

CABINET

12 October 2022

Present:-

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

Apologies:-

Councillors J McInnes

Members attending in accordance with Standing Order 25

J Brazil, R Hannaford and C Whitton (attended in person)

J Hodgson and M Wrigley (remote attendance)

* 219

Minutes

RESOLVED that the minutes of the meeting held on 26 September 2022 be signed as a correct record.

* 220

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 221

Announcements

There was no announcement by the Chair at this meeting.

* 222

Petitions

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

* 223

Question(s) from Members of the Council

There was no question from a Member of the Council.

* 224

Devon Carbon Plan

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

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/22/52) which sought endorsement of the

Devon Carbon Plan, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The full plan was available at <https://devonclimateemergency.org.uk/view-devon-carbon-plan-full/> and had been prepared by a partnership of 29 public, private, community and not-for-profit organisations, led by the County Council (DCC).

The endorsement of the Devon Carbon Plan would confirm the Authority's commitment to acting with County and Regional partners to address the climate and ecological emergencies. The Report highlighted that many of the actions had a degree of flexibility in their language, such as 'where possible', 'explore', 'investigate'. This was not to downplay the critical nature of reducing carbon emissions, rather it set out key areas of focus that needed further evaluation for different types of organisation to contribute to the 2050 net-zero target.

The Council would also revise its own 2018 Climate Strategy and relevant Action Plans, which showed how the Authority would use its responsibilities and areas of influence to help reduce Devon's emissions, so that it aligned with the Devon Carbon Plan. The approval of the revised strategy would come to a future meeting for approval.

Creating the Devon Carbon Plan involved five main phases of public engagement, which was outlined in full at section 5 of the Report and the Report's recommendations contributed to delivering all of the six priorities of the Council's Strategic Plan, outlined in full at section 6.

Endorsing the Plan did not commit the Authority to new financial expenditure, but it was clear that in many cases doing more would require additional funding and substantial investment, much of which would need to be provided by the private sector through commercial opportunities. However, what was clear was that long-term the cost to society of inaction exceeded the cost of action.

An Impact Assessment was also attached to the agenda for consideration at the meeting and was available on the website at <https://www.devon.gov.uk/impact/endorsement-of-devon-carbon-plan-september-2022/>.

This highlighted that Climate change would affect everybody in the County, and would affect people less able to adapt the most, for example less affluent, those living with physical and mental health conditions, those living in coastal communities or other areas prone to flooding and young people who would live with the effects becoming worse over their lifetimes. Implementing the Devon Carbon Plan in partnership with the people of Devon would help minimise these impacts on everyone. In addition, future tactical-level changes

to services would need their own impact assessment to consider their effect on equality characteristics.

In summary, since declaring a Climate Emergency, the global outlook remained poor with the Intergovernmental Panel on Climate Change (IPCC) publishing its Sixth Assessment Report showing that the vast majority of future scenarios showed temperatures were on track to shoot well above 1.5 degrees (over the limit set by the 2015 Paris Agreement). However, it also highlighted that some of the risks associated with climate change could still be prevented or lessened with prompt action.

The Devon Carbon Plan was a landmark piece of work for the County to help realise and achieve its aims of becoming net-zero by 2050 at the latest.

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

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

RESOLVED that the Devon Carbon Plan be endorsed.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and was available at <https://www.devon.gov.uk/impact/endorsement-of-devon-carbon-plan-september-2022/>).

* 225

Dawlish Link - Elm Grove Road to A379 Exeter Road

(Councillors Brazil, Hodgson, Whitton and Wrigley attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/22/53) which sought approval to progress to tender and subsequently construction of the provision of a section of new link road between Elm Grove Road and the A379 Exeter Road. The Report had been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The provision of a section of a new link road between Elm Grove Road and the A379 Exeter Road was allocated in the Teignbridge Local Plan in Dawlish (Policy DA2) and would support bus service, cycle lanes and footpaths (contained within Areas 3 and 4 of the DA2 allocation).

The scheme and associated development of approximately 860 dwellings had been allocated in the Teignbridge Local Plan for Dawlish located north-west of Secmaton Lane (DA2).

The proposals were outlined in full at section 3 of the Report highlighting that Teignbridge Council would fund this Council to deliver part of the spine road through Areas 3 and 4 of the DA2 allocation (Figure 2 in the Report illustrated the various Areas) and that this Council would deliver a new highway bridge over the Shutterton Brook as part of their scope. The scheme would also assist in delivering the link road, by delivering the part of the carriageway section of the link road located within areas 3 and 4 to surface course level.

DCC delivery included 34m of highway and highway embankment within Area 4, 26m span highway bridge, up to 430m carriageway including highway embankment within Area 3 and highway associated Sustainable Urban Drainage features.

The bridge element of the works was being delivered pursuant to a planning consent obtained by DCC in August 2022. This was a full planning consent from Teignbridge Planning Authority under Application Reference 21/02872/FUL.

In terms of Planning Application Reference 19/01767/MAJ, this application had been submitted by the landowners of Area 3, and would grant consent for both the development of Area 3 as well as the link road.

The first section of link road connecting the A379 within Area 4 had already been delivered by Persimmon Homes. Figure 2 illustrated the proposed route of the link road through Areas 3 and 4 as well as outlining the 5 Areas of development which would be supported by the link road.

Consultation and community engagement had been undertaken by Teignbridge District Council during the preparation of the Local Plan and Development Framework Master Plan as well as part of the planning applications.

A funding agreement between Teignbridge District Council and this Council had been entered into, to cover the entire project capital expenditure. The Report outlined the full terms of that agreement. The current total estimated cost of the scheme, including design, planning, procurement, construction etc was estimated to be in the region of £6.2 million which included the prior year's expenditure.

The link road and bridge infrastructure itself would reduce the traffic impact on local residential roads including Elm Grove Road.

The link road would help reduce emissions by providing better opportunities for active travel, public transport and possibly some marginal reduction in some car journey lengths, particularly in relation to short local journeys. The design also sought to reduce carbon emission levels via a reduction in imported materials as well as reducing plant and delivery operations.

An Impact Assessment had been circulated with the agenda for Members' consideration and was also available on the website at <https://www.devon.gov.uk/impact/dawlish-da2-infrastructure-delivery-september-2022/>. This highlighted that the new link road infrastructure was designed to current best practice and sought to not discriminate its availability to all, for example the design would include provisions for non-motorised users.

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

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

RESOLVED

(a) that approval be given for a scheme in Dawlish which assists in connecting Elm Grove Road and the A379 Exeter Road, and includes provision of a bridge with embankments, sustainable urban drainage together with cycle lanes and footpaths, as identified in the Local Plan, to proceed to tender and construction;

(b) that delegated authority be given to the Director of Climate Change, Environment and Transport, in consultation with the Local Member and Cabinet Member for Climate Change, Environment and Transport, to make minor amendments to the scheme design; and

(c) that an increase to the 2022/23 capital programme by £286,065 and 2023/24 by £5,564,465, funded by external contributions, be approved.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and is available at <https://www.devon.gov.uk/impact/dawlish-da2-infrastructure-delivery-september-2022/>).

* 226 **Children's Scrutiny Committee (Minute *58 SEND Ofsted/CQC Revisit - Update on progress since the Inspection)**

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

The Cabinet noted that at its meeting on 6 September 2022, in considering the Report relating to Ofsted/CQC Revisit - Update on progress since the Inspection (Minute 58), the Children's Scrutiny Committee had **RESOLVED** *that the Committee raises concern to Cabinet to satisfy itself about the realism of achieving a balanced budget across Children's Services and SEND, while acknowledging that services need more investments to improve by recruiting*

more caseworkers and reducing backlogs, and refers to Cabinet for consideration.

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

RESOLVED

(a) that the Children's Scrutiny Committee be thanked for bringing the extent of the financial challenge faced by Children's Services, with particular reference to its Special Educational Needs (SEN) provision, to Cabinet's attention; and

(b) that Cabinet recognises the need to recruit more caseworkers in SEN to reduce the current backlogs of work to improve outcomes for children and families.

* **227** **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Moving Traffic Offences Spotlight Review**

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

The Cabinet noted that at its meeting on 22 September 2022, the Corporate Infrastructure and Regulatory Services Scrutiny Committee had considered the Report of the Moving Traffic Offences Spotlight Review (Minute *70 refers).

This Spotlight Review had been established following the invitation to provide a policy steer on whether adopting the enforcement of Moving Traffic Offences was the right option for the Council.

The Report detailed the findings and the recommendations of the Spotlight Review and the Committee **RESOLVED** (a) that the Spotlight Review Report be approved and the six recommendations contained therein be commended to the Cabinet for approval and implementation; and (b) that, subject to approval of the Report by the Cabinet, a report come to this Committee one year after the introduction of the powers, for Members to review the number of contraventions captured, and number of appeals (including those upheld).

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

RESOLVED

(a) that the findings of the Spotlight Review on Moving Traffic Offences and recommendations of the Report be acknowledged; and

(b) that the Report being presented to Cabinet in November 2022, on Highway and Traffic Policy Reviews, includes reference to the recommendations from the Report.

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

There was no question from a Member of the public.

* 229 **Minutes**

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

Farms Estate Committee – 23 September 2022

Farms Estate (Interviewing) Committee – 26 September 2022

* 230 **Delegated Action/Urgent Matters**

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

* 231 **Forward Plan**

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

NOTES:

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

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

The Meeting started at 10.30 am and finished at 11.09 am