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To: The Chair and Members
of the Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

Date: 25 May 2022

Contact: Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk

CABINET

Wednesday, 8th June, 2022

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

Phil Norrey
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 11 May 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 Revenue and Capital Outturn 2021/2022

Report of the Director of Finance and Public Value, (DF/22/52) presenting the Revenue and Capital Outturn position for 2021/2022. The Report will follow.

Electoral Divisions(s): All Divisions

- 8 Proposed closure of Chittlehampton Church of England Primary School (Pages 1 - 44)

Report of the Director of Climate Change, Environment & Transport (CET/22/5) outlining proposals for the closure of Chittlehampton Church of England Primary School, attached.

An Impact Assessment is also attached for the attention of Members at the meeting and can also be found at <https://www.devon.gov.uk/impact/chittlehampton-primary-closure/>

*Electoral Divisions(s): Chulmleigh &
Landkey; South Molton; Torrington
Rural*

- 9 Devon County Council Carbon Footprint and Environmental Policy Review (Pages 45 - 72)

Report of the Director of Climate Change, Environment and Transport as the Chair of the Environmental Performance Board (EPB) (CET/22/3), attached.

An Impact Assessment is also attached for the attention of Members at the meeting and can also be found at - <https://www.devon.gov.uk/impact/environmental-policy/>

Electoral Divisions(s): All Divisions

10 Magdalen Road, Exeter, Permanent Road Layout Changes (Pages 73 - 104)

Report of the Director of Climate Change, Environment & Transport CET/22/4) outlining proposals for Permanent Road Layout Changes in Magdalen Road, Exeter, attached.

The Exeter Highways and Traffic Orders Committee are due to consider the relevant Traffic Regulation Orders at their meeting on the 6 June 2022 - [Agenda for Exeter Highways and Traffic Orders Committee on Monday, 6th June, 2022, 10.30 am - Democracy in Devon](#).

An Impact Assessment is also attached for the attention of Members at the meeting and can also be found at - <https://www.devon.gov.uk/impact/magdalen-road-changes/>

Electoral Divisions(s): All in Exeter; St David's & Haven Banks

11 Corporate financial and Integrated Adult Social Care systems replacement

Report of the Director of Finance and Public Value, (DF/22/56) on the proposed replacement of the Council's Corporate Financial and Integrated Adult Social Care systems. This Report will follow.

Electoral Divisions(s): All Divisions

MATTERS REFERRED

12 Exeter Highways and Traffic Orders Committee (Exeter Residents Parking Priorities - Minute *52)

In considering the Report of the Director of Climate Change, Environment and Transport on proposals to prioritise the future roll-out of residents parking schemes in Exeter (Minute *52), the Exeter Highways and Traffic Orders Committee at its meeting on 29 April 2022 had RESOLVED;

(c) that the Cabinet be urged to provide additional resourcing (both financially and Officer time) to progress residential parking schemes as outlined above in a timelier manner given the long delays already experienced and the impact on local residents.

Recommendation

Due to unavailability of additional resources (both financial and officer time), the residents parking schemes in Exeter progress as per the current programme.

Electoral Divisions(s): All in Exeter

STANDING ITEMS

13 Question(s) from Members of the Public

14 Minutes

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

Farms Estates Committee - 16 May 2022 (Pages 105 - 112)

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

15 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](#).

16 Forward Plan (Pages 113 - 122)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

The [Forward Plan is available on the Council's website](#).

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

NIL

Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.

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

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Induction Loop available



CET/22/5
Cabinet
8 June 2022

Proposed closure of Chittlehampton Church of England Primary School

Report of the Director of Climate Change, Environment and Transport

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: that the Cabinet be asked:

- (a) to approve the closure of Chittlehampton C of E Primary School from 31 August 2022 and;
- (b) to approve the proposed new designated areas for the area currently served by Chittlehampton C of E Primary School to inform school transport eligibility.

1. Summary

The Governing Body of the Devon Moors Federation brought forward a statutory proposal to close Chittlehampton C of E Primary School. The Local Authority is the decision-maker, following completion of the statutory process. Consideration now needs to be given to the responses received during the statutory process, as well as the reasons for bringing this proposal forward, in order to determine whether Chittlehampton C of E Primary School should close from 31 August 2022.

2. Introduction

Chittlehampton C of E Primary school is a small, rural primary school for children aged 3-11. The school is part of The Devon Moors Federation, which consists of Spreyton School, Copplestone Primary, Filleigh Community Primary, Kilmington Primary, Shute Primary and Chittlehampton C of E Primary Schools. Chittlehampton Primary historically operates as a two class school due to the number on roll. The school has a published admission number of 8 with a capacity for 56 pupils. The school has been under-subscribed for a number of years and pupil numbers have consistently fallen to a level significantly short of the school's published admission number and capacity. The school currently has only 15 pupils on roll. Five of the fifteen pupils are in Year 6 and will be leaving the school in July. There has been only one first preference for admission to the Reception class in September 2022. In Autumn 2021, of the 45 children (Reception to Year 6) living in the designated area of Chittlehampton C of E Primary School and attending a Devon School, only 15 children attended Chittlehampton Primary School.

3. Proposal

Chittlehampton C of E Primary School is recognised by Ofsted as being a Good school (April 2018) and the Federation is strong with the federated schools working

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in close partnership to provide the best possible education for all children. However, delivery of a broad and balanced curriculum at Chittlehampton C of E Primary School is very difficult with such a small and decreasing number of children. A single class school is educationally challenging for children with such a wide age group being taught together. A single mixed age class in a small rural school amplifies the issue of teaching mixed ability groups. Social and emotional development would also be very challenging.

A review of area health authority data which provides the number of 0-4 year olds living in the school's catchment area shows very low numbers of pre-school aged children. There is a small increase in the number of pre-school aged children living in the catchment area who would be due to start school in 2025, however, parental preference for admission to the school has been low in recent years. The school serves a large catchment area where often other primary schools are nearer than the school in the village.

In the District Council's Local Housing Plan, there is an allocated site for development at Chittlehampton but this is only for 20 dwellings. A development of 20 family dwellings would be expected to generate approximately 5 primary aged pupils based on empirical research by Devon County Council.

4. School places for displaced pupils

There is sufficient capacity across local schools to accommodate the children from Chittlehampton C of E Primary School. Details of capacity available across the local schools is available in the published Statutory Full Proposal available via: [Proposed closure of Chittlehampton C of E Primary School: formal representation period - Have Your Say \(devon.gov.uk\)](#)

The nearest school to Chittlehampton C of E Primary School is Umberleigh Primary School (1.8 miles, as the crow flies). The next nearest school is Filleigh Primary School (2.4 miles, as the crow flies). Filleigh Primary School is in the same Federation as Chittlehampton C of E Primary School and is proposing to move to a four class school and can accommodate all of the children from Chittlehampton C of E Primary School. Filleigh Primary and Umberleigh Primary are Ofsted rated 'Good' schools. Both Filleigh and Umberleigh Primary Schools offer Nursery provision.

Chittlehampton Primary School is a Church of England School. The nearest Church of England Schools from Chittlehampton village (as the crow flies) are: Swimbridge C of E Primary School (3 miles), High Bickington C of E Primary School (3.8 miles) and South Molton C of E United Primary School (4.6 miles). The capacity and distance to all local schools are published in the Statutory Full Proposal as per the link provided above.

5. School transport for displaced pupils

All children are entitled to free home to school transport, in line with [DCC's home to school transport policy](#), if they attend the nearest school to their home address and they:

- are of statutory school age

- live more than two miles away by the shortest walking route (for primary)
- live under two miles away but all walking routes are considered unavailable.

Children in Devon are also entitled to free school transport to the school designated to serve their home address - provided it is still further than the statutory walking distance.

The nearest school to Chittlehampton Village is Umberleigh Primary School. The distance is under two miles but the walking route from Chittlehampton village to Umberleigh Primary School is considered unavailable. Therefore, subject to the families home address, it is likely that children living in the village of Chittlehampton will have a statutory entitlement to free school transport to Umberleigh Primary School on closest school grounds. If there is not space at Umberleigh, then parents are entitled to free school transport to their next nearest school with space and dealt with through the LA's School Transport Policy.

A consultation has taken place with all schools in the Local Learning Community on the proposed new designated school/s for the area and also taking into account parental views expressed at the initial consultation stage. The current designated area is attached at Appendix 1 and the proposed new designated areas recommended for approval by the LA is at Appendix 2.

6. Staffing

All affected staff and recognised trades unions have been notified of the proposals and invited to submit responses to the public consultation.

A separate redundancy consultation process will need to be arranged for staff regarding the possible closure after a decision is made.

The staffing complement at the School consists of 7 staff.

In the event of closure, the Governing Body would aim to mitigate the number of redundancies by seeking redeployment opportunities within the Federation. It would also support staff in finding alternative employment outside of the Federation.

An estimate of potential redundancy costs could amount to approximately £76,000 but it is difficult to pre-empt what the eventual figure might be at this time.

The timing of the decision, if closure is confirmed in June, will mean notice for any teaching staff made redundant, and their employment will have to run until the 31st December 2022.

7. Options/Alternatives

The Devon Moors Federation requested support from Devon's Financial Intervention Panel (FIP) to financially support the school due to a continued falling roll, low admissions to the school and the level of funding the Federation has diverted to support the school's sustainability. The Panel considered the request in detail, in particular the future demographics within the catchment area and the likely

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admissions into the school. Unfortunately, the panel could not support the request and had to conclude that there was no certainty that numbers would increase in the medium term to a sustainable level, dropping to only potentially 11 children on roll.

Central Government set out the guidance on calculating budget share for individual schools in the National Funding Formula (NFF). The expectation is that the Local Authority move to align local funding practices with the NFF in anticipation of the hard formula which will remove any local variation. Chittlehampton is receiving the full funding that would be available to the school under the hard formula, with the exception of a fairly small amount in sparsity funding. There is nothing within the current Devon Funding Formula, as agreed by Devon Education Forum (DEF), or the full NFF that allows for the additional funding needed for Chittlehampton to be financially sustainable, because funding is to a large extent intentionally driven by pupil numbers.

The Diocesan Board of Education and the School considered alternatives to closure and discussions were held with a representative of the Regional Schools Commissioner and some local Multi Academy Trusts. However, it was felt that the school was unsustainable with such low numbers which was not forecast to increase in the medium term or beyond.

8. Pre-Publication Consultation

The informal consultation period was held between 14 February to 4 April 2022. A consultation information session was held at the school on 3 March 2022. Five parents attended the consultation session.

The consultation document, a report of the consultation event and response is available at: [Consultation on the future of Chittlehampton C of E Primary School - Have Your Say \(devon.gov.uk\)](https://www.devon.gov.uk/consultation-on-the-future-of-chittlehampton-c-of-e-primary-school-have-your-say).

The children have also been talking about the possible closure with the Head of School. The children have been discussing their worries and thoughts and some of these are shared in the report of the consultation event above. Their feelings range from some positive thoughts, for example “I can make lots of new friends” and “Already have friends at Filleigh” to understandably some anxious and sad thoughts, for example: “Will we be with our friends again?”, “So many memories will be left behind – we love this school” and “I’m worried I won’t make new friends”.

15 responses were received to the consultation from 13 respondents, mainly from parents and local residents. A summary of these responses is attached at Appendix 3. Consultation responses in full can be made available for Members to view on request prior to the Cabinet meeting.

The consultation responses are considered and addressed in the published Full Statutory Proposal available via: [Proposed closure of Chittlehampton C of E Primary School: formal representation period - Have Your Say \(devon.gov.uk\)](https://www.devon.gov.uk/proposed-closure-of-chittlehampton-c-of-e-primary-school-formal-representation-period-have-your-say)

Following consultation, the Devon Moors Federation considered the responses received and agreed to move to the formal representation period on the closure of

the school. Due to this decision, the LA commenced a consultation on proposals for a new designated area should the school close. This was so a decision could be made by Cabinet on the closure of the school as well as the new designated area to provide certainty to parents when securing a school place for September 2022.

9. Formal Representation Period

The formal representation period on the closure of the school ran for a four week period from 25 April to 23 May 2022 in accordance with DfE regulations.

One objection has been received from a parent. The parent strongly believes that a Nursery Class within a primary school setting is important for preparing pre-school aged children for school. The parent is against the closure of the Nursery Class within Chittlehampton Primary School and states that the Council has already denied such a preschool within South Molton town as DCC have said there is sufficient capacity. The respondent disputes this and is against the closure of a Nursery Class so close to South Molton which makes sending a child to a Nursery Class within a school even more difficult. The respondent does not agree that the closure of the school is in the children's best educational interest as the school provides a high standard of education regardless of the wide age range being educated together. The parent feels that the school should be given more time to raise its profile locally to attract children, especially given the children predicted to start in 2025.

In response to this representation, the school has not attracted pupils from within its large catchment area which is one of the primary reasons the Governors have consulted on closure and therefore the potential for increased admission in September 2025 does not reflect the historical pattern within the school's catchment area. There is currently only one child attending the nursery class and there is not an early years sufficiency issue within South Molton town with the potential to deliver school-based early years provision as and when the need arises within the town. The Devon Moors Federation have been debating the future of the school for a number of years and have moved to this decision due to the very low numbers on roll for September 2022 and beyond.

The LA consultation on the proposed new designated area took place from 29 April to 16 May 2022 with all schools in the South Molton Local Learning Community and surrounding schools to Chittlehampton. The current designated area is attached at Appendix 1 and the proposed new designated areas recommended for approval is at Appendix 2.

The Governors of the Devon Moors Federation responded to the consultation and feel that the new catchment divisions favour Umberleigh Primary School and do not take into account that Filleigh Primary School is in the same federation as Chittlehampton, especially as some parents have been informed there may not be space at Umberleigh for their children. Governors feel it is nonsensical to push more children towards an almost full school. It is also against the general feeling of parents that Filleigh is preferred by the majority. Filleigh School very much want to support the children of Chittlehampton village both in the initial transfer and moving into the future and the proposed plans do not allow for this.

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Kings Nympton Primary School asked for consideration, as a small village school close to Chittlehampton, to extend the proposed catchment area to include Kings Nympton so that families can access a village school similar to one they have been used to. The school have said that they face similar challenges to Chittlehampton and would greatly appreciate the opportunity to have an extended catchment area.

Under the proposals, Kings Nympton Primary School are gaining an enlarged catchment area with a net gain of 68 dwellings from the inclusion of Chittlehamholt.

The rationale is to share existing and future cohorts between surrounding schools whilst taking into account future capacity, keeping the area within the same Local Learning Community as far as possible, avoiding splitting villages between primary schools and to minimise any impact on the LA transport liability.

It is recommended that the village of Chittlehampton itself is designated to Umberleigh Primary School as the nearest school as outlined at Appendix 2.

10. Presumption against closure of rural schools

Chittlehampton C of E Primary School is designated as a rural primary school. Under section 15 of the Education and Inspections Act 2006, there is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be in the best interests of education provision in the area. The factors to be considered in closing a rural school, as outlined in Appendix 4, have been fully considered by the Governing Body and the Local Authority.

All the factors to consider are addressed in this report and within the accompanying Impact Assessment.

11. Strategic Plan

One of the priorities in DCC's Strategic Plan 2021-2025 is 'Being ambitious for children and young people' and is to ensure that children and young people have the best possible start in life, good health and emotional wellbeing. We want children to achieve their potential and Devon will promote high standards in schools and help to address any areas of weakness. Whilst the immediate effects of closure can be stressful, the long term effects can be beneficial to pupils in terms of educational and social development. Schools have unfortunately closed periodically across the county. However, we have seen good practice with children being fully supported by their existing schools and through transition to their new schools. The underlying benefit to the children will be to provide an educational offer that is educationally and financially sustainable.

12. Financial Considerations

There is no capital expenditure related to this proposal since there is sufficient capacity amongst nearby primary schools to accommodate displaced pupils from Chittlehampton.

The likely cost of free school transport to other schools will depend on transport eligibility to the nearest and designated school to the families home address and on parental preference. An estimate is £33,000 per year.

Any cost of redundancies will be met within existing budgets.

The Diocese have confirmed that the school building is vested in the Vicar and Churchwardens of the parish of Chittlehampton as Trustees who will determine its future use. The school playing field is owned by the Parish Council. There may be fees and dilapidation costs associated with the closure arrangements for the school.

13. Legal Considerations

The relevant Department for Education statutory guidance and legislation has been fully considered in bringing this proposal forward. Proposers and decision-makers must have regard to it when carrying out duties relating to the closing of an existing maintained school. This includes the DfE statutory guidance on Opening and Closing Maintained Schools, November 2019 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013. All statutory requirements have been met. The decision-makers guidance to which Cabinet will need to have regard is attached at Appendix 4.

The LA must make a decision within a period of two months from the end of the representation period (23 May 2022) or the case must be referred to the Schools Adjudicator.

14. Environmental Impact Considerations (Including Climate Change)

An Environmental analysis has been included in the published Impact Assessment. The Impact Assessment has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at: <https://www.devon.gov.uk/impact/chittlehampton-primary-closure/>, which Councillors will need to consider for the purposes of this item/meeting.

In respect of Devon's historic heritage, the school was founded in 1865 and is a Grade II listed building. The Diocese have confirmed that the school building is vested in the Vicar and Churchwardens of the parish of Chittlehampton as Trustees who will determine its future use. The school playing field is owned by the Parish Council. There has been no consideration of land ownership in bringing the proposal forward and no discussion regarding the future of the school site.

There is likely to be increased vehicular use if the school is closed which will have an adverse effect on minimising pollution and climate change. Private car use will be mitigated to some effect by the use of home to school transport. Buses and coaches are cleaner than cars on a per passenger basis.

The economic and environmental benefits that a school brings to its local community must be considered a beneficial side effect to the main duty of a school which is to provide quality education to its pupils. The numbers on roll, academic standards and

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financial sustainability must be the major considerations in any decision on the future of a school.

15. 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.

The Council has exercised its Public Sector Equality Duty. In progressing this 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://www.devon.gov.uk/impact/chittlehampton-primary-closure/>, which Councillors will need to consider for the purposes of this item.

The consultation has been open and fair and undertaken as per best practice guidance and with regard to Cabinet Office guidance on consultation principles.

Should it be agreed that the school should close on 31 August 2022, all families will be able to express a preference for three schools. Where schools are oversubscribed, admission authorities will rank applications in accordance with their determined arrangements. Oversubscription criteria must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equalities legislation. As per the School Admissions Code of Practice, admission authorities must ensure that arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.

16. Risk Management Considerations

This policy/proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

If this recommendation is agreed, the LA, Diocesan Board of Education, the Federation and, if applicable, South West Norse, will carefully manage the closure process to minimise or mitigate any risk in respect of the building and its contents, including student records.

17. Public Health Impact

There are no implications of the proposals on public health services in the area.

18. Reasons for Recommendations

It is recommended that Chittlehampton C of E Primary School is closed from 31 August 2022. Although the proposal will lead to the loss of the school, the Governing Body, the Local Authority and the Diocesan Board of Education believe that the proposal is in the best educational interests of the children in the future as the school is neither educationally or financially sustainable.

Meg Booth

Director of Climate Change, Environment and Transport

Electoral Divisions: Chulmleigh and Landkey
South Molton
Torrington Rural

Cabinet Member for Children's Services and Schools: Councillor Andrew Leadbetter

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Simon Niles, School Place Planning and Admissions Manager

Tel No: 01392 383149 Room: 120, County Hall

Background Paper	Date	File Reference
Impact Assessment	May 2022	
Admission & Education Transport Policies for 2022-23	12 February 2021	

The above mentioned Reports are published on the Council's Website at:

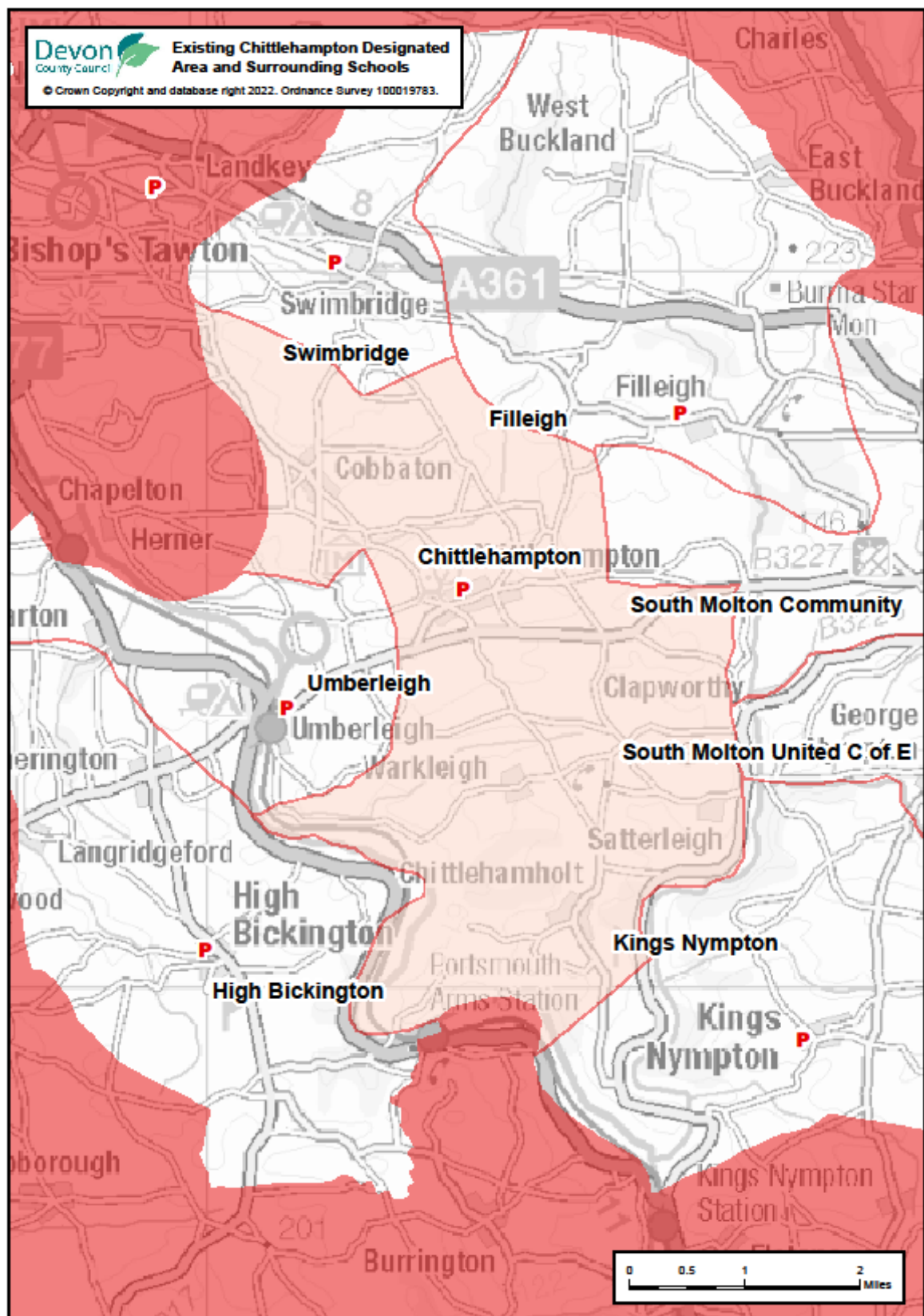
<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

Proposed closure of Chittlehampton Church of England Primary School – Final

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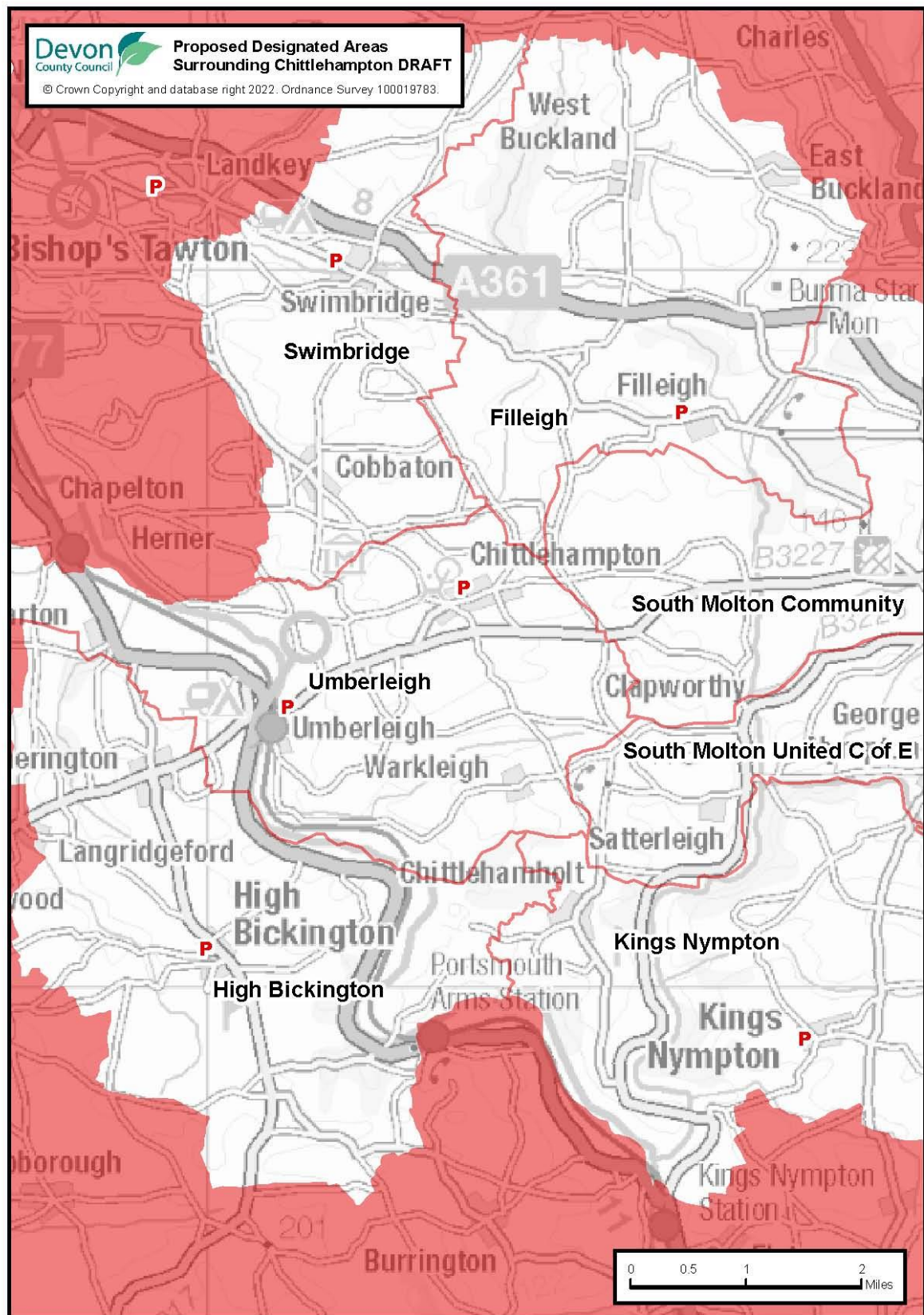
Appendix 1 to CET/22/5

Existing Chittlehampton Designated Area



Appendix 2 to CET/22/5

Proposed New Designated Area



Appendix 3 to CET/22/5

Count	Objection/ Comment	Comments
1	Objection	The parent expressed frustration that the town schools are expanded when there is capacity in rural areas and the rural schools suffer. The parent felt that rural schools should be given extra support by the council to stay open and to encourage local families to use their nearest schools. It was felt that it would be beneficial for families if the council could provide extra support for before and after school care to small rural schools which would increase pupil numbers and questioned what the policy was to support small schools. The respondent also wrote a second response sharing information re. flexi schooling and whether this could help save the school from closure: https://rackenford-primary.devon.sch.uk/wp-content/uploads/2021/05/Flexi-Schooling-RPS-21.pdf
2	Comment	Shared a scheme in Somerset where a small primary school linked up with a neighbouring rural school with the younger children taught at one site and the older children on the other site with a minibus transporting pupils in a loop.
3	Objection	Expresses disappointment with the decision to possibly close the school. Will be an absolute loss to the village and will not attract any younger people to live in the village. Will have such a negative effect on all the children. Concerns that children have already had two years of upset with Covid disruptions. Having to tell children their school may close is heart-breaking. Parent feels that DCC need to think about changing the school admissions system and feels that giving parents three preferences is unnecessary especially when parents do not pick the school which is in their catchment area. The respondent feels this should be seriously questioned with parents, and parents even denied a place at other schools when there is a perfectly good school on their doorstep with a Good Ofsted and even federated with the other school. The parent responds that if the children that lived in the village attended the school then we wouldn't be in this situation. Parent raised questions regarding arrangements for children who will be going to Filleigh in respect of free school transport and queries regarding transport for breakfast clubs as they are a valuable resource for working parents.
4	Comment	Consultee was very sorry to read the school may close as fond memories of visiting the school in days when attended Filleigh Primary back in the 80s and 90s. Respondent works in SEN and has set up a company called Propel Education who currently run a small special needs school in a village of Somerset. The school has 12 children from all over Somerset travelling to the school and therefore the respondent would be interested in whether they could lease Chittlehampton School building to be used as Independent Special School for Primary children.
5	Objection	Respondent wrote to voice their concerns, enrolled child to start in September and child is super excited and the school was chosen to enable family to walk to school. More houses are planning to be built in the area and respondent acknowledges this is only predicted to bring 5 more children but feels this is not high enough estimate.

6	Objection	Respondent feels the closure will not encourage families to live in the village. Parent feels the children have had two years of Covid, the upset of not attending school or seeing family and friends and just when things start getting back to normal their school is taken away. This will cause emotional distress. The parent questioned re. transport to school and if transport would be provided to enable children to attend breakfast clubs for parents that work. The parent queried if there would be buses going to different schools locally. Respondent felt more could have been done to promote the school and feels the Council needs to look at how the admissions system works and allowing parents three preferences: parents should go to the closest school in their area, unless there are special circumstances. Respondent feels the Council want small schools to close and are not supporting local village schools.
7	Objection	Would like the school to remain open and schools are a boost to any local area. It helps families and prevents long travelling time to other schools. A school generates money for the local area. The school could be used for community activities as well as well as help children and adults with mental health needs because of Covid.
8	Concern	Closure would be a real shame and loss to the community. Would consider moving to the village to start a family but the lack of a school within walking distance would make a move unlikely. Also understand there are plans to build new housing near the Cobbaton Road end of the village - the respondent feels the lack of a village school would be a deterrent to young families.
9	Objection	Parent feels very sad about the possible closure of the school on the children attending but also the impact on the village and on families who come to the area in future. Child has been very happy at school and parent has been really impressed with the standard of education, socialisation and experiences provided. Being a small school, the teachers know all about the children they teach and tailor learning opportunities to suit them. Feels closure will deter families from moving to the village and feels sad that more has not been done to encourage attendance over the last five years. Feels that parents were not able to use the pre-school due to restricted hours and a lack of after school clubs and care. The parent also wrote a second response concerned that she had visited Umberleigh Primary School but had been told there would unlikely be a place for her child at the school.
10	Objection	This will have a great impact on the community. Respondent understands the school is going through a lean patch but feels the school should remain open and more work should be done to promote the school and pre school. There is so much building going on in South Molton that the schools there won't be able to cope and many parents may wish to send their children to a small village school. Feels closing the school is short sighted.

11	Concern	Chose the school as family live in the village and the school had a good Ofsted report. Following the consultation meeting, the respondent has found it hard to come up with an argument against the school closure. When it is voiced that the education would be severely compromised if the school was to remain open, all hopes of a miracle were dashed. The parent felt that you cannot argue this fact, but from a key stage 1 point of view, her child has thrived being in a small class. Respondent feels that if the pre school had been promoted more it would have attracted families with younger children who would have stayed on into the school. Believe that Umberleigh Primary had great success with this and this could be why some of the families attend Umberleigh rather than Chittlehampton. Another negative is the lack of after school groups the school offers. Some families have had to go to other schools to access wrap around care for their children. We have been lucky to have a breakfast club but the after school clubs are lacking.
12	Concern	Parents of children at the school and have nothing but high praise for the staff at the school; children thrive and are part of a wonderful community. Feel that not having a school within the village will be detrimental to the wider community. However, do recognise that such low numbers going forward will have a negative impact on children's education and however much we wish the school to stay open we would not want the children to be affected or disadvantaged in any way. The parent feels that should the school close, parents should given their first choice of school and that it is only fair that DCC provides some sort of transport. Preference would be for children to remain within the school federation and attend Filleigh School - could Filleigh become the designated school for the village of Chittlehampton. Will provision be made by the federation for the future employment of all staff associated with the school?

13	Objection	<p>Resident in the village and sent both children to the school. Feels it will be a tragedy for the school close. Feels strongly that the Federation has not worked for Chittlehampton and has never achieved its aims and believed that closing the school was the plan from the very beginning. Loss of a dedicated Head Teacher was a blow to the school. Respondent feels the Federation was a cost cutting exercise and feels that the other schools within the Federation not wanting to 'prop up' Chittlehampton undermines the ethos of federation. There appears to be no investment in Chittlehampton School be it financial, technical or things like after school care so parents could work. There was a lack of proactive marketing. Feels there should have been a better vision of the future and investing in areas to keep the school viable e.g. breakfast club and pre-school were up and running too late. Respondent wonders if Chittlehampton would have done better on its own. Respondent says it should be recognised that there are numerous children in Chittlehampton who don't attend the school and this needs to be understood to help boost pupil numbers. Respondent also points out that there are many houses up for sale in the village which may bring more children to the school and there are several planning applications in progress or approved which will see 6 houses built. There may also be another housing development built which may bring more opportunities. To continue to attract families to the community and to maintain a thriving community is to keep the school open at all costs. South Molton Primary School is oversubscribed at present and there is going to be a huge influx of people with all the new housing being built. There could be a small influx of children from neighbouring communities where parents are looking for something different for their children. It's a shame the Local Authority does not have a policy that supports smaller schools by promoting them and then facilitating access to children from oversubscribed schools - travelling to make use of the schools with capacity. Surely this could be better value than investing in the expansion of larger schools. The school has a wonderful Christian ethos that we need to retain. By keeping the school open you are also helping to keep the church alive. The advantages of a small school that can support unique teaching is great. Do not feel it is the case that curriculum delivery will be compromised in the future due to pupil numbers. Small class sizes are a bonus, with children basically receiving one to one tuition. Have all options been explored? Could the school become an Academy? Could the school re-federate?</p>
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Agenda Item 8

Appendix 4 to CET/22/5

Guidance for decision-makers

This section sets out the considerations that should be made by the LA when deciding proposals to close a school.

The decision-maker must have regard to the statutory guidance contained in this document: [Opening and closing maintained schools, November 2019](#)

Extract from DfE Statutory Guidance

In all cases, the decision-maker should be satisfied that the proposer has carried out the statutory process satisfactorily and should have due regard to all responses received during the representation period.

Rural schools and the presumption against closure

Decision-makers should adopt a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area. When producing a proposal to close a rural primary school, the proposer must consider:

- the likely effect of the closure of the school on the local community;
- the proportion of pupils attending the school from within the local community i.e. is the school being used by the local community;
- educational standards at the school and the likely effect on standards at neighbouring schools;
- the availability, and likely cost to the LA, of transport to other schools;
- whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term);
- any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and
- any alternatives to the closure of the school.

Factors to consider when determining proposals Demand and need

When determining proposals to discontinue (close) provision, the decision-maker should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term. The decision-maker should take into account the overall quality of alternative places in the local area, balanced with the need to reduce excessive surplus capacity in the system. The decision-maker should have regard for the local context in which the proposals are being made, taking into account the nature of the area, the age of the children involved and, where applicable, alternative options considered for reducing excess surplus capacity.

School size

Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Balance of denominational provision

In deciding a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area, as well as taking account of the number of pupils currently on roll, the medium and long term need for places in the area, and whether standards at the school have been persistently low.

Community services

Some schools may be a focal point for family and community activity, providing extended services for a range of users, and their closure may have wider social consequences. Where the school is providing access to extended services, provision should be made for the pupils and their families to access similar services through their new schools or other means.

The decision-maker should be satisfied that the proposer has carried out the statutory process appropriately (as set out in part 4 of this guidance) and should have regard for any responses received during the representation period.

Equal opportunity issues

The decision-maker must have regard to the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to: • eliminate discrimination; • advance equality of opportunity; and • foster good relations between people with a protected characteristic and those without that characteristic. The decision-maker must consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals

Travel and accessibility

The decision-maker should satisfy themselves that the proposers have been taken into account accessibility planning and that the proposal will not adversely impact on disadvantaged groups. Decision-makers should consider whether the proposal will unreasonably extend journey times or increase transport costs or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. The decision-maker will need to consider the local context, for example in areas with excessive surplus places, the decision-maker should consider whether the travel implications of the proposal are reasonable compared to those for alternative options. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

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Issuing a decision

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable, after consulting the LA and/or proposer (as appropriate); or
- approve the proposal – with or without modification – subject to certain conditions¹⁶ (such as the granting of planning permission) being met.

Such decisions must be taken within two months of the end of the representation period, it is not possible for a LA to defer the decision beyond the two-month period.

The Schools Adjudicator will be the decision-maker in any case where the LA does not make a decision within a period of two months from the end of the representation period.

Impact Assessment

Assessment of: Proposal to close Chittlehampton C of E Primary School

Service: Planning, Transportation and Environment

Head of Service: Meg Booth

Version / date of sign off by Head of Service: 24 May 2022

Assessment carried out by (job title): Shona Meek, Senior School Organisation Officer

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

The Governing Body of the Devon Moors Federation brought forward a statutory proposal to close Chittlehampton C of E Primary (Voluntary Aided) School from 31 August 2022.

Details of the consultation are available here: [Consultation on the future of Chittlehampton C of E Primary School - Have Your Say \(devon.gov.uk\)](https://www.devon.gov.uk/consultation-on-the-future-of-chittlehampton-c-of-e-primary-school)

2. Reason for change / review

Chittlehampton C of E Primary School is a small rural primary school for children aged 3-11 and currently operates as a two class school. The school has a published admission number of 8 with a capacity for 56 pupils. The school has been under-subscribed for a number of years and pupil numbers fall significantly short of the school's published admission number. The school currently has only 15 pupils on roll. Five of the fifteen pupils are in Year 6 and will be leaving the school in July. Only one first preference was received for admission to the school in September 2022, therefore the roll is expected to drop to only 11.

The school is recognised by Ofsted as being a Good school and the Federation is strong with the federated schools working in close partnership to provide the best possible education for all children. However, delivery of a full and balanced curriculum at Chittlehampton C of E Primary School is difficult with such a small and decreasing number of children. Schools are mainly funded by an amount of money for each child attending the school. Maintaining high quality provision with quality teaching and learning is not sustainable on a low budget and a single class organisation.

In Autumn 2021, of the 45 children (Reception to Yr 6) living in the designated area of Chittlehampton C of E Primary School and attending a Devon School, 15 children attended Chittlehampton Primary School.

A review of area health authority data which provides the number of 0-4 year olds living in the school's catchment area shows very low numbers of pre-school aged children. There is a small increase in the number of pre-school aged children living in the catchment area who would be due to start school in 2025, however, parental preference for admission to the school has been low in recent years. In the District Council's Local Housing Plan, there is an allocated site for development at Chittlehampton but this is only for 20 dwellings. A development of 20 family dwellings would be expected to generate approximately 5 primary aged pupils.

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

The Federation has considered the closure of the school previously and has been monitoring the viability of the school over the last three years but the school is no longer sustainable.

The Federation made a submission for funding to Devon's Financial Intervention Panel, Schools (FIPS) due to a continued falling roll, low admissions to the school and the level of funding the Federation has diverted to support the school's sustainability. The Panel considered the

request in detail, in particular the future demographics within the catchment area and the likely admissions into the school. The school was not deemed to be sustainable due to the low numbers, low parental preference and no certainty that numbers would increase in the medium term to a sustainable level.

It has been suggested that children could be transported from schools under pressure to those smaller schools where numbers are low or falling. This would significantly increase the cost of home to school transport and conflict with DCC's principle of local schools for local pupils with children being educated in their community with their peers.

Alternative options were fully considered before bringing this proposal forward. The Diocesan Board of Education and the School considered alternatives to closure and discussions were held with a representative of the Regional Schools Commissioner and some local Multi Academy Trusts. However, it was felt that the school was unsustainable with such a low number on roll which was not forecast to improve.

4. People affected, diversity profile and analysis of needs

The school provides education for boys and girls aged 3-11. There is currently one child in the Nursery Class and 15 children in Reception to Year 6. Please see table below.

School	Published Admission Number (PAN)	Net Capacity	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total Number on roll
Chittlehampton C of E Primary	8	56	3	2	1	0	3	1	5	15

The five Year 6 pupils will be leaving the school in August to attend secondary school and one first preference was received for admission into Reception Class in September 2022. It is therefore anticipated that there will be 11 children on roll at the school in September, should the school remain open. 11 children and their families/carers will be directly affected by this proposal. Alternative school places will need to be allocated in local schools.

Local schools will therefore also be affected by this proposal but this may be considered a beneficial impact as other small rural schools nearby will see increased pupil numbers and a more sustainable network of schools in the local area. Staff (teaching and non teaching) will

also be directly affected by the proposal. Closure of the school will result in loss, or changes of employment for staff at Chittlehampton C of E Primary School. A TUPE process is currently underway and trade union representatives are involved. It is hoped that some of the teaching staff will transfer their employment to another school within the Devon Moors Federation, Filleigh Primary School.

There are no children on roll with an EHCP (Education, Health and Care Plan). If the school remains open, it is not anticipated that there will be any children on roll with special educational needs in September 2022.

5. Stakeholders, their interest and potential impacts

Children, parents/carers, staff (teaching and non-teaching) and governors are directly affected by this proposal. Pupils in Reception to Year 5 would need to move to alternative primary schools in the surrounding area. Year 6 pupils would be leaving primary school to take up places in secondary schools and so would not be affected by the closure in terms of their school place.

Potential Impact:

The main changes for pupils in Reception to Year 5 would be:

- ☐ A new school
- ☐ A new route to school
- ☐ A new uniform
- ☐ New teachers and support staff
- ☐ A new learning environment
- ☐ Changed friendship groups

Mitigating Factors:

Every pupil would be guaranteed the offer of a place at an alternative primary school in their local area. The school will fully support pupils in their transition to their new schools.

There is sufficient capacity in local schools to accommodate the children from Chittlehampton C of E Primary School. The nearest school to Chittlehampton C of E Primary School is Umberleigh Primary School (1.8 miles, as the crow flies). The next nearest school is Filleigh Primary School (2.4 miles, as the crow flies). Filleigh Primary School is in the same Federation as Chittlehampton C of E Primary School and is

proposing to move to a four class school and can accommodate all of the children from Chittlehampton C of E Primary School. Filleigh Primary and Umberleigh Primary are Ofsted rated ‘Good’ schools. Both Filleigh and Umberleigh Primary Schools offer Nursery provision.

Chittlehampton Primary School is a Church of England School. The nearest Church of England Schools to Chittlehampton village are: High Bickington Church of England Primary School, South Molton Church of England United Primary School and Swimbridge Church of England Primary School.

The distances to nearby schools are as follows:

School	Type	Distance (miles as the crow flies) from Chittlehampton C of E Primary
Umberleigh Academy Primary	Academy	1.8
Filleigh Primary	Foundation	2.4
Swimbridge C of E Primary	VA	3
High Bickington C of E	Academy	3.8
South Molton C of E United	VA	4.6
South Molton Primary	Community	4.6
Kings Nympton Primary	Foundation	4.8

Parents and carers of children at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their preferred schools named on the application form or, if this is not possible, at the nearest school to the child’s home where a place is available. The local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so.

Some families may be impacted by additional travel costs and travel time. Closure of Chittlehampton Primary School would result in additional travel to school for pupils for whom Chittlehampton is currently their closest school. Whilst free home to school transport would be provided to eligible pupils in accordance with the Council’s Home to School Transport Policy, it is also acknowledged that there could be an impact on some pupils’ ability to access before and after school activities, and this could impact on the ability of parents to take part in school events,

meetings etc. This would also mean that pupils who are currently able to walk to school would be unable to do so.

Chittlehampton C of E Primary School has a Nursery Class admitting children from age 3. Both Filleigh and Umberleigh Primary Schools offer Nursery provision. Umberleigh Primary School offers early years provision from age 2. Chittlehampton also offers a Breakfast Club which will cease to operate if the proposal is approved. Filleigh Primary School runs a breakfast club for five mornings per week from 7:50am to 8:50am.

The wider community of Chittlehampton village is also affected, although the school is not used by the community for any activities. Chittlehampton has a Village Hall which is let for community activities, meetings, fetes, parties and dances. The closure of the school could have the effect of making the village less attractive to families with school age children. In the wider community, there will be some impact of any closure on the village public house, The Bell, as school meals are provided by the public house. At the time of writing, the local village shop and post office, Chittlechatter Stores, is up for sale. The school acts as an employer and consumer in the local area. Parents may be more likely to spend locally if their child is at a local school.

The economic benefits that a school brings to a community must be considered beneficial side effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and academic standards must be the major considerations in any decision on the future of a school and, while a community may be impacted by a decision to close a school; this cannot be an overriding factor.

Although the proposal will lead to the loss of the school, the Governing Body, the Local Authority and the Diocesan Board of Education believe that the proposal is in the best educational interests of the children in the future and it is not considered that the school can continue to deliver a good standard of education with such a low number on roll.

6. Additional research used to inform this assessment

The relevant Department for Education (DfE) statutory guidance and legislation has been fully considered in bringing this proposal forward.

Proposers and decision makers must have regard to it when carrying out duties relating to discontinuance (closing) of an existing maintained school.

- DfE Statutory Guidance Opening and Closing Maintained Schools, November 2019

- Education and Inspections Act (EIA) 2006 as amended by the Education Act (EA) 2011
- The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013.

Chittlehampton C of E Primary School is designated as a rural primary school. Under Section 15 of the Education and Inspections Act 2006, there is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must clearly be in the best interests of educational provision in the area. The matters to consider in closing a rural school have been fully considered by the Governing Body and by the Local Authority. Alternative options to closure have been considered, the likely effect on the local community, as well as the availability and likely cost to the Local Authority of transport to other schools.

In preparing the Statutory Proposal, full consideration has been given to these factors including the capacity of local schools and the balance of denominational education. Consideration has been given to the travel distances to alternative schools as well as the standards and Ofsted rating for local schools.

Whilst the immediate effects of closure can be stressful, the long-term effects can be beneficial to pupils in terms of educational and social development. Schools have unfortunately closed periodically across the county. However, we have seen good practice with children being fully supported by their existing schools and through transition to their new schools. The underlying benefit to the children will be to provide an educational offer that is educationally and financially sustainable.

7. Description of consultation process and outcomes

It is a statutory requirement to consult any parties the proposer thinks is appropriate before publishing proposals to close a maintained school.

The informal consultation period was held between 14 February to 4 April 2022. The consultation document is available at: [Consultation on the future of Chittlehampton C of E Primary School - Have Your Say \(devon.gov.uk\)](https://www.devon.gov.uk/consultation-on-the-future-of-chittlehampton-c-of-e-primary-school).

The consultation was widely circulated and promoted. The consultation was published on the school's website and DCC's Have Your Say consultation webpage. Details of the consultation were circulated to all parents, staff and governors of Chittlehampton C of E Primary School as well as the District Council, Parish Council, School Trustees, Church Wardens, Union representatives, all schools, early years providers, all County Councillors, and the DfE School Organisation Unit in accord with statutory guidance from the Department for Education.

The Governing Body received 15 responses from 13 respondents to the consultation, mainly from parents and local residents. No response has been received from the Parish Council.

A summary of these responses will be shared at DCC's Cabinet meeting on 8 June 2022 (but will be made anonymous for data protection reasons). Consultation responses in full will be available for Members to view on request. In brief summary, the main points and recurring opinions were:

There is great sadness over the closure of the school and the loss to the community. There is concern and sadness for the children who are faced with the loss of their school, following two years of disruption and upheaval due to the Covid pandemic.

Some respondents felt that more could have been done to promote the school, including better provision for after school care for working families and less restricted pre-school hours which could have attracted more young families.

Some respondents felt that the new housing being proposed would result in more children attending the school and that houses up for sale in the village could attract families. However, the closing of the school would be a deterrent to families moving to the village in the future.

A few parents responded that the whole school admission system of giving parents three preferences for a school place should be reviewed and that parents should attend their catchment school.

Parents wanted to know what would be the designated school for Chittlehampton village and therefore the school transport entitlement. Parents also raised queries regarding free school transport being provided to access breakfast clubs.

A couple of respondents raised concerns that the South Molton town schools have been expanded when children could have been transported to Chittlehampton Primary School from the town.

Some parents felt sadness for the proposed closure but recognised that such low numbers going forward would have a negative impact on children's education. They were also sad that families in Chittlehampton were not choosing to send their children to the school.

One resident felt more could have been done by the Federation to save the school and questioned whether all alternatives to closure were

explored.

In response, we are continuing to see preference for other schools from the Chittlehampton catchment area. This may be because the catchment area is large and families are nearer to other schools. Local authorities must provide a common application form (CAF) that enables parents to express their preference for a place at any state funded school, with a minimum of 3 preferences in rank order.

Devon County Council's (DCC) approach is 'local schools for local children' for community and environmental reasons. There is sometimes pressure in urban areas in contrast with some rural areas seeing a drop-off in pupil numbers and this can sometimes occur in the same locality. It has been suggested that children could be transported from schools under pressure to those smaller schools where numbers are low or falling. This would significantly increase the cost of home to school transport and conflict with the principle of local schools for local pupils and would be unacceptable to a large number of parents.

DCC's Early Years team support schools in setting up early years provision as well as before and after school care but there needs to be a sustainable financial plan and enough demand for the provision to be a viable option, otherwise any shortfall has to be met by the Governing Body. Viability is difficult if there are insufficient pupil numbers due to demographics and there is not sufficient demand.

In the case of South Molton, additional accommodation was to meet the need from the development arising in the town and ensured local provision for families in the town. In the District Council's Local Housing Plan, there is an allocated site for development at Chittlehampton but this is only for 20 dwellings. A development of 20 family dwellings would be expected to generate approximately 5 primary aged pupils. An occupancy level of 0.25 primary aged children per family (2+bed) dwelling is based on empirical research by Devon County Council.

The Diocesan Board of Education and the School considered alternatives to closure and discussions were held with a representative of the Regional Schools Commissioner and some local Multi Academy Trusts. However, it was felt that the school was unsustainable with such a low number on roll which was not forecast to improve.

In respect of school transport, all children are entitled to free home to school transport if they attend the nearest school to their home address and they:

- are of statutory school age
- live more than two miles away by the shortest walking route (for primary)

- live under two miles away but all walking routes are considered unavailable

Children in Devon are also be entitled to free school transport to the school designated to serve their home address - provided it is still further than the statutory walking distance (see above).

A consultation has taken place with the Local Learning Community on the proposed new designated area for the area currently served by Chittlehampton Primary School, should the school close. The outcome of this consultation and the LA recommendation will be made available in the Cabinet Report.

A public consultation information session was held at the school on 3 March 2022. Five parents attended the consultation session.

A full report of the consultation event and response is available at: [Consultation on the future of Chittlehampton C of E Primary School - Have Your Say \(devon.gov.uk\)](https://devon.gov.uk/consultation-on-the-future-of-chittlehampton-c-of-e-primary-school-have-your-say).

The children have also been talking about the possible closure with the Head of School. The children have been discussing their worries and thoughts and some of these are shared in the report of the consultation event above. Their feelings range from some positive thoughts, for example “I can make lots of new friends” and “Already have friends at Filleigh” to understandably some anxious and sad thoughts, for example: “Will we be with our friends again?”, “So many memories will be left behind – we love this school” and “I’m worried I won’t make new friends”.

Following the closing date of the informal consultation, the Governing Body of the Devon Moors Federation met on 6 April 2022 and considered the responses to the consultation. The Governing Body voted to move to a formal proposal to close the school from 31 August 2022.

A formal representation period commenced on 25 April 2022 lasting four weeks, as per statutory guidance, ending on 23 May 2022. A Brief Notice was published in a local newspaper, the Western Morning News on the 25 April 2022, outlining the proposal and providing details for commenting on or objecting to the proposal with information on how to access the Full Statutory Proposal. The Brief Notice was displayed at the main entrance to the school as per regulations. The Full Statutory Proposal was published on DCC’s Have Your Say consultation website and on the school’s website. The Full Proposal was circulated to all staff, parents, governors and school trustees. It was also circulated to all stakeholders previously consulted with. A copy of the Brief Notice and Full Proposal were sent to the DfE School Organisation Unit. Both are available to view via: [Proposed closure of Chittlehampton C of E Primary School: formal representation period - Have Your Say \(devon.gov.uk\)](https://devon.gov.uk/proposed-closure-of-chittlehampton-c-of-e-primary-school-formal-representation-period-have-your-say)

One objection has been received from a parent. The parent strongly believes that a Nursery Class within a primary school setting is important for preparing pre-school aged children for school. The parent is against the closure of the Nursery Class within Chittlehampton Primary School and states that the Council has already denied such a preschool within South Molton town as DCC have said there is sufficient capacity. The respondent disputes this and is against the closure of a Nursery Class so close to South Molton which makes sending a child to a Nursery Class within a school even more difficult. The respondent does not agree that the closure of the school is in the children's best educational interest as the school provides a high standard of education regardless of the wide age range being educated together. The parent feels that the school should be given more time to raise its profile locally to attract children, especially given the children predicted to start in 2025.

In response to this representation, the school has not attracted pupils from within its large catchment area which is one of the primary reasons the Governors have consulted on closure and therefore the potential for increased admission in September 2025 does not reflect the historical pattern within the school's catchment area. There is currently only one child attending the nursery class and there is not an early years sufficiency issue within South Molton town with the potential to deliver school-based early years provision as and when the need arises within the town. The Devon Moors Federation have been debating the future of the school for a number of years and have moved to this decision due to the very low numbers on roll for September 2022 and beyond.

20. 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.

All statutory requirements have been met and all stakeholders consulted in accordance with DfE statutory guidance and legislation. The consultation has been open and fair. The consultation periods have taken place in school term time, as per best practice guidance, to allow the maximum number of people to respond and have been held for a proportionate amount of time. The Governing Body and DCC have had regard to the Cabinet Office guidance on consultation principles.

DCC's Cabinet will make the final decision on the proposal. On 8 June 2022 the Cabinet will determine the statutory proposal to close the school, taking into account the factors set out in the Cabinet report.

Should the school close on 31 August 2022, all families will be able to express a preference for three schools. Where schools are oversubscribed, admission authorities will rank applications in accordance with their determined arrangements. Oversubscription criteria must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equalities legislation. As per the School Admissions Code of Practice, admission authorities must ensure that arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs. Each Local Authority must have a Fair Access Protocol to ensure that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible.

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
All residents (include generic equality provisions)	Impact to pupils, parents, staff and governors and local community.	We have ensured through our statutory processes that the views of parents, pupils, communities and stakeholders have been considered and dealt with in order that informed decisions can be made without delay and are reported to Cabinet. The closure is proposed for 31 August 2022 to enable children to start at their new schools at the beginning of the new academic year. Parents and staff feel this is beneficial to children. Children will be allocated a local school place fairly in accordance with the School Admissions Code.
Age	3-11.	N/A. Protected characteristic of age applies to everyone over the age of 18.
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	There is not anticipated to be any children on roll in September 2022 who have an Education, Health and Care Plan or Special Educational Needs.	
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	Information was used from the School Census to ensure the consultation document was accessible to all.	

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	N/A	Chittlehampton C of E Primary School caters for boys and girls. All children and their families will be treated equitably should the school close. Children will be allocated a local school place fairly in accordance with the School Admissions Code of Practice.
Sexual orientation and marriage/civil partnership	N/A	

<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<p>The Education Infrastructure Plan supports sustainable, high quality provision that maximises accessibility, meets local needs and recognises the needs generated by planned development in specific localities, tackles inequalities for vulnerable pupils but also recognises the needs of a changing population, employment and growth opportunities . It supports local schools for local children thus minimising the reliance on school transport and environmental impact. There will be increased vehicular usage as a result of this proposal as some children walk to Chittlehampton C of E Primary School.</p>	
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9. Human rights considerations:

Devon County Council has a statutory duty to provide sufficient education places for early years, primary and secondary education. As outlined above, there are sufficient local school places to accommodate displaced pupils. The local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The Local Authority considers that all pupils impacted by the proposal, should it proceed, would be enabled to receive a good quality of education.

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?

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35/A

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

Pupils will be fully supported in their transition to any new school.

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

N/A

11. Environmental analysis

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

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

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	N/A	
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:	The school was founded in 1865. It is a Grade II listed building.	In terms of the ownership of the land and school building, the Diocese have confirmed that the school building is vested in the Vicar and Churchwardens of the parish of Chittlehampton as Trustees. The school playing field is owned by the Parish Council. There has been no consideration of land ownership in bringing the proposal forward and no discussion regarding the future of the school site.
Minimise greenhouse gas emissions:	N/A	

Minimise pollution (including air, land, water, light and noise):	Some children walk to school from Chittlehampton village. There is likely to be increased vehicular use if the school is closed.	<p>Private car use will be mitigated to some effect by the use of home to school transport. Buses and coaches are cleaner than cars on a per passenger basis. All children are entitled to free home to school transport if they attend the nearest school to their home address and they:</p> <ul style="list-style-type: none"> • are of statutory school age • live more than two miles away by the shortest walking route (for primary) • live under two miles away but all walking routes are considered unavailable <p>Children in Devon are also entitled to free school transport to the school designated to serve their home address - provided it is still further than the statutory walking distance (see above).</p> <p>The Local Learning Community has been consulted on proposals for the new designated area for the area currently served by Chittlehampton Primary School. The outcome of this consultation and the LA recommendation will be reported to Cabinet 8 June 2022.</p>
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):	See above regarding free school transport provision.	See above regarding free school transport provision.

Other (please state below):	N/A	
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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:	In some rural areas there is a decline in pupil numbers and over the past few years there have been school closures. There is a presumption against closure unless there are clear educational reasons and the financial position of the school means standards cannot be maintained. We will work with our partners to seek extensive alternatives including partnerships and academisation and consider transport implications, impact on the local community, future place planning, early years provision, standards, forecast of future pupil numbers, access to community services and financial viability.	There is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must clearly be in the best interests of educational provision in the area. This proposal has been fully considered. There are concerns that delivery of a full and balanced curriculum will be difficult with such a small and decreasing number of children. Moving to a single class school will be very difficult educationally for pupils with such a wide age group being taught in one class. Social and emotional development would also be very challenging.
Impact on employment levels:	The economic benefits that a school brings to a community must be considered beneficial side effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and academic standards must be the major considerations in any decision on the future of a school and, while a community may be impacted by a decision to close a school; this cannot be an overriding factor.	

Impact on local business:	<p>As discussed above, the local Public House provides school meals so there will be an impact on The Bell should the school close.</p> <p>The local village shop, Chittle Chatter, is up for sale. Depending on the outcome of the sale, this could potentially mean the loss of two community facilities.</p>	
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13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

There are concerns that delivery of a full and balanced curriculum will be very difficult with such a small and decreasing number of children. Moving to a single class school will be very difficult educationally for pupils with such a wide age group being taught in one class. Social and emotional development would also be very challenging. A decision not to close a school can also have a negative impact on pupils' progress and attainment. The closure as outlined above will have some adverse environmental and economic impacts due to increased vehicular usage and the loss of the economic benefits that a school brings to a community.

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 economic benefits that a school brings to a community must be considered beneficial side effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and academic standards must be the major considerations in any decision on the future of a school and, while a community may be impacted by a decision to close a school; this cannot be an overriding factor. The proposal will result in an impact on the environment through increased vehicular use and increased travel time to school. However, the

Governing Body and the Local Authority consider the case for closure is strong and in the best educational and social interests of the children.

15. How will impacts and actions be monitored?

If the proposal to close is approved by DCC's Cabinet, Devon County Council will manage the school admissions process. Parents and carers would be asked to complete an in-year admissions application form and to name up to three schools they would prefer their child/ren to attend. Devon County Council would try to meet parent and carers' preferences wherever possible but cannot guarantee to do so as it would depend upon vacancies at that time. Admission Officers from Devon County Council would be available to support families in completing in-year applications and ensure all children have a local school place.

Babcock LDP have produced good practice guidance for all schools and settings in Devon in managing transition to new schools. There will be good communication between settings and sufficient time to ensure a successful transition whereby pupils are supported during their final months at Chittlehampton and in their transition to a new school. Parents and carers will be closely involved in the process of transition.

In the event that a decision is taken to close the school, the Local Authority and the Devon Moors Federation will work closely together to complement closure and undertake the practical arrangements in closing a school.

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DCC Carbon Footprint and Environmental Policy Review

Report of the Director of Climate Change, Environment and Transport

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: that the Cabinet be asked

- (a) to note the 53% reduction in corporate carbon emissions since 2012/13, approve the carbon footprint for publication and its submission to Defra;
- (b) to approve the authority's revised Environmental Policy;
- (c) to delegate authority to the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Climate Change, Environment and Transport to make minor changes to the Environmental Policy.

1. Summary

This paper presents:

- The authority's annual carbon footprint for the financial year 2020/21 (Appendix 1)
- An update to the authority's Environmental Policy (Appendix 2).

2. Introduction

This annual carbon footprint monitors the effectiveness of implementing the authority's Carbon Reduction Plan.

The Environmental Policy summarises how DCC will continue to lead by example to minimise the impact of its own operations and its supply chain on the environment and encourage others to do the same. Beneath the Environmental Policy sits a series of more detailed strategies and action plans against which progress can be measured and demonstrated. The currently-adopted version was prepared in 2011. It has stood the test of time but is now silent on various contemporary environmental issues, including marine plastics, the climate and ecological emergency and DCC's new strategic focus on green issues. Therefore, the Environmental Performance Board (EPB) requested for it to be reviewed.

3. Proposal

3.1 Carbon Footprint

The first proposal is for the carbon footprint to be noted, published on the authority's website and submitted to DEFRA. An infographic will be prepared to communicate its key points to staff and the public.

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The effect of home working on the carbon footprint has had to be incorporated into the report for the first time as a result of the COVID-19 pandemic. A study commissioned by DCC from the University of Exeter has been used to estimate these emissions. Home working emissions are small in comparison to the scope of the corporate emissions – just 5%. These are more than balanced by reductions elsewhere in the carbon footprint attributable to COVID – compared to the previous year, corporate property emissions are down 16%, business travel emissions are down 60% and the vehicle fleet emissions are down 33%.

Aspects to note are:

- Corporate emissions continue to decline ahead of target (target is a 70% absolute reduction by 2030, with the remainder offset).
- Corporate emissions are 53% below the base year.
- Corporate property emissions reductions will probably continue into subsequent years if flexible working becomes the embedded culture – even more so if DCC disposes of some buildings due to the reduced need for office space.
- Vehicle fleet reductions will probably return to pre-COVID levels as this reduction will have been attributable to lock downs when the fleet vehicles were not being used significantly.
- Business travel reductions will likely remain now that staff are comfortable using video conferencing rather than travelling for meetings.
- As described in the Carbon Reduction Plan, the authority has recruited new resource into the Procurement service, which is speaking with the most carbon intensive parts of the authority's supply chain. Real data is being collected and pilots are underway to inform the work required with suppliers over the next 7.5 years to achieve net-zero.
- DCC has not been able to claim carbon offsets for this reporting year because it has been unable to purchase Woodland Carbon Units, despite an open-market procurement exercise. Instead, we have purchased Pending Issuance Units that will mature into Woodland Carbon Units later in this decade and the 2030s at which point we will be able to use them to net-off our emissions.

3.2 Environmental Policy Review

The cross-authority Environmental Performance Management Group and colleagues from the Environment Group have fed-in to the review. It was agreed that an update of the existing policy was sufficient rather than starting from scratch. It was also decided that a short, focused Environmental Policy was favoured, leaving the detail in the topic-specific strategies and action plans that sit beneath it. This keeps the Policy easy to communicate and will give it a longer life.

General additions include:

- A brief explanation of what the policy is for
- A link to the 2021 – 2025 Strategic Plan
- A commitment to addressing the climate and ecological emergency and incorporation of the net-zero target
- The need for innovation and testing new approaches
- A mention of the single-use plastic issue and the need for a circular economy
- DCC's existing approach to using pesticides only when necessary

- Firmed-up the Countryside, Coast & Heritage section and the Community Leadership section, reflecting the greater focus of the Strategic Plan on these categories.

4. Options/Alternatives

4.1 Carbon Footprint

Having committed to becoming a net-zero carbon organisation by 2030, there is no option other than to report the carbon footprint on an annual basis; if it is not measured, it can't be managed.

4.2 Environmental Policy Review

There are two alternative options. The first is not to review the Environmental Policy, but this would leave the organisation with a Policy that is not fit for purpose and so is not recommended. The second is to develop a more detailed Environmental Policy, incorporating the specific aims and objectives that are currently detailed in the strategies and action plans that sit beneath the Policy. This is not recommended because the Policy would be more difficult to communicate, making it less effective, and will have a shorter life.

5. Consultation

The carbon footprint and the review of the Environmental Policy have been informed by officers of the Environmental Performance Management Group, colleagues in the Environment Group and the Climate Change Standing Overview Group of the Corporate, Infrastructure and Regulatory Services Scrutiny Committee.

6. Strategic Plan

This report's recommendations contribute to delivering three of the six priorities of the Strategic Plan. These are:

1. Respond to the climate emergency by reducing the authority's environmental impact
2. Support sustainable economic recovery by using the authority's spending power to reduce the environmental impact of its supply chain and by doing so encourage local businesses to improve their sustainability
3. 'Improve health and wellbeing' – see Section 12 of this report.

7. Financial Considerations

There are no immediate financial implications of the proposals in this report. The carbon footprint is being managed by the Carbon Reduction Plan. The necessary capital (£2 million) and revenue funding (£0.3 million) has been approved previously by Cabinet, and has been made available to implement the first two years of the Corporate Carbon Reduction Plan (2021/22 and 2022/23).

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8. Legal Considerations

There are no specific legal considerations. 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.

9. Environmental Impact Considerations (Including Climate Change)

The new Environmental Policy will ensure the authority continues to improve its environmental performance.

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 the Environmental Policy 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: [Environmental Policy - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/Environmental-Policy-Impact-Assessment), which Councillors will need to consider for the purposes of this item.

Climate change and environmental decline 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. Implementing the recommendation will ensure the authority's efforts remain relevant and will minimise these impacts on everyone.

Implementing the Environmental Policy will require 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.

11. Risk Management Considerations

The potential risks to Devon's communities from climate change and environmental decline 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 carbon emissions and environmental quality elsewhere in the world by itself, it is vital that the authority demonstrates local leadership.

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

12. Public Health Impact

The new Environmental Policy will continue efforts to reduce fossil fuel burning which in turn will reduce emissions of air pollutants such as nitrogen dioxide and particulate matter. It will also require the authority to play its part in improving water quality, avoiding land pollution, reducing flood risk and encouraging people to re-engage with green and blue spaces. These measures help improve public health and wellbeing.

13. Conclusion

The authority's corporate carbon emissions continue to decline and are on track to achieve the 70% absolute reduction by 2030.

The review of the authority's Environmental Policy brings it up to date to include contemporary environmental issues, including marine plastics, the climate and ecological emergency and DCC's new strategic focus on green issues.

Meg Booth
Director of Climate Change, Environment and Transport

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
Tel No: 01392 382061
Room: County Hall, Exeter EX2 4QD

Background Paper	Date	File Reference
Nil		
DCC Carbon Footprint and Environmental Policy Review - Final		

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Appendix 1 to CET/22/3 - Devon County Council's Environmental Policy

We all rely on the environment for our health, wellbeing and economic prosperity. For example, it provides clean air and water, regulates global climate, ensures nutrients and pollinators are available to grow food, gives us energy resources and processes waste. Its heritage and cultural assets offer a sense of belonging and a connection to our past which, combined with access to beautiful landscapes and wild open spaces, provide opportunities for recreation and tourism.

Demonstrated by the priorities of its 2021 – 2025 Strategic Plan, Devon County Council (DCC) understands its responsibility to play its part in addressing the global climate and ecological emergency declared locally. The Authority aims to be net-zero carbon by 2030.

This Environmental Policy summarises how DCC will continue to lead by example to minimise the impact of its own operations and its supply chain on the environment and encourage others to do the same.

Devon County Council will through...

Our Culture

Operate impact assessment processes that require decision makers to consider the environmental implications and opportunities of policies, projects and working practices.

Encourage environmental best practice and innovation among staff and school communities.

Purchasing

Work with services, communities, external partners and supply markets to show leadership, improve standards & practices and enable investments which support environmental sustainability priorities. Promote local service delivery, reduce road miles and help the supply chain achieve net-zero carbon.

Travelling

Enable staff to minimise their need to commute and travel for business by working flexibly and embracing technology to meet business needs.

Help staff and school communities to minimise the environmental impact of necessary commuting and business travel by providing support to use active, shared and low-carbon, clean transport.

Transition its vehicle fleet to low-carbon and clean alternatives.

Using Water

Monitor and reduce its use of fresh water by cutting demand and improving efficiency in existing and new buildings.

Ensure waste water is disposed of appropriately.

Environmental Risk

Meet the requirements of relevant legislation and guidance, and develop a culture of reporting near-misses and incidents.

Suitably store, use and dispose of wastes and hazardous materials.

Only use pesticides if absolutely necessary where practical alternatives are not available.

Ensure its services are resilient to extreme weather and are adapting to the changing climate.

Countryside, Coast and Heritage

Through its estate (including buildings, land assets and county farms), activities and its work with others:

- Conserve and enhance biodiversity, air quality, soils & minerals, freshwater resources and estuarine & coastal waters to achieve a net-gain for the environment and to restore natural processes to provide services such as carbon storage and flood mitigation.
- Conserve and enhance the natural beauty of landscapes and the quality and distinctiveness of built environment, cultural and historic interests.
- Plan positively to landscape changes arising from the climate & ecological emergency and socioeconomic pressures to help deliver sustainable development and land management.
- Reduce light pollution to reclaim dark skies by using new technology, dimming and removing lighting through public consultation.
- Demonstrate new management practices.

Energy

Reduce its demand for energy, improve its energy efficiency and source 30% of its energy needs from renewable technologies by 2030 whilst enhancing air quality.

Use its demand for energy to stimulate new, locally-owned energy generation and storage infrastructure.

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Waste & Resources

Ensure its activities minimise waste and the consumption of single-use plastics by encouraging and enabling staff and suppliers to design-out waste and reuse resources.

Contribute to creating a circular economy by recycling & composting and where appropriate specifying second-hand goods or recycled materials.

Community Leadership

Set an example by continually improving the authority's environmental performance.

Use its powers, responsibility and influence to:

- Facilitate greater understanding and appreciation of the county's rich environment and improve access to it for recreation and learning.
- Help communities and individuals improve their awareness about how they can help Devon respond to the climate and ecological emergency and enable them to act.
- Help test emerging green finance and business models.
- Play its part in developing and delivering environment-related strategies and plans led by partner bodies.

Appendix 2 to CET/22/3 - 2021 Carbon Footprint

Purpose

This report describes the greenhouse gas emissions produced by our (Devon County Council's) activity (our 'carbon footprint') in the financial year from April 2020 to March 2021 (referred to as 2020/21). These emissions are compared to previous years' data and our baseline year of April 2012 to March 2013 (referred to as 2012/13).

The [Carbon Reduction Plan](#) explains the activities we are implementing over the next 8 years to achieve a net-zero operation.

Summary

Our gross emissions are 53% below our baseline year of 2012/13 and we are ahead of target to achieve a 70% reduction by 2030.

Part A – Summary Table and Graphics

The Greenhouse Gas (GHG) Protocol sets the global standard for how to measure, manage and report a carbon footprint. Within the standard, emissions are split into three scopes:

- Scope 1 GHG emissions are 'emissions from sources that are owned or controlled by the organisation'. In our case this is the burning of fossil fuel (e.g. gas and diesel) in buildings and our vehicle fleet.
- Scope 2 GHG emissions are defined as 'emissions from the consumption of purchased energy'. In our case this is electricity.
- Scope 3 GHG emissions are defined as 'emissions that are a consequence of the operations of an organisation but are not directly owned or controlled by the organisation'. Scope 3 is an optional reporting category which can include several different sources of GHG emissions. In this report we have included GHG emissions associated with providing 'home to school' transport, travelling for our work purposes, water consumption in our corporate buildings, home working and the GHGs emitted during the process of extracting, refining and delivering fossil fuels and electricity to our business locations - these are termed 'Well to Tank' emissions.

Table 1 shows our gross 2020/21 emissions in comparison to previous years and the baseline year of 2012/13. The data is displayed in tonnes of carbon dioxide equivalent. This is a measure of the effect of a basket of greenhouse gas emissions (such as methane and nitrous oxide) on the atmosphere, not just carbon dioxide. All the years are directly comparable as we have recalculated the data to remove the effect of significant changes to the organisation, such as a year where we may have closed a significant number of buildings. The 2020/21 gross emissions are 53% below 2012/13 levels.

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	2012/13 Base Year	2016/17	2020/21	% Change Base Year
Scope 1	4,667	3,456	2,207	-53%
Scope 2	18,701	14,173	4,969	-73%
Scope 3	18,367	12,994	12,562	-32%
Gross Emissions	41,735	30,623	19,738	-53%
Gross Emissions per £million of Gross Expenditure at 2020 prices	26	23	15	-44%
Emissions (excluding school transport and street lighting) per Full Time Equivalent staff	3.1	2.7	1.4	-55%

Table 1: Devon County Council's greenhouse gas emissions data for 2012/13, 2016/17 and 2020/21 displayed in tonnes of carbon dioxide equivalent (tCO₂e).

Figure 1 shows the gross corporate greenhouse gas emissions for each year on a bar chart. Included in Figure 1 is an orange line showing the level below which our emissions need to be to reach our target of reducing gross corporate emissions by 70% by 2030 from 2012/13 levels. The remaining 30% will be offset through certified carbon offsetting mechanisms in the United Kingdom to achieve 'net-zero emissions'.

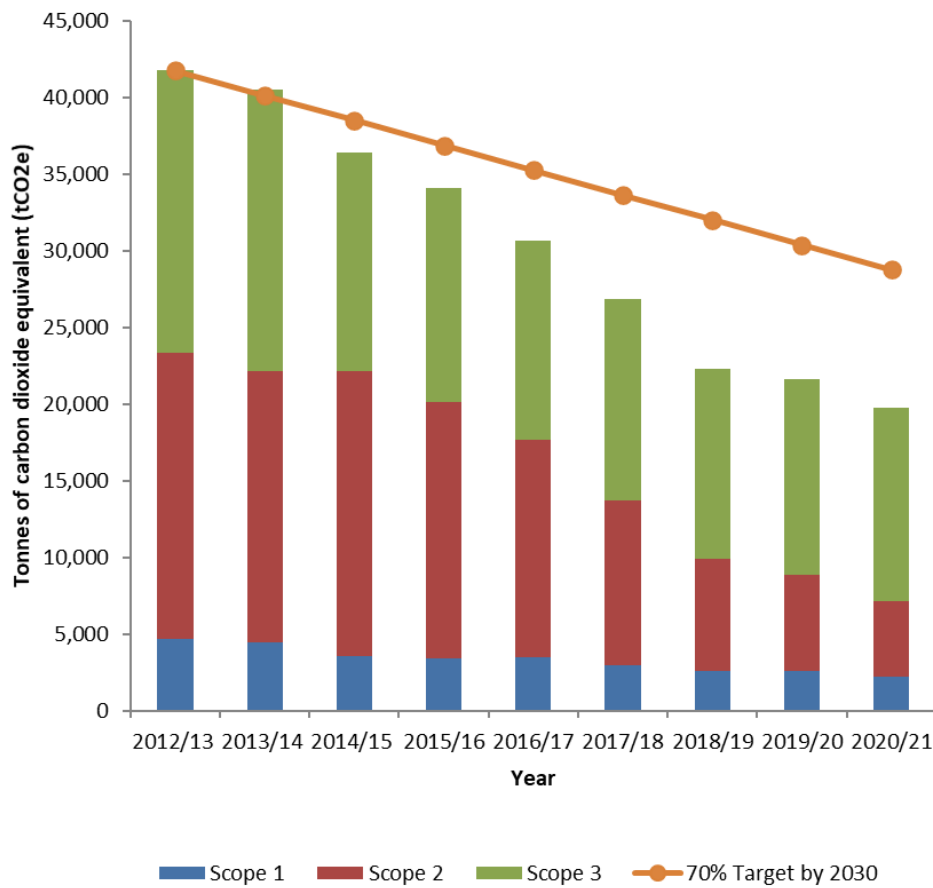


Figure 1: Devon County Council's gross corporate greenhouse gas emissions

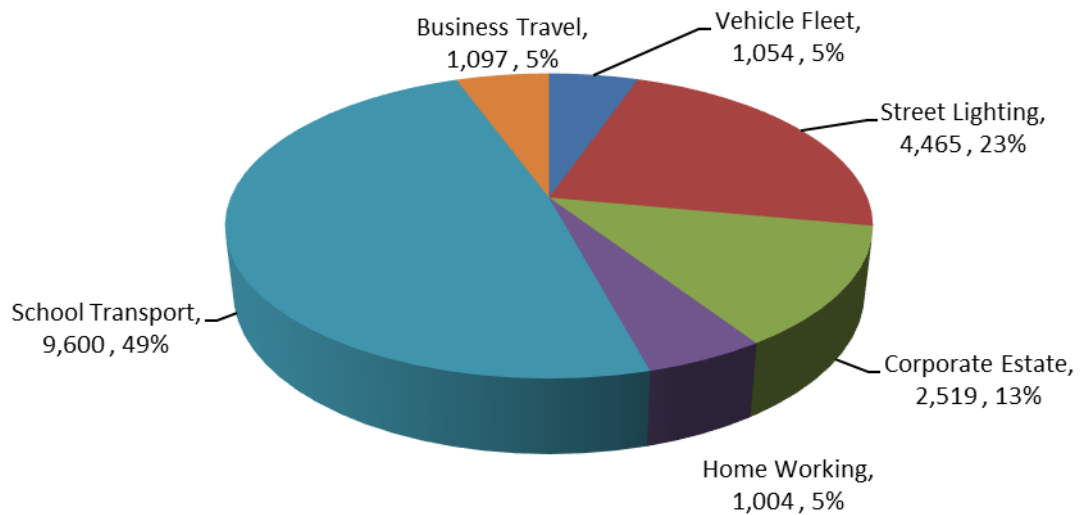


Figure 2: 2020/21 Gross Greenhouse Gas Emissions by Source

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Part B – Supporting Explanations

Company Information

Devon County Council is the upper tier local authority in Devon, excluding the unitary areas of Torbay and Plymouth.

Quantification and Reporting Methodology

We have followed the Defra Guidance on '*Environmental Reporting Guidelines: including mandatory greenhouse gas emissions reporting*' dated October 2013. The scope of the carbon footprint is based on our activities that can either be measured from consumption data or reasonably estimated from finance data. We have used the 2020 emissions factors from the Department for Business, Energy and Industrial Strategy for this assessment. The estimation of upstream supply chain emissions covered under 'Exclusions' below have used the latest emissions factors available from the Department for Environment, Food and Rural Affairs dated 2009. No assessment is made for downstream end-of-life disposal emissions.

Organisational Boundary

DCC has used the financial control approach to identify operations from which to collect data. Therefore, schools and leased properties are excluded.

Operational Scopes

DCC has measured its scope 1, 2 and available scope 3 emissions. These are shown in Table 2 along with the change in the previous 12 months.

	2019/20 GHG (tCO ₂ e)	2020/21 GHG (tCO ₂ e)	% Change in last year	% of relevant scope in 2020/21
Scope 1				
Gas	1,368	1,327	-3%	60%
Oil	24	25	+3%	1%
LPG	9	10	+8%	0%
Fleet	1,198	846	-29%	38%
Fugitive	Emissions from refrigerants not assessed but thought to be low.			
Total Scope 1	2,598	2,207	-15%	
Scope 2				
Purchased electricity – street lighting	5,010	4,111	-18%	83%
Purchased electricity – corporate	1,239	855	-31%	17%
Total Scope 2	6,250	4,967	-15%	

Available Scope 3				
School transport	7,471	7,738	+4%	62%
Business travel	1,991	873	-56%	7%
Water	41	41	0%	0%
Home working	-	1,004	-	8%
Well to Tank	3,288	2,907	-12%	23%
Total Scope 3	12,791	12,562	-2%	

Table 2: Devon County Council's scope 1, 2 and 3 gross greenhouse gas emissions in tonnes of carbon dioxide equivalent (tCO₂e).

Exclusions

Scope 1

- Emissions and sequestration of greenhouse gases of our land assets.

Scope 3

- Emissions from the fossil fuel and electricity used to operate school buildings. These are not formally reported as we do not have financial control over these assets, but the emissions are monitored. In 2020/21 the emissions were 7,000 tonnes.
- Employee commuting due to difficulties in collecting relevant and timely data.
- Leased assets are excluded as the tenant has responsibility for paying the energy bills.
- Supply chain emissions are not part of the corporate carbon footprint. Indicative carbon emissions from our supply chain for 2020/21, estimated using carbon intensity factors for different types of public sector activity, are 346ktCO₂e. This remains unchanged from previous years because the calculation methodology relies on carbon intensity factors from 2009. This figure demonstrates that our impact on climate change is far more significant than just the calculated emissions reported through our corporate carbon footprint. We are working with suppliers to obtain actual emissions and work with them to reduce emissions. From 2030 our supply chain is expected to be net-zero.

Reasons for Changes in Emissions

Our gross GHG emissions are 53% below the 2012/13 base year. Reasons for this are:

- Improvement in the carbon intensity of grid electricity
- Replacement of older boilers with condensing models through the maintenance programme
- Installation of LED lighting in corporate property through the maintenance programme
- Installation of part-night and LED street lighting
- Installation of heat pumps in corporate buildings
- Installation of solar arrays on corporate buildings
- Gradual improvement in the carbon intensity of staff vehicles
- Technology enabling less travel, such as Windows 10 and Microsoft Teams, greatly accelerated by the COVID pandemic.

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Base Year

We will recalculate the base year emissions whenever:

- Property disposals and terminated services represent 5% or more of base year emissions
- New properties, services or previously excluded emissions make the base year incomparable
- There is a significant change in reporting accuracy that makes the base year incomparable.

We recalculated Base Year emissions and subsequent years' emissions in 2017/18 to reflect the significant outsourcing of services and staff reductions that had occurred. The components that were recalculated were emissions from corporate property and business travel. Disposed buildings were removed from previous years' data. Business travel emissions were recalculated by multiplying the 'business travel emissions per employee' arising in each previous year by the number of employees in the organisation in 2017/18.

2012/13 has been retained as the base year, which remains relevant in the context of our new Carbon Reduction Plan.

Target

Our Carbon Reduction Plan has set targets to reduce the corporate carbon emissions by 70% over the 2012/13 baseline by 2030 and offset the remaining 30% to achieve 'net-zero emissions'.

Intensity Measurement

We have chosen to use Gross Operating Expenditure as the intensity measurement. This provides an indication of the extent of activity we deliver and is applicable to all components of the carbon footprint. Our gross emissions per million-pound spend, adjusted for inflation, has reduced by 44% since 2012/13.

External Assurance Statement

Our GHG emissions data is not covered by an External Assurance Statement.

Green Energy Tariffs

We have not purchased a green energy tariff.

Woodland Carbon Units

We have not retired any Woodland Carbon Units.

We have started building our experience in carbon offsetting by attempting to purchase Woodland Carbon Units to equal 5% of our 2019/20 gross emissions and 10% of the gross emissions in 2020/21. An open-market procurement exercise in February 2021 to address our 2019/20 gross emissions failed due to sellers wanting

to keep hold of the Woodland Carbon Units due to speculation about forthcoming rapid price rises. Instead we purchased Pending Issuance Units, issued under the Woodland Carbon Code, that will mature into Woodland Carbon Units later in the 2020s. This means we cannot use these to reduce the 2019/20 emissions. We anticipate purchasing a similar product to offset 10% of our 2020/21 emissions. Both purchases will be used to net-off future years' carbon emissions.

Renewable Electricity Generation

Our solar PV arrays on non-school properties have generated 198MWh of renewable electricity in 2020/21 saving 50 tCO₂e. We have not generated renewable heat.

Impact Assessment



Assessment of: Devon County Council's Environmental Policy

Service: Director of Climate Change, Environment and Transportation

Head of Service: Meg Booth

Version / date of sign off by Head of Service: 16/5/22

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Assessment carried out by (job title): Doug Eltham, Environment and Sustainability Policy Officer

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

A review of Devon County Council's Environment Policy.

2. Reason for change / review

The currently-adopted version was prepared in 2011. It has stood the test of time but is now silent on various contemporary environmental issues, including marine plastics, the climate and ecological emergency and DCC's new strategic focus on green issues.

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

The Environmental Policy summarises how DCC will continue to lead by example to minimise the impact of its own operations and its supply chain on the environment and encourage others to do the same. Beneath the Environmental Policy sits a series of more detailed strategies and action plans against which progress can be measured and demonstrated.

4. People affected and their diversity profile

The Environmental Policy touches on every aspect of environmental management. The health of the environment affects everybody and therefore the review of the Environmental Policy will also affect everybody.

Poor environmental quality and resilience can impact some demographics more than others. 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.

5. Stakeholders, their interest and potential impacts

The need to enhance environmental quality affects everybody's wellbeing in the county. Implementing the revised Environmental Policy will help grow efforts amongst other organisations to do the same.

The stakeholders directly affected by the revised Environmental Policy are the various service areas at Devon County Council who will need to continue to adhere to its objectives and improve their practices as appropriate.

6. Research used to inform this assessment

Learning from the Devon Climate Assembly and the Thematic Hearings used to inform the preparation of the Devon Carbon Plan have been helpful in preparing this assessment on the review of the Environmental Policy.

7. Description of consultation process and outcomes

This assessment has not been the subject of consultation. The review of the Environmental Policy has been subject to consultation with the internal Environmental Performance Management Group (which has officer representation from key service areas across the authority), the Environmental Performance Board and the Corporate Infrastructure and Regulatory Services Climate Change Standing Overview Group.

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.

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
All residents (include generic equality provisions) Page 64	<p>Poor environmental quality has far reaching and profound implications for communities. The Environmental Policy aims to improve the situation.</p> <p>Implementing the Environmental Policy will encourage further action locally amongst other organisations to improve environmental quality.</p> <p>Potential or actual issues will be identified at the tactical-level as DCC's services respond to the revised Environmental Policy.</p>	<p>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. This applies equally to all environmental issues.</p> <p>There will be opportunities to advance equality through the tactical-level changes to DCC's services and the action plans that sit beneath the Environmental Policy. These opportunities will need to undertake their own impact assessment to consider their effect on the equality characteristics of service users.</p>
Age	See above	See above
Disability (incl. sensory, mobility, mental health,	See above	See above

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	In what way will you: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy ?
learning disability, neurodiversity, long term ill health) and carers of disabled people		
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-	See above	See above

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>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>		

9. Human rights considerations:

There are no human rights considerations arising from the review of the Environmental Policy in relation to the Human Rights Act (1998).

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 the reviewed Environmental Policy.

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 reviewed Environmental Policy.

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 reviewed Environmental Policy.

1. 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):

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:		The revised Environmental Policy advocates this approach.
Conserve and enhance wildlife:	Potential negative effects on wildlife from new technology and land use changes that could arise from some objectives of the Environmental Policy, however planning policies and procedures, environmental assessment regulations relating to agricultural land and constraints linked to grant funding mechanisms exist to avoid or minimise such impacts.	The revised Environmental Policy promotes the conservation and enhancement of biodiversity.
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	Building a market for carbon offsets in Devon and the need for new technology will provide opportunities to introduce features into the landscape, such as trees, renewable energy and features associated with less intensive agricultural techniques. These will need to be managed appropriately, taking into account existing landscape quality and character.	The revised Environmental Policy promotes the following: <ul style="list-style-type: none"> • Conserve and enhance the natural beauty of landscapes and the quality and distinctiveness of built environment, cultural and historic interests. • Plan positively to landscape changes arising from the climate & ecological emergency and socioeconomic pressures to help deliver sustainable development and land management. •
Conserve and enhance Devon's cultural and historic heritage:	Potential negative effects on the historic built environment from new technology, however planning policies and procedures exist to safeguard	The revised Environmental Policy promotes the following: <ul style="list-style-type: none"> • Conserve and enhance the natural beauty of

	these.	landscapes and the quality and distinctiveness of built environment, cultural and historic interests.
Minimise greenhouse gas emissions:		Achieving a net-zero organisation by 2030 will minimise greenhouse gas emissions.
Minimise pollution (including air, land, water, light and noise):		<p>The revised Environmental Policy promotes the following:</p> <ul style="list-style-type: none"> • Conserve and enhance biodiversity, air quality, soils & minerals, freshwater resources and estuarine & coastal waters to achieve a net-gain for the environment and to restore natural processes to provide services such as carbon storage and flood mitigation. • Ensure waste water is disposed of appropriately. • Suitably store, use and dispose of wastes and hazardous materials. • Reduce light pollution to reclaim dark skies by using new technology, dimming and removing lighting through public consultation.
Contribute to reducing water consumption:		<ul style="list-style-type: none"> • Monitor and reduce its use of fresh water by cutting demand and improving efficiency in existing and new buildings.
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		<p>The revised Environmental Policy promotes the following:</p> <ul style="list-style-type: none"> • Ensure its services are resilient to extreme weather and are adapting to the changing climate.

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:	None	There is considerable potential for environmental improvement and the enhancement of sustainable practices to create new skills requirements throughout Devon's economy.
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 technologies and sustainable practices to create new jobs.
Impact on local business:	None	There are opportunities for Devon county Council to use its purchasing power to support environmental improvements by purchasing services from local companies. There is considerable potential for the transition to clean technologies and sustainable practices to increase economic prosperity – nationally and locally in Devon.

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

The impacts of poor environmental quality affect society, the environment and the economy. Focussing efforts to improve environmental quality will minimise the effects and create a fairer, healthier, more resilient and more prosperous society. Implementation of the revised Environmental Policy must be aligned with goals for public health improvement, green growth and the reduction of social vulnerability.

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. There is no procurement activity involved with the review of the Environmental Policy.

15. How will impacts and actions be monitored?

Individual projects arising from the revised Environmental Policy will need to monitor their impact on social, economic and environmental indicators. The Authority's Environmental Performance Statement will be updated regularly to monitor the performance of the Policy, and the Devon and Torbay State of Environment Report will be used to monitor the changing condition of Devon's environment.

Magdalen Road, Exeter, Permanent Road Layout Changes

Report of the Director of Climate Change, Environment and Transport

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, subject to approval of the relevant Traffic Regulation Orders by the Exeter Highways and Traffic Orders Committee:

- (a) approve the design and construction of permanent road layout changes on Magdalen Road, Exeter (plan no. 70073648-WSP-CON-100-DR-02 P07 in Appendix 1) with an estimated cost of £900,000; and
- (b) give delegated powers to the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management and relevant local member, to make minor variations to the scheme as required.

1. Summary

In June 2020, Magdalen Road, Exeter was temporarily made one-way westbound, with a contra-flow (eastbound) cycleway and widened footway to support social distancing. Following public consultation and monitoring of the impacts of the temporary scheme, the [Exeter Highways and Traffic Orders Committee \(HATOC\)](#) resolved to progress permanent restrictions on the road.

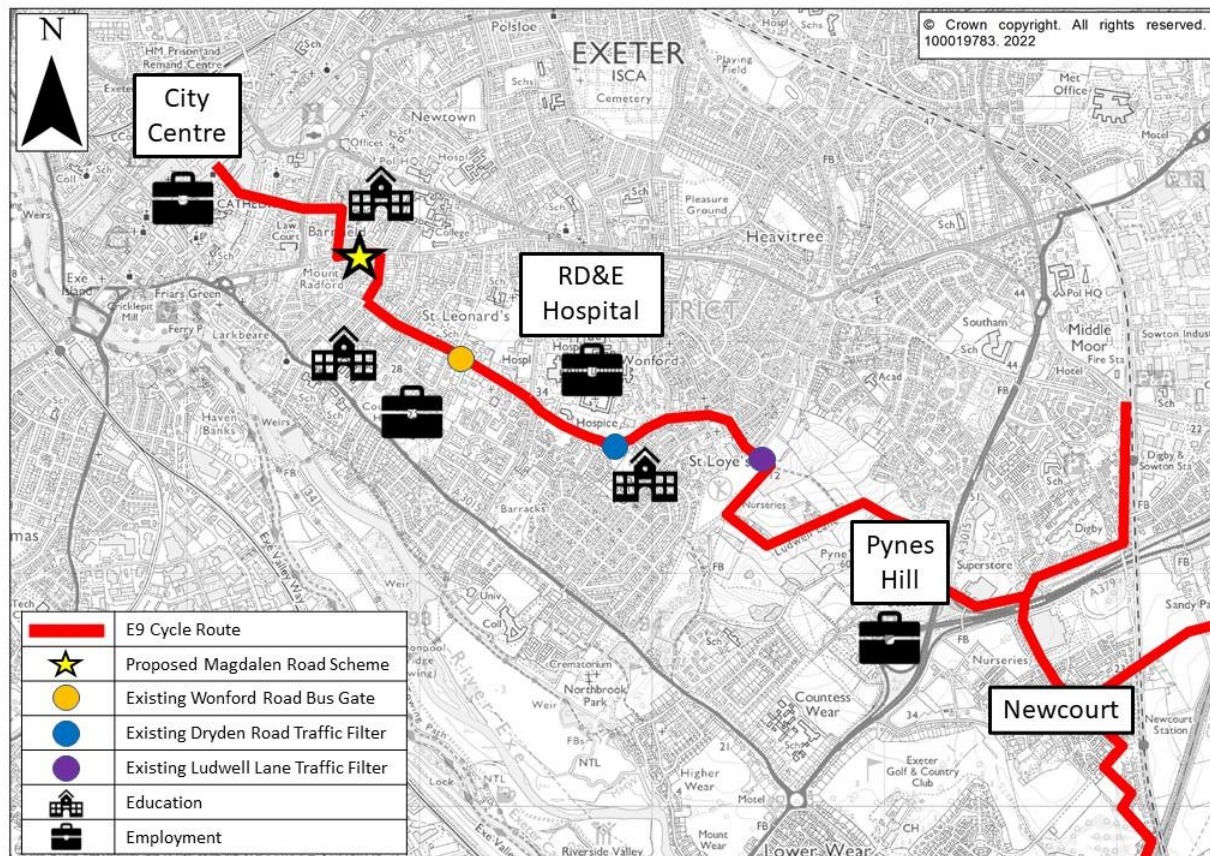
Subject to approval of the relevant Traffic Regulation Orders by the Exeter HATOC on 6 June 2022, approval is sought from Cabinet to deliver a scheme to make permanent the temporary arrangements.

2. Introduction

Magdalen Road forms part of the E9 strategic cycle route (see map below), which connects the Newcourt/Pynes Hill area to the Royal Devon & Exeter Hospital and Exeter city centre. It therefore links Exeter residents to education, employment and other amenities.

In June 2020, Magdalen Road was made one way (westbound – towards the city centre) to vehicles, with a contra-flow (eastbound) cycleway and widened footway to support social distancing. This complemented changes elsewhere on the E9 route, on Wonford Road, Dryden Road and Ludwell Lane, to create quieter roads for walking and cycling.

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Following a public consultation on next steps, the [July 2021 HATOC](#) meeting resolved to progress permanent proposals for a one-way (westbound) restriction, contraflow cycle lane, widened footway and public realm improvements. After further consultation with local traders on the design of the scheme, [Traffic Regulation Orders \(TROs\) for the permanent changes](#) were advertised in March-April 2022. Subject to HATOC, and Cabinet approval of the scheme, these TROs will be made and sealed prior to the construction of the permanent scheme.

3. Proposal

The proposal can be seen in plan no. 70073648-WSP-CON-100-DR-02 P07 in Appendix 1 and the permanent scheme will be constructed to:

- Restrict vehicular traffic to one-way westbound on Magdalen Road, between the junctions with College Road and Denmark Road, with contra-flow (eastbound) cycling permitted;
- Introduce a restricted parking zone to ban all parking and loading outside of the following marked bays:
 - Existing limited waiting parking bays on the southern side of Magdalen Road, which will be widened as part of the scheme, resulting in the loss of two spaces;
 - Three new loading-only bays on the northern side of Magdalen Road, incorporated into the widened footway.
- Introduce a raised hump uncontrolled crossing point on Denmark Road, at its junction with Magdalen Road;
- Alter the existing zebra crossing on Magdalen Road to match the new highway alignment.

The new loading-only bays will allow loading/unloading at any time, following feedback from traders that deliveries are made at various times throughout the day.

The location of the loading bays was also reviewed in response to traders' feedback, and the proposed orientation of the echelon limited waiting parking bays has been revised to match the existing orientation.

It is also proposed to make a number of improvements to the public realm, including the introduction of planters and additional cycle parking. However, the detailed design of these aspects is subject to change, hence the location/number of these shown in the plan are purely indicative.

As it is necessary to seal the TRO for the permanent one-way restrictions before the temporary TRO expires (in June 2022), there would be an interim period during which the permanent TRO is in force but the temporary infrastructure is largely retained.

Following the implementation of the permanent scheme for Magdalen Road, it is proposed to trial an extension of the one-way system to the junction with Fairpark Road. This is in response to consultation feedback regarding traffic displacement from Magdalen Road onto Denmark Road.

4. Options/Alternatives

Alternative options for permanent changes, including reversing the direction of the one-way restriction and introducing a low-traffic street, were considered at the July 2021 HATOC meeting. However, considering consultation feedback and alignment with wider objectives, these options were rejected in favour of making the temporary arrangements permanent.

It is not considered feasible to progress an alternative option at this stage, as this would require significant additional design work, delaying the delivery of the scheme and requiring the advertisement of alternative TROs. As the temporary TRO covering the temporary changes is due to expire shortly, it would be necessary to revert to the previous (pre-COVID-19) arrangements in the interim, adversely impacting provision for pedestrians and cyclists.

5. Consultations/Technical Data

A [public consultation](#) on high-level options for Magdalen Road was held in February-March 2021, with over 1,500 responses received. Nearly 75% of resident/visitor respondents agreed with reducing through traffic in Magdalen Road, but among traders, there was a 50 : 50 split for and against reducing traffic.

Considering feedback from this consultation along with the options' alignment with other objectives, at the July HATOC meeting it was resolved to progress a scheme to make the temporary arrangements permanent, i.e. with vehicular traffic restricted to one-way westbound. It was also resolved to consult further on the design of such a scheme.

This further consultation was conducted during February 2022, with feedback invited from local traders, the St Leonards Neighbourhood Association and the resident with vehicular access from Magdalen Road. 14 responses were received, which enabled revision of the parking and loading restrictions proposed under the TROs.

According to a June 2021 traffic count at the St Leonards Road/College Road junction, approximately 3,100 vehicles per day use Magdalen Road over a 12-hour

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period (07:00-19:00). This is approximately 50% of the flow recorded in July 2019, before the implementation of the temporary one-way restriction.

At the same June 2021 traffic count, 2,500 pedestrians were recorded over a 12-hour period, along with approximately 500 cycles (an increase of 8% on that recorded in 2019). Therefore, the one-way restriction has changed the balance of road users on Magdalen Road such that pedestrian/cycle flows are now approximately equal to vehicular traffic flows. During the morning and evening peaks, pedestrian and cycle flows exceed vehicular traffic.

6. Strategic Plan

The scheme is well-aligned with a range of actions within the Strategic Plan, insofar as it would prioritise walking and cycling over vehicular traffic, and therefore encourage more people to walk and cycle. By reducing traffic volumes on the E9 strategic cycle route and complementing existing measures on Wonford Road, Dryden Road and Ludwell Lane, it would likely make cycling a safe and attractive option for a wider range of people (including, for example, children).

The scheme is also designed to improve the urban environment on Magdalen Road, making it a more attractive destination for shopping and dining, and providing additional space for community activities. It would therefore help support a green economic recovery from COVID-19 for businesses on Magdalen Road.

The table below summarises how the proposals would impact achievement of relevant Strategic Plan actions according to a seven-point scale, whereby -3 represents a large negative impact and +3 represents a large positive impact.

Strategic Plan priority	Strategic Plan action	Alignment
Responding to the climate emergency	Support a green recovery from COVID-19	+2 (Moderate positive)
Responding to the climate emergency	Prioritise sustainable travel and transport	+3 (Large positive)
Responding to the climate emergency	Encourage sustainable lifestyles	+3 (Large positive)
Investing in Devon's economic recovery	Secure investment in transport infrastructure	+3 (Large positive)
Investing in Devon's economic recovery	Maintain and, where necessary, improve our highway network and improve sustainable transport options	+2 (Moderate positive)
Improving health and wellbeing	Give people greater opportunities for walking and cycling to increase their physical activity	+3 (Large positive)
Helping communities to be safe, connected and resilient	Enable a range of transport options, including public transport	+1 (Slight positive)

7. Financial Considerations

The scheme is expected to cost approximately £900,000. £500,000 of Department for Transport Active Travel Capital Funding will be used to deliver the scheme, with the balance from Devon County Council Local Transport Plan funding. The Department for Transport funding has been awarded specifically to this scheme,

hence if the scheme is not delivered, the funding would likely need to be returned to central government. This is new funding which is currently being added to the Capital Programme.

As part of the submission to the Active Travel Fund, a Value for Money assessment was undertaken on the scheme. This forecast that the scheme would generate over £3 of benefits for each £1 invested, with the vast majority of benefits being public health benefits arising from increased cycling rates.

8. Legal Considerations

The legal implications of the proposals have been considered in the preparation of this report.

The proposed changes would be introduced through Traffic Regulation Orders, the advertisement for which was conducted in March-April 2022.

The statutory consultation on the proposed one-way restriction and parking restrictions has been carried out in line with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. This includes a public notice placed in the local press, and statutory bodies (e.g. emergency services) being notified of the restrictions.

When making a Traffic Regulation Order, it is the County Council's responsibility to ensure that all relevant legislation is complied with. This includes Section 122 of the Road Traffic Regulation Act 1984 that states that it is the duty of a local authority, so far as practicable, to secure the expeditious, convenient and safe movement of traffic (including pedestrians and cyclists) and provision of parking facilities.

9. Environmental Impact Considerations (Including Climate Change)

The measures proposed will improve provision for pedestrians and cyclists on a prominent street in the heart of the St Leonards neighbourhood. They will also form part of the E9 cross-city cycle route, which connects Newcourt and Pynes Hill to Exeter City Centre via Ludwell Lane, Dryden Road and Wonford Road, each of which have been made quieter for walking and cycling through the implementation of modal filters. The scheme will therefore help make walking and cycling more attractive for short distance trips, encouraging modal shift away from the car.

It is acknowledged that some car journeys will be made longer by the proposals, and there may be an increase in traffic on some adjacent roads. However, in view of the significant potential for modal shift from car to active travel, there is expected to be an overall benefit in relation to pollution and greenhouse gas emissions.

During the temporary scheme, the reduced traffic levels has seen some businesses create outdoor seating areas, which indicates a perceived improved environment for people visiting the area.

Restricting traffic to one-way westbound rather than one-way eastbound will eliminate queues back from the traffic signals at the College Road/St Leonards Road. This is expected to reduce pollution within the scheme area, making Magdalen Road a more attractive destination for shopping and dining.

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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 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: [Magdalen Road Changes - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/transport/magdalen-road-changes-impact-assessment), which Councillors will need to consider for the purposes of this item.

The Impact Assessment for this scheme notes the potential for the scheme to particularly advance equality of opportunity for those without access to a car, by virtue of the scheme giving enhanced priority to pedestrians and cyclists. The potential benefits of the permanent scheme may significantly exceed those of the existing temporary scheme, as it will enable the footway widening to be formalised and the public realm to be enhanced, whereas the potential adverse impacts are similar to those of the temporary scheme, as the moving traffic restrictions will be largely the same. Furthermore, these potential adverse impacts have been reduced as far as practicable, for example by permitting westbound vehicular traffic on Magdalen Road and thus maintaining access to businesses for those reliant on the car.

11. Risk Management Considerations

This proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

A Stage 1 / 2 Road Safety Audit has been conducted for the proposed permanent scheme. The recommendations of this audit will be considered when refining the design.

As the proposed arrangement has been trialled for nearly 2 years, it is considered that many of the risks and potential issues are well-understood and can be mitigated through the delivery of the permanent scheme.

12. Public Health Impact

The scheme will have a positive public health impact by improving facilities for walking and cycling on a busy neighbourhood centre, thus encouraging people to walk and cycle more frequently.

As noted above, the scheme will also eliminate traffic queuing back onto Magdalen Road west from the College Road/St Leonards Road junction. This will reduce the exposure to pollution for users of Magdalen Road.

13. Summary

The proposal will implement permanent changes on Magdalen Road, including a one-way restriction for vehicular traffic, a contra-flow cycle lane and widened footway. These changes are designed to improve facilities for pedestrians and cyclists and create a more attractive urban environment, whilst maintaining vehicular access for local businesses and residents.

The proposal will build upon the County Council's encouragement of active travel in response to the COVID-19 pandemic and enable people to maintain behavioural changes in the longer-term. In doing so, it aligns well with the County Council's Climate Emergency declaration and the adopted Exeter Transport Strategy, by encouraging modal shift away from the private car towards more sustainable modes of travel.

Meg Booth

Director of Climate Change, Environment and Transport

Electoral Divisions: St David's & Haven Banks; All in Exeter

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of Background Papers

Contact for Enquiries: [Chris Burridge-Barney](#)

Tel No: 01392 383131

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

Background Paper	Date	File Reference
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Nil		
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Magdalen Road, Exeter, Permanent Road Layout Changes – Final		
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Impact Assessment

Assessment of: Magdalen Road Permanent Changes

Service: Climate Change, Environment and Transport

Head of Service: Meg Booth

Version / date of sign off by Head of Service: 18 May 2022

Assessment carried out by (job title): Chris Burridge-Barney (Transportation Planning Officer)

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

Changes to formalise and make permanent 'pop-up' measures to reallocate road space in Magdalen Road:

- Footway widening on north side of road
- Vehicular traffic flow reduced from two-way to one-way (westbound)
- Provision of contra-flow (eastbound) cycle lane
- Public realm improvements, including the provision of additional planters and cycle parking

2. Reason for change / review

Following the onset of the COVID-19 pandemic, 'pop-up' measures were delivered on Magdalen Road to support social distancing and encourage walking and cycling while capacity on public transport was restricted. It is now necessary to replace this 'pop-up' infrastructure with permanent works, to enhance the public realm on Magdalen Road whilst continuing to support active travel.

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

Aims/objectives

The objectives of the scheme include:

- Improving facilities for pedestrians and cyclists on Magdalen Road, encouraging use of active modes of transport for short trips
- Enhancing the public realm on Magdalen Road, supporting local businesses by improving the environment for potential customers
- Helping complete the E9 strategic cycle route, which links Newcourt and Pynes Hill with the Royal Devon & Exeter Hospital (Wonford) and Exeter city centre
- Tackling the Climate Emergency and supporting progress towards [Exeter Transport Strategy](#) objectives

Limitations

One limitation of the scheme is that it will restrict vehicular access to Magdalen Road, as traffic will be permitted in the westbound direction only, rather than in both directions, as was permitted prior to the introduction of the 'pop-up' measures. However, this is considered proportionate as a means of improving facilities for pedestrians and cyclists whilst still allowing some vehicular access to properties and businesses on Magdalen Road.

Conversely, another limitation is that the proposals will likely not reduce vehicular traffic as much as the "Low traffic neighbourhood" option included within the [2021 Consultation](#), which was supported by the greatest number of respondents. However, such a scheme would be considerably more expensive to deliver, meaning it would likely be necessary to remove the 'pop-up' measures and revert to two-way traffic whilst funding for the scheme is secured. This would undermine the benefits of the 'pop-up' schemes, by reducing the incentives to walk or cycle during the interim period before construction of a permanent scheme.

Options going forward

Alternative options include removing the 'pop-up' measures and permanently reverting to two-way traffic or delivering an alternative permanent scheme to reduce traffic on Magdalen Road. However, the former would conflict with the views of a significant majority of consultation respondents, who wished to reduce traffic on Magdalen Road, whilst alternative options are not considered to be as deliverable and/or as effectively satisfy the scheme objectives, as outlined in the [presentation](#) given to the Exeter Highways and Traffic Orders Committee in July 2021.

4. People affected, diversity profile and analysis of needs

Magdalen Road forms a neighbourhood centre for St Leonards, containing a grocery store, a public house, cafes/restaurants, a newsagents and other retail outlets, many of which are occupied by independent traders. As such, the proposals will likely impact many residents of the St Leonards area, as well as residents living elsewhere in Exeter, who may travel to Magdalen Road to visit specialist businesses (e.g. the Zero Waste store) or cafes/restaurants.

In the below analysis, the Exeter 009 Middle-Layer Super Output Area has been used as a proxy for the St Leonards neighbourhood, and its demographics (as of the 2011 Census) compared to those of Exeter, Devon and England overall.

As shown below, the age profile of St Leonards was somewhat older than the Exeter average at the 2011 Census, with a smaller proportion of residents in the 0-19 age group and a higher proportion in the 65+ age group. However, there was a significantly smaller proportion of people in the 65+ age group than in Devon overall.

	St Leonards	Exeter	Devon	England
Total population	6,587	117,773	746,399	53,012,456
Age 0-19	21%	23%	21%	24%
Age 20-64	62%	62%	56%	60%
Age 65+	17%	16%	23%	16%

According to 2019 [National Travel Survey](#) data, younger people (aged 0-20) tend to be more reliant on walking and cycling than those aged 21-59 and older people (aged 60+), making 36% of trips by cycle or foot, compared with 26% and 23%, respectively. Conversely, older people tend to make a higher proportion by private vehicles (e.g. cars, vans and motorcycles) than those aged 21-59 and (to a greater extent) younger people.

Ethnicity

The ethnic diversity of St Leonards was significantly greater than that of Devon overall, with 3% being Asian/Asian British and a further 3% being from mixed/multiple ethnic groups, in comparison with 1% in each group in Devon overall.

	St Leonards	Exeter	Devon	England
Total population	6,587	117,773	746,399	53,012,456
White	93%	93%	98%	85%
Mixed/multiple ethnic groups	3%	2%	1%	2%
Asian/Asian British	3%	4%	1%	8%
Black/African/Caribbean/Black British	1%	1%	0%	4%
Other ethnic group	1%	1%	0%	1%

According to [UK Government data](#) (summarised below), people from mixed/multiple ethnic groups, people from other ethnic groups and Asian people make a higher proportion of trips by active modes (walking and cycling) than White people. Black people make a significantly higher proportion of trips by public transport (especially by bus) than the national average, whereas White people make the highest proportion of trips by car.

Proportion of trips, 2015-19 ¹	All	Asian	Black	Mixed	White	Other
Car	61%	52%	41%	48%	63%	48%
Active travel	28%	32%	30%	35%	27%	33%
Bus	6%	9%	19%	10%	5%	13%

¹ Data for some modes of transport was unavailable for some ethnic groups, so the remaining proportions have been normalised to sum to 100%, introducing a small degree of uncertainty.

Rail	3%	5%	7%	5%	3%	3%
Other	2%	2%	1%	0%	2%	0%

Health and disability

The proportion of people in St Leonards limited in their day-to-day activities was approximately in line with the Exeter and England averages, but slightly below that of Devon overall. The proportion of people in bad or very bad health was equal to the Exeter, Devon and England averages, but the proportion in St Leonards in good or very good health was greater than each of these averages.

	St Leonards	Exeter	Devon	England
Total population	6,587	117,773	746,399	53,012,456
Activities limited (a little/a lot)	17%	17%	20%	18%
Activities not limited	83%	83%	81%	82%
(Very) bad health	5%	5%	5%	5%
Fair health	11%	12%	14%	13%
(Very) good health	85%	83%	81%	81%

According to National Travel Survey data, on average, disabled people make considerably fewer trips by all modes (840 per annum) than non-disabled people (1,014 per annum). The proportion of trips by each mode is broadly similar for disabled and non-disabled people, except for cycle (non-disabled people make a greater proportion of trips) and local bus (disabled people make a greater proportion of trips).

Car/van availability

At the 2011 Census, over a quarter (26%) of households in St Leonards had no car or van, which significantly exceeded the Devon average of 17%, and was in line with the Exeter and national averages. 49% of households had one car or van, and a further 25% had 2+ cars/vans, a figure that is considerably lower than the Devon and national averages.

	St Leonards	Exeter	Devon	England
Total population	6,587	117,773	746,399	53,012,456
No car/van	26%	27%	17%	26%
1 car/van	49%	47%	44%	42%
2+ cars/vans	25%	26%	38%	32%

Gender

As in Devon and England overall, there were slightly more females than males in the study area at the 2011 Census. Information about other gender identities was not collected at the 2011 Census.

On average, females make fewer trips in total than males, at 734 per person per year versus 878 per person per year. The modal splits for these trips are mostly similar between the genders, except for local buses (outside London), which are used for 7% of females' trips, compared to just 4% for males.

5. Stakeholders, their interest and potential impacts

Local businesses are key stakeholders for this project, insofar as they stand to be impacted by changes in access to Magdalen Road, which may affect passing trade and loading arrangements, and may be impacted by changes in footfall resulting from public realm improvements. Therefore, consultation has been undertaken to ensure the scheme best meet traders' needs, for example in relation to the times of loading restrictions and the provision of planters and cycle parking.

The St Leonards Neighbourhood Association exists to make St Leonards a "thriving and pleasant place to live" and holds annual Christmas Fairs on Magdalen Road. Accordingly, the Association has provided feedback on the proposals for Magdalen Road and also highlighted knock-on impacts on other areas of St Leonards.

Political stakeholders include:

- The local member of Devon County Council, who is supportive of the proposals;

- Devon County Council as an organisation, the local highway authority responsible for delivering the scheme. The proposals would support the Council's objectives of tackling the Climate Emergency and encouraging walking and cycling within Exeter (as set out in the Exeter Transport Strategy); and
- Exeter City Council, the lower-tier authority within whose boundaries the scheme will be delivered.

The shared e-bike operator Co Bikes has a docking station immediately east of the scheme area, at the junction of Magdalen Road with College Road. The operator therefore stands to benefit from increased patronage if the scheme increases cycling levels within Exeter.

6. Additional research used to inform this assessment

Demographic data for the scheme area has been sourced from the 2011 Census, whilst data on the demographics of users of particular modes of transport was sourced from the National Travel Survey.

7. Description of consultation process and outcomes

A [public consultation](#) on high-level options for Magdalen Road was held in February-March 2021, with over 1,500 responses received. Nearly 75% of resident/visitor respondents agreed with reducing through traffic in Magdalen Road, but among traders, there was a 50:50 split for and against reducing traffic.

Considering feedback from this consultation along with the options' alignment with other objectives, at the July HATOC meeting it was resolved to progress a scheme to make the temporary arrangements permanent, i.e. with vehicular traffic restricted to one-way westbound. It was also resolved to consult further on the design of such a scheme.

This further consultation was conducted during February 2022, with feedback invited from local traders, the St Leonards Neighbourhood Association and the resident with vehicular access from Magdalen Road. 14 responses were received, which enabled revision of the parking and loading restrictions proposed under the Traffic Regulation Orders.

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').

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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.

[insert any cross-cutting or general responses to equality and diversity here, and delete this note...]

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>All residents (include generic equality provisions)</p>	<p>Some residents may find that the length and duration of certain vehicular journeys are increased, due to the closures of Magdalen Road to eastbound vehicular traffic. In the case of journeys made by taxi, this may increase the costs of travel.</p> <p>The scheme may displace some traffic previously using Magdalen Road onto other local roads, potentially increasing traffic noise and pollution on these roads.</p>	<p>The scheme will almost certainly reduce traffic on Magdalen Road (compared to pre-COVID-19 levels), reducing levels of air pollution and traffic noise on this road. This in turn may reduce pollution-related harm to residents of the area.</p> <p>The scheme will help provide a safer route for cyclists between Exeter city centre, the Royal Devon and Exeter Hospital and Newcourt/Pynes Hill, reducing the risk of harm to existing cyclists, and encouraging more people to cycle, potentially reducing the social impacts of inactivity-related conditions such as obesity.</p> <p>By improving the public realm on Magdalen Road, the scheme may provide a more attractive environment for community activities (such as fairs), encouraging community participation.</p> <p>The permanent scheme will provide a significant betterment to the public realm when compared to the existing temporary scheme; for example, the footway will be physically widened, improving the pedestrian environment, particularly for wheelchair users. In contrast, the potential adverse impacts of</p>

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
Page 90		<p>the permanent scheme will be broadly similar to those of the temporary scheme, as the moving traffic restrictions will be the same.</p> <p>The potential negative consequences of the scheme have been reduced by permitting westbound vehicular traffic on Magdalen Road, thus maintaining vehicular access to residences and businesses for those reliant on motor vehicles. In view of the legitimate aims of increasing levels of walking and cycling (in line with the County Council's Cabinet-adopted Exeter Transport Strategy) and tackling the Climate Emergency, these negative consequences are considered to be proportionate.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy ?
Age	As noted above, older people (aged 60+) tend to make a higher proportion of trips by private vehicle than children/teenagers (aged 0-19) and people aged 20-59. Therefore, older people may be particularly impacted by the increases in vehicular journey lengths arising from this scheme.	Children may particularly benefit from this scheme, as children are particularly vulnerable to road safety issues associated with vehicular traffic . By reducing traffic on Magdalen Road, the scheme may give parents greater confidence in allowing their children to walk or cycle independently, aiding their development and wellbeing. The potential negative consequences of the scheme have been reduced by permitting westbound vehicular traffic on Magdalen Road, thus maintaining vehicular access to residences and businesses for those reliant on motor vehicles. In view of the legitimate aims of increasing levels of walking and cycling (in line with the County Council's Cabinet-adopted Exeter Transport Strategy) and tackling the Climate Emergency, these negative consequences are considered to be proportionate.
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	Some disabled people may be less able to walk or cycle, and so may be particularly reliant on cars and/or taxis. Therefore, some disabled people may be particularly impacted by the increases in	The scheme will physically widen the northern footway, increasing the usable footway space for wheelchair users compared to the temporary scheme (under which the footway is split over two levels). This should increase the ease with which wheelchair users can travel along Magdalen Road, removing barriers to participation in community activities.

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<div>Page 92</div>	vehicular journey lengths arising from this scheme.	<p>The scheme will formalise the changes to the street layout introduced through the temporary scheme, and will incorporate additional tactile paving. These measures may help people with certain disabilities, including sensory and learning disabilities, familiarise themselves with the street layout, and reduce anxiety associated with navigating the street.</p> <p>It is not proposed to include any disabled parking spaces as part of the scheme, as this would require a further reduction in the number of parking bays (over and above that proposed due to the widening of the bays), and thus may adversely impact access to local businesses. However, the proposed widening of the spaces may make it easier for some disabled people to enter and egress vehicles, thus the scheme will deliver a slight betterment compared to the existing situation. Furthermore, the orientation of the bays will encourage users to park with the rear of the vehicle adjacent to the footway, enabling wheelchair users to enter and egress via the rear of the vehicle (as under the existing arrangements).</p> <p>The potential negative consequences of the scheme have been reduced by permitting westbound vehicular traffic on Magdalen Road, thus maintaining</p>

Characteristics	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>How will the project / service / policy / activity:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
		<p>vehicular access to residences and businesses for those reliant on motor vehicles. In view of the legitimate aims of increasing levels of walking and cycling (in line with the County Council's Cabinet-adopted Exeter Transport Strategy) and tackling the Climate Emergency, these negative consequences are considered to be proportionate.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy ?
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	N/A	People from non-White ethnic groups, particularly Asian people, people from mixed/multiple ethnic groups and people from other ethnic groups, are on average more reliant on active travel and less reliant on driving than White people. Therefore, the scheme may particularly benefit people from non-White ethnic groups, by prioritising walking and cycling over vehicular traffic. This may therefore particularly improve access to opportunities for non-White people, by removing barriers to travel.
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	N/A	By reducing traffic on Magdalen Road, the scheme is likely to make the area more conducive to cycling, which may help address the disparity in cycling levels between men and women, as road safety issues are a significant barrier to women cycling . This may enable women to access more opportunities by cycle, thus helping reduce wider gender imbalances, e.g. in employment.
Sexual orientation and marriage/civil partnership	N/A	N/A
Other relevant socio-economic factors such as family size/single	N/A	People in lower income groups are less likely to have access to a car or van, and are therefore more likely to be reliant on walking and cycling to access employment, education and leisure opportunities. Therefore, the scheme may

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	How will the project / service / policy / activity: <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps'). foster good relations between groups (tackled prejudice and promoted understanding), if relevant? In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy ?
people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, digital exclusion', access to transport options, rural/urban		particularly benefit people from lower income groups, by prioritising walking and cycling over vehicular traffic. This may therefore particularly improve access to opportunities for people in lower income groups.

9. Human rights considerations:

N/A

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?

By reducing traffic levels on Magdalen Road, the scheme may give people greater confidence to travel independently, and/or give guardians greater confidence to allow their children to travel independently. For example, it may give children greater confidence to walk to school independently, or give women greater confidence to cycle independently (as noted above, road safety issues are a particularly significant deterrent to cycling among women). Therefore, the scheme may enable people to more easily and safely access opportunities, helping empower them.

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

By reducing traffic levels on Magdalen Road, the scheme may reduce the risk of harm from road traffic collisions, particularly for pedestrians and cyclists. It will also encourage higher levels of walking and cycling, thus improving the health and wellbeing of local residents.

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

By reducing traffic levels on Magdalen Road, the scheme may make Magdalen Road more conducive to (formal and informal) community activities, for example by making it easier for residents to hold a conversation and facilitating outdoor dining. The scheme may therefore improve connections between community members.

11. Environmental analysis

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

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

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	N/A	Where possible, the widened footway will re-use paving slabs and kerbing from the existing footway
Conserve and enhance wildlife:	N/A	The permanent scheme will incorporate additional planters, providing a habitat for wildlife
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/A	N/A
Conserve and enhance Devon's cultural and historic heritage:	N/A	<p>The scheme may enhance the setting of certain historic buildings on Magdalen Road (such as 12 and 14 Magdalen Road, which are listed at Grade II*) by reducing volumes of traffic passing the buildings compared to the pre-COVID-19 arrangements. This may reduce the air pollution such heritage features are exposed to, and thus reduce pollution-related deterioration.</p> <p>The scheme will, as far as practicable, use construction materials which are in keeping with the surrounding townscape, for example in the use of similar paving slabs for the widened footway.</p> <p>The design team have contacted Historic England for advice on ensuring the scheme protects and enhances the</p>

		historic environment.
Minimise greenhouse gas emissions:	Certain vehicular routes may increase in length due to the prohibition of eastbound vehicular traffic on Magdalen Road, meaning emissions associated with certain individual journeys may increase.	<p>The scheme will improve facilities for pedestrians and cyclists and thus encourage greater uptake of zero-carbon modes of transport</p> <p>The introduction of additional plants on Magdalen Road will likely increase absorption of carbon dioxide from the atmosphere, reducing net greenhouse gas emissions</p>
Minimise pollution (including air, land, water, light and noise):	Certain vehicular routes may increase in length due to the prohibition of eastbound vehicular traffic on Magdalen Road, meaning emissions associated with certain individual journeys may increase.	<p>The scheme will improve facilities for pedestrians and cyclists and thus encourage greater uptake of zero-emission modes of transport</p> <p>The introduction of additional plants on Magdalen Road may improve local air quality, by filtering pollution</p>
Contribute to reducing water consumption:	N/A	N/A
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	N/A	N/A
Other (please state below):		

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 scheme may increase the length and duration of some vehicular routes to institutions offering education or training.	The scheme may make it easier and safer for potential employees to reach institutions offering education or training on foot or by cycle. This may mean that some people reliant on walking and cycling are able to access education or training they would have otherwise been unable or unwilling to travel to access.
Impact on employment levels:	The scheme may increase the length and duration of some vehicular routes to employment sites.	By improving facilities for pedestrians and cyclists, the scheme may make it easier to travel to nearby workplaces, such as the Royal Devon & Exeter Hospital (Wonford) on foot or by cycle, improving job opportunities for those reliant on walking and cycling.
Impact on local business:	The scheme will restrict vehicular traffic to one-way westbound, preventing use of Magdalen Road by eastbound vehicular traffic. This may reduce passing trade for some local businesses, and may also increase journey distances for vehicles loading/unloading.	<p>The scheme is designed to improve the public realm, by reducing vehicular traffic, increasing the space available to pedestrians and providing additional planting. This may make Magdalen Road a more attractive destination for shopping and dining, which may increase footfall. This is supported by case studies from elsewhere in the country; for example, a report commissioned by Living Streets noted that "well-planned improvements" to public spaces can boost footfall and trading by up to 40%.</p> <p>The scheme will provide a contra-flow cycle lane and</p>

		<p>additional cycle parking, thus improving cycle access to Magdalen Road. This may encourage more cyclists to travel to Magdalen Road for shopping and dining, which may increase footfall.</p> <p>By widening the northern footway, the scheme will provide additional space for outdoor dining (subject to licensing requirements). This may increase the seating capacity for cafes and restaurants, enabling them to increase turnover.</p> <p>The potential adverse impacts on businesses have been reduced as far as practicable by maintaining one-way vehicular access, thus ensuring those reliant on the car can continue to access shops on Magdalen Road. Additionally, in response to consultation feedback, the proposed loading bays will be usable at any time, providing additional flexibility for businesses receiving deliveries.</p>
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13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

Encouraging increased walking and cycling and reducing traffic on Magdalen Road will likely improve the public realm, delivering health and wellbeing benefits for users of Magdalen Road and potentially increasing footfall for local businesses. However, removing traffic from Magdalen Road completely, though offering the greatest environmental benefits, may make Magdalen Road more difficult to access for those reliant on a car, with associated adverse social and economic impacts. Therefore, the proposed scheme retains westbound vehicular access whilst providing a

contra-flow cycle lane and widening the northern footway, with the intention of optimally balancing the social, environmental and economic impacts of the scheme.

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 wellbeing of the area will be improved by:

- Widening the northern footway and providing a contra-flow (eastbound) cycle lane, encouraging greater use of active travel
- Providing additional planting and reducing traffic, improving air quality and reducing noise
- Increasing the attractiveness of Magdalen Road as a destination for shopping and dining trips, potentially boosting footfall

15. How will impacts and actions be monitored?

Changes to walking, cycling and vehicular traffic levels will be monitored through post-scheme traffic counts. Further engagement will be conducted with local traders and community organisations to evaluate the scheme's impacts on footfall and the public realm.

FARMS ESTATE COMMITTEE

16 May 2022

Present:

Councillors J Yabsley (Chair), J Berry (virtual), J Brook (Vice-Chair),
A Dewhirst, H Gent and L Samuel
Mr T Forward (Tenant's representative)
Mr R Shinner (Devon Young Farmers' representative)

Apologies:

Mrs L Warner

* 31 **Minutes**

RESOLVED that the minutes of the meeting held on 7 February 2022 be signed as a correct record.

* 32 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

33 **Announcements**

The Chair welcomed Mrs Saltmarsh who was attending the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* 34 **Revenue Monitoring 2021/22 (Outturn) and 2022/23 (Budget)**

The Committee received the Report of the Director of Finance and Public Value (CT/22/50) on the County Farms Estate Revenue Monitoring (Final Outturn) 2021/22 and Revenue Budget 2022/23, providing a summary of the annual budget and detailing income and expenditure to date. The final outturn provided a net surplus of £465,998 compared to the target surplus of £464,000.

The Revenue Budget 2022/23 included a target surplus of £534,000, which was an increase of £70,000 on the previous year's target.

Members' questions and Officer discussion covered the empty surplus properties and the costs incurred in holding them, for which the Estate were responsible, pending disposal. The condition of the surplus properties had been deemed not fit for reletting.

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FARMS ESTATE COMMITTEE

16/05/22

Further questioning was of a commercially sensitive and confidential nature and would be dealt with under Part II of the meeting.

* 35 **Capital Monitoring 2021/22 (Outturn) and 2022/23 (Budget)**

The Committee received the Report of the Director of Finance and Public Value (CT/22/49) on the County Farms Estate Capital Monitoring (Final Outturn) 2021/22 and Capital Budget 2022/23.

Total spend in 2021/22 amounted to £1,189,233 and resulted in an underspend against the budget provision of £25,787, which would be carried forward to the 2022/23 budget, thus the balance of capital available to spend in 2022/23 amounted to £1,025,787.

36 **The County Farms Estate - Annual Report 2021/22**

The Committee received the Report of the Director of Finance and Public Value (CT/22/51) incorporating the 31st Annual Report of the County Farms Estate.

The Annual Report 2021/22 covered the Committee's functions, namely, Financial performance, Estate management performance, and highlighted notable Estate achievements and events throughout the year.

A correction at paragraph 5.2, bullet point 6, in the report was noted, which should read as follows:

‘Seven farms (Thorndon Farm, Broadwoodwidger; Ten Oaks Farm, Roborough; Little Stone Farm, South Molton; Coppa Dolla Farm, Denbury; Perriton Barton Farm, Whimple; Nunford Farm, Colyton; and Higher Artiscombe Farm, Gulworthy) were re-let to new tenants.’

Members' questions and discussion included:

- it was noted that due to Inflationary pressures in the market, some repairs had not been carried out but these would be included in the priority programme for the coming year;
- that plans were being made for the Farmwise event to take place again in 2022/23; and
- further questioning was of a commercially sensitive and confidential nature and would be dealt with under Part II of the meeting.

Members welcomed the Report.

37 **Management and Restructuring Issues**

The Committee received the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/10) on County Farms Estate management and restructuring issues.

(a) Part Lower Northchurch Farm, Yarnscombe

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

RESOLVED that NG 0040 and 0041 forming part Lower Northchurch Farm, Yarnscombe and amounting to 3.39 acres or thereabouts be declared permanently surplus to the operational requirements of the Estate and sold to the neighbouring special purchaser, subject to terms being agreed.

(b) Part Lower Farm, High Bickington

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

RESOLVED that NG 1926 forming part Lower Farm, High Bickington and amounting to 2.13 acres or thereabouts be declared permanently surplus to the operational requirements of the Estate and sold.

(c) Part Glebe Farm, Rattery

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

RESOLVED that

- (i) Part NG 2249 (0.38 acres or thereabouts) be declared permanently surplus to the operational requirements of the Estate and transferred to St Mary's Church, Rattery, subject to terms being agreed.
- (ii) Permission be given to discuss and agree terms with the Parish Council for a permissive path agreement granting rights for the Parish Council to create and thereafter maintain and repair a permissive path through Part NG 2249 and NG 2854.
- (iii) NG 8726 and NG 0017 amounting to 9.96 acres or thereabouts be let to the Veterans Farm-Able Foundation as an alternative and more secure base, subject to terms being agreed.

(d) Part Lower Barton Farm, Aylesbeare

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

RESOLVED that Part Lower Barton Farm, Aylesbeare be declared permanently surplus to the requirements of the Estate and surrendered back to the landlord, Clinton Devon Estates, subject to terms being agreed.

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FARMS ESTATE COMMITTEE

16/05/22

38 **CPRE Report Re-imagining Council Farms**

The Committee received the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/09) together with the annexed CPRE report, following the publication in March 2022 of its vision for Council Farms.

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

RESOLVED that the Committee notes the further report from the CPRE which remained broadly in keeping with the aims and objectives of the existing Estate Strategic Review Report established in March 2010.

* 39 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and the County Council and, in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

* 40 **Holdings and Tenancies etc.**

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

(Councillor Yabsley declared a personal interest in the Part II background information discussions by virtue of being a member of North Devon Council's Joint Planning Policy Committee.)

a **Management and Restructuring issues**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/06) on management and restructuring issues.

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

RESOLVED

- (i) that the existing tenant of Duckaller Farm, Dawlish be invited to surrender his 1986 Agricultural Holdings Act 'retirement' tenancy of the holding at 25 March 2023.
- (ii) that should the tenant of Duckaller Farm, Dawlish surrender his tenancy, the proposed surrender be accepted by the County Council; and
- (iii) the tenant and his son be simultaneously regranted a Farm Business Tenancy of Duckaller Farm, Dawlish for a term commencing 25 March 2023 and terminating 25 March 2030, subject to:
 - (a) the Farm Business Tenancy being in accordance with the County Council's standard form;
 - (b) the rent for the holding being set at its open market value, as defined in the Agricultural Tenancies Act 1995;
 - (c) the letting being treated as a new entrant starter farm tenancy;
 - (d) the tenant's son participating in the normal new entrant monitoring visits and satisfying the new entrant competencies assessment to the complete satisfaction of the County Council before any further tenancies are granted; and
 - (e) all other terms and conditions being agreed.

b Requests for Extension of Tenancy

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/07) on requests for extensions of tenancy in respect of Endfield Farm, Sandford and East Fingle Farm, Drewsteignton.

Under the terms of the County Farms Estate Protocol, the tenants of each farm attended and presented their respective business plans to the Committee.

(i) Endfield Farm, Sandford

(Councillor Samuel declared a personal interest in this item by virtue of being personally acquainted with the tenants.)

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

RESOLVED that the request for an extension of tenancy made by the tenant of Endfield Farm, Sandford be refused.

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(ii) East Fingle Farm, Drewsteignton

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

RESOLVED that the request for an extension of tenancy made by the tenant of East Fingle Farm, Drewsteignton be refused.

c Request for Landlord's Consent

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/08) on a request for landlord's consent for proposed tenant's improvement.

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

RESOLVED

- (i) that landlord's consent be granted for the tenant of Churchlands Farm, Ermington to demolish two redundant life expired buildings and replace them with an 80' x 30' steel portal frame extension (complete) to an existing landlord's livestock building; to improve the existing building by constructing a retaining wall and new surface water drainage system behind it, laying a concrete scrape passage to the front of the building, and replacing the timber dung boarding with concrete panels, subject to the improvement being written down in value to £100 on a straight-line basis over a life expectancy of 20 years if the steel work is painted or 25 years if the steel work is galvanised; and
- (ii) that landlord's consent be granted for the tenant of Great Stone Farm, South Molton to construct a concrete slurry channel through the existing landlord's cubicle sheds through to the existing landlords slurry store, subject to the improvement being written down in value to £100 on a straight-line basis over a life expectancy of 30 years.

d Carbon Audits and Sequestration Capacity Assessments

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/04) on carbon audits and sequestration capacity of the County Farms Estate.

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

RESOLVED

- (i) that, subject to obtaining additional competitive quotes from suitably qualified consultants, the Council's preferred consultant be commissioned to carry out a farm by farm detailed assessment of the carbon emissions of each tenant's business and an assessment of every farm's carbon

sequestration capacity, in accordance with the detailed specification agreed; and

- (ii) that the requirement for carbon auditing be included in all future Farm Business Tenancy Agreements.

e **Landlord's Consent Policy for Tenant's Improvement Solar Panels**

The Committee considered the Report of the Head of Digital Transformation and Business Support (Interim) (BSS/22/05) on landlord's consent policy for tenant's improvement solar panels.

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

RESOLVED

- (i) that the level of compensation payable for any potential tenant's improvement solar panel and battery storage infrastructure installed on a holding be 'capped' at the value of the cost of investment being written down on a straight-line basis to £100 over the supplier's calculated/forecast return on investment period plus a further two years for the tenant to benefit from free electricity;
- (ii) that tenants should be given the right to remove the installation at end of tenancy should they so wish to do; and
- (iii) that the landlord should have the right to make the tenants remove the installation at end of tenancy if the landlord wishes for that to happen.

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

The Meeting started at 2.25 pm and finished at 6.03 pm

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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

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>				
8 June 2022	Revenue and Capital Outturn 2021/2022	N/A	N/A	Report of the Director of Finance and Public Value 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 Chief Officer for Adult Care and Health (Interim) 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 and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
10 February 2023	Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year			Report of the Director of Children and Young People's Futures 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 Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
Specific Matters for Consideration					

8 June 2022	Devon County Council's annual carbon footprint and environmental performance report	Overview Group of the Corporate Infrastructure and Regulatory Services Scrutiny Committee	Scheduled meeting	Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
8 June 2022	Proposed Permanent Road Layout Changes on Magdalen Road, Exeter	Public & Key Stakeholders	Public Consultation , Consultation with Local Businesses, Traffic Regulation Order Consultation	Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All in Exeter; St David's & Haven Banks

<p>8 June 2022</p>	<p>Proposed closure of Chittlehampton C of E Primary School</p>	<p>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.</p>	<p>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</p>	<p>Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>	<p>Chulmleigh & Landkey; South Molton; Torrington Rural</p>
<p>8 June 2022</p>	<p>FINEST Replacement We wish to go out to procure a replacement finance system. The current system was installed in 1995.</p>	<p>N/A</p>	<p>N/A</p>	<p>Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>	<p>All Divisions</p>

13 July 2022	Future management of local bus network in Devon following outcome of bid for Bus Service Improvement Plan funding	Bus companies, statutory consultees and travelling public	TBC	Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 July 2022	Prioritisation of 20mph Schemes: Representations received and proposed priority schemes for 2022/23	N/A	N/A	Report of the Director of Climate Change, Environment and Transport outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 July 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
14 September 2022	Budget Monitoring - Month 4	N/A	N/A	Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

14 September 2022	Transport Capital Programme 2022/23 and 2023/24: Update and Proposed Allocation	Public, District Councils, Stakeholders and Delivery Partners	LTP 2011 – 2026 consultation, meetings, planning applications and local plan consultation	Report of the Director of Climate Change, Environment and Transport 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 and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
14 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

PART B -FRAMEWORK DECISIONS

(Requiring approval of the County Council)

Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter

13 July 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
21 July 2022					
23 January 2023	Pay Policy Statement 2023/2024			Report of the Head of 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 and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
16 February 2023					
PART C - OTHER MATTERS (i.e. Neither Key Nor Framework Decisions)					
Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter

	Regular / Annual Matters for Consideration				
Between 8 June 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 8 June 2022 and 8 May 2025 to Between 8 June 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 and Public Value 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 and Public Value 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 the 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, Communities and Prosperity outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
Page 14 12 December 2022	<i>Specific Matters for Consideration</i>				
	Treasury Management Stewardship Mid Year Report	CIRS Scrutiny Committee	Committee	Report of the Director of Finance and Public Value outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions