case submitted in November 2021. The business case shows that the establishment of the Freeport has the potential to unlock £314 million in inward investment and create 3,584 jobs. It will provide a new world class innovation space enabling the area to build on our global reputation for marine innovation and advanced engineering. It will anchor some large employers, protecting existing jobs and ensuring they can expand their local operations. It will unlock 130 Hectares of development land to provide space for high value advanced manufacturing and logistics companies. The Full Business Case will set out the ambition to deliver a Freeport that also contributes positively to the achievement of Carbon Net Zero.

## 2. Introduction

Freeports have been set up to act as hubs for global trade and investment across the UK, to act as designated tax and customs sites with benefits to businesses from tax breaks, simplified customs, investment funding to open up sites and creating of high-skilled jobs. There is also a focus on establishing innovation clusters, fostering conditions to attract new businesses, investors and innovations to the area.

See appendix 1 for a description of a Freeport and the benefits to occupiers, which will be available for occupiers for 5 years, up until 2026/27.

The local authorities will be able to retain 100% of the business rates growth above an agreed baseline. This will be guaranteed for 25 years, giving certainty to support the Council forward fund key infrastructure to secure economic growth benefits.

Business rates relief will be administered through the relevant local authority and available for 5 years subject to eligibility criteria, that can be developed locally and will be aligned to a gateway policy. A supportive planning environment is provided through the Joint Local Plan which already has development policies covering the tax and customs sites.

Freeports enjoy direct access to relevant regulators through a Freeport Regulatory Engagement Network (FREN). This will enable early engagement with regulators, minimising bureaucracy and uncertainty. The Department for International Trade (DIT) will provide targeted and specific trade and investment support to Freeports,

helping each to secure investment and attract exporters. Our Freeport will adhere to UK regulatory standards. Security, health and safety, workers' rights, data protection, biosecurity, tax avoidance and environmental protection will not be compromised.

The bid submitted in February 2021 set the outer boundary of the Freeport to be consistent with the Plymouth and South Devon Joint Local Plan area. Three primary sites were identified; at South Yard in Devonport, Langage Energy Park and the Sherford Employment Zone, together with elements of the Port of Plymouth at Millbay Docks and Cattewater Harbour. The bid was jointly led by Plymouth City Council, South Hams District Council and the County Council.

In March 2021 the PASD Freeport was announced as one of 8 successful bids. Following this announcement, the partners developed and submitted an Outline Business Case in November 2021 which was non-binding. Governance and oversight are being provided by a Shadow Board made up of senior officers from the local authority partners, the Heart of the South West LEP, Universities of Plymouth and Exeter and since January 2022, principal landowners have joined the board.

### **3. The Plymouth and South Devon Freeport Proposal**

#### **3.1 The Vision**

The Freeport aims to grow the local and regional economy by building on our unique national capabilities in Marine, Defence and Space and through a focus on key assets such as the Naval port in Plymouth and the opportunities of growing supply chains around these capabilities, support the whole of the regional economy.

The Freeport can also support the wider levelling up agenda and stimulate local skills, jobs and higher wages. The creation of a supportive tax and regulatory environment can foster innovation and develop further strong collaborations from our business base, Exeter and Plymouth Universities.

A number of sub-sector specialisms including marine autonomy, maritime decarbonisation, smart port shipping and offshore renewable energy have been identified within our business base which have the potential to increase productivity and develop links with other specialisms such as digital and low carbon technologies.

#### **3.2 The Partnership**

We are working in close partnership with the Department for Levelling Up, Homes and Communities (DLUHC) and a number of other government departments, including HM Revenues and Customs, the Treasury and the Department for International Trade. The Freeport programme is supported by a local partnership between the public and private sectors, bringing together:-

- Three local authority partners – Plymouth City Council, Devon County Council and South Hams District Council
- Two Universities - the Universities of Plymouth and Exeter

# Agenda Item 12

- Anchor tenants and landowners - Princess Yachts, Langage Energy Park Limited and Babcock International
- Port Operators, the Ministry of Defence, Associated British Ports and Cattewater Harbour

## 3.3 The Tax and Customs Sites

It is proposed to designate three tax sites at South Yard in Devonport, Langage Energy Park and part of Sherford Employment Zone providing a combined footprint of around 130 Hectares (Ha) for development. The master plans for these sites are appended.

South Yard encompasses the Oceansgate development and the existing facilities owned by Princess Yachts, Babcock International and the Ministry of Defence. The site is economically underdeveloped with much of it being made up of underutilised buildings, some of which are the subject of preservation orders. PCC are in negotiating with the MOD to acquire an extended lease over underutilised facilities that remain within their control.

The total value of the developments proposed at this site, which include a new marine innovation centre, mobility hub (car park and EV charging) and manufacturing facilities is circa £63 million and it is anticipated all of the development will come forward between 2022 and 2025, with the exception of later phases (3.2 and 3.3) of Oceansgate.

Princess Yachts employs 3,000 staff on the South Yard Site. The company has an advanced concept for a new 88ft super yacht which will be the first to integrate all of its sustainability initiatives through the use of efficient design, electrification and sustainable materials. The Freezone will offer an opportunity to create a flagship centre for luxury yacht manufacturing, creating 450 direct jobs and expanding the value of regional supply chains.

Langage is located on greenfield land in close proximity to the A38 Expressway and is allocated for in the Joint Local Plan for employment purposes. It will be developed as a tax site incorporating a customs zone to provide industrial and manufacturing space for high value manufacturing and engineering companies, focusing primarily but not exclusively on the marine, defence and space sectors. The site will also be home to a green hydrogen plant and a mobility hub (EV charging etc) to facilitate delivery of critical sustainable and low carbon transport options. Development is anticipated to come forward in two phases, taking place between 2022 and 2027.

Phase 1a will be delivered first encompassing a 25,000m<sup>2</sup> Customs Zone and other plots on land owned by Langage Energy Park Ltd (LEPL). The majority of Phase 1b land will need to be acquired from its current owners before development can commence for that phase. Phase 2 includes approximately 40 acres of solar farm owned by Langage Energy Park Ltd (LEPL). LEPL are in discussion with Ofgem regarding potential to move the solar panels.

At Langage, the Freeport will bring forward private investment for a 10MW hydrogen plant which will be online by the end of 2025. This will align with the Government's

Hydrogen Strategy to underpin clean growth and low carbon transport for shipping and HGVs. The plant will utilise a live wire connection to the onsite solar farm and sleeved Power Purchase Agreements to ensure 100% green energy usage. Langage Energy Park Ltd (LEPL) is one of a handful of companies nationally able to deliver this type of plant, which mirrors a sister project in Manchester which is due to go live in 2023.

Sherford - Located on the opposite side of the A38 Expressway to the Langage site, the Employment Zone forms part of the employment allocation of the Sherford new community. Part of it will be developed as a tax and customs site with coterminous boundaries, providing integrated warehousing, storage and engineering space. This development is expected to come forward in the first phase of developments, taking place between 2022 and 2025.

Babcock currently employs over 7,200 people locally and has strong links with supply chain companies, with opportunities for onshoring overseas clients. The Freeport represents a significant opportunity for them to expand operations in new economic areas through innovation and by developing an Integrated Logistics Hub at one of the tax sites as well as the re-development of redundant sites at South Yard.

### **3.4 Customs sites**

The main customs sites will be delivered at two locations within the tax site boundaries at Langage and Sherford, at the locations indicated on the appended master plans (Appendix 8). Since these sites cannot be delivered before site infrastructure, a temporary customs site has been identified to ensure HMRC requirements are met to have a fully operational customs site before the Freeport can be formally designated. Babcock, who already meet the government criteria for customs operators, have agreed to seek authorisation as customs site operator at the Burrington way site in Plymouth. Consideration of longer term options, including the procurement of a single customs operator to cover all the customs operations is underway.

Freeport partners have committed to upholding the UK's high standards for security and combatting illicit activity and we have therefore agreed to honour the obligations set out in the OECD Code of Conduct for Clean Free Trade Zones and the UK's Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017.

The Freeport has to maintain a security and illicit activity risk assessment with local partners and security stakeholders and put in place appropriate processes and governance arrangements for actively managing the security risks identified. These processes are subject to an annual security audit.

### **3.5 Governance**

The Freeport is a partnership arrangement involving long term financial arrangements that accordingly needs strong governance.

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The Outline Business Case set out an intention to establish the Freeport as a legal entity. Our independent legal advisors, Womble Bond Dickinson, have provided us with written advice concluding that a Company Limited by Guarantee is a suitable delivery vehicle to meet our objectives. The proposal is for Plymouth City Council to be the Accountable Body and enter into the required legal agreements with Government, including receipt of seed funding. Plymouth City Council, Devon County Council and South Hams District Council will be the founding members of the proposed company and enter into a Members Agreement that will set out the flow of capital funds to the County Council to support the delivery of the infrastructure required to bring forward Langage and Sherford. The Agreement will also define the Freeport Company's scheme of delegation and the Local Authority reserved matters.

The Company Member's Agreement will give the Freeport Company autonomy to operate and run the Freeport within defined parameters, and Members would retain control over strategic and significant matters via Reserved Matters; this would include the sign off an annual business plan and budget. This model gives the Local Authority partners the necessary control to oversee the delivery of Freeport business plan, and scrutiny of public finances, whilst giving the Freeport Company the responsibility and decision making necessary to operate the Freeport.

### **3.6 Gateway Policy, avoiding displacement and Business Rates Relief Policy**

Government requires Freeports to clearly demonstrate that they avoid displacing activity from elsewhere and provide genuine additionality, bringing in new jobs and investment. The proposal unlocks key employment sites that have been stalled for several years bringing forward growth that would either not have happened or would have happened much more slowly.

The Freeport is focussed on attracting new high value investment within target sectors. To ensure this is realised it is proposed to adopt a Gateway Policy to mitigate against risks of displacement and to support the delivery of the anticipated growth and employment benefits.

The Gateway Policy would form the basis for agreements between the Freeport Company, private sector landowners and tenants who will ultimately be the beneficiaries of the tax site levers including Business Rates Retention (BRR) compliance. The Gateway Policy would be the trigger for the application of discretionary Business Rates Relief.

See appendix 3 for the Gateway Policy.

### **3.7 Land Owner Agreements**

The Freeport team have extensively engaged with key landowners to co-design heads of terms, a gateway policy, site benefits analysis, a new revenue budget and a detailed delivery programme. The heads of terms define the parties to each of the agreements, being the Landowner, collecting Local Authority and the Freeport Company, committing them to work together to develop the site in accordance with the Freeport vision.

South Hams District Council is the collecting local authority and rating authority for all of the Sherford and Langage agreements, entering into them with the respective landowners and the Freeport Company. Plymouth will undertake the role for the South Yard site.

## **3.8 The Outputs**

The Freeport proposal has the potential to transform the local and regional economy. Significant economic and employment modelling has been undertaken to support the development of the business case and working of various growth scenarios. The anticipated outputs will be refined in the final business case but currently are:

1. 3,584 direct jobs created with an average wage level of at least £13.92 per hour
2. 10% of jobs created to be filled by inactive claimants and registered unemployed
3. 3,000 m<sup>2</sup> of skills infrastructure
4. 2,400 m<sup>2</sup> of new innovation space
5. 137.9 hectares of land developed
6. 5 new businesses each year
7. 2-3 new FDI each year
8. 40 Business/Higher education collaborations annually from 2022
9. £4m a year in private investment in research & development
10. 10 new products developed for market

It is expected that the Freeport will deliver wider benefits such as an uplift in land value, labour supply, a skills uplift and the jobs/GVA arising from the construction of the Freeport. Our economic modelling estimates the total value of these and other benefits at £409.5m over a 15-year timeframe.

In addition to the economic outputs highlighted above, the Freeport will generate a positive impact on the Council's corporate strategic plan 2021-2025 priorities, including Invest in Devon's economic recovery and Respond to the climate emergency. It also supports the aims of the Team Devon Recovery Prospectus and the Economy Skills and Enterprise Service's Strategy for Growth.

Freeports is one of the key strands of Government's Global Britain strategy, Plan for Jobs. It complements the Levelling Up White Paper and would place Devon in a strong position to influence future investment and funding streams and support the emerging Devon County Deal.

## **3.9 Timeline**

The key milestones and latest dates are set out in the table in appendix 4 below.

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## 4. Options/Alternatives

Brief details of alternative options considered and rejected are in the table below:

Option	Pros	Cons
Do nothing	<ul style="list-style-type: none"> <li>No risk to DCC</li> </ul>	<ul style="list-style-type: none"> <li>No DCC involvement would have ramifications with government and partners on other agendas, such as County Deal.</li> <li>Transport infrastructure for the Freeport difficult to bring forward without DCC involvement</li> <li>Tax site benefits reduced for occupiers and offer less attractive overall.</li> <li>Reduced economic benefits and retained business rates</li> </ul>
Do not borrow for infrastructure	<ul style="list-style-type: none"> <li>Lower financial risk to DCC</li> </ul>	<ul style="list-style-type: none"> <li>Government seed funding needs match, which SHDC cannot meet.</li> <li>The economic benefits would come forward more slowly, utilising retained business rates and beyond the 5 year period of tax benefits, making the offer to businesses less attractive.</li> <li>Reduced economic benefits and retained business rates</li> </ul>
Three Local Authorities act as separate accountable bodies for different workstreams	<ul style="list-style-type: none"> <li>Increased control for DCC over seed funding for transport infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Complex and bureaucratic processes then required across partners to agree all investments</li> </ul>
Use an alternative company model or an arrangement between LA partners only for governance	<ul style="list-style-type: none"> <li>More control for local authorities over investments</li> </ul>	<ul style="list-style-type: none"> <li>Government guidance requires a public/private company to be set up to operate the Freeport, so is required for business case approval.</li> </ul>



## 5. Consultations

Two specific stakeholder events have been delivered in July and December 2021. Partners plan to hold a further public consultation event later this year as we move into the operational phase of the Freeport. Planning consents for the Freeport sites will be sought in the normal way and the public will be able to engage with these following normal routes.

## 6. Financial Considerations

### 6.1 Capital Investment

The total investment in the Freeport is predicted to reach £314 million (Appendix 5). This is made up of £25 million in Government seed capital grant with local public sector match funding of £29 million. For the South Yard site, Plymouth City Council is bidding for a further £10 million through levelling up grant income. It is anticipated that the total private sector investment levered will be close to £250 million.

Table 6.1a Summary of public and private sector investment

Source	Total Value £'000
HM Government Seed Capital	£25,000
Local authority borrowing	£29,076
Grant Income (Levelling Up)	£10,000
Private Sector Investment	£249,670
<b>Total</b>	<b>£313,746</b>

At Langage £33 million in public investment will be provided to support land assembly, site preparation and transport links, including a new cycle/pedestrian bridge over the A38 to serve both Sherford and Langage. This will leverage £118 million in private investment to build advanced manufacturing units and logistics facilities and a further £28 million to deliver a Green Hydrogen electrolyser plant.

At Sherford £1 million in public and £5 million in private investment will support site preparation and transport links, private sector investment in off-site costs will be £3 million and a further £62 million will be invested in developing a state of the art logistics facilities.

In South Yard public investment of £17.3 million and a £10 million levelling up fund grant will deliver a new Innovation Centre and Mobility hub at Oceansgate. Princess Yachts will invest £21 million to deliver a new factory to build the next generation of super yachts, supported with £0.9 million of public investment and Babcock will invest £6.5 million in new and upgraded infrastructure.

Associated British Ports will invest £5.7 million supported with a £1.3 million public sector investment in the developing new port infrastructure to ensure adequate additional capacity and to provide enhanced freight facilities.

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## Capital - Public sector funding

The local authority partners will fund £29 million which will be repaid through the use of retained business rates.

Table 6.1b Summary of public sector funding by local authority

Local Authority	Borrowing £000
Devon County Council	14,289
South Hams District Council	4,625
Plymouth City Council	10,162
<b>Total</b>	<b>29,076</b>

The following table shows the infrastructure that the Authority will be funding through borrowing:

Table 6.1c DCC borrowing by scheme

Description	Project Cost £'000	less Seed Funding £'000	DCC Borrowing £'000
Spine Road extension	11,570	(5,950)	5,620
Cycle and pedestrian bridge	7,338	(3,669)	3,669
Road Link to Sandy Road	5,000	0	5,000
<b>TOTAL</b>	<b>23,908</b>	<b>(9,619)</b>	<b>14,289</b>

It is expected that the Authority will borrow from PWLB through annuity loans (repayment of principal during the lifetime of the loans) but a final decision will be made based on the best rates available at that time.

## 6.2 Retained Business Rates

The additional Business Rates generated on the Freeport tax and Customs sites collected by the local authority partners will be held in two ring fenced Freeport accounts– one administered by Plymouth and the other administered by South Hams DC (Langage and Sherford). It is estimated that this will generate £72 million over a period of 25 years for the whole Freeport area.

The first call on the retained business rates will be to finance the costs of borrowing (interest and repayment of borrowing) to support the Freeport investment and subsequent lifecycle costs (maintaining infrastructure assets). The funds generated will also be used to support operating costs after the first five years.

The projected surplus of £32 million after these costs are met will be reinvested to meet wider Freeport objectives with the early priorities being innovation and skills funding, and after offsetting the impact of any displacement of economic activity from the surrounding areas. Appendix 6 shows the projected income and expenditure for the whole Freeport area – both the Plymouth and South Hams (Langage and Sherford) accounts.

The Freeport Revenue Operating model forecasts that for years 1 to 5, income from landowner contributions and government grants will cover the projected revenue costs of operating the Freeport (Appendix 7). From Years 6 to 25, the financial model forecasts that the operating costs will be met exclusively from retained business rates.

The funding of the Freeport's operating costs are shared 75% from the surplus business rates (after borrowing costs) from the South Hams designated area and 25% from Plymouth, based on the total projected income from each area.

The following table shows how the ringfenced account for Language and Sherford will be used to finance the costs for Devon CC and South Hams DC and share of the Freeport operating costs.

**Table 6.2a Summary of revenue income and expenditure (Language and Sherford)**

South Hams Ringfenced Business Rates Account	Yrs 1-5	Yrs 6-10	Yrs 11-15	Yrs 16-20	Yrs 21-25	Total
	22/23 -	27/28 -	32/33 -	37/38 -	42/43 -	
	26/27	31/32	36/37	41/42	46/47	
	£'000	£'000	£'000	£'000	£'000	£'000
Retained Business Rates - Language and Sherford	(4,242)	(13,089)	(14,698)	(16,224)	(17,919)	<b>(66,172)</b>
DCC - Interest and repayment of borrowing	1,064	4,434	4,434	4,434	4,434	<b>18,800</b>
SHDC -Interest and repayment of borrowing	869	1,334	1,334	1,334	1,334	<b>6,205</b>
Language and Sherford - Lifecycle costs of maintaining assets	128	738	1,295	1,521	2,151	<b>5,833</b>
Language and Sherford - Business Rates Contribution to Freeport Operating Costs	0	1,717	1,895	2,092	2,310	<b>8,014</b>
<b>Language and Sherford Residual Business Rates</b>	<b>(2,181)</b>	<b>(4,866)</b>	<b>(5,740)</b>	<b>(6,843)</b>	<b>(7,690)</b>	<b>(27,320)</b>
<i>Risk sensitivity (business rates)</i>	51%	37%	39%	42%	43%	41%

A business rates sharing agreement between Devon CC and South Hams DC has been drafted. This agreement between the two authorities sets out how any surplus business rates from Language and Sherford will be allocated.

Much of the displacement (impact on businesses not benefiting from Freeport tax and planning incentives) is likely to occur outside the Plymouth / South Hams area. Consequently, Devon CC will use 20% of any net surplus to offset the impact of displacement and other priorities aligned to the wider objectives of the Freeport.

Such funds could be used to:

- Support the development of supply chains to retain economic benefit locally across Devon, including marine, defence and advanced manufacturing at key locations
- Support net zero investments and advance green technologies which can benefit the Freeport through knowledge exchange
- Extend technical skills provision to attract and retain key skills beyond the Freeport boundaries

The use of these surplus business rates in South Hams and those in Plymouth will have due regard to the priorities mutually agreed between the partners at the Joint Local Partnership Group.

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## 6.3 Sensitivity Analysis

Sensitivity testing of the financial modelling has considered a range of possible reasonable worst case scenarios, including increased capital costs or construction delays, rising inflation and/or interest rates, a shortfall in private investment, and slower than predicted occupancy rates.

Table 6.2b shows the risk sensitivity for business rates and a “buffer” of 41% overall. Business rates income is linked to occupancy of units. Business rates or occupancy levels would have to be 41% lower than forecast before income may not be sufficient to meet costs.

The business case assumes that construction inflation is an average 4.3% each year. If construction inflation increases by 1% more than forecast then the additional borrowing for DCC would increase by £780,000 and with interest costs this would amount to just over £1 million of additional debt charges over the 25 years. Annual inflation for construction costs would have to approach 24% each year before business rates may not be sufficient to cover costs.

The financial assessment shows that there is sufficient headroom for the projected business rates income to meet borrowing costs.

For each separate account (Plymouth and South Hams accounts) should business rates income in any one year be insufficient to meet the debt charges, lifecycle costs and share of the operating costs of the Freeport then a deficit will arise. This deficit will be met by any cumulative surplus from previous years. If there is still a deficit then it is carried forward to be met from business rates in future years.

Local authority accounting rules may require each local authority to meet the costs of the deficit in the year it arises but any deficit will be reimbursed from future surpluses.

For the Langage / Sherford account the deficit will be met in proportion to the borrowing outstanding at the end of that financial year for Devon County Council and South Hams District Council. Plymouth would be responsible for any deficit arising from its account.

## 6.4 Accountable Body

Plymouth City Council will act as the sole accountable body for the Freeport seed capital grant. A delivery plan incorporated within the Members' Agreement will be set out how this money will be managed and accounted for.

Plymouth City Council and South Hams District Council will establish a ring fenced fund to collate the retained business rates and will allocate them in accordance with the Business Rates Retention policy. The policy will be agreed by the Local Authority Partners through the Joint Local Partnership Group (or any successor agreed in the governance arrangements). This will include the central government reimbursement of funds allocated to support the 5 years business rates relief, which we expect to give businesses that comply with our gateway policy.

The Member Steering Group will receive an annual audit report prepared by the S151 officers of the Local Authorities supported by the Freeport finance manager.

## **7. Legal Considerations**

The legal implications of the proposals have been considered in the preparation of this report.

A Company limited by Guarantee is proposed to become the Freeport managing entity with Plymouth City Council, Devon County Council and South Hams District Councils its founding members. See appendix 2 for the features and principles laid out for the Freeport Company. The Councils have the powers under section 4 of the Localism Act 2011 to set up a company and our external legal advisors, Womble Bond Dickinson, have been providing legal assurance and support on this aspect of the project.

The Freeport Company will be responsible for the management of the Freeport, employment of staff, delivering the Freeport business case and providing agreed shared services. It is anticipated these shared services will include marketing, inward investment and skills activities as they relate to the Freeport. The Landowners are responsible for delivering their individual sites and The Councils are responsible for delivering the Capital works funded by Freeport capital funding and retained business rates.

The Local Authority reserved matters will include but not be limited to:

- Agreement of the Freeport Companies Annual business and financial plan.
- Appointing the Chair of the Board.
- Agreeing a scheme of delegation for the Freeport Company.
- Enforcement of the landowner agreements and gateway policies
- Allocation of retained business rates surpluses beyond those identified in the Freeport Full Business case
- Annual joint scrutiny

Womble Bond Dickinson are preparing the Articles of Association and Members' Agreement in accordance with the instructions of the three councils.

Separately, Womble Bond Dickinson have provided the three councils with comprehensive initial advice on subsidy control in relation to the Freeport sites. This will be kept under review with further advice being sought as and when needed as the project progresses to ensure that any provision of public monies are made in compliance with subsidy control rules, particularly in light of the anticipated passage of the Subsidy Control Bill later this year.

## **8. Environmental Impact Considerations (Including Climate Change)**

The development of the Freeport is intended to assist us meeting our net zero carbon targets, including through the development of a hydrogen production plant by

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the private sector. Through the planning process the Joint Local Plan Group will ensure the sites are built out to the latest net zero building standards.

The funding will promote the use of cycling via a bridge over the A38, and core infrastructure funding for Langage will include provision for Electric Vehicle charging and cycling. The impact assessment for the scheme provides more information.

## 9. Equality Considerations

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

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

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

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

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

## 10. Risk Management Considerations

The top 5 risks associated with the Freeport are set out below. The risk register is regularly reviewed by the Freeport team and all risks are reported through Freeport governance arrangements and actively managed by the Freeport delivery team.

Risk Description	Combined Score	Mitigation	Combined Score
State subsidy framework could inhibit use of seed capital	16	Agreement reached with DLUHC that seed capital can be reallocated subject to a project change request. Legal advice suggests we need to carry out point by point review (7 principles) as this will provide best defence to challenge. Will	16

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		need to demonstrate public interest outweighs market distortion.	
Land acquisition ( CPO) takes 3 years leading to reduced scale of Freeport deliverability	20	Early engagement to determine likely timescales. Realistic budget allocated to secure sites reflecting wider economic value	15
National Highways stop further planning at any site until junctions are improved	20	50,000m2+ of employment space is consented and available for uptake at Langage and about 14Ha of space will become available at Sherford. Work collaboratively with National Highways as part of infrastructure board to develop solutions and phasing. Modelling underway to test and understand.	12
South Yard - Co-ordination of MoD services separation and diversion within the Base impacts on programme and cost	20	Secure funding for enhanced contingency allowances, reflective of work to date (e.g. HV).	12
Unexpected/increasing costs require additional funds to be secured or the scale back of plans (related to landowners and transport infrastructure costs)	16	Sensitivity testing on financial construction variables complete, but full transport impacts not yet known.	12

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**Financial Risks:** The current key financial risks are in the table below:

Risk	RAG	Mitigation	RAG (Post Mitigation)
Occupancy levels from Development of Phase 1a and Phase 1b at Langage are significantly lower than forecast. Business rates do not cover costs in initial years.	12	Review requirement for link road to Sandy Road scheduled in 2026/27 – to reduce / defer infrastructure spend.	6
Business Rates income is not sufficient to cover costs.	6	Review Freeport Operating Costs	4

## 11. Summary and Reasons for Recommendations

The Plymouth and South Devon Freeport will enable us to build back better in the wake of the COVID 19 pandemic, providing 1000s of new jobs and training opportunities to underpin our recovery. It is designed to leverage our strengths, the thriving marine innovation sector and traditional defence links, as well as the emerging space sector. A net zero strategy will ensure that this growth aligns with our climate change targets. Key employers for the area serve as anchor tenants and the Freeport enables them to pursue ambitious expansion plans towards creating these jobs across the Freeport sites.

The Freeport unlocks much needed employment land to create space for a new wave of advanced manufacturing and green energy firms to locate in the area and the tax and customs benefits will provide additional incentive to accelerate the rapid development of the sites.

There are risks, and financial considerations for the Council as well as potential significant economic, environmental and social benefits.

We have considered the potential impact that displacement would have on other parts of the County and have made provision to address this through the Gateway Policy and through enabling Freeport aligned investment further afield, through the projected surplus business rates policies to be agreed with partners and government.

Keri Denton  
Head of Service, Economy Enterprise and Skills

Angie Sinclair  
Director of Finance

Electoral Divisions: All



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

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

Contact for Enquiries: Melanie Sealey, Peter Lappin  
Tel No: 01392 383000 Room: County Hall, Exeter

<b>Background Paper</b>	<b>Date</b>	<b>File Reference</b>
None		

### **List of Appendices:**

- 1. Freeport overview and benefits, including customs zone**
- 2. Freeport Company Features and Principles**
- 3. Gateway Policy (and 2 annexes)**
- 4. Timeline**
- 5. Capital Expenditure**
- 6. Retained Business Rates and Expenditure for Plymouth and South Devon Freeport**
- 7. Operating Model**
- 8. Site Maps – a Langage, b Sherford, c South Yard**

Plymouth and South Devon Freeport - Final

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## Appendix 1 to EES/22/3: Freeport Overview and Benefits

### What is a Freeport?

The Government have set three objectives for the Freeport programme, to: -

- Establish Freeports as national hubs for global trade and investment across the UK: intensify the economic impact of our ports by enhancing trade and investment and generating increased economic activity across the UK
- Promote regeneration and job creation: create high-skilled jobs in ports and the areas around them, prioritising some of our most deprived communities to level up the UK economy
- Create hotbeds for innovation: create dynamic environments, capitalising on new ideas and fostering the conditions that will attract new businesses, investors and innovations.

To support the achievement of these objectives the Government will provide seed capital and a package of benefits encompassing tax and customs levers which will be made available in designated areas described as tax and customs sites.

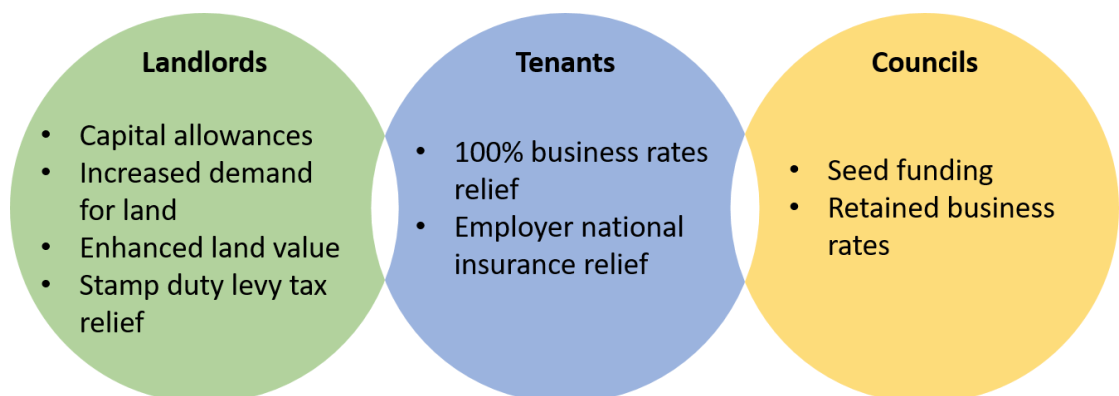
Tax sites are areas of undeveloped, or underdeveloped, land which will be developed as sites for new economic enterprises that support the achievement of the government's objectives, they are similar in most respects to Enterprise Zones. Each Freeport may identify up to three tax sites within its outer boundary where the tax reliefs will apply.

Customs sites are areas which for practical purposes will be demarcated as being outside of UK customs territory. This enables businesses operating within them to suspend their liability to excise payments and VAT until such time as goods are brought onto the UK customs territory.

### What are the benefits?

Each Freeport will be granted up to £25 million of seed capital funding, primarily to be used to address infrastructure gaps in tax and/or customs sites that are holding back investment.

Figure 1. Shows the possible benefits of a Freeport to different groups of stakeholders.



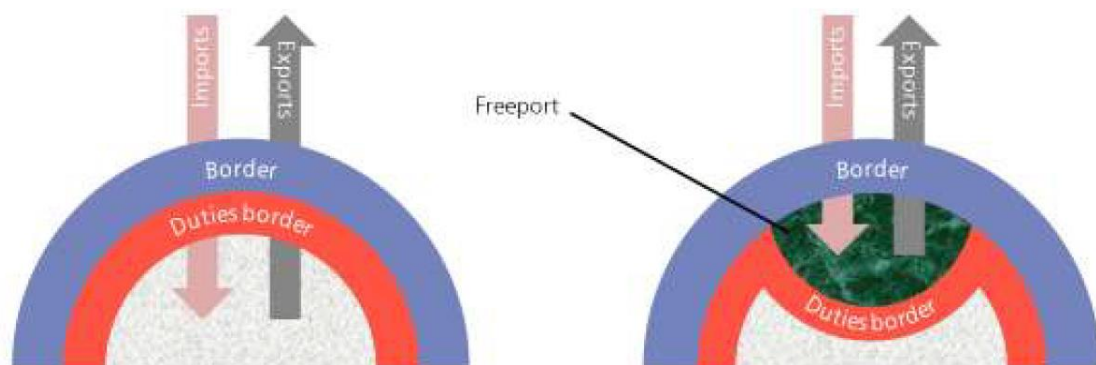
Eligible businesses will have access to a suite of tax reliefs including:

- Business Rates Relief;
- Stamp Duty Land Tax (SDLT);
- Employer National Insurance Contributions (NICs);
- Enhanced Structures and Building Allowance, and;

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- Enhanced Capital Allowances designed to incentivise new investment within the boundaries of Freeport tax sites.

## Customs Zone benefits



Businesses operating from within a customs site derive 3 three main opportunities: -

Tariff suspension - the ability to defer payment of VAT and excise duty until such time as imported goods cross into UK customs territory.

Tariff exemption – goods brought into the Freeport for export that never enter UK customs territory generate no liability to the payment of VAT or excise duty at all.

Tariff inversion – where goods are brought into a customs zone and processed into a final product and the excise duty on the final product is less than it would be on some or all of its components.

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## **Appendix 2 to EES/22/3: Freeport Company Features and Principles**

The Freeport Company will have the following features and principles.

**A members steering group** made up of the leaders and Chief Executives of each of the three local authority partners will provide strategic oversight and ensure alignment with the emerging County deal.

**An independent board of directors** with a chair from the private sector to provide clear evidence of private sector leadership, we will set out the process through which the chair will be appointed in the scheme of delegation. It is anticipated that the Founding directors will include but not limited to:-

- Private Sector Chair
- Directors from each Local Authority
- Directors from landowners in each tax site including Princess Yachts, Babcock, Langage Energy park Limited
- A Director from the Port Operators, Universities and Business Organisations

**A Memorandum and Articles** of Association setting out the remit and roles of the directors, a scheme of delegation and matters reserved to the founding members.

**A Members' Agreement** binding the three local authorities to perform their functions and roles and their engagement with the Freeport Company based on the key principle of a partnership of equals, incorporating: -

**An annual delivery plan and budget** – proposed by the Freeport Company, sanctioned by the Founder members with respect to their reserved matters and approved by the Board of Directors who will hold the Freeport Company to account for its delivery, and;

**Policies and bilateral agreements** between the Local Authorities governing the use of Business Rates - to supporting borrowing and long term operational costs, including the proportion of business rates from each collecting authority, and the mechanisms for deciding the application of surplus retained business rates and redressing displacement.

**A standard Service Level Agreement** to secure and fund commissioned activities from the Freeport Company to a range of partners including – Skills, Inward Investment, Innovation Services - where a budget is available or has been secured.

**Partnering Agreement / Local Authority Agreements** –where it would not be appropriate to utilise the Members Agreement.

## Appendix 3 to EES/22/3: Gateway Policy (including 2 Annexes)

### Gateway Policy

#### *Introduction*

The PASD Freeport recognises the importance of maximising additionality to the UK economy by attracting new high value investment within target sectors to the Freeport. These sectors are advanced manufacturing and engineering with a particular focus on marine, defence and space including low carbon applications. This will be realised through establishing robust governance and management structures which align prospective tax and custom site tenants with the delivery of the identified Freeport benefits and objectives. The adoption of a Gateway Policy mitigates against risks to delivery of these benefits by providing clarity on the eligibility of prospective businesses and/or organisations into the Freeport sites. The Gateway Policy will form the basis for agreements between the PASD Freeport Board, private sector landowners and tenants who will ultimately be the beneficiaries of the tax site levers including Business Rates Retention (BRR). Compliance with the gateway policy will be the trigger for the consideration of discretionary Business Rates Relief by the relevant Council.

The purpose of the Gateway Policy will be to ensure that the PASD Freeport supports the clustering of businesses with a focus on the target sectors set out above. The core objective of the Gateway Policy will be to encourage international investment to meet our Freeport vision and objectives, and also to minimise displacement of existing economic activity. The aim is to attract new businesses to the Freeport and the wider region, as well as existing businesses that intend to expand their operations and are likely to benefit from the Freeport levers and further to generate supply chain opportunities across the Freeport Outer Boundary, Travel To Work Area (and indeed across the wider South West). Annexes 1 and 2 provide further detail on the vision and strategy.

#### *Eligibility*

Whilst tax and customs benefits will be applied within the Freeport boundary under primary legislation, the consideration of business rates relief will remain discretionary with the local authorities, subject to subsidy control, and aligned to the Freeport vision.

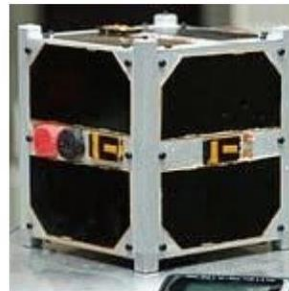
Landowners will align their development proposals to the Freeport vision for a period of a minimum of 5 years, including the key points around displacement.

With respect to UK companies and/or organisations looking to locate within the Freeport, the following criteria will be applied to the decision-making process:

- Businesses will need to clearly demonstrate how the proposed Freeport operations fall into one or more of the sectors above;
- Businesses will need to clearly demonstrate how the proposed Freeport operations represent incremental investment and employment additional to existing operations;
- Local businesses will not be precluded from applying to locate within the PASD Freezone but will need to show a significant uplift in new economic activity and growth to demonstrate genuine additionality that cannot be accommodated at their existing location; and,
- If a business is currently located within PASD and is a relocation for purposes of growth and/or expansion then evidence will be required to prove that no appropriate expansion space was available at the current site.
- Landowners can discuss other uses with the local authority, should they be able to demonstrate they have made best endeavours to comply with the Gateway Policy requirements, without a pipeline of suitable prospects coming forward.

# Plymouth and South Devon Freeport

**Supercharging the South West economy  
by building on our unique national  
capabilities in marine, defence and space  
to form globally impactful clusters and a  
UK Innovation Superpower.**



- **SW Powerhouse** – realising the region’s full potential through the Freeport opportunity and thereby amass defence, marine and space primes and their rich local supply chains around the largest UK Naval port and near Europe’s only horizontal launch spaceport.
- **Levelling Up Stimulus** – driving much needed local skills, jobs and higher wages.
- **Innovation Hotbed** – fusing already strong innovation in marine, defence, space and enabling technology – with global leading projects and prototyping on synthetic testbeds and ocean proving grounds – spinning off viable products and early stage production runs in a supportive tax and regulatory environment.
- **Sub-sector Specialism** – marine autonomy, maritime decarbonisation, digital oceans, smart port and shipping, Offshore Renewable Energy support solutions, defence mission modules, small satellite fabrication.



## Annexe 2 - Outline Business Case Executive Summary

### EXECUTIVE SUMMARY

**The Freeport represents a unique opportunity to level up, addressing historical challenges and leveraging exciting new opportunities to transform the economy of Plymouth and South Devon (PASD).**

The PASD area has strong advanced manufacturing and engineering clusters with key specialisms in marine and defence where we can capitalise on major growing global markets. Spaceport Cornwall provides a new substantial prospect to establish a space cluster alongside these core regional capabilities. There are a range of opportunities within these sectors to put the area on the map as a science superpower, for example in autonomy and renewables, contributing to key national net zero agendas including short sea shipping within a smart port, autonomous and clean propulsion setting.

The area benefits from a range of natural and physical assets including:

- A natural harbour and sheltered water with deep water access to the English Channel and Atlantic Ocean for prototype testing, ocean trials and offshore renewable support;
- One of the largest naval bases in Europe with unique nuclear defence capabilities that allows for new applications, shipbuilding, transformative refits and on-shoring of specialist supply chains;
- The UK's first marine Enterprise Zone (EZ) at Oceansgate, underpinned by the Oceans Futures regional programme for sub-sector specialisms and focused marine innovation;
- World class businesses and research assets in marine autonomy and marine renewables with a plethora of high value and innovative civil and defence applications;
- The UK's first 5G connected ocean trialling area (Smart Sound) with plans to expand along coast and to subsea obstacle course and testbeds;
- Established freight routes through the Port of Plymouth with scope for growth with new routes and further rotations;
- Valuable waterside development sites with the potential to support marine/defence innovation and high value shipbuilding;
- Significant development sites within the Eastern corridor and favourable planning policies through the Joint Local Plan;
- A relatively uncongested major arterial road (A38 Devon Expressway) linking to the M5; and,
- In neighbouring Cornwall, Spaceport Cornwall providing the first and only horizontal launch site in mainland Europe allowing for a satellite high value manufacturing and system integration cluster to form.

With a proactive knowledge base including the universities of Plymouth and Exeter and a range of local colleges, there is a strong commitment to skills development, innovation and maximising R&D opportunities. However, despite these assets, there are comparatively low numbers of exporting businesses, low levels of innovation/R&D currently and skills deficits in key disciplines within the workforce. Additionally, there is a lack of modern workspace for businesses: the area suffers from major viability constraints which inhibit the private sector from bringing forward employment land. This lack of investment in infrastructure and space impedes business clustering opportunities for sub-sector specialisms and focused innovation. This in turn holds back our plans to transform the economy through clean and inclusive growth.

The Freeport provides a unique opportunity to overcome these issues through:

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- **Physical regeneration** – by delivering infrastructure to unlock key employment sites and innovation assets, supporting business clustering and clean growth opportunities;
  - **Economic regeneration** – by delivering inward investment, supply chain opportunities and productivity gains within our identified growth sectors; and,
  - **Social regeneration** – by delivering a pipeline of jobs across the spectrum of employment from entry level to higher skilled/high value with upskilling opportunities. It builds on existing investments and assets, dating back to the City Deal and will specifically enable us to undertake land remediation, core infrastructure and supporting transport works to develop three core sites that have long remained undeveloped and underutilised. These will create the opportunity for businesses to benefit from customs breaks and tax breaks in order to achieve a post-tax return on capital through the supply chain and economy:
    - **The South Yard site** – located near the Port, incorporates the existing Oceansgate EZ and will be further developed as a tax site, forming the centrepiece of our innovative hotbed. Focusing on marine and defence sectors, the site will include an innovation centre and a mobility hub to unlock further development. Anchor tenant, Princess Yachts, will develop a new factory on land which they already own within the site and Babcock will also redevelop two key buildings 'behind the wire' of MOD owned land on the site for new manufacturing capacity;
    - **The Langage site** – located on greenfield land within the Eastern corridor of the city, in close proximity to the A38 Expressway, is a strategic employment allocation. It will be developed as a tax site with a customs zone incorporated within it and will provide industrial and manufacturing as well as light industrial units for high value manufacturing/ engineering companies, focusing primarily but not exclusively on the marine, defence and space sectors. The site will also be home to a hydrogen plant being developed by landowner Carlton Power and a mobility hub to deliver sustainable and low carbon transport options; and,
    - **The Sherford site** – located on the opposite side of the A38 Expressway to Langage forms part of the employment allocation of the Sherford new community. It will be developed as a logistics hub with a coterminous tax and customs site boundary, providing integrated warehousing, storage and engineering space for a single marine/defence contractor (Babcock). Babcock will also, in the shorter term, bring forward a smaller customs zone on the Burrington Way Industrial Estate in the North of Plymouth. Though sitting outside of our tax site boundaries, it will nevertheless form part of the Freeport footprint, enabling Babcock to meet their immediate needs whilst also serving other early Freeport tenants. Seed capital will also support enhancements at the Port to enable the value and tonnage of cargoes to be expanded, thus supporting short sea shipping and an associated modal shift.
- Underpinning the above, we will work with the Department for International Trade (DIT) on national and global strategic marketing to attract investment into the area and stimulate exporting through the DIT Export Academy. Our gateway policies will ensure that businesses locating in the Freeport are not displaced from elsewhere in the UK, thus delivering additionality.
- A bespoke Research and Innovation Strategy will be developed, engaging with the Freeports Regulation Engagement Network (FREN) on regulatory flexibilities and freedoms. An Employment and Skills Strategy will also underpin all activities, ensuring that partners can accelerate higher value employment and training opportunities whilst also enabling new employment and inclusion opportunities, education and career options and wider supply chain innovation activity. Subject to securing additional funding, a marine skills academy will provide specialist facilities capable of delivering the volumes of relevant training required in key disciplines.



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The Freeport has strong alignment with local and regional agendas and will deliver tangible outcomes in core government policy areas:

- **Creating a national hub for trade and investment** – delivering an increase in trade throughput and piloting short sea shipping, reducing freight transport emissions, improving regional connectivity, increasing FDI and investment, as well as increasing the number of businesses exporting;
- **Promoting regeneration and job creation** – increasing economic specialisation, delivering an increase in employment and average earnings, tackling deprivation and enhancing skills facilities; and,
- **Creating a hotbed for innovation** – increasing R&D spend, boosting GVA through increasing high value economic activity, increasing productivity, contributing to net zero research and innovation agendas and extending regional, national and international networks.

Our proposals deliver 3,547 jobs, represent good value for money, are commercially viable and are underpinned by sound governance and management structures. They are also backed by businesses with key anchor tenants having committed to investing in the Freeport and a strong pipeline of interest in the opportunity having been established.

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## Appendix 4 to EES/22/3: Timeline

The memorandum of understanding between the government and the local partners cannot be issued less than 21 days after the tax sites are legally established so these are in practice the earliest possible dates. If these dates slip there is nothing to stop us commencing work on site in anticipation of the grant letter and memorandum being issued.

<b>Milestones/Latest Dates</b>	<b>Date</b>
Plymouth City Council Decision	23/02/2022
South Hams District Council Decision	31/03/2022
Devon County Council Decision	13/04/2022
At least one site specific agreement is signed by all parties	20/04/2022
Freeport Governing Body endorses the Full Business Case	21/04/2022
Joint Local Partnership endorses the Full Business Case	21/04/2022
Plymouth City Council signs off on the Full Business Case as lead accountable body under delegated arrangements set out below	21/04/2022
Full Business Case is submitted to Department for Levelling Up, Homes and Communities	22/04/2022
Staff recruitment process commences	01/05/2022
Primary customs site is operational and HMRC approvals are achieved.	06/06/2022
Tax site(s) covered by site specific agreements are legally established by statutory instrument	07/06/2022
Department for Levelling Up, Homes and Communities sign off Full Business Case and issue Memorandum to Freeport Governing Body	28/06/2022
Freeport governing body signs off on memorandum.	01/07/2022
Plymouth and South Devon Freeport is formally designated and section 31 grant letter is issued to Plymouth City Council	01/07/2022
Freeport is operational and works commence on site.	01/07/2022
All Sites will be online within 5 years of summer 2022.	31/03/2027

## Appendix 5 Summary of Capital expenditure

Site	Detail	Lead LA	£m
Langage	Spine Road extension, Phase 1	DCC	11.6
Langage	Linkage from Langage site to Sandy Road in order to access A38 (scheme details TBC)	DCC	5.0
Langage	Land assembly, core infrastructure and security fencing	SHDC	9.6
Langage / Sherford	Cycle and pedestrian bridge	DCC	7.3
Langage	Hydrogen Plant		28.2
Langage	Units		117.9
Sherford	Access roads @ Sherford	DCC	4.9
Sherford	Core Infrastructure and Security fencing @ Sherford	SHDC	1.2
Sherford	Units		62.1
Sherford	Private investment in offsite costs		2.9
PCC	Octagon Roundabout improvement	PCC	0.2
PCC	Ports Infrastructure	PCC	7.0
South Yard	Mobility Hub @ South Yard	PCC	8.6
South Yard	Innovation Centre	PCC	15.3
South Yard	Heritage Centre	PCC	0.3
South Yard	Re-routing MoD cabling to clear site	PCC	3.1
South Yard	Babcock		6.5
South Yard	Princess Yacht Factory @ South Yard - site remediation		22.0
<b>Total</b>			<b>313.7</b>

## Appendix 6 to EES/22/3: Retained Business Rates and Expenditure for Plymouth and South Devon Freepoint

Freepoint Income and Expenditure	2022/23	2023/24	2024/25	2025/26	2026/27	06 - 10	10 - 15	16 - 20	20 - 25	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Income</b>										
Business Rates Retention	0	(7)	(712)	(1,793)	(2,186)	(14,219)	(15,945)	(17,601)	(19,440)	<b>(71,903)</b>
Other Income at South Yard	(94)	(139)	(163)	(198)	(356)	(2,954)	(3,609)	(3,763)	(3,642)	<b>(14,918)</b>
<b>Total income</b>	<b>(94)</b>	<b>(146)</b>	<b>(875)</b>	<b>(1,991)</b>	<b>(2,542)</b>	<b>(17,173)</b>	<b>(19,554)</b>	<b>(21,364)</b>	<b>(23,082)</b>	<b>(86,821)</b>
<b>Expenditure</b>										
Total debt charges	29	209	671	1,005	1,295	7,765	7,765	7,765	7,765	<b>34,269</b>
Lifecycle costs	0	0	168	170	187	1,456	2,088	2,396	3,117	<b>9,582</b>
Total Operating Costs	0	0	0	0	0	2,290	2,527	2,789	3,080	<b>10,686</b>
<b>Expenditure total</b>	<b>29</b>	<b>209</b>	<b>839</b>	<b>1,175</b>	<b>1,482</b>	<b>11,511</b>	<b>12,380</b>	<b>12,950</b>	<b>13,962</b>	<b>54,537</b>
<b>Residual income</b>	<b>(65)</b>	<b>63</b>	<b>(36)</b>	<b>(816)</b>	<b>(1,060)</b>	<b>(5,662)</b>	<b>(7,174)</b>	<b>(8,414)</b>	<b>(9,120)</b>	<b>(32,284)</b>
<i>Risk sensitivity</i>			5%	45%	48%	40%	45%	48%	47%	45%

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## Appendix 7 to EES/22/3: Operating model

The following tables set out the operating costs for Freeport, they are not costs which DCC will incur directly.

The operating model will create 7 new posts (4.5 FTE) including a Freeport Chief Executive Officer. Some of these roles may be performed through Service Level Agreements and be hosted by the partner authorities or other organisations such as the University of Plymouth. An additional indicative sum is included in the operating model to secure a customs site operator when the main customs sites at Langan and Sherford are operational.

Freeport Operating Costs	Start Date
Freeport CEO	Jun-22
Freeport Manager	Jun-22
Skills Coordinator	Jun-22
Project co-ordinator (P/T)	Jun-22
<i>Customs &amp; security operator (via SLA)</i>	Apr-24
Marketing, Trade and Investment Manager	Jun-22
Innovation Manager	Jun-22
Finance Manager	Jun-22
<b>Annual Total Expenditure £</b>	<b>£398,500</b>

In the first year of operation additional non-repeating expenditure will be required to achieve Freeport mobilisation. These include staffing and consultancy costs incurred before the Freeport team is recruited, marketing expenditure to ensure our investor pipeline is robust and additional planning capacity to ensure expeditious processing of the large volume of planning applications we expect the Freeport to generate in its build out phase. We anticipate a small in year revenue overspend in 2021/22 and this has been covered with the application of a PCC grant which will be repaid in subsequent years.

Non repeating costs	
Planning support	60,000
Programme Management	52,877
Other staff costs (Q1 22/23)	100,000
Consultancy costs (Q1 22/23)	125,000
Additional Marketing budget to support pipeline development	90,600
<b>Total</b>	<b>428,477</b>

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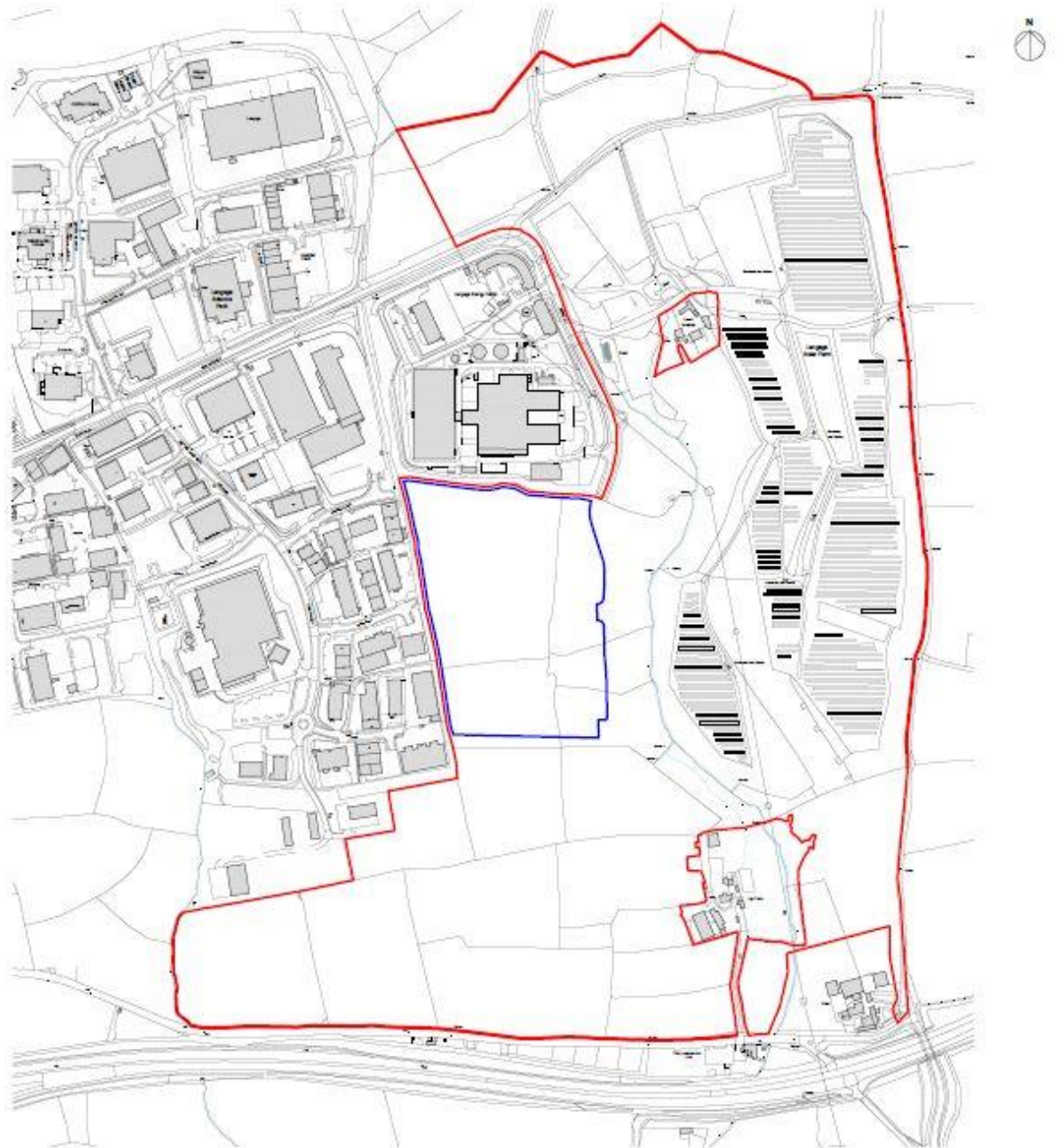
The operating model will be fully funded through public and private sector landowner contributions supplemented with our government Freeport revenue grant over the first 5 years.

Funding	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
Government funding for Outline Business Case (OBC)	300,000					
Government funding for Full Business Case (FBC)	187,500					
Government funding		467,460	45,040			
PCC internal grant	97,244		(92,470)	(1,560)	(1,591)	(1,623)
Plymouth City Council	50,000					
<b>Income subtotal</b>	<b>634,744</b>	<b>467,460</b>	<b>(47,430)</b>	<b>(1,560)</b>	<b>(1,591)</b>	<b>(1,623)</b>
Income from landowners		175,000	357,000	364,000	371,350	378,700
Oceansgate (PCC)		25,000	51,000	52,000	53,050	54,100
<b>Income subtotal</b>	<b>-</b>	<b>200,000</b>	<b>408,000</b>	<b>416,000</b>	<b>424,400</b>	<b>432,800</b>
<b>Total Operating Income</b>	<b>634,744</b>	<b>667,460</b>	<b>360,570</b>	<b>414,440</b>	<b>422,809</b>	<b>431,177</b>
Freeport Operating costs		(269,583)	(329,970)	(414,440)	(422,809)	(431,177)
Non-repeating (one-off) costs		(397,877)	(30,600)			
<b>Total Operating Expenditure</b>		<b>(667,460)</b>	<b>(360,570)</b>	<b>(414,440)</b>	<b>(422,809)</b>	<b>(431,177)</b>
<b>Operating Profit / (Loss)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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## Appendix 8 a, b and c to EES/22/3: – Site maps

### Appendix 8a to EES/22/3: Langage



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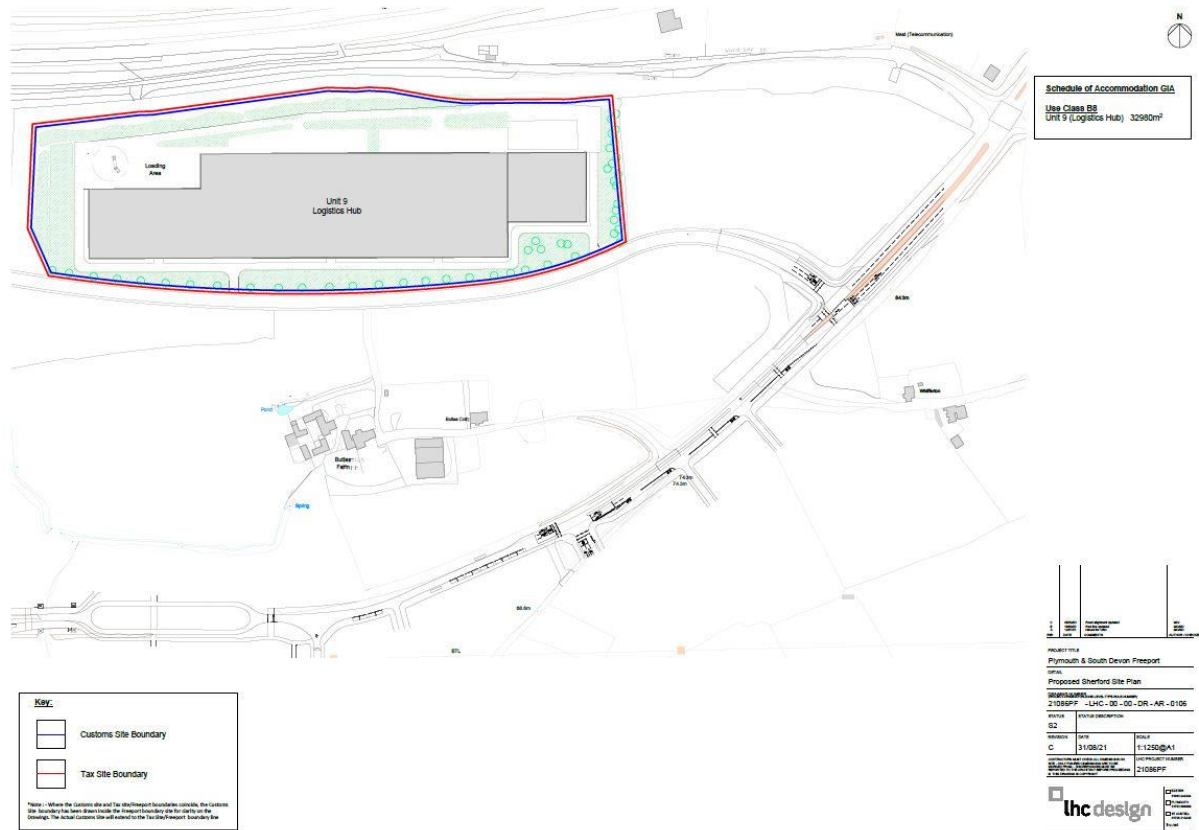
**Key:**

- Custom Site Boundary shows 'Preferred' & 'Do Max' options (Scenario A & C)
- Tax Site Boundary

Note: Areas not shown are the site's footprint boundary. Details of the site's footprint boundary are available in the site's footprint boundary file. Details of the site's footprint boundary are available in the site's footprint boundary file.

1	2	3	4
1	2	3	4
Project Title <b>Plymouth &amp; South Devon Freepoint</b>			
Project <b>Langage Freepoint Site Plan</b>			
Project Number 210360PF - LIC - 00 - 00 - DR - AR - 0101			
Date 02/08/2021			
Scale D. 1:1000 1:2500 @A1			
Project Manager 210360PF			
		Date 02/08/2021	

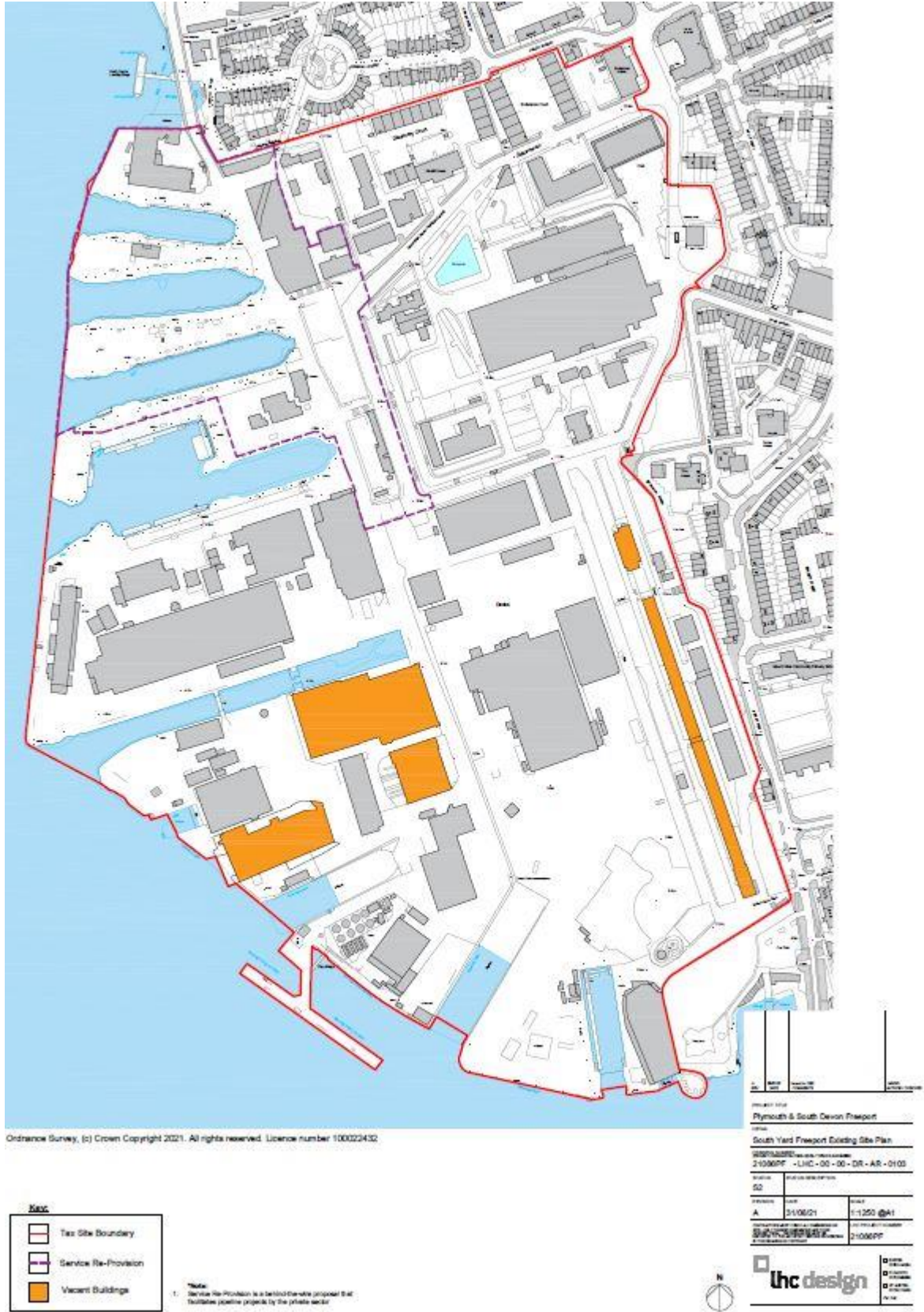
## Appendix 8b to EES/22/3: Sherford





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## Appendix 8c to EEs/22/3: South Yard





SC/22/1  
Cabinet  
13 April 2022

## **Bideford Library/Art Centre Project (“Project”) – Approval requested to award a construction contract**

Report of the Head of Communities

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:

- (a) notes 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) 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) approves 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;
- (d) notes 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;
- (e) approves the award of the construction contract to Pearce Construction (Barnstaple) Limited in the value of £1,431,571.70.

### **1. Summary**

This report seeks to update Cabinet on the progress of plans to create a multiple occupancy at Bideford Arts Centre building accommodating both Learn Devon and Libraries Unlimited Services, and to obtain approval to enter into a construction contract with Pearce Construction (Barnstaple) Limited. The proposed construction contract start date is 6 June 2022 to complete in March 2023.

### **2. Background/Introduction**

This Project was originally part of the Libraries Modernisation Programme and sufficient funding is held within the Capital Programme budget.

Following a detailed feasibility and designed stage and a successful Planning Application, approval is now requested to award the construction contract to Pearce Construction (Barnstaple) Limited as recommended within the NPS Group Tender Report dated 25<sup>th</sup> February 2022.

### **3. Proposal**

There is a requirement in Bideford to relocate the Library from its existing location in the town into the Bideford Arts Centre building. The Bideford Arts Centre building is

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currently used and managed solely by Learn Devon, whilst the current Library building in Bideford constrains the physical delivery of a modern Library Service.

The Library Service in Bideford currently operates out of the Town Hall building, owned by Torrington District Council, with the Learn Devon Service being delivered from an under-utilised Bideford Arts Centre building owned by Devon County Council. The proposal is to create a multiple occupancy Bideford Arts Centre building accommodating both Learn Devon and Libraries Unlimited Services.

Apart from the need and desire to update and improve the building, a passenger lift is required to be installed along with other interventions to make the facility fully accessible to all and to create an exciting and stimulating place where the advantages of a joint service can thrive to benefit Bideford and its wider community.

## **4. Options/Alternatives**

Many options and locations have previously been considered in Bideford for the relocation of the Library Service, without success. Maintaining the status quo is not an option as the existing Library building constrains the physical delivery of a modern Library Service with the current Bideford Arts Centre building in need of repair and modernisation and currently under-utilised. An investment in the Council's owned Bideford Arts Centre building will prove to be of significant benefit to Bideford and its wider community.

## **5. Consultations**

Consultation on the outline planning application was carried out in accordance with the statutory planning requirements (statutory consultees, members of the public and other stakeholders). Favourable decision notices from Torrington District Council confirming Listed Building Approval and Full Planning Application Approval, with no onerous conditions, have been obtained.

## **6. Financial Considerations**

The proposed value of the construction contract is £1,431,571.70 which includes £68,750 of Defined Provisional Sums and £70,000 of contingency (Undefined Provisional Sums).

This construction contract value is exclusive of NPS' fees of £181,802 and Interior Design costs/fees of £82,679 which when added to the construction contract sum, generates a total project cost of £1,696,052.70.

The current approved capital budget for this project is £1,580,000.

A DCC Estates contribution of £100,000 has been secured, in recognition of a backlog of Bideford Art Centre maintenance work and this together with the remaining gap in funding of £16,052 being met from the existing Library Management Programme, results in no additional funding being requested.

## **7. Legal Considerations**

The award of the construction contract to the successful bidder Pearce Construction (Barnstaple) Limited has been undertaken following a competitive tender procedure compliant with the Public Contract Regulations 2015.

## **8. Environmental Impact Considerations (Including Climate Change)**

Remodelling and adapting existing buildings has obvious benefits in terms of reducing embodied energy compared to a new building constructed from the ground up. However, existing buildings such as the Bideford Arts Centre are not inherently well performing in terms of conserving heat and energy.

There are limitations to what building fabric improvements can be made without destroying or concealing the architectural features, details, and material which make the building what it is. The proposal is to limit fabric improvements to refurbishment of existing window frames and replace the single glazing panes with double glazed units without affecting the appearance of the frames. As there are large areas of glazing this should help reduce heat loss and wasted energy.

The proposal will also see an overhaul of electrical and mechanical services systems to be energy efficient to reduce water, fuel, and power usage consumption as far as possible.

## **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.

Following approval to progress the scheme, an Impact Assessment will be undertaken alongside development of detailed internal designs to ensure equality considerations are integrated in the Project design. This will assess the social/equality, environmental and economic impacts of the Project in line with the Council's process.

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## 10. Risk Management Considerations

One of the key criteria for the Council in the tender process was fixed-price lump sum tenders which demonstrate value for money. Whilst building costs continue to rise in an ever-changing construction market, risks have been managed and mitigated throughout this process.

As part of the tender process, Pearce Construction Limited, provided a schedule of clarifications, which will be transferred to a post-contract risk register, but it has been reported that the potential for cost increase arising out of these items is considered low and would be funded from the general contingency, contained within the construction contract.

Full Project Risk Management will continue throughout the next stage and life cycle of this Project.

## 11. Public Health Impact

The Project would result in significant public health benefits by providing enhanced space for community learning and better access to public health materials.

Being in a town centre location the building would support community interaction and active travel.

## 12. Conclusions/Reasons for Recommendations

It is recommended that Cabinet accept this report and approves the awarding of the construction contract to Pearce Construction (Barnstaple) Limited.

Simon Kitchen  
Head of Communities

Electoral Divisions: Bideford East

Cabinet Member for Public Health, Communities and Equality: Councillor Roger Croad

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

Contact for Enquiries: Jason Allen

Tel No: 01392 385433 Room: G60, County Hall, Exeter

Background Paper	Date	File Reference
Nil		

Bideford Library/Art Centre Project – Approval requested to award a construction contract - Final

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

Report of the Head of Children's Health and Wellbeing

*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 Cabinet: -

- a) Provide approval 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) Delegate authority to the Chief Officer for Children's Services to agree non-material changes within the overarching strategy detailed in section 4 (proposal).
- c) Delegate authority to the Chief Officer for Children's Services, in consultation with the Lead Cabinet Member for Children's Services & Schools, to approve contract award recommendations for Peninsula Fostering Services with IFAs.

## 1. Summary

- 1.1 This report seeks approval from Cabinet on the proposed commissioning and procurement arrangements of independent fostering services (IFAs) detailed in this report. These services will support children in care and children, and young people with SEND, who are eligible for a short break service<sup>1</sup>. These services will be delivered by IFAs and typically used when foster families are not available through our inhouse fostering service.
- 1.2 This proposal has been developed by the Peninsula Commissioning & Procurement Partnership which aims to jointly and collaboratively commission services to benefit children and young people living across the Peninsula authorities.
- 1.3 The availability and provision of fostering services and short break services supports the Council in meeting our statutory duties, and in delivering our strategic priorities in outlined in [Devon's, A Place Called Home is the Devon Sufficiency Strategy](#); our duties as corporate parents for children and young people in our care as outlined in [Devon's](#)

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<sup>1</sup> Short Breaks covers a range of services which support disabled children, young people, children, and young people with SEND and children and young people with additional needs and their families. They can include the provision of day, evening, overnight and weekend stays and/ or activities for the child or young person. They can take place in the child's own home, the home of an approved carer, or in a residential or community setting. The short breaks service being included here are family based short breaks, where foster carers provide overnight stays in their homes for identified children, young people, and their families.

[Corporate Parenting Strategy](#), and our vision and priorities for families and children and young people with SEND as outlined in [Devon's SEND strategy](#).

- 1.4 The current independent fostering services contract provides children and young people in our care with the opportunity to live in a family environment providing a safe, stable, and caring home allowing them to thrive, achieve the best possible outcomes and to be prepared for their next steps into adult life.
- 1.5 Family based Short Breaks for children and young people with SEND enables parents to receive a break from their caring responsibilities, whilst giving children and young people an opportunity to have positive experiences outside their families. The proposed new framework agreement will ensure this continues and increased to provide more opportunities for children and young people, and their families.
- 1.6 In developing the proposed commissioning and procurement arrangements for fostering services, Peninsula Partners have considered several options and approaches to the market. The proposal is to tender for a multi provider framework agreement for a minimum period of 5 years, with the option to extend for up to a further 2 years. This option is being recommended as it will maintain, and increase sufficiency, increase quality, provide flexibility, and ensure value for money, alongside ultimately supporting children and young people to thrive in secure and stable foster families.
- 1.7 Under the proposed framework agreement there will be no guaranteed volumes of business as the value of spend will be driven by the demand for placements. However, it is worth noting that Devon County Council's (DCC's) total gross spend on independent fostering placements, including family based short breaks, for the last full financial year (2020/2021) was £8,941,000.
- 1.8 If approved, commissioning and procurement arrangements will begin on 1<sup>st</sup> October 2022.

## **2. Background**

- 2.1 DCC has been part of a peninsula partnership with Plymouth City Council, Torbay Council and Somerset County Council since 2006. DCC acts as the lead authority to support a joint and collaborative commissioning, procurement and contracting approach across children's services. This includes the existing 'Southwest Peninsula' commissioning and procurement arrangement for foster placements with IFAs to support children in care.
- 2.2 Under the current arrangements IFAs deliver services to support children in care from birth to 18 years to live with foster carers in a family-based environment. Through 'Staying Put' arrangements there is also the option for young people to continue to live with their foster carers up to the age of 21 years, or up to the age of 25 years if the young person is in full time education.
- 2.3 The current IFA framework started on 1<sup>st</sup> April 2018 and is a multi-provider framework agreement with no promised volumes and call off through open expressions of interest for individual placements. Following a 6-month extension agreed by the Lead Cabinet

Member for Children's Services & Schools in February 2022, the current framework is due to end on 30<sup>th</sup> September 2022.

- 2.4 The framework arrangement currently includes fostering agencies operating in Devon, Plymouth, Cornwall, Torbay, and Somerset, although some of the agencies offer placements nationally.
- 2.5 IFAs in the existing framework arrangements provide a list of their weekly fees, with an additional "menu" of enhanced support, such as therapy and family support worker time. This enables transparency of the services being commissioned, and an opportunity to scale support up and down dependent on a child's individual needs.
- 2.6 Having these commissioning arrangements in place with the IFA market has been beneficial for Peninsula authorities in supporting sufficiency and availability of foster carers and family homes.
  - 2.6.1 For example, in February 2022:
    - There were 819 children in the care of which 157 (19%) were living in family homes with foster carers supported by IFAs through the current Framework Agreement. In comparison, there were only 13 fostering placements made through spot contracts outside of the current IFA framework arrangements. Spot contracts typically have higher weekly costs than those negotiated through the framework, and placements are not subject to the same quarterly quality assurance monitoring undertaken with framework providers. The quality assurance of these placement would be an additional responsibility for social work teams.
    - In addition, IFAs on the framework were also supporting 4 parent and child placements and 12 'Staying Put' placements. Section 4.2 provides a description of these services in more detail.
  - 2.6.2 At a Peninsula level, as of December 2021, there were approximately 540 children and young people from the 4 Peninsula local authorities living in family homes with foster carers being supported by IFAs through the current framework arrangements.

### **3. Overview of Options Appraisal and Analysis**

- 3.1 An options appraisal and analysis were undertaken by the Peninsula Commissioning and Procurement Partnership as part of re-commissioning activity.
- 3.2 Options which were considered as part of the options appraisal included:
  - 3.2.1 Option 1: Do nothing and move to spot contracting arrangements. This option would include leaving the existing Peninsula Fostering Framework Agreement to expire on the 30<sup>th</sup> of September 2022. There would be no formalised agreements in place. Any fostering placements with IFAs under this option are likely to be through spot contracting arrangements and more than likely at higher weekly cost.

This was not a recommended option.

- 3.2.2 Option 2: Block Contracting Arrangements. This option would include purchasing a bulk volume of fostering services outright to be used by Peninsula Authorities. Usually, these arrangements work best with one provider. It is unlikely a single provider or block would be able to cater for the needs of all Peninsula authorities and would not support sufficiency for Peninsula authorities. Moreover, there is a high risk in the event of business failure, quality and safeguarding concerns when taking a single provider approach. Full utilisation of the volumes purchased could also be a drawback for particular groups of services. If all volume is not utilised local authorities would be committed to paying for these services even in the event they are not being used.

Therefore, this was not a recommended option.

- 3.2.3 Option 3: Closed Multi-Provider Framework Agreement. This option would only provide IFAs one opportunity to join the Peninsula Fostering Framework Agreement. This would restrict our ability to grow sufficiency across fostering services with more IFAs through the life of the Framework Agreement. In addition, the option to co-design new emergency fostering services would not be permitted through this option.

Therefore, this was not a recommended option.

- 3.2.4 Option 4: Dynamic Purchasing System. This option would enable IFAs to join the Peninsula Framework to deliver fostering services at any time, as the Framework remains open. However, an evaluation team from across all Peninsula authorities would need to be permanently available to complete quality, and pricing evaluation and due diligence checks, required as part of the procurement and commissioning process.

This is therefore not a recommended option.

- 3.2.5 Option 5: Multi-Provider Framework Agreement with entry points at set intervals. This is the recommended option as it will realise maximum benefits for DCC and the young people in its care, including ensuring sufficiency of services. It will also facilitate the entrance of new providers increasing sufficiency, provide flexibility in the way that we work with providers allowing more partnership style working and longer-term arrangements. A multi-provider Framework Agreement will also maintain competition in the market which will drive forward value for money and quality of services. In summary this option will maintain and increase sufficiency, increase quality, provide flexibility, and ensure value for money all of which ultimately provides better outcomes for our young people. Section 4 outlines the design and summarises the rationale for this being proposed as the preferred option.

#### **4. Summary of Proposed Contract Scope, Design, Benefits and Rationale.**

- 4.1 Subject to approval, it is anticipated that the new arrangements would replace the existing approach to providing fostering services through IFAs when it expires on 30 September 2022.



Proposed Commissioning and Procurement Arrangements

Scope of Services

- 4.2 The Peninsula Commissioning and Procurement Partnership are proposing a new arrangement focusing on the provision of 6 types of fostering services for children and young people in need or in the care of our local authorities. These are:
- **Standard Fostering Services:** These will enable children with a broad range of needs, including emotional and behavioural issues, physical and learning disabilities and sensory impairment to live in a family home with foster carers. Services will be needed for a variety of reasons and durations, including short term, long term, shared care, to support rehabilitation to family or progression to independent living.
  - **Enhanced Fostering Services:** These are specifically designed for those children with significantly complex needs, above those which would usually be considered and met through standard fostering. These children require a bespoke foster placement with an individual package of support and care. This could be increased or reduced as required as the child's needs change. There will also be an option to develop bespoke packages to enable children to move from a residential children's home to live with foster carers when they are able to do so.
  - **Emergency Fostering Services:** These services will support any child in care in crisis and requiring a placement at short notice. This would include children and young people of all ages and with a range of needs. The offer would be for a minimum of 24 hours and up to a maximum of 1-2 weeks. This is a new service area which we are planning to co-design with interested IFA's during the first 12 months of the contract. However, to ensure the service option is available at the point of the new contracting arrangement 'going live' a draft specification and desired outcomes will be included to the tender.
  - **Staying Put.** This service area will provide opportunities for young people to continue to live with their foster carers up to the age of 25 years and to continue to grow and transition to adulthood.
  - **Family Based Short Breaks services.** These services are designed to support children and young people with SEND. Eligibility for these services will be determined by each local authority. Children between 0-18 years will be able to access a flexible package of support which will include overnight breaks or part day and night packages to suit the child, and their parents or carers. The specification will be developed to allow for these services to be extended to young people with SEND aged 18-25 years during the life of the contract term.
  - **Parent and child services.** These will provide parent and child placements typically to complete an assessment to inform social workers of a parent's ability to care safely for their child or children. These take place either in a family home supported by registered foster carers, or in the community, monitored by outreach support delivered by professionals.

## Proposed Contract Design

- 4.3 The Peninsula Partnership are recommending that a procurement tender process is carried out to form a multi-provider Framework Agreement. The initial term will be a minimum of 5 years with options available to extend up to a further 2 years. The Framework Agreement will include multiple entry points at set intervals allowing new entrants and will also include a mechanism for inflationary fee increases.
- 4.4 To support the delivery of our sufficiency obligations there will be no restriction on geography. IFAs that are operating locally and nationally will be invited to bid for the opportunity to deliver some, or all of the fostering services, outlined above at 4.3. However, priority will be given to providers who can ensure Devon young people are placed within or close to Devon.
- 4.5 As the new arrangements will be pulling together multiple services, some of which are new, specific terms and conditions will be drafted where applicable to support individual service specifications. A focus on supporting placement stability and permanence for our children will be included in all specifications.
- 4.6 To be awarded a place on the framework, IFAs will go through a tender process which will include a selection questionnaire, this tests capability and capacity including financial structure and Ofsted registration. Safeguarding and safer recruitment processes will also be tested at this stage. There will be a quality test which will include Ofsted inspection gradings and service specific quality standards. Costings will also be reviewed as part of this process. The award criteria will be formed to achieve the optimum combination of quality, cost, and sustainability. Once this is successfully completed providers will be awarded a place on the Framework Agreement for the specific fostering service they have applied to deliver.
- 4.7 The majority of the IFA providers on the current Framework Agreement are rated 'Good' or 'Outstanding' so the aim will be to maintain this level of quality through the new Framework Agreement.
- 4.8 There will be a number of methods of forming contracts (call offs) under the new Framework Agreement. These will include forming block contracts for a set volume, specialist need or geographical area, forming a partnership to develop a certain element of service or programme, single placement, or multiple placements at once.

## Rationale and Benefits Analysis for Proposed Commissioning and Procurement Arrangements

- 4.9 Foster families may be needed for short term, long term, shared care, or to support rehabilitation to family or progression to independent living. Therefore, working with the IFA market to maximise the availability of foster carers and family homes for children in our care is key to achieving this priority within the [Devon Sufficiency Strategy – A Place Called Home](#). It recognises all children and young people should be given the opportunity to live in local, safe, and secure family home where they are parented well, treated with kindness, respect and supported to thrive.

- 4.10 The proposed framework agreement structure will achieve better outcomes for children and young people through engaging the IFA market, so we are working closely with them, being flexible and increasing the reach of the market. The proposal will achieve this by:
- 4.10.1 Having multiple providers on the framework including small, large, specialist, non-specialist, local and national agencies will increase choice of foster home and service ensuring the best match for an individual child or young person. This approach will maintain competition which helps to ensure value for money and keep quality levels high. This will also help in making sure we have specialist providers supporting all areas of need.
  - 4.10.2 Entry points at set stages during the life of the Framework Agreement will support the above point in allowing new entrants to join subject to evaluation.
  - 4.10.3 All providers bidding to join the framework at any point will be tested for capacity, capability, quality, and costs. This will maintain value for money and ensure the quality of providers and placements.
  - 4.10.4 A longer initial term for the framework has been proposed, as it will provide more scope to develop services within the Framework Agreement and promote partnership working with framework providers. This responds to feedback from the IFA market and will help to improve, develop, and focus development of service areas to best meet different needs of children and young people.
  - 4.10.5 Providing flexibility in how we engage through the Framework Agreement by developing several different call off methods will allow for future needs and developments to be addressed through the existing framework without the need for separate commissioned / procured services. This will improve flexibility, partnership working, increase provision through the framework and encourage new entrants.
  - 4.10.6 The new Framework Agreement will include a formal process for agreeing and implementing inflationary uplifts on an annual basis. This will be in line with the methods used to project DCC budgets and market influences (for example CPI). This will allow more efficient management of the market and costs by providing greater transparency of costs for both commissioning partners and providers.
  - 4.10.7 Recruitment of foster carers is national challenge. The inclusion of Family Based Short Breaks adds a known and proven route for encouraging carers into the full-time foster care service. It is anticipated this will help our providers increase their capacity, which in turn, increases our sufficiency.
- 4.11 Through the mechanisms above the framework will provide greater sufficiency, quality, choice, and flexibility of service, thus ensuring children and young people get the right service at the right time, whilst providing commissioners with the levers to support further development across the IFA market.

## 5. Consultations, Engagement and Representations

- 5.1 Engagement activities including virtual workshops, surveys and individual meetings have been undertaken to inform the commissioning approach summarised in section 4 and the service specifications that will form the tender pack.
- 5.2. Stakeholders including children and young people in care and care leavers; the IFA provider market; other local authorities; and internal teams and practitioners across children’s services have been involved in the process.
- 5.3 Summarised below are examples of themes, ideas and feedback that have emerged through the engagement events. These have been used to shape and inform the commissioning and procurement approach being proposed.

Engagement Event and Date	Examples of feedback received from children and young people.	How is this reflected in the new arrangement
<p><b>Children in Care and Care Leaver Forum 2022.</b></p> <p>*Monthly participation group supported by DCC participation Team.</p>	<p><i>“Getting the right place, matching me with someone who I connect to enable me to have a close bond and feel welcome”.</i></p> <p><i>“Make sure I will get on with them and they understand how you are. Meet them before you move in with them ... what are the foster carers like? What is the house like?”</i></p>	<p>Increasing the number of providers, carers, and flexible approaches to call off the Framework are intended to provide the widest choice of placements possible.</p>
<p><b>Build Back Better, October 2020.</b></p> <p>*Event supported by Devon Care Leavers.</p>	<p>“Better education for foster carers and personal advisors.... Should be better educated on gender identify and, also mental health”.</p> <p>“For those of us who have stayed in the same home for a long time, life is much better, and we feel more able to spread our wings....”</p> <p>“Staying Put should be available post 21 if we need it....”</p> <p>“We need to be taught about finances, credit cards, debt, insurance and how to self-sufficient.”</p> <p>“The notes you keep about us should celebrate our achievements and skills and not keep pointing out the times we don’t manage so well. We have to keep these records for the rest of our lives”.</p>	<p>The service specifications will reflect the expectations IFA’s and their foster carers including their skills, training, and knowledge; as well as the support we would expect to be provided in caring for and supporting young people with developing independent living skills and preparing for adulthood. Regular contract monitoring following award will ensure service delivery meets the standards within the specifications.</p>

Engagement Event and Date	Examples of feedback received from children and young people.	How is this reflected in the new arrangement
	<p>“Some of us would like more fostering and participation activities where we can meet new people and also meet supportive people from the community....”</p> <p>“When we speak out about things that bother us, we want to see things change and we want to be informed about the changes....”</p>	
<b>Other Stakeholder Events including market engagement</b>	<p>Developing a better understanding of therapeutic offers.</p> <p>Providers are keen to know more about how data is being used by the local authority.</p> <p>Risks, behaviours, and best practice relating to notice periods for placements in foster homes needs further development.</p> <p>Earlier and better planning and funding for ‘Staying Put’ arrangements.</p>	<p>Creating a closer working relationship and generating value for both commissioners and providers will support this.</p>

5.4 The Peninsula Commissioning and Procurement Partnership remain committed to ensuring appropriate engagement with all stakeholders throughout the re-commissioning and procurement process. Therefore, a programme of engagement will remain up until contract award has been made.

## 6. Financial Considerations

6.1 The Council’s total gross spend on independent fostering placements, including family based short breaks, for the last full financial year (2020/2021) was £8,941,000. The projected gross budgeted expenditure for the financial year 2022/2023 is £9,312,000. Budgeted expenditure allows for a 2.5% inflationary increase for placements being made for children and young people.

6.2 At the outset of the current framework, providers were able to stipulate what their price would be for each of the 4 contract years. This produced an average annual increase of 1.2% Between January and December 2021, DCC made arrangements for 209 children and young people in our care to live in family homes with foster carers through the current framework. The average costs for these arrangements were as follows:

	Age of children and young people (years)			
	0-4	5-10	11-15	16-18
2021 average weekly cost (Jan -Dec 2021)	£859.49	£937.12	£967.53	£959.77

- 6.3 Should Cabinet approve the recommendation being made within this paper to take the contracting opportunity described and summarised in Section 3 out to tender with IFAs:
- 6.3.1 There is a risk that there will be an increase in prices for the delivery of independent fostering services from September 2022. It is recognised that this risk would apply to the recommended option as well as any other options described in Section 3. Throughout engagement IFAs have referenced the following as emerging financial pressures that will impact the market:
- The rapidly increasing rate of inflation through 2022 to date and the pressures foster carers face with increased utility fees and to general costs of living.
  - The introduction of the Health and Social Care Tax for all employees from April 2022.
  - Wage increases for any staff on National Living Wage from April 2022.
- 6.3.2 The ability to provide uplifts for foster carers and staff in these contexts could also have an impact on the recruitment and retention of and thus availability of high-quality foster carers to support children and young people in our care .
- 6.3.3 To support both the Council and IFAs, within the commissioning and procurement approach proposed, IFAs will be required to complete a costing breakdown for fostering services and any additional support / therapeutic services going forward. This will provide a menu of costs which will be reviewed as part of any procurement process and will enable commissioners to manage costs going forward.
- 6.3.4 In addition, a pricing protocol for the Framework Agreement will be included. This will include consideration of any planned increases to the National Living Wage, the rate of the Consumer Prices Index (CPI) and any unforeseen and significant cost increases, for example regulatory fees. This will allow for consultation with the market and our finance teams to align with the service budgets. The increase will then be applied on an annual basis.
- 6.3.5 Overall, the above mechanisms will aim to achieve high quality fostering services which reflect value for money and are sustainable and viable for both parties, as far as possible. The service arrangement and agreement for each individual child will remain the responsibility of each individual Peninsula authority accessing fostering services to be included in the commissioning and procurement arrangements described in Section 4.
- 6.4 Benchmarking exercises with a range of other local authorities has not revealed any consistent approach to pricing as part of their commissioning and procurement arrangements for fostering services.



## **7. Legal Considerations**

- 7.1 The lawful implications of the proposals have been considered in the preparation of this report and the formulation of the recommendations set out above.
- 7.2 The procurement process will be conducted in accordance with all relevant legal requirements, best practice principles, and procedures detailed in the tender documentation and with the principles of transparency, equality, fairness, and proportionality as stipulated by the Public Contracts Regulations 2015.
- 7.3 To achieve our intentions to co-design emergency fostering services during the beginning of any new arrangement agreed, the parameters for this will be described appropriately to satisfy requirements of Public Contracts Regulations 2015 to allow additional services to be taken forward appropriately. Any addition of developed services would be aligned with an entry point for the Framework Agreement. A programme of specific market engagement will also be developed going forward as this will be key to achieving co-design for this service.

## **8. Environmental Impact Considerations (Including Climate Change)**

- 8.1 The influence and role of foster families on the way children and young people interact with their environment has been considered as part of an impact assessment. For example, in influencing behaviours through conservation awareness or efforts to reuse, reduce and recycle materials.
- 8.2 Other impacts considered include how supporting Devon's children and young people to be able to live with foster carers and / or stay with foster carers for a family-based short break locally could reduce / manage travel needs and emission of gases in response.
- 8.3 For further detail please refer to the published impact assessment.

## **9. Equality Considerations**

- 9.1 Social impacts and mitigations within the impact assessment completed consider the impact of decisions on health and well-being of foster carers and children and young people. It also explores how service specifications, contracting arrangements and recommended service design will support protected characteristics. For example, a requirement around specific training to upskill foster carers to best respond to a child or young person's needs, making reasonable adjustments and provision of bespoke support and training to be able to best meet the need of children and young people.
- 9.2 The impact assessment also considers the potential positive impact of the recommendations being made on knowledge, skills, and expertise of staffing groups. In addition, it considers the role the commissioning opportunity could provide in presenting more job opportunities for individuals and the businesses locally and nationally. Both can impact on opportunities for children and young people to live locally and the local authority in supporting sufficiency of services.
- 9.3 For further detail please refer to the published impact assessment.

## 10. Risk Management Considerations

- 10.1 This proposal has been assessed and all necessary safeguards or action has been taken to safeguard the services to children and young people and the Council's position.
- 10.2 The risk identified and relating to fee increases and pricing has been summarised at Section 6 above. There are 2 further additional risks of significance which have been identified. One concern involves the sufficiency of IFAs on the new Framework Agreement, with the potential risk that the number of provider bidding does not fulfil our sufficiency needs. Another concern relates to how we are ensuring continuity of care and continuation of existing fostering arrangements under the current contract for children and young people in our care.
- 10.3 Take up of IFAs into the new Framework Agreement and contracting arrangement proposed. A key determinant of take up for IFAs is likely to be linked to price and the approach to managing fee uplifts and increases throughout the lifetime of the contract. Peninsula partners have designed the fee protocol with this in mind (see Section 6 above). This protocol will provide clarity and a sufficient approach to uplift to support IFAs to join. Other mitigations to minimise the impact of this potential risk include increasing opportunities to work in partnership, reducing unnecessary process and administration, providing flexibility in developing the service and ensuring that we engage and work closely with providers on the new Framework Agreement. The main incentive will be to ensure that DCC and Peninsula partners work solely with providers on the new Framework Agreement.
- 10.4 Scheduled entry points and opportunities to engage IFAs will allow providers to continue to join the proposed Framework Agreement over the next 5 to 7 years. The wider scope of services and the opportunity for IFAs to co-design and co-produce some elements of services, is hoped will provoke interest and attract IFAs to bid to join the contracting arrangement. Finally, the range of flexible call off methods for services for individuals should make it easier for IFAs to work flexibly with us.
- 10.5 Continuity of care and continuation of existing fostering arrangements under the current contract for children and young people in our care. Arrangements made for children and young people in our care under the current contract remain as is, up until the arrangement comes to a natural end for that child or young person. The commissioning and contracting approach summarised in this paper (see Section 4) will only apply to delivery of fostering services for children and young people in our care, made from October 2022 should approval for recommendations in the paper be granted.
- 10.6 The corporate and / or community risk registers have been updated as appropriate.

## 11. Public Health Impact

- 11.1 Since the start of the COVID pandemic children, young people and families have reported nationally and locally on the negative impact this has had on their lives, their opportunities and on their physical, mental, and emotional health and wellbeing. Many children and young people are or have experienced a negative impact on their mental



and emotional health and wellbeing and this is equally true of Devon's children in care population.

11.2 With the continuation of the pandemic into 2022, understanding, responding, and supporting the emotional health and wellbeing needs of our children and young people in care will be important. Individual service specifications, which will form part of the commissioning and contacting approach summarised in Section 4, will include requirements regarding: -

- Specific training for professionals working with children and young people.
- Awareness of support services available to which they can signpost children.
- The requirement to support children as far as possible with children to develop their resilience, and to support them to maintain positive emotional health and wellbeing.

## **12. Summary/Conclusions/Reasons for Recommendations**

12.1 Approval for the commissioning and procurement arrangements proposed in this report to secure fostering services will provide more options to find the right high quality foster carers and family home locally for children and young people in our care. Securing local foster carers will enable support children and young people in care to maintain local connections enabling them to maintain relationships, achieve and thrive.

12.2 Accepting the recommendations outlined above will support sufficiency, increase quality, provide flexibility, and ensure value for money, all of which ultimately will strengthen the services available to children and young people in Devon.

12.3 Securing delivery of family based short break services will enable parents and carers to have a break from their caring responsibilities and potentially support families to stay together. These services will also support children and young people with SEND to have positive experiences which will support their emotional health and well-being.

12.4 The proposed Commissioning and procurement approach will secure a high-quality fostering service through providers that have been tested for capacity, capability, cost, and quality. The arrangement will have the flexibility to meet known future demands and the ability to develop to meet unforeseen future changes. It will engender a long-term stable relationship with our partners and providers whilst allowing management of the quality and costs of the service.

Electoral Divisions: - All

Cabinet Member for Children's Services: - Councillor Andrew Leadbetter

Interim Head of Children's Commissioning: - Rupa Parmar


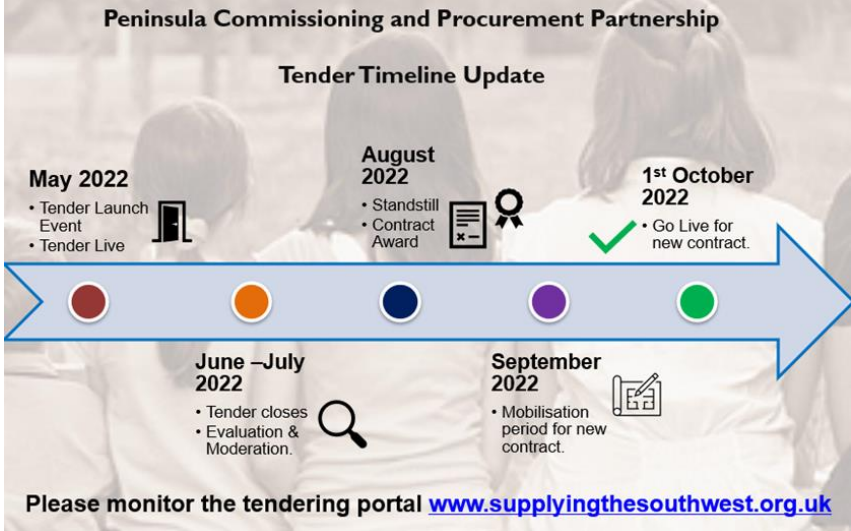
Deputy Chief Officer - Head of Children's Health and Wellbeing: - Janet Fraser


Contact for Enquiries: - Janet Fraser, Deputy Chief Officer- Head of Children's Health and Wellbeing and Andrew Simkin, Procurement Category Manager (Services).

Tel No: - 01392 382300

E-mail: - childrenscommissioningsecure-mailbox@devon.gov.uk

Local Government Act 1972: List of Background Papers

Background Paper	Date	File Reference
Devon County Council, Sufficiency Strategy 2022-24. Finding a place called home.	2022-2024	<ul style="list-style-type: none"> <li><a href="https://www.dcfp.org.uk/training-and-resources/policies-and-procedures/sufficiency-strategy/">https://www.dcfp.org.uk/training-and-resources/policies-and-procedures/sufficiency-strategy/</a></li> </ul>
Devon Corporate Parenting Strategy 2022-2024	2022-2024	<ul style="list-style-type: none"> <li><a href="https://www.dcfp.org.uk/corporate-parenting-strategy-2022-24/">https://www.dcfp.org.uk/corporate-parenting-strategy-2022-24/</a></li> </ul>
Devon SEND Strategy	2021-2024	<ul style="list-style-type: none"> <li><a href="https://www.devon.gov.uk/education-and-families/send-local-offer/working-together/what-we-are-doing-devons-send-strategy/">https://www.devon.gov.uk/education-and-families/send-local-offer/working-together/what-we-are-doing-devons-send-strategy/</a></li> </ul>
Impact Assessment		 <p>EQIA - Commissioning Stra</p>
Links to statutory duties and legislation regarding Short Breaks.	March 2022	An overview of links to legislation and summary of duties can be provided upon request.
Peninsula Commissioning & Procurement Partnership. Fostering Services Timeline.	March 2022	 <p><b>Peninsula Commissioning and Procurement Partnership</b> <b>Tender Timeline Update</b></p> <p><b>May 2022</b></p> <ul style="list-style-type: none"> <li>Tender Launch Event</li> <li>Tender Live</li> </ul> <p><b>June –July 2022</b></p> <ul style="list-style-type: none"> <li>Tender closes</li> <li>Evaluation &amp; Moderation.</li> </ul> <p><b>August 2022</b></p> <ul style="list-style-type: none"> <li>Standstill</li> <li>Contract Award</li> </ul> <p><b>September 2022</b></p> <ul style="list-style-type: none"> <li>Mobilisation period for new contract.</li> </ul> <p><b>1st October 2022</b></p> <ul style="list-style-type: none"> <li>Go Live for new contract.</li> </ul> <p>Please monitor the tendering portal <a href="http://www.supplyingthesouthwest.org.uk">www.supplyingthesouthwest.org.uk</a></p>

		<h2 style="margin: 0;">Peninsula Commissioning and Procurement Partnership</h2> <h3 style="margin: 0;">Sufficiency Needs &amp; Current Design Recommendations</h3> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p><b>Sufficiency Needs</b></p> <ul style="list-style-type: none"> <li>• More skilled foster carers available in local area.</li> <li>• More foster homes for children and young people with a range of needs and ages.</li> <li>• More parent and child support.</li> </ul> </div> <div style="width: 30%; border: 1px dashed black; padding: 5px;"> <p><b>Design Proposal</b></p> <ul style="list-style-type: none"> <li>• Step down from residential Therapeutic placements</li> </ul> </div> <div style="width: 30%;"> <ul style="list-style-type: none"> <li>• More foster carers who can provide stability and support permanence for children and young people.</li> <li>• Foster carers who can support in a crisis/ emergency basis for short term.</li> <li>• Foster carers who can support family based short breaks for families.</li> </ul> </div> </div> <div style="text-align: center; margin-top: 10px;">  </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="background-color: #1a3d4d; color: white; border-radius: 50%; padding: 10px; text-align: center;">Standard Fostering</div> <div style="background-color: #1a3d4d; color: white; border-radius: 50%; padding: 10px; text-align: center;">Staying Put</div> <div style="background-color: #1a3d4d; color: white; border-radius: 50%; padding: 10px; text-align: center;">Enhanced Fostering</div> <div style="background-color: #1a3d4d; color: white; border-radius: 50%; padding: 10px; text-align: center;">Emergency Fostering</div> <div style="background-color: #1a3d4d; color: white; border-radius: 50%; padding: 10px; text-align: center;">Family Based Short Breaks</div> <div style="background-color: #1a3d4d; color: white; border-radius: 50%; padding: 10px; text-align: center;">Parent and child</div> </div> <div style="background-color: #1a3d4d; color: white; padding: 5px; text-align: center; margin-top: 10px;">             Framework, with entry points at set intervals', 5 years +1, +1 (potential for 7 year term)         </div>
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# Impact Assessment



Assessment of: Commissioning for Peninsula Fostering Services, with independent fostering agencies (IFAs) from October 2022.

Service: Children's Commissioning, Children's Services, Devon County Council (DCC), and the Peninsula Commissioning & Procurement Partnership.

Head of Service: Janet Fraser, Deputy Chief Officer for Children's Services, DCC.

Version / date of sign off by Head of Service: Final Assessment / 29<sup>th</sup> March 2022.

Assessment carried out by : Jade Torr, Commissioning Officer, DCC; Becky Meaton, Senior Procurement and Contracts Officer, DCC; Andrew Simkin, Procurement Category Manager, DCC.

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

This assessment explores the impact of the proposals within the commissioning strategy for new fostering service arrangements with independent fostering agencies (IFAs) for the Peninsula Commissioning and Procurement Partnership from October 2022.

DCC, Plymouth City Council, Somerset County Council, and Torbay Council <sup>1</sup> came together to create the 'Peninsula Commissioning & Procurement Partnership' in 2006. The partnership works together to commission and procure a range of services to support children and young

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<sup>1</sup> Cornwall County Council were part of the Peninsula Commissioning & Procurement Partnership in the past. They made the decision to withdraw from the partnership on the 5<sup>th</sup> February 2018.

people in their care locally. One such arrangement is the commissioning of fostering services with independent fostering agencies<sup>2</sup> (IFAs). These services support children in care to be able to live with foster carers in a family-based environment, and benefit from the experience of family life in situations where they may be unable to live with or return home to their families. Through the current commissioning arrangements, IFAs also offer a specialist fostering placements where a parent and their child stay with a foster carer to receive extra support, for an assessment and or to receive support in the community. These types of placements are usually ordered by the Court.

The proposal is to commission a new multi provider framework agreement for a minimum period of 5 years, with the option to extend for up to a further 2 years. This option is being recommended as it will maintain, and increase sufficiency, increase quality, provide flexibility, and ensure value for money, alongside ultimately supporting children and young people to thrive in secure and stable foster families. IFAs will be able to bid to deliver across 6 different types of fostering services. The options appraisal, rationale for the future service approach that inform the recommendations can be found in the accompanying [Cabinet Report](#).

The current contracting arrangement started on 1<sup>st</sup> April 2018 and is due to end in September 2022. The Council's total gross spend on IFA placements, including family based short breaks, for the last full financial year (2020/2021) was £8,941,000. The gross budgeted expenditure for the financial year 2022/2023 is £9,312,000.

## 2. Reason for change / review

The fostering arrangements in place between the 'Peninsula Commissioning & Procurement Partnership' and IFAs are due to come to an end on 30<sup>th</sup> September 2022.

The Peninsula Commissioning and Procurement Partnership have made recommendations for a new commissioning arrangement for 6 fostering services including standard, enhanced, and emergency fostering services; 'Staying Put' opportunities; overnight family based short breaks services<sup>3</sup> and parent and child assessments and placements. These services will support children in care and children, and young people with

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<sup>2</sup> An [Independent Fostering Agency](#) is an external, voluntary or private organisation who must, by Law, be registered with and monitored by Ofsted. Once registered they are approved to recruit and oversee the approval of foster carers. Foster carers approved by the Independent Fostering Agency are then supported to provide temporary or long-term care for children and young people. Other duties for these agencies include: - providing supervision, support and undertaking reviews of foster carers caring for children and young people.

<sup>3</sup> Short Breaks covers a range of services which support disabled children, young people, children, and young people with SEND and children and young people with additional needs and their families. They can include the provision of day, evening, overnight and weekend stays and/ or activities for the child or young person. They can take place in the child's own home, the home of an approved carer, or in a residential or community setting. The short breaks service being included here are family based short breaks, where foster carers provide overnight stays in their homes for identified children, young people and their families.

SEND, who are eligible for a short break service. These services will be delivered by IFAs and typically used when foster families are not available through our inhouse fostering service.

The commissioning strategy will be presented to Cabinet in April 2022. If approval is granted a procurement process will be undertaken through the summer and the autumn of 2022. As part of this process IFAs will be invited to submit a bid to deliver some or all the fostering services included in the commissioning strategy proposals. The aim would be for these services to be delivered from October 2022. For further detail around this please refer to the accompanying [Cabinet Report](#).

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

Devon's vision is for every child and young person in Devon to have the best start in life and the opportunity to thrive, ensuring children and families receive the right support, at the right time and in the right place.

The availability and provision of fostering services and short break services supports the Council in meeting our statutory duties, and in delivering our strategic priorities in outlined in [Devon's, A Place Called Home is the Devon Sufficiency Strategy](#); our duties as corporate parents for children and young people in our care as outlined in [Devon's Corporate Parenting Strategy](#), and our vision and priorities for families and children and young people with SEND as outlined in [Devon's SEND strategy](#).

CC, like peninsula partners, has a high reliance on both in-house and IFA fostering services in meeting our obligations as corporate parent's for children and young people in the care of the authority. Finding the right foster carers is important in securing a stable and nurturing home which supports children's physical and mental health, and well-being. Research shows that finding the right family home will support children and young people to thrive, achieve the best outcomes both personally and academically as well as learn skills that will equip them for adulthood.

The current independent fostering services contract provides children and young people in our care supports this, therefore, working with the IFA market to maximise the availability of foster carers and family homes for children in our care is key to achieving this.

In addition, family based Short Breaks for children and young people with SEND enables parents to have some respite from their caring responsibilities, whilst giving children and young people an opportunity to have positive experiences outside their families. The proposed new framework agreement will ensure this continues and increased to provide more opportunities for children and young people, and their families.

In developing the proposed commissioning and procurement arrangements for fostering services, Peninsula Partners have considered several options and approaches to the market. The proposal is to tender for a multi provider framework agreement for a minimum period of 5 years, with the option to extend for up to a further 2 years. This option is being recommended as it will maintain, and increase sufficiency, increase quality, provide flexibility, and ensure value for money, alongside ultimately supporting children and young people to thrive in secure and stable foster families.

Recruitment of foster carers is national challenge. The inclusion of Family Based Short Breaks adds a known and proven route for encouraging carers into the full-time foster care service. It is anticipated this will help our providers increase their capacity, which in turn, increases our sufficiency. In addition, to support the delivery of our sufficiency obligations there will be no restriction on geography. IFAs operating locally and national will be invited to bid however priority will be given to providers who can ensure Devon young people are placed within or close to Devon. A focus on supporting placement stability and permanence for our children will be included in all specifications.

To be awarded a place on the framework, IFAs will go through a tender process which will include a selection questionnaire, this tests capability and capacity including financial structure and Ofsted registration. Safeguarding and safer recruitment processes will also be tested at this stage. There will be a quality test which will include Ofsted inspection gradings and service specific quality standards. Costings will also be reviewed as part of this process. The award criteria will be formed to achieve the optimum combination of quality, cost, and sustainability. Once this is successfully completed providers will be awarded a place on the Framework Agreement for the specific fostering service they have applied to deliver. The majority of the IFA providers on the current Framework Agreement are rated 'Good' or 'Outstanding' so the aim will be to maintain this level of quality through the new Framework Agreement.

#### 4. People affected, diversity profile and analysis of needs

The following groups of people are likely to be affected by the proposals:

- Children in the care of DCC who are aged from 0-18 years.
- Care leavers aged 18 -21 years who would be eligible to be supported in a 'Staying Put'<sup>4</sup> placement with foster carers.
- Parents and children requiring support through a specialist parent and child fostering arrangement.

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<sup>4</sup> The Children and Families Act 2014, describes legal duties the Local Authority holds to consider and make available a 'Staying Put' arrangement for young people who have been in the care of the Local Authority before they reached 18 years old. This arrangement includes the option for young people to remain with their former foster carers for a period of time after turning 18 as they become a young adult. This arrangement, where agreed and if determined to be supporting the best interests of the young person, can continue up until the young person turns 21 years old.



- Children and young people with SEND eligible for short break services, specifically overnight short break services.

The Devon Joint Strategic Needs Analysis (JSNA) 2021 suggests there are just over 2.3m children and young people aged between 0-19 years living across the Devon footprint. The JSNA indicates health and wellbeing outcomes for children and young people in Devon are mixed with hospital admissions in children and young people for mental health conditions, self-harm and injuries being considerable across Devon. This gap is even wider for vulnerable groups such as disadvantaged and children in care.

Since the pandemic, there has been an increase in the number of children and young people coming into the care of DCC. In March 2022, there were 819 children and young people in the care of DCC. Of these:

- 71% were living in a family home with foster carers, 23% of which were with foster families through IFA placements.
- 20% have been in our care for 2 years or more.
- 18% have a disability.

At the same time, 2,812 Children in Need were open to and receiving support from Children's Services, and approximately 1600 children and young people with SEND were being supported through short break services. This includes short break services offered within a community setting as well as those supporting overnight stays either in an appropriately registered children's home or with foster carers (family based short breaks). From April to December 2021, over 21 children and young people were being supported to have an overnight short break with foster carers.

Increasing numbers of children and young people with SEND are being supported by DCC. In December 2021, there were 8,123 children and young people with SEND being supported through a statutory Education, Health and Care Plan (EHCP) with social, emotional and mental health difficulties (SEMH), autism spectrum disorder (ASD), and speech, language and communication needs (SLCN) being the most significant areas of need.

## Experience

Children in the care of Devon County Council are supported to have their voice heard and to share their experiences of living in care. This can include experiences of living with foster carers being overseen by IFAs as part of the 'Peninsula Partnership' contracting arrangements. Examples of where our children in care are encouraged to share their views with us include:

- Completing the annual Bright Spots Survey.
- Children in care and care leaver participation forums.
- The recent 'Stand Up Speak Up' event.

The new commissioning arrangement for fostering services through IFAs will require them to work with the partnership authorities to hear the voices and experiences of children living with their foster carers, and to use these to make improvements and changes where needed or as part of a continuous improvement process. For example, to support children to be involved in and informing decision making about them and the support they receive.

In addition, Devon Parent Carer Forum<sup>5</sup> are supporting and working closely with Devon Children's Services to help shape and inform service improvements by sharing the lived experience of what life is really like for families who have children and young people with SEND, identifying problems as well what is working well or could work better. They support Devon County Council, the NHS, and other professionals to make sure that services in Devon are accessible and meet the needs of children and their families.

## 5. Stakeholders, their interest and potential impacts

In addition to the children and young people, parents and carers detailed in the assessment above, listed below are the key stakeholders who are likely to be interested and impacted by the new commissioning arrangements for IFA services that are detailed in the linked Cabinet paper:

Stakeholder Group	Interest and Potential Impacts
Independent fostering agencies	<ul style="list-style-type: none"><li>• The outcome of decision making will have implications for the provider market.</li></ul>

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<sup>5</sup> The Parent Carer Forum, Devon is an independent group of parents and carers of children and young people with SEND. They are all volunteers who want to make things better for the families, children and young people of Devon. To find out more visit their website: [Homepage - Parent Carers Forum Devon \(parentcarerforumdevon.org\)](http://parentcarerforumdevon.org)

	<ul style="list-style-type: none"> <li>• Providing a service design and contracting arrangement that evokes interest and support from IFA market will be critical.</li> <li>• The more IFA's that sign up to any new contracting arrangements going forward, the more options, opportunities and range of foster carers and foster homes may be available to support children and young people in care.</li> </ul>
Peninsula Procurement Partnership Authorities (Plymouth City Council, Somerset County Council, Torbay Council)	<ul style="list-style-type: none"> <li>• Contracting arrangements are made in partnership and will need to be agreed by all to ensure a consistent approach is taken across the LA areas.</li> <li>• Decision making and governance arrangements for all peninsula partners are interdependent and will inform service delivery across the peninsula going forward.</li> </ul>
Children's Placements Teams and Social Work Teams supporting Children in Care across Children's Services.	<ul style="list-style-type: none"> <li>• Practitioners will need to be aware of how and under what framework, model, conditions and costs and where current vacancies are, when searching for any foster services for children in the care.</li> </ul>
Parent Carer Forum Devon	<ul style="list-style-type: none"> <li>• As an independent group of parents and carers of children and young people with SEND, who work closely with the Council, they will be interested in understanding how services included in any contract will benefit and support children and young people with SEND and their parents and carers in Devon.</li> </ul>
Devon County Council, Disabled Children's Service	<ul style="list-style-type: none"> <li>• This service takes the lead in assessment and provision of support options for children and young people with SEND and their families and where a child has a need for a statutory EHCP.</li> <li>• It is crucial that practitioners and Social Workers know what services are available and how children and young people can access these services (e.g., family based short breaks where specialist support is needed).</li> </ul>

<u>Virtual School</u>	<ul style="list-style-type: none"> <li>• All children in the care of the Local Authority will be supported in school and education through the Virtual School. Every child and young person will be visited in education and will have a Personal Education Plan (PEP) to support them to achieve their potential and the best possible educational outcomes.</li> <li>• The involvement of foster carers and IFAs in this process will be important for the child and young person in their care.</li> </ul>
Education and School Professionals supporting children in the care of the authority (SENCo, Designated teacher for Children in care, Headteacher)	<ul style="list-style-type: none"> <li>• Will want to be able to work with foster carers, keep them up to date with a child's progress and involved in any support or working in school and to support sharing information.</li> </ul>
DCC Adult Social Care & Preparation for Adulthood team	<ul style="list-style-type: none"> <li>• Have a shared interest in any continued support and preparation for children and young people as they transition to adulthood, particularly those who meet eligibility under the 'Care Act'.</li> </ul>
Elected Members	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>

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## 6. Additional research used to inform this assessment

- [Devon Joint Strategic Needs Assessment Summary - Devon Health and Wellbeing](#)
- [Local Authority Interactive Tool \(LAIT\)](#)
- [Children's Services Analysis Tool \(CHAT\)- March 2022](#)
- [How Devon is performing - Education and Families](#)

- [Devon's, A Place Called Home is the Devon Sufficiency Strategy;](#)
- [Devon's Corporate Parenting Strategy.](#)
- [Devon's SEND strategy.](#)

## 7. Description of consultation process and outcomes

Engagement activities including virtual workshops, surveys and individual meetings have been undertaken to inform the commissioning approach and the service specifications that will form the tender pack. Stakeholders including children and young people in care and care leavers; the IFA provider market; other local authorities; and internal teams and practitioners across children's services have been involved in the process. Summarised below are examples of themes, ideas and feedback that have emerged through the engagement events. These have been used to shape and inform the commissioning and procurement approach being proposed.

Engagement Event and Date	Examples of feedback received from children and young people.	How is this reflected in the new arrangement
<p><b>Children in Care and Care Leaver Forum 2022.</b></p> <p>Monthly participation Group supported by DCC participation Team.</p>	<p><i>"Getting the right place, matching me with someone who I connect to enable me to have a close bond and feel welcome".</i></p> <p><i>"Make sure I will get on with them and they understand how you are. Meet them before you move in with them ... what are the foster carers like? What is the house like?"</i></p>	<p>Increasing the number of providers, carers, and flexible approaches to call off the Framework are intended to provide the widest choice of placements possible.</p>
<p><b>Build Back Better, October 2020.</b></p> <p>*Event supported by Devon Care Leavers.</p>	<p><i>"Better education for foster carers and personal advisors.... Should be better educated on gender identify and, also mental health".</i></p> <p><i>"For those of us who have stayed in the same home for a long time, life is much better, and we feel more able to spread our wings...."</i></p> <p><i>"Staying Put should be available post 21 if we need it...."</i></p> <p><i>"We need to be taught about finances, credit cards, debt, insurance and</i></p>	<p>The service specifications will reflect the expectations IFA's and their foster carers including their skills, training, and knowledge; as well as the support we would expect to be provided in caring for and supporting young people with developing independent living skills and preparing for adulthood. Regular contract</p>

Engagement Event and Date	Examples of feedback received from children and young people.	How is this reflected in the new arrangement
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 216</p>	<p>how to self-sufficient.”</p> <p>“The notes you keep about us should celebrate our achievements and skills and not keep pointing out the times we don’t manage so well. We have to keep these records for the rest of our lives”.</p> <p>“Some of us would like more fostering and participation activities where we can meet new people and also meet supportive people from the community...”</p> <p>“When we speak out about things that bother us, we want to see things change and we want to be informed about the changes....”</p>	<p>monitoring following award will ensure service delivery meets the standards within the specifications.</p>
<p>Other Stakeholder events including market engagement</p>	<ul style="list-style-type: none"> <li>• Developing a better understanding of therapeutic offers.</li> <li>• Providers are keen to know more about how data is being used by the local authority.</li> <li>• Risks, behaviours, and best practice relating to notice periods for placements in foster homes needs further development.</li> <li>• Earlier and better planning and funding for ‘Staying Put’ arrangements.</li> </ul>	<p>Creating a closer working relationship and generating value for both commissioners and providers will support this.</p>

## 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 style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 217</p> <p>Characteristics</p>	<p><b>Potential or actual issues for this group.</b></p> <p>[Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a>]</p>	<p><b>How will the project / service / policy / activity:</b></p> <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <p><b>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 <a href="#">DCC Equality Policy</a>?</b></p>
<p>All residents (include generic equality provisions)</p>	<ul style="list-style-type: none"> <li>• Small potential risk that any perceived change to contracting arrangements could create anxiety / uncertainty for foster carers employed by IFAs. This could impact upon children in the care of DCC and living with these foster carers.</li> <li>• Children and young people in the care of</li> </ul>	<ul style="list-style-type: none"> <li>• DCC are committed to working in partnership with IFAs to best support children and young people in care. The Peninsula Commissioning &amp; Procurement Partnership and IFA market have a long-standing and well-developed working relationship. Both are committed to providing the best support for children and young people living with foster families. Engagement events and communications with IFAs have ensured IFAs have been</li> </ul>

	<p>IFA foster carers may experience anxiety or worry that the family they live with could be taken away from them or may be changed.</p> <ul style="list-style-type: none"> <li>• This could therefore have a negative impact on emotional health and wellbeing for foster carers and children in our care.</li> </ul>	<p>kept abreast of timeframes and how and when they can influence and support with service and specification design. Both will continue through the tender process through to award and the mobilisation of new Framework arrangements.</p> <ul style="list-style-type: none"> <li>• Devon’s children in care also have access to the MoMo (Mind of my own) App and are encouraged to share any views or concerns with us through the App or via their social worker or foster carer.</li> <li>• DCC will look to develop any communications needed for internal teams across Children’s Services. There will be designated points of point within both the Commissioning and Procurement teams who will respond to any queries or concerns regarding the contracting arrangements going forward.</li> <li>• DCC will work to listen to, understand and respond to any feedback or queries children and young people may have about where they are living. We commit to being clear, honest and transparent in our communications with a view this will provide reassurance and reduce any anxieties children and young people may have in respect to the commissioning approach with IFAs.</li> </ul>
Age	<ul style="list-style-type: none"> <li>• Children in the care of DCC, being able to live with foster carers supporting their needs, and relevant to their age.</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to approval, the recommended option described in Section 3 would support delivery of fostering services in ways which are personalised to achieve the best outcomes and enable children and young people to develop and meet milestones most appropriate for their age. For example, through ‘Staying Put’ arrangements supporting young people to develop skills for independence as they move into adulthood. These arrangements would be monitored through review meetings for a child or young person and would also be monitored on a contractual basis with providers through formal contract monitoring.</li> </ul>



<p>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<ul style="list-style-type: none"> <li>• Children in the care of DCC, being able to live with foster carers supporting their additional needs.</li> <li>• Children with SEND being able to stay overnight with a foster carer supporting their needs and relevant to their age (family based short break service).</li> </ul>	<ul style="list-style-type: none"> <li>• The recommended option described in Section 3 would provide mechanisms to support and agree reasonable adjustments that could be made within foster homes to make them as accessible as possible for children in care. Thus, promoting inclusion and providing an environment to enable children and young people to thrive. For example, considering sensory equipment to support sensory needs or other equipment in the home to maximise accessibility.</li> <li>• IFAs will also be asked to consider and provide bespoke training for foster carers, this will be alongside regular supervision with the aim of ensuring foster carers are supported and equipped with any additional skills or knowledge required to meet the needs of children in their care.</li> </ul>
<p>Culture and ethnicity: Nationality/national origin, ethnic origin/race, skin colour, religion and belief</p>	<ul style="list-style-type: none"> <li>• Children in the care of DCC are able to live with foster carers, and as part of a family that support inclusion, equality and beliefs and traditions that are important for them.</li> <li>• Children and young people with SEND being able to stay overnight with foster carers who are able to respect, support and encourage their cultural identity and religious beliefs (family based short break service).</li> </ul>	<ul style="list-style-type: none"> <li>• The recommended option described in Section 3, will expect IFAs and their foster carers to be suitably trained and knowledgeable on how best to support and encourage children and young people from a range of different ethnicities, cultures and backgrounds to feel safe, secure and able to thrive in their care and without losing their personal identity.</li> <li>• As with the other key characteristics, formal contract monitoring will monitor and review and support IFAs on this.</li> </ul>
<p>Sexual orientation, gender and gender identity (including men, women, non-binary and transgender)</p>	<ul style="list-style-type: none"> <li>• Children in the care of DCC can live with foster carers, and as part of a family that supports, understands and respects their sexual orientation, gender and gender identity.</li> <li>• Children and young people with SEND</li> </ul>	<ul style="list-style-type: none"> <li>• Through the recommended option described in Section 3, IFA foster carers would be expected to provide a family environment which is nurturing and reflects an understanding, respect and support of the child or young person's sexual orientation, gender and gender identity appropriately.</li> <li>• IFAs will be expected as part of contracting arrangements to</li> </ul>

<p>people), and pregnancy and maternity (including women's right to breastfeed)</p>	<p>being able to stay overnight with foster carers who respect and support their sexual orientation, gender and gender identity (family based short break service).</p>	<p>provide training and increase knowledge and awareness of particular aspects with their foster carers. For example, training focusing on understanding and supporting gender identity appropriately.</p> <ul style="list-style-type: none"> <li>• Signposting to agencies who can provide further support for children and young people to build and/ or maintain positive emotional health, wellbeing, self-esteem and self-identify will also be a requirement.</li> </ul>
<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>	<ul style="list-style-type: none"> <li>• Impact of COVID -19 pandemic for foster families and children in our care. This includes impact on emotional, health and well-being due to anxiety, exhaustion and fatigue, as well as hybrid ways of working balanced with limited face to face contact with other foster carers and families.</li> </ul>	<ul style="list-style-type: none"> <li>• The COVID-19 pandemic has resulted in unprecedented challenges for everyone worldwide over the last 18 months. To safeguard the emotional, health and wellbeing of foster carers, many IFAs are providing a combination of virtual and face to face support for foster carers.</li> <li>• It is likely hybrid models of working will continue into the future even after covid restrictions are lifted in full.</li> </ul>

## 9. Human rights considerations:-

The proposed commissioning and procurement arrangements of independent fostering services (IFAs) will be delivered in a way 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). This includes advocating the rights of all children and young people aged 18 and under to non-discrimination; best interests of the child; the right to life, survival, and development; health and health services; standards of living; review of treatment and care; right to education; as well as 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.

## 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?

Supporting children and young people to live with foster carers in family environments can support them in the longer term to learn skills they will need for the future and in adult life, for example learning and managing personal care, money, budgeting and maintaining a household.

Growing up in a family which encourages children and young people to achieve the best they can academically and have high ambitions and aspirations for themselves will equip and empower children and young people with the tools, self-belief and confidence they need to move into employment, further education or future training. This will also enable young people to support themselves, to be independent and engage with career which could have a role in supporting different communities.

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

IFA fostering services provide children and young people in our care with the opportunity to live in a family environment providing a safe, stable, and caring home allowing them to develop positive self-esteem, to thrive, achieve the best possible outcomes and to be prepared for their next steps into adult life.

Family based Short Breaks for children and young people with SEND enables parents to receive a break from their caring responsibilities, whilst giving children and young people an opportunity to have positive experiences outside their families. The proposed new framework agreement will ensure this continues and increases to provide more opportunities for children and young people, and their families.

DCC, IFAs and foster carers supporting children and young people all hold a duty to safeguard and protect children and young people in their care, and for whom we provide services. Robust safeguarding mechanisms will be built into the commissioning arrangements to ensure children and young people are safeguarding from any risk of harm.

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

Children in the care of DCC who are living with a foster family will be encouraged to pursue interests, hobbies and activities after school and that are available within their local communities. This will allow children and young people to learn new skills, meet new friends and peers and possibly go on to create new friendships with others in their local community. Pursuing interests and hobbies, for example involving sport, will be positive in supporting good physical health, but also in supporting children to build resilience and positive emotional health and wellbeing both in the present and into the future, where hobbies and interests are continued into adulthood. Similar benefits can be evident through family based short breaks as foster carers would be expected to support inclusion and participation in community activities and social networking appropriately for children and young people with SEND.

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## 1. Environmental analysis

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:	N/a	<ul style="list-style-type: none"> <li>• Helping children to develop behaviours and live/ take action in ways which support the environment positively as they grow and interact with the world into adulthood is important.</li> <li>• Supporting children in our care to live in family environments, local communities and attend school settings where there are opportunities to learn about the environment and conservation will all support a greater awareness and respect for local landscape and Devon's heritage.</li> </ul>
Conserve and enhance wildlife:	N/a	
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/a	
Conserve and enhance Devon's cultural and historic heritage:	N/a	
Minimise pollution (including air, land, water, light and noise):	N/a	
Contribute to reducing water consumption:	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	

Minimise greenhouse gas emissions:	N/a	<ul style="list-style-type: none"> <li>With more children living locally with foster carers this will reduce the distance that needs to be travelled by children and young people, their carers, and social workers in maintaining contact and relationships. However, it should be noted social work is relational and given the safeguarding responsibilities held by Children's Services and professionals supporting children and young people, there is often a requirement for professionals to travel to see and support children and young people in person.</li> </ul>
Other (please state below):	N/a	

## 2. 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	<p>The recommendations summarised in Section 3 above have the potential for a positive impact on knowledge and skills. IFAs successful in joining the new Framework Agreement will need to provide a robust induction programme, CPD and further training to ensure foster carers have the right skills, expertise and experience to best support children and young people living with them.</p> <p>The addition of new fostering services within the new</p>

	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).
		Framework Agreement, e.g. emergency fostering, and family based short breaks provide an opportunity for foster carers to grow and develop skills and expertise specific to supporting children and young people with specific needs. Thus, growing skills, expertise and knowledge across foster carers in Devon.
Impact on employment levels and local business	There is a potential risk that only a small number of IFAs will successfully join the new Framework Agreement. This could impact on employment opportunities available locally. To mitigate this, Peninsula partners have designed a fee protocol to support with issues regarding price and fee uplifts over the life of the contract. Other mitigations include continuing a programme of engagement with IFA providers and working with providers on the service design and specifications. The full mitigations are detailed in the accompanying <a href="#">Cabinet Report</a> .	The recommended option has the potential to have a positive impact on employment levels and IFAs operating in the local area. If more Independent Fostering Agencies are successful in joining the new Framework Agreement and with demand remaining at the current levels, they are likely to need to recruit more foster carers and associated support roles across Devon and the Peninsula Authorities. This could create and support employment opportunities locally whilst also supporting and increasing sufficiency locally.

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

Section 11 and 12 illustrate how the commissioning of these services will have a limited detrimental impact to the environment whilst potentially supporting the local economy to grow as Devon recovers from the impact of the Covid-19 pandemic. In the longer term, keeping children and young people local means they be able to live and work in Devon when they transition into adulthood, thus supporting the local economy in the longer term.

### 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?

The availability and provision of fostering services and short break services supports the Council in meeting our statutory duties, and especially in delivering our strategic priorities in outlined in [Devon's, A Place Called Home is the Devon Sufficiency Strategy](#).

In delivering these statutory duties and the fostering and short breaks services being proposed there will be an immediate benefit to children, young people, parents and carers in Devon in so much that they will be able to access more, and improved fostering and family based short break services. Through the commissioning design and approach it is envisaged that there will be greater choice and the opportunity for tailoring services to the needs of individual children and young people.

The commissioning design has been influenced by learning from the current contract in terms of what has worked well and what could have been made better. It also brings in a wider range of fostering services and an opportunity to work with Peninsula authorities and providers to co-design and co-produce service specifications to ensure they are fit for purpose and best able to meet the needs of children and young people needing an emergency foster placement. The commissioning design also allows for multiple providers to deliver services, this should support in meeting the demand for fostering services and potentially reduce wait times for some families and children and young people to access a service.

### 15. How will impacts and actions be monitored?

A risk register will be in place and routinely reviewed and updated through the commissioning and procurement process. Risk and mitigating actions will assessed considering likelihood and impact the DCC corporate risk matrix.



Oversight and governance will be managed through the Peninsula Commissioning & Procurement Partnership and DCC Children's Services Senior Leadership team as well as democratic functions such as Cabinet across Local Authorities making up the Peninsula Commissioning and Procurement Partnership.

Subject to cabinet approval, contract award and mobilisation, the new IFA fostering services will be subject to formal contract and performance monitoring on a quarterly basis. Regular Provider Forum's will also take place to support providers in the delivery of services, reflect on quality and performance, risks, and to share and discuss information and good practice.



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

Report from Head of Childrens Social Work

### **Recommendation:**

To seek a decision and investment to increase the agency social worker hourly pay rate for all children's services social worker roles, as outlined in section 6 of the Report. Whilst there is a strategy in place to recruit and retain permanent social workers there is an urgent need to stabilise the workforce and cover existing vacant posts in order to meet the needs of children and families requiring social work support.

. Whilst there is a strategy in place to recruit and retain permanent social workers there is an urgent need to stabilise the workforce and cover existing vacant posts in order to meet the needs of children and families requiring social work support.

### **1. Summary**

We need to be achieving the best possible outcomes for children and young people in Devon, especially those most vulnerable within our Initial Response and Children and Family services. We know that the best way of achieving and making a real difference for children and young people is through positive, strong and consistent relationships with them and their families/carers and we are investing in restorative ways of working to achieve this, but this cannot be achieved without a stable and high performing children's social care workforce.

Historically we have had challenges in both recruiting and retaining the best quality workforce and are currently operating 44 social work immediate vacancies across our social work services.

We are faced with significant demographic, geographical remoteness and access to good quality workforce limitations, coupled with excessive travel across Devon for case visits and the increase in fuel costs. There are also shortages in availability and cost-effective accommodation for social workers travelling from outside Devon, particularly in summer months. This has been exacerbated by the pandemic, as applications from permanent staff and the supply of agency staff have declined with poor volumes of cv submissions along with other local authorities, managed services and specialist social work project teams providing a higher hourly pay rate and benefits for interim staff.

### **2. Introduction**

The intention of increasing the agency social worker pay rate is to stabilise the workforce and reduce the high turnover until we can then in turn improve the workload and stability of our permanent workforce.

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## **Recruitment and manageable caseloads**

Ofsted noted in the most recent monitoring visit that “while recruiting and retaining social workers is a priority that senior leaders fully understand and have a strategy to address, the situation is yet to improve”. Ofsted also commented on the workloads of the current workforce: The high caseloads of social workers in the IRTs make it very difficult for them to pause and reflect on the best way forward for individual children while juggling priorities daily, with many workers reporting that they work additional hours to keep up with demand.”

Current social work caseload across the service is higher than the national average with social workers in some parts of the service managing more than 40 children

Filling existing vacancies in the service pending successful permanent recruitment within the existing agreed pay rates and terms and conditions for social workers has become increasingly difficult. The unfilled posts increases the workload and demand of existing permanent and agency workers which impacts on their ability to form relationships and meet our statutory duties.

Devon County Council is signed into a Memorandum of Cooperation (MOC) with South West Councils where we have agreed a commitment to cap agency pay rates to prevent spiralling costs and growing competition between the South West LAs. The MOC is not a legally binding agreement but a statement of intent. The MOC currently operates an exception which allows Devon to offer more competitive rates.

### **3. Proposal**

In order to reflect current market forces with regional and the wider national shortage of experienced children’s social workers available, there is an urgent need to be more competitive and financially attractive in the agency job marketplace and this can only be achieved in the short-term solution by increasing the agency worker pay rate.

This will in turn over the next 6-12 months it is hoped, stabilise the workforce, reduce the high turnover of staff, whilst we focus on reshaping and transforming our permanent recruitment and attraction activity in the external candidate marketplace.

This will be achieved with clear defined succession planning campaigns and programmes as building on ‘growing our own’ through dedicated pathways like ASYE, Apprenticeships, International Recruitment, which will incorporate a clear-cut strategic recruitment and marketing plan mapping out our key short, medium and long term objectives in stabilising and growing our workforce to reflect our improvement strategy.

### **4. Options/Alternatives**

Retaining the status quo would mean that social workers would continue to have higher caseloads which impacts on outcomes for vulnerable children and young people. High caseloads also will also affect the retention of our existing permanent staff and our ability to attract permanent social workers to Devon.

## 5. Technical Data

We currently have 44 immediate experienced social worker vacancies, which are across all localities, mainly in our Child and Family services.

## 6. Financial Considerations

The proposed increase in agency social worker pay rates will be as follows for all social work positions in hard to fill service areas, e.g. MASH, C&F, IRT, DCS and P&T :

- Upto an additional £4 per hour for Experienced Social Workers
- Upto an additional £2 per hour for Assistant Team Managers and Team Managers

To apply the proposed uplifted costs across all current agency staff within 'hard to recruit teams' we would require investment of £785,347. This assumes however that all current staff in post remain for the entire financial year and therefore a 'worse case scenario'.

		Annual rate based on 48 weeks	
		Agency	SW
		£	£
Current	SW's	6,230,989	5,541,120
	TM	1,852,723	1,633,920
	ATM	1,789,498	1,562,880
		<b>9,873,210</b>	<b>8,737,920</b>
Proposed	SW's	6,854,365	6,095,232
	TM	1,933,354	1,704,960
	ATM	1,870,838	1,633,920
		<b>10,658,557</b>	<b>9,434,112</b>
Additional cost	SW's	623,376	554,112
	TM	80,630	71,040
	ATM	81,341	71,040
		<b>785,347</b>	<b>696,192</b>

# Agenda Item 15

In addition to this we have a discretionary accommodation allowance for Experienced Social Workers which will be considered on an individual basis and circumstances as agreed with line manager.

We have additionally scoped the option to incorporate an agency margin rate review and potential increase if required, this would be additional investment of £557,557 per annum. This again assumes that all current eligible staff remain in post for the full financial year 22/23.

The maximum summary investment totals would be as follows in the 'worse case scenario' for a 12 month period would be:

<b>Proposal</b>	<b>Investment Required</b>
Hourly Rate Uplift	£785,347
Agency Charge Rate	£557,557
Discretionary Allowance	£71,040
<b>TOTAL</b>	<b>£1,413,944</b>

## **7. Legal Considerations**

The lawful implications of the proposals have been considered in the preparation of this report set out above. Devon is required to meet statutory functions in relation to work with children and families, some of which require qualified social workers to undertake the tasks. These proposals support our need to continue to recruit and retain high calibre social workers to meet these legal obligations and take account of the prevailing market forces and recruitment difficulties.

## **8. Environmental Impact Considerations (Including Climate Change)**

In general terms, the likely environmental impact of this recruitment and retention work would be neutral, but the social capital (in respect of safeguarded children, functioning families and promoting of best outcomes) is predicted to be positive.

Flexible / hybrid smart working methodology and operation reduces travel time and cost, which will make a positive contribution to reducing damaging environmental impact, particularly in the forthcoming summer months where Devon's road network is congested.

## **9. Equality Considerations**

Appointment of competent agency social workers for a minimum 6 month placement, will have a positive impact on children and families in our communities – specifically those who are in need or who require protection.

Support groups are in place for all agency and permanent staff in some minority groups such as LGBTQ and ethnic diversity. This therefore also promotes equality of opportunity for applicants and members of staff.

The relevant workforce is gender balanced and these proposals will apply to that cohort equally.

## **10. Risk Management Considerations**

This proposal has been assessed and all necessary safeguards or action have been included to safeguard the Council's position. The risks identified are largely manageable within 'business operations' – for example risks due to insufficient social work staff will lead to burnout / exhaustion / increase of sickness with current workforce in unmanageable caseloads and may result in workers leaving the Council as a result.

Further potential risks include insufficient recruitment of children's social workers leading to children's cases not being able to be allocated, and children being left at a high level of risk. Managers within the service are alert to this and take necessary remedial action to reduce risk, but the long-term implication is a possibility of statutory work remaining undone or being delayed.

## **11. Public Health Impact**

Public health impacts on the general population of these proposals would be minimal, but lack of social workers could be profound on the health and well-being of individual children and their families.

## **12. Summary**

It is critical to ensure that Devon has sufficient high quality experienced social workers and managers to effectively work with children, young people and their families/carers, whilst keeping children and young people consistently safe and risks are minimised.

We require a stable workforce to meet statutory obligations and deliver the urgent improvements required in the service. To do so, we need to sustain an attractive agency employment offer, based on current market forces and in line with social worker career needs. We are implementing non-cost options and fully exploring all recruitment routes alongside the proposals in this paper.

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We are engaged in tackling the impact of the pandemic on availability of social workers and increased demand and are establishing additional routes to qualification in Devon as strategically succession planning to ensure all. We respectfully recommend approval of the measures to reach a competitive place in the social work employment market in the South-West and assisting us in becoming an Employer of Choice.

Melissa Caslake, Chief Officer for Children's Services

Electoral Divisions: All

Cabinet Member for Children's Services: Councillor Andrew Leadbetter

Contact for Enquiries: Lisa Bursill, Deputy Chief Officer, Head of Children's Social Care

**Local Government Act 1972:**

Contact for Enquiries: Harriet Cadman

Tel No: 01392 383000



## DEVON AUDIT PARTNERSHIP COMMITTEE

8 March 2022

### Present:-

Councillors Mahony, Hackett, Loxton (Chair), Kennedy, Wyer, Ball, Spencer, Roome, Scott and Phillips

### Apologies:-

Councillors Hall, Bingley, Davies and Austen

Members attending in accordance with Standing Orders 8 and 25

### \* 19 **Decisions from the Previous Meeting Requiring Approval**

The previous meeting of the Committee on 15 November 2021 was declared inquorate. Whilst Members had an informal discussion at the November meeting, the Committee needed to revisit those reports in order to make a decision by a quorate committee.

#### **a) Updated Business Plan 2021-2026**

It was **MOVED** by Councillor Hackett, **SECONDED** by Councillor Roome and

**RESOLVED**

that the Committee notes the updated Business Plan covering the five-year period 2021 to 2026.

#### **b) Staff Survey Results**

It was **MOVED** by Councillor Hackett, **SECONDED** by Councillor Roome and

**RESOLVED**

that the Committee notes the extract of staff survey results from 2021, and the comparison to the 2018 results.

#### **c) Six Month Update Report 2021/2022**

It was **MOVED** by Councillor Phillips, **SECONDED** by Councillor Roome and

**RESOLVED**

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that the Committee notes the six month update report from the Head of Devon Audit Partnership.

**d) Budget Monitoring 2021/22 - Month 6**

It was **MOVED** by Councillor Hackett, **SECONDED** by Councillor Roome and **RESOLVED**

(a) the projected financial outturn position of DAP be noted.

(b) the variances and reasons be noted.

**e) Updated Risk Register - November 2021**

It was **MOVED** by Councillor Hackett, **SECONDED** by Councillor Roome and **RESOLVED**

(a) the updated Strategic and Operational risk register be noted.

(b) the actions in place to reduce risks to an acceptable level be noted.

**f) Quality Assurance and Improvement Plan**

It was **MOVED** by Councillor Hackett, **SECONDED** by Councillor Roome and **RESOLVED**

(a) the current Quality Assurance & Improvement Plan Action Plan be noted.

(b) the challenges for the future, and the actions being taken by management to react to these challenges be noted.

\* **20** **Minutes**

**RESOLVED** that the Minutes of the meeting held on 7 July 2021 and 15 November 2021 be signed as a correct record.

\* **21** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* **22** **Nine Month Update Report 2021/22**

The Committee received the report of the Director of Finance (DF/22/32) summarising the Partnership's activity in the first 9 months of 2021/22.

Members noted:

- New business to the Partnership providing support for Teignbridge District Council in completing their agreed internal audit plan.
- The appointment of new staff to meet the demands of partners and clients, and also to ensure there is a good level of continuity as staff look to retire.
- The work and culture with Partnership staff to ensure they “add value” at every step in the audit process.
- DAP holds the Customer Service Excellence award. The results of the surveys returned after every audit remain very positive with near 99% being "satisfied" or better across the Partnership's services.
- Internal audit performance is acceptable, but that there is room for improvement in a number of areas. Some of the indicators show a slight deteriorating in performance from the previous year, but this should be considered against the backdrop of the ongoing need to respond to the Covid pandemic, and also a relatively high level of staff turnover in the period.

It was **MOVED** by Councillor Ball, **SECONDED** by Councillor Kennedy and

## **RESOLVED**

that the Committee notes the nine month update report from the Head of Devon Audit Partnership.

### \* 23 **Budget Monitoring 2021/22 - Month 9**

The Committee received the report of the Director of Finance (DF/22/33) monitoring the Budget of the Partnership at month 9, indicating that DAP will generate a small surplus at the year end (circa £1k).

Members noted:

- further requests since 1 April 2021 asking for extra auditing and assurance work, which has increased the income to the Partnership and led to taking on more temporary staff.
- the impact of the pandemic on the Partnership's ways of working. The Head of Devon Audit Partnership noted the cost savings of remote working from a travel perspective and an increased flexibility now around the way in which an audit works.
- some concern from members about local government staff not having yet returned to being office based. The Head of Devon Audit Partnership

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advised that from a Partnership perspective work has continued and carried on well. There are benefits and challenges of remote working; it is about maximising the benefits and ironing out those challenges.

It was **MOVED** by Councillor Mahony, **SECONDED** by Councillor Hackett and

## **RESOLVED**

that members:

(a) note the projected financial outturn position of DAP.

(b) note variances and reasons.

### \* 24 **Devon Audit Partnership Budget 2022/23**

The Committee received the budget for 2021/22 (DF/22/34) presented to them by the Head of Devon Audit Partnership.

Members noted:

- the continued impact of the Covid pandemic, and a level of uncertainty still remaining around the budget.
- the projected income for next year is just over £2 million with circa 90% of that then being deployed for staffing costs.
- EU grant funding continuing into 2022/23 but the amount reducing,
- the impact of National Insurance and pension increases from 1 April 2022.

It was **MOVED** by Councillor Loxton, **SECONDED** by Councillor Mahony and

## **RESOLVED**

that members:

(a) agree the proposed budget for 2022/23.

(b) note the areas of uncertainty within the budgeted income figures.

### \* 25 **Outcome of Public Sector Internal Audit Standards External Assessment**

The Committee received the report of the Director of Finance (DF/22/35) detailing the Public Sector Internal Audit Standards (PSIAS) External Assessment which confirmed the Partnership had “passed” or “generally conform” to the Standards.

Members noted:

- the Partnership's working practices meet professional standards.
- the useful insight to compare DAP practices with other areas. It has enabled management to compare processes and arrangements with two other large audit partnerships The Head of Devon Audit Partnership advised that it is a very positive report, but there always remain opportunities to improve the work the Partnership does.

It was **MOVED** by Councillor Ball, **SECONDED** by Councillor Phillips and

## **RESOLVED**

that members note the summary report setting out the findings from the recent Public Sector Internal Audit Standards (PSIAS) External Assessment.

### \* 26 **Outcome of Customer Service Excellence External Assessment**

The Committee received the report of the Director of Finance (DF/22/36) relating to the recent Customer Service Excellence (CES) External Assessment.

Members noted:

- another positive external assessment of DAP. The Head of Devon Audit Partnership advocated the relevance of such an assessment, and the wider importance of continuing to identify where a customer is unhappy and understand why a complaint has been made. It is important to get early warnings, establish any trends and find out what is going on to improve accordingly.
- Members felt it useful to be presented at the next Committee with a summarised action plan of what areas DAP is looking to improve on.

It was **MOVED** by Councillor Phillips, **SECONDED** by Councillor Ball and

## **RESOLVED**

- (a) a summarised action plan of improvement measures to be included on the agenda for the next Committee.
- (b) that members note the attached summary report setting out the findings from the recent Customer Service Excellence (CSE) External Assessment.

### \* 27 **Future Meetings**

The next meeting is scheduled for 12 July 2022.

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## **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 10.35 am and finished at 11.21 am

## DEVON EDUCATION FORUM

16 March 2022

### Present:-

#### Schools Members

##### Primary Headteachers

Mr C Butler

Mr J Stone

Ms R Shaw

Otter Valley Federation (Substitute Member)

Denbury Primary

Exeter Learning Academy Trust (Academy)

##### Primary Governors

Ms K Brimacombe

Mr A Hines

Mr I Rogers

Whitchurch Primary

Rydon Primary (Education SW Trust)(Academy)

Exminster Primary

##### Secondary Headteachers

Mr A Davis

Ms L Heath

Exmouth CC (Academy)

Uffculme Academy Trust (Academy)

##### Secondary Governors

Ms J Elson

Mrs J Larcombe

Mr A Walmsley

Exmouth CC (Academy)

Uffculme Academy Trust (Academy)

The Ted Wragg Multi Academy Trust (Academy)

##### Nursery School

Mrs S Baker

Westexe

##### Special Headteacher

Mr K Bennett

Marland School

##### Special Governor

Mrs F Butler

Marland School **(Chair)**

##### Alternative Provision

-

##### Non-Schools Members

Mr B Blythe

Ms G Rolstone

PETROC

Early Years, Private & Voluntary Independent

##### Observer

Councillor A Leadbetter

Cabinet Member – Children’s Services and Skills (formal observer)

Mrs S Pickering

Special Headteacher Substitute Member  
Mill Water School (observing)

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## Apologies

Mr A Dobson  
Ms K Brimacombe  
Mr J Clements  
Mrs S Crook  
Mr G Hill  
Ms S Lockwood  
Ms E Stubbs  
Mr P Walker

Marwood Primary  
Whitchurch Primary  
Cranbrook, St Martin's CE Primary  
Federation of Tiverton Schools  
Ventrus Multi Academy Trust (Academy)  
Exeter Diocesan Board of Education  
Budleigh Salterton, St Peter's CE Primary  
First Federation Trust (Academy)

## 34 Minutes

### **DECISION:**

That the minutes of the meeting held on 19 January 2022 be signed as a correct record.

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

-

## 36 Membership

### **DISCUSSION:**

Following resignations as below, the Chair thanked members for their service, noting arrangements were in place to fill the vacancies:-

Mr M Gurney, Teachers Consultative Committee (DCC appointment), wef 17 March 2022);

Mrs F Wood, Secondary maintained governor, substitute member (Phase election), with immediate effect.

### **ACTION:**

County Solicitor (Fiona Rutley/DAG)



**37 Head of Education & Learning Update/Education & Inclusion - Babcock LDP In-housing Briefing**

**DISCUSSION:**

(a) The Forum considered the report/briefing note of the Head of Education & Learning (DEF/22/07) giving key updates to end February 2022, on work to ensure a smooth transition to transfer 204 FTE Babcock LDP staff back into Devon's Childrens' Services via a TUPE process, as previously agreed by Cabinet.

This included updates on:-

Integrated Team Structure and TUPE for over 250 staff (204FTE)  
Estates  
ICT (including pilot of rollouts)  
Traded Services  
Induction and training.

Engagement had been excellent across the County Council and Babcock with all workstreams currently on track to deliver on time. Consultation ended 15 March 2022, yet to reviewed.

(b) The Head of Education & Learning also reported on the future of the SEND (Special Educational Needs & Disabilities) 100 Projects:-

A briefing note had been circulated to Forum members indicating clear evidence of the positive impact of the SEND 100 Projects, delivered and managed through Babcock LDP and South West Specialist Schools Teaching Alliance (SW SSTA), under the direction of the Headteachers' Steering Committee and funded by schools. While the original project was due to last 12 months, ending March 31<sup>st</sup> 2022, delays due to COVID-19 had meant most of these projects would now run until the end of July. SEND 100 Steering Group representatives had sought clarification of the future position.

In response the briefing note explained that with services provided by Babcock LDP coming in-house from 1<sup>st</sup> August 2022, there would be less external agency delivery of the current SEND 100 Projects to co-ordinate and manage. Officers therefore suggested that the current arrangement with the SEND 100 Steering Group should be extended until the end of term and that from 1 August 2022, with the co-ordination and management of the SEND 100 Projects moving into Devon County Council, embedded as business-as-usual. The SEND 100 Projects would then sit with other projects under the DfE's Safety Valve Dedicated Schools Grant (DSG) Management Plan and would be funded through the High Needs Block on an invest to save basis, ensuring their continued delivery.

The proposed High Needs sub group reporting to this Forum (minute 41 below), would ensure that schools retained oversight of delivery of the SEND

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DEVON EDUCATION FORUM

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100 Projects, along with the wider actions being taken under the DSG management plan.

Members also recognised the significant benefit the SEND Project Lead's work was having in aiding the transformation and hoped that early clarity could be given to the future of this role which was due to end April 2023.

## **DECISION:**

(a) that the report (DEDF/22/07) be noted; and

(b) that the SEND 100 Steering Group (at their meeting on 31 March 2022) examine the detail of the above proposals and make a recommendation to DEF about the extension of the current arrangement to 1 August 2022 and the move to business-as-usual provision under the DSG Management Plan proposals thereafter.

## **ACTION:**

Head of Education & Learning (Dawn Stabb and Jackie Ross)

38

## **Finance Update**

### **DISCUSSION:**

(a) The Forum noted the respective minutes of the Schools Finance Group (SFG) of 2 March 2022 in relation to report (DEF/22/04).

(b) The Forum considered the report of the Chief Officer for Children's Services and Director of Finance (DEF/22/04) on month 10 of the Dedicated Schools Grant (DSG) monitoring position.

The report (DEF/22/04) covered:-

DSG Deficit Management Plan

Schools Block

High Needs Block

Risks.

The outturn forecast 2021/22 saw a significant overspend in the overall DSG of £39.9m, associated with the continued demand on High Needs and growing demand on Special Educational Needs (SEN placements) within the Independent Sector despite creating more places in Devon's Special Schools. The cumulative DSG deficit projected to March 2022 had increased to £88.9m. High Needs had further increased by £850,000 with Management Action reducing to £700,000. The in-year increased DSG deficit could have a considerable impact on future DSG education budgets and impact on the financial sustainability for Devon County Council. Urgent action was still

required to reduced Education Health Care Plans (EHCPs) and Independent placement demand.

Whilst there had been a lighter touch in month 10 monitoring due to DfE submission deadlines, month 11 was in line with the month 10 forecast.

It was further noted that savings were anticipated to start showing in the next financial year, the planned result of the interventions contained within the DfE Safety Valve Intervention programme. The proposed High Needs Funding group (see minute 41 below) would robustly challenge and support delivery of the DSG Management Plan.

Members' discussions and comments included:-

-a SFG representative emphasised SFG's strength of concern regarding the slippage in DSG management actions and SFG's continued detailed challenge. It was important that SFG should not lose any future strategic oversight;

-that the DSG adjustment account Members' information was a useful tool to monitor savings and budget growth ongoing, identifying management actions impact from underlying activity.

## **DECISION:**

That Month 10 DSG monitoring position as set out in report (DEF/22/04), sections 1 to 4 be noted.

## **ACTION:**

-

## **39 Advanced Notice of Planned Carry Forwards**

### **DISCUSSION:**

The Forum considered the report of the Chief Officer for Children's Services and Director of Finance (DEF/22/05) on known (estimated) carry forward requests for the end of year 2021/22, to be confirmed and finalised during the closedown process.

### **DECISION:**

That the surplus budget carry forwards to 2022/23 be approved in principle, as set out in Table 1 of Report DEF/22/05.

(**Vote:** Schools, Academies and PVI members)

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DEVON EDUCATION FORUM

16/03/22

## **ACTION:**

Director of Finance (Adrian Fox)

## **40 Health and Social Care Levy Payments**

### **DISCUSSION:**

The Alternative Provision (AP) representative (not present at this meeting) had requested the Forum to consider these payments to include AP and medical AP, as with special schools, but had indicated he was content for this to be considered at the Schools Finance Group's next meeting.

The Head of Education & Learning added that the social care element had now been agreed for both AP and special schools, but that other AP funding was currently funding differently which would be considered at SFG.

### **ACTION:**

Head of Education & Learning (Heidi Watson-Jones) - SFG agenda

## **41 High Needs Funding Sub Group - Establishment and Terms of Reference**

### **DISCUSSION:**

The Forum considered the joint Report of the Chief Officer for Children's Services and Director of Finance (DEF/22/06) on the proposed establishment of an additional permanent standing group of the Forum, focusing solely on the High Needs Block (HNB), strategically and operationally.

Such a group was accepted as good practice nationally and within Devon, to take forward at pace the DSG management plan, with case studies of other LAs successful in presenting plans to reduce their HNB overspend have benefited from having a dedicated High Needs funding group.

It was proposed that:-

-this group would be needed on an ongoing basis to support the work required to deliver the DfE safety valve intervention programme and Devon's DSG Management Plan;

-it would report direct to DEF, sitting alongside (not under) the Schools Finance Group;

-as delegated powers were not in accordance with the Schools Forums guide/regulations, any decisions requiring DEF approval could use DEF urgency procedures where DEF's calendar of meetings did not fit timeframes. Routine progress updates would be presented to each DEF meeting;

-that group membership be kept as small as practicable but representative (e.g. no larger than the Schools Finance Group), to include Early Years and Post 16;

-initially it was anticipated the group could need to meet twice monthly, before settling into a less frequent pattern. Given this demand on group members, named substitutes or a representative small pool of members to be called upon to ensure continuity, expertise and consistency of decision making should be considered.

## **DECISION:**

(a) that a dedicated permanent High Needs funding sub group be established, reporting direct to DEF; and

(b) that the Terms of Reference as set out in Appendix One be approved, subject to the clarification of membership (and noting all as discussed above).

## **ACTION:**

Head of Education & Learning (Jackie Ross)

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

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

School Organisation, Capital and Admissions (SOCA, Standing Group)

Minutes of the meeting held on 1 March 2022.

### **43 Correspondence**

-

### **44 Dates of Future Meetings**

Please check venue/arrangements (see Calendar link) as these are subject to change:

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

Meetings held at 10am:

Wednesday 22 June 2022

Wednesday 23 November 2022

Wednesday 18 January 2023

Wednesday 22 March 2023.

# Agenda Item 18b

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DEVON EDUCATION FORUM

16/03/22

## **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 10.00 am and finished at 11.25 am

# 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>					
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



13 July 2022	Revenue and Capital Outturn 2021/2022	N/A	N/A	Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
14 September 2022	Adult Social Care - Sufficiency Assessment - Annual Return			Report of the Locality Director outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
14 December 2022	Target Budget and Service Targets for 2023/2024			Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
20 February 2023	Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year			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.	All Divisions
8 March 2023	Flood Risk Management Action Plan 2023/2024 Update on the current year's programme and approval of schemes and proposed investment in 2023/2024	Liaison through Devon Operation Drainage Group	All other Risk Management Authorities	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
	<i>Specific Matters for Consideration</i>				

13 April 2022	Approval of revisions to the Highway Infrastructure Asset Management Strategy	Corporate, Infrastructure and Regulatory Services Scrutiny Committee	Meeting	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
13 April 2022	Devon County Council's submission to the Devon Climate Emergency partnership's consultation about its response to the Devon Climate Assembly's recommendations	All members	Standing Overview Group – Corporate, Infrastructure and Regulatory Services Committee	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
13 April 2022	South West Exeter Housing Infrastructure Fund Project: update of project including approval to progress relevant schemes and award tenders	Developers, landowners and members of the public	Meetings / correspondence and consultation as part of the planning process	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.	Alphington & Cowick; Exminster & Haldon

13 April 2022	Construction of a community facilities building in Cranbrook Town Centre: Developer contributions and proposed planning application	Statutory consultation will take place in respect of any future planning application	Statutory planning consultation involving notices on site and press notices	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.	Broadclyst
13 April 2022	Bideford Library Project: Approval to award the contract	N/A	N/A	Report of the Head of Communities outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Bideford East
13 April 2022	Plymouth and South Devon Freeport	Land owners, Plymouth and South Devon Freezone Stakeholder Group	Meetings and an Event	Report of the Head of Planning, Transportation and Environment, Head of Economy, Enterprise and Skills, Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Bickleigh & Wembury
13 April 2022	Fostering Framework Re-commissioning			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.	All Divisions

13 April 2022	Workforce Stability: Attracting Agency Children's Social Workers to Devon - Agency Pay Rate Proposals	TBC	TBC	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.	All Divisions
11 May 2022	Funding Approval to Reprovide North Devon Adult Health & Social Care Site			Report of the Head of Digital Transformation and Business Support, Head of Adult Care Operations and Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

8 June 2022	Proposed closure of Chittlehampton C of E Primary School	All parents, staff and governors, Diocese, Trade Unions, DfE, all Schools, all County Councillors, MP, Parish Council, District Councillor, Chair of LLC and Early Years providers.	Circulation of consultation document to parents, staff and governors, as well as informal meeting. Email notification to other stakeholders. School website. DCC Have Your Say consultation website. Public Information Session	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.	Chulmleigh & Landkey
14 September 2022	Budget Monitoring - Month 4	N/A	N/A	Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

9 November 2022	Budget Monitoring - Month 6	N/A	N/A	Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
9 November 2022	Childcare Sufficiency Assessment - Annual Return			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
<b>PART B -FRAMEWORK DECISIONS</b> (Requiring approval of the County Council)					
<b>Date of Decision</b>	<b>Matter for Decision</b>	<b>Consultees</b>	<b>Means of Consultation**</b>	<b>Documents to be considered in making decision</b>	<b>County Council Electoral Division(s) affected by matter</b>
11 May 2022  26 May 2022	Anti-Racism Framework			Report of the Head of Communities outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

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23 January 2023	Pay Policy Statement 2023/2024			Report of the Headof HR outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
16 February 2023					
10 February 2023	Revenue Budget, Medium Term Financial Strategy 2023/2024 - 2026/2027 and the Capital Programme for 2023/2024 - 2027/2028			Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
16 February 2023					
<b>PART C - OTHER MATTERS</b> (i.e. Neither Key Nor Framework Decisions)					
<b>Date of Decision</b>	<b>Matter for Decision</b>	<b>Consultees</b>	<b>Means of Consultation**</b>	<b>Documents to be considered in making decision</b>	<b>County Council Electoral Division(s) affected by matter</b>
	<i>Regular / Annual Matters for Consideration</i>				

Between 13 April 2022 and 8 May 2025	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 13 April 2022 and 8 May 2025	Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions) <i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i>	To be considered at the Farms Estates Committee, including any advice of the Council's Agents NPS South West Ltd		Report of the Head of Digital Transformation and Business Support, Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 July 2022	Treasury Management Stewardship Outturn Report	Corporate Infrastructure and Regulatory Services Scrutiny Committee		Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
9 November 2022	Torbay and Devon Safeguarding Adults Partnership - Annual Report			Report of the Chair of Board outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions



13 July 2022	Public Health Annual Report 2021/2022			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 December 2022	Treasury Management Stewardship Mid Year Report	CIRS Scrutiny Committee	Committee	Report of the Director of Finance outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
	<i>Specific Matters for Consideration</i>				

