

## CABINET

8 May 2024

### Present:-

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

### Members attending in accordance with Standing Order 25

J Bailey, F Biederman, J Hawkins, R Scott, J Trail BEM, C Whitton and M Wrigley

A Dewhirst (remote attendance)

#### \* 534 **Declarations of Interest**

The Chair reminded Members they should declare any interests they may have in any item to be considered, prior to any discussion taking place on that item. The details of District and or Town and Parish Twin Hatters was on the attached list - [A list of county councillors who are also district, borough, city, parish or town councillors](#).

#### \* 535 **Minutes**

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

**RESOLVED** that the minutes of the meeting held on 13<sup>th</sup> April 2024 and the special meeting of 22 April 2024 be signed as a correct record.

#### \* 536 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

#### \* 537 **Announcements**

There was no announcement by the Chair at this meeting.

#### \* 538 **Petitions**

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

#### \* 539 **Question(s) from Members of the Council**

There was no question from a Member of the Council.

\* **540**      **Question(s) from Members of the Public**

(The Chair exercised his discretion to vary the order of business for the meeting to take agenda item 13 at this point).

In accordance with the Council's Public Participation Rules, the relevant Cabinet Member(s) responded to nine questions from members of the public on the following matters.

1. Exmouth Gateway proposals and the ambition for an integrated transport hub.
2. The Transport Interchange and usage of the area behind the station.
3. Achievement of proposal to retain the Subway.
4. Proposed Changes and Dependency on Subway Closure.
5. Proposal to Forfeit LUF Grant.
6. Residents Alternative Ideas.
7. Whether EDDC had been formally approached, to contribute to the available land bank for the Gateway.
8. Consideration of other Gateway Options and Consultation.
9. Gateway Proposal and Devon Highways Owned Land.

The Cabinet Members responded orally to the supplementary questions arising from the above, and would send a written response where indicated at the meeting.

A copy of the questions and answers had been sent direct to those questioners who were not present in the meeting.

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

\* **541**      **Destination Exmouth Levelling Up Fund: Exmouth Gateway**

(The Chair exercised his discretion to vary the order of business for the meeting to take agenda item 10 at this point).

(Councillors Biederman, Scott, Trail, 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/24/31) which outlined proposals to remove the Exmouth Gateway proposals from the Destination Exmouth Levelling Up Fund (LUF) package, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In Summer 2022, the Council submitted a bid to the Levelling Up Fund (LUF) Round 2 for the Destination Exmouth package, which consisted of two schemes; Dinan Way Extension and Exmouth Gateway. Dinan Way Extension proposed to connect Dinan Way to the A376 and move traffic away from residential roads in the area and it would be complemented by proposals at Exmouth Gateway, consisting of a collection of active travel and public realm improvements to the area around Exmouth railway station.

As a whole, Destination Exmouth built on aspirations laid out in the Exmouth Neighbourhood Plan and intended to reduce the amount of traffic in the town centre and to create an improved experience for people arriving in Exmouth. The extent of the Exmouth Gateway element of the scheme was detailed in Figure 1.

Section three of the Report detailed the consultation process, engagement with stakeholders, and surveys. The full public engagement report was available online: [Corporate websites - Exmouth Active Travel Improvement Engagement Summary.pdf \(sharepoint.com\)](#). A key finding was that 60% of respondents did not support the closure of the subway for a number of reasons. Whilst the proposal to close the subway remained a critical element in delivering the full benefits of the overall scheme, other changes were made following the summer engagement period, including a shared path being preferred, upgrading the zebra crossing outside the railway station and retaining the flowerbed and part of the wall near the leisure centre. These detailed designs were taken to public consultation between 14 November 2023 and 5 January 2024 and a total of 829 surveys were completed and 19 emails received.

The survey responses showed mixed views: 44% of survey respondents supported the proposals, whilst 47% of respondents opposed the proposals. The proposal with the highest level of opposition was closing the subway, which 64% of respondents opposed to some degree.

It was not possible to deliver the active travel gateway improvements without the additional space provided by the infilling of the subway and its closure, therefore without public support for the closure of the subway, the Report recommended that the Exmouth Gateway proposals were removed from the Destination Exmouth LUF package of improvements.

Officers would continue to work with the Department for Transport to ensure that the delivery of the Dinan Way Extension continued.

Whilst the Exmouth Gateway proposals aligned with the vision and priorities set out in the Devon County Council's Strategic Plan 2021 – 2025 in a number of ways, the Council also had a priority to engage directly with people in meaningful ways and encourage participation in decisions that affected them.

The Cabinet noted that negotiations with the Department for Transport were ongoing to understand the financial impact of not delivering the gateway scheme as part of the Destination Exmouth package, although it was not expected that the funding secured for the delivery of the Dinan Way Extension would be affected, but this was subject to confirmation.

In summary, the Destination Exmouth package secured funding from the Levelling Up Fund (LUF) in 2022 was made up of two schemes; Dinan Way Extension and Exmouth Gateway. With the continued strong level of opposition to the closure of the subway and lack of suitable alternatives that delivered benefits in line with the Levelling Up Fund objectives, it was recommended that the Exmouth Gateway proposals were removed from the Destination Exmouth Levelling Up Fund package.

Officers confirmed they would explore alternative uses for the funding within the Dinan Way scheme, whilst acknowledging the opportunities could be limited.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

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

**RESOLVED**

(a) that the results of the Consultation Report, included in Appendix 1, be noted; and

(b) that the removal of the Exmouth Gateway proposals from the Destination Exmouth Levelling Up Fund (LUF) package be approved.

\* **542** **Revenue and Capital Outturn 2023/2024**

(Councillors Biederman, Dewhirst, 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 Finance and Public Value (DFP/24/56) which presented the outturn for 2023/2024.

They noted that a key Operating Principle was to strengthen the financial sustainability and resilience and continue to drive forward cultural change to improve accountability and control for delivering agreed financial targets and building collaboration and partnerships.

The Report highlighted that overall, the Authority had performed well financially this year and had achieved a balanced outturn position.

One of the key priorities during the year had been to tackle the increasing deficit position relating to Special Educational Needs and Disabilities (SEND). Effective partnership working and negotiation with the Department for Education (DfE) had led to significant additional funding through the Government's Safety Valve Programme. This had enabled a strong financial intervention that reversed the trend of a growing deficit. More detail was provided in Section 5.2.

The Month 10 forecast reported to Cabinet in March had been a breakeven position and at outturn, after carry forwards and transfers to and from reserves there was a small increase in the General Fund balance of £55,000 in 2023/24 on a net Budget of £607.7 million. This was a significant improvement on the £13.6 million forecast overspend at Month 6. This result reflects the strong focus of the Authority's strategic and leadership teams, Cabinet and Scrutiny, with extensive support from Finance, on meeting budget targets and maintaining the financial strategy of living within our means. There had also been a one-off £8 million windfall through the Connecting Devon and Somerset broadband contract clawback income, and additional grant funding awarded in year for Adult Social Care.

The indicative underspend position at the end of the year was £5.2 million which had enabled the Authority to fund an increase in the provision for non-recovery of income (bad debt) by £931,000, an additional £1.2 million contribution to the cumulative DSG SEND Deficit on top of the £10 million previously planned, a carry forward of £2 million to support additional highways maintenance and drainage to help prevent potholes, and a transfer of £1.1 million to earmarked reserves to further support ongoing financial sustainability including modernisation and improvement in services.

The General Fund balance had been maintained at £16 million and earmarked reserves, excluding schools and non-schools carry forwards, had been maintained at just over £101 million after a net reduction of £6.5 million to support planned costs in the year.

Within services there were overspends reported primarily to the budgets for Integrated Adult Social Care and to Children and Young People's Futures. For the 2023/24 Budget, significant investment had been made to enable improvement in Children's and Young People's Futures services.

Investment in road infrastructure remains a pressure with total spend on highways safety defects ('potholes') reaching £9.3 million of which £1.8 million had been allocated to the capital programme through changing the capitalisation policy. The resulting £7.5 million exceeded the budget by £3.8 million. In a separate Report the Cabinet had been asked (May 2024) to increase the 2024/25 capital programme by £10 million to accelerate improvements in road infrastructure quality.

Detailed explanations of the final financial position for each service area were given in section 2 of the Report, but in summary;

The outturn position for the Integrated Adult Social Care service is an overspend of £2.4 million (0.7%). The overall position for Children's and Young People's Futures was an overspend of £7.6 million (3.7%) against the final Budget of £207.4 million, which excluded the Dedicated Schools Grant funding and activity. The final Budget for Public Health, Communities and Prosperity was £32.9 million, and the outturn position showed an overall underspend of £1.5 million (4.5%). For Corporate Services (Legal and Democratic, People and Culture, Finance and Public Value and Digital Transformation and Business Support), the final 2023/24 Budget was £45.8 million with a net overall underspend of £990,000 (2.1%). The position for Climate Change, Environment and Transport after carry forward requests was an underspend of £1.7 million.

In summary, the Authority had operated within budget overall, maintained adequate reserves, reduced the DSG deficit and reduced the total level of external borrowing, all factors that made a positive contribution to managing financial risk and performance and meeting the financial sustainability priority.

Other influencing factors included the overall cost of the national staff pay award for 2023/24 which had been £1.7 million more than the budget estimate in February 2023 and a number of other issues were highlighted in section 2.30 - 2.42).

The Better Care Fund (BCF), which was a pooled budget between the NHS Integrated Care Board and the Authority, for 2023/24 was reporting an overspend of £1.8 million (1.4%). The table on page 23 of the Report gave further detail.

The matter having been debated and the other relevant factors as set out in the Director's Report having been considered:

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

## **RESOLVED**

(a) that the key Operating Principles of the Authority to deliver financial sustainability and continue to support the priority focus on improving financial management, control, accountability and capability across services be noted;

(b) that the draft outturn for 2023/24 be noted, after carry forwards and contributions to and from balances, reserves and provisions, shows an increase in the General Fund Balance of £55,000 against the approved revenue budget;

(c) that the 2023/24 revenue outturn is approved, including transactions on earmarked reserves and provisions, spending against budget, treatment of over and under spending and the implications for balances, as set out in the tables and the narrative of the report;

- (d) that any variances in the final returns from Districts for business rates grants and pooling gain be taken to the Business Rates Risk Management Reserve;
- (e) that the 2023/24 capital outturn is approved including spending against budget and proposed carry forwards, in accordance with the tables;
- (f) that the use of capital finance as set out in the Determination of Capital Finance section 11 of the report is approved;
- (g) that a total of £9.8 million is set aside from revenue resources as Minimum Revenue Provision for the repayment of capital borrowing;
- (h) that the Prudential Indicators, as set out in section 10 of the Report, be noted;
- (i) that the total monies owing to the Council, as at 31st March 2024, be noted; and
- (j) that the Finance and Public Value Directorate be thanked for their exceptional work, under pressure and with strict deadlines, in delivering the outturn report.

\* 543

**County Road Highway Maintenance: Capital Budget and Progress on 2023/24 Schemes and Proposals for the 2024/25 Programmes and the On-street Parking Account 2024/25**

(Councillors Biederman, Dewhirst, 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/24/28) which sought approval of the County Road Highway Maintenance Capital Budget, gave a progress update on 2023/24 Schemes and outlined proposals for the 2024/25 Programmes and the On-street Parking Account 2024/25. 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 Cabinet noted that the 2024/25 indicative funding awarded to the Council from central government included in the Report had been approved by Full Council in February 2024. Consideration had been given to the deteriorating condition of the road network, and the need for additional investment, to try to prevent a further decline. As such an in-year increase of £10 million to the capital programme was proposed, utilising capital receipts funding now available following conclusion of the Government's SEND Safety Valve settlement.

The Highway Infrastructure Asset Management Plan (HIAMP), approved in April 2023, was a positive output of consolidated learning in recent years, providing a framework to enhance existing good practice and improve the effectiveness of decision making. To better reflect current working practices, elements of the Plan were updated dynamically to better match the changing environment in which the Service operated.

Also, to meet the changing dynamics and challenges in managing highway infrastructure the service must continue to engage with the market sector to encourage innovation that would serve to provide the service with the means to be more versatile in meeting changing environmental, political and funding pressures. Increased engagement through formal programmes of testing and trialling of new proprietary treatments and technologies would inspire development and add value to how the service was delivered. The Report outlined the Cross Asset Innovation Programme which had seen 34 innovation proposals submitted and highlighted that the Council in 2023 had been one of 7 successful bidders to ADEPT's (Association of Directors of Environment Economy Planning and Transport) Live Labs 2 programme, a £30 million Department for Transport (DfT) funded scheme which aimed to decarbonise the local road network. The Council's bid (with Milestone Infrastructure and the University of Exeter), would receive £3.68 million to use on bringing innovations together on the A382 scheme with the aim of constructing a carbon negative project.

The use of Artificial Intelligence (AI) in the capture and monitoring of asset condition was developing at pace and had also been recognised by the DfT who were currently reviewing its road condition data standards through the trial of emerging AI technologies.

Section four of the Report focussed on the Capital Programme and for 24/25 the indicative Highway Maintenance Block (HMB) funding was £29.346 million. In addition to the HMB funding was the 2024/25 Potholes Fund indicative allocation of £23.477 million, plus an extra allocation of £6.663 million from the Network North announcement, which totalled £30.140 million. On the 26 March 2024 the Council was informed that further to the application submitted to a challenge process, the DfT had allocated funding of £639,551 from the Traffic Signal Obsolescence Grant and Green Light Fund. It was further proposed to increase the level of investment in the highways network in 2024/25 with an increase of £10 million to the currently approved Capital Programme. The full list of funding sources were outlined in the table at section four and totalled £72,187,000.

Sections 5 and 6 gave a detailed summary of road condition, strategy, statistics and analysis, noting the classification of roads and also the categories of red, amber and green with red being the worst condition and green carriageways in a good state of repair. Figure 1 of section 5 showed the proportion of classified and unclassified roads across the network. The survey data showed the percentage of roads categorised in red condition was 2% for A roads, 3% for B roads, 13% for 'C' roads and Unclassified roads were 23%.



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

In terms of the Capital Highway Maintenance Programme: 2023/24, progress on the 2023/24 Highway Structural Maintenance Programme was shown in Appendix B and the 2023/24 Bridges Assessment and Strengthening Programme in Appendix C. Since 2020 there had been additional challenges due to the impact of high inflation, which had an impact on the spending power of the items within the programme. The Report also highlighted that a total of 212 bridge and structures projects had been included in the annual programme for design, inspection or works. A programme of inspecting and testing circa 10,000 ageing columns had also been undertaken and in parallel, over 1,000 ageing street lighting columns had been replaced.

The Capital Highways Maintenance Programme: 2024/25 had a total allocation of £72.187 million (as detailed in Table 1 of section 8). The breakdown was £64,707,000 for highway structural maintenance and £7,480,000 for the Bridge and Structures Programme. A detailed breakdown of the respective programme elements could be found in Appendix D and E. Key elements of the programme included Highway Structural Maintenance (HSM): Principal Roads (A class roads) and Skid Resistance Treatment (SCRIM). For all roads, local asset programme and preventative programme treatments, minor road strategy, road restraint systems, Highway Lighting Column Upgrades and LED Replacement, Traffic Signal Replacements, Bridges and Structures, Storm Damage (resilience contingency), Cycleways and Public Rights of Way Network, Cross Asset Innovation Programme and Minor Traffic Management Improvements.

The expenditure of on-street parking income was restricted by the Road Traffic Regulation Act 1984. Any remaining surplus must be used in accordance with the eligibility criteria set out in Section 55 of the Act. Full details of the proposed OSP non-operating expenditure for 2024/25, totalling £5.456 million, were shown in Appendix F.

The relevant Impact Assessment was the Budget Impact Assessment, which had been previously circulated, and was attached as a link for the attention of Members at the meeting - [Budget Impact Assessment 2024-25](#).

The Service had adopted a risk-based approach to the management of highway infrastructure maintenance, including setting policy and strategy, establishment of inspection and condition assessment regimes, determining priorities and programmes, procuring the service and the management of all associated data and information.

In summary, the Report highlighted the fact that Government provided insufficient capital funding to meet all network maintenance needs. However, the proposed programme was designed to make best use of the available financial resources using the Asset Management approach. The Network North funding announcement signalled a welcome step change in Government funding during the next 10 years and during the forthcoming year the service would be developing longer-term strategies and programmes of work to make best use of this.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

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

### **RESOLVED**

(a) that the progress on 2023/24 capital funded highway maintenance programme, as detailed in Appendices B and C of the Report, be noted;

(b) that due to the Department for Education Special Educational Needs and Disabilities Safety Valve Programme Grant funding agreement being more than anticipated at budget setting in February 2024, it is noted it is now possible to release £10 million of Capital Receipts to support Highways Infrastructure;

(c) that an increase of £10 million to the Climate Change Environment and Transport 2024/25 capital programme funded by capital receipts be approved;

(d) that a further increase of £639,551 to the Climate Change Environment and Transport capital programme be approved, being £455,000 in 2024/25 and £184,551 in 2025/26, funded by the DfT Traffic Signal Obsolescence Grant and Green Light Fund.

(e) that the capital funded highway maintenance programme for 2024/25, as set out in Appendices D and E, be approved;

(f) that the detailed allocation of the available budget is determined by the Director of Climate Change, Environment and Transport, in consultation with the Cabinet Member for Highway Management, on the basis of the Highways Infrastructure Asset Management Plan, and within the limits of the approved budget; and

(g) that the programme funded from the On-street Parking Account for 2024/25, as set out in Appendix F, also be approved.

\* 544 **The Future of Kingswear Primary School**

(Councillors Biederman, Hawkins 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/24/30) on the future of Kingswear Primary School, 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.

Kingswear Primary was an academy school within the Education South West Multi Academy Trust and a co-educational school for ages 5 to 11. The Trust had been in discussion regarding the viability of the school with the Department for Education (DfE) for a number of years due to a decreasing number of children on roll and therefore the financial and educational sustainability of the school. There had been no children on roll since the beginning of the academic year September 2023 and no preferences for admission into the Reception Class for September 2024.

As Kingswear Primary was an academy it was the Secretary of State who made the final decision regarding the future of the school. The DfE had received an in-principle decision from the Secretary of State to close the school. However, prior to the Secretary of State making a substantive decision to close, the Council are asked to agree to the closure as it was identified as a Rural school.

The Report outlined the six stage process that had to be followed under DfE guidance which included consideration of closure, seeking in principle agreement, in principle decision to close, seeking a substantive decision on closure by the Secretary of State, substantive closure/termination of Funding Agreement decision by the Secretary of State, followed by a 'Listening Period' held by the Academy Trust and then approval and implementation of closure.

The process was at stage 3 with an in-principle decision from the minister (Stage 3) to close the School and was now seeking the County Council's agreement. The listening period allowed stakeholders and interested parties to submit views on how the school closure process could be best managed, it was not a consultation on the decision itself.

The Report outlined the previous numbers on roll, outcome of inspections and the difficulty of presenting a balanced curriculum with such low numbers. Analysis of pupil plots showed less migration to Kingswear from Dartmouth and the Torbay areas and health data showed low future cohorts of pre-school aged children living in the Kingswear designated area (5 children due for admission into Reception Class September 2024 (with no applications), 4 for September 2025, 3 for September 2026 and 5 for September 2027. Local

planning had also been analysed as well as the capacity in other local schools which was adequate.

All children were entitled to free home to school transport, in line with [DCC's home to school transport policy](#), if they attended the nearest/designated school to their home address and they were of statutory school age, lived more than two miles away by the shortest walking route for primary and three miles for secondary or lived under two/three miles away but all walking routes are considered unavailable.

It was recommended that the designated area for Dartmouth Academy primary phase be extended to include the Kingswear Primary School catchment area in the first instance. Schools within the Dartmouth Local Learning Community had been consulted and were asked to submit any comments. No responses had been received and the current and proposed catchment areas could be seen at Appendix 1 of the Report.

It was recommended that primary-age children living in the current Kingswear Primary School area were eligible for free school transport to Dartmouth Academy, regardless of distance, due to the need to cross the river.

Devon was not under a statutory duty to consult on the future of Kingswear Primary School as it was not a Local Authority maintained school. However, the Cabinet Member for Children's Services and Schools and officers felt that Cabinet should not be asked to make this decision without hearing the community's views, notwithstanding this was outside of the DfE's process for closing academy schools. A consultation was held between 26 February to 22 March 2024 to which only 10 responses had been received. The main points raised were outlined at section 5 of the Report.

In summary, whilst there was a presumption against closure, it was clear there was sufficient evidence that Kingswear Primary would not have sufficient numbers on roll to be educationally sustainable.

An Impact Assessment had been prepared and circulated with the agenda. It was available on the website at <https://www.devon.gov.uk/impact/kingswear-primary-school-impact-assessment/>. Whilst this recognised the economic, social and environmental benefits that a school brought to the local community, its main duty was to provide quality education and meet the statutory responsibilities of the Local Authority. However, with no students at the school and no likelihood of a sustainable roll, the school was not able to provide its core function nor was it able to support the wider community.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

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

**RESOLVED**

(a) that the decision of the Secretary of State for Education to close Kingswear Primary (Academy) School be endorsed; and

(b) that the proposed new designated area for the area currently served by Kingswear Primary School to inform school transport eligibility be approved, should the decision be made by the Secretary of State to close Kingswear Primary School.

\* **545** **Property Change Programme - Phase 2**

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

The Cabinet considered the Report of the Director of Transformation and Business Services (TBS/24/7), outlining phase 2 of the Property Change Programme, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report highlighted that the Property Strategy focused on four key principles; Reduce, Dispose, Retain, and Repurpose which aimed to transform the corporate estate and form the methodology for reviewing the future use of assets.

The Report also gave an update on the Phase 1 property decisions which had been agreed at Cabinet in October 2023 (Larkbeare House, Exeter, Compass House, Ivybank, Exeter, Former Matford Offices land, Exeter, St Georges Road Youth Centre, Barnstaple and Pottington Industrial Unit, Barnstaple) and showed the capital receipts generated from the sale of property assets (listing each site) for 23/24. The Cabinet noted that capital receipts for 24/25 were anticipated to be in the region of £7 million.

The Report gave an update on site repurposing proposals, outlining that Copperfields, Exmouth, Newholme, Honiton and Rosalind House, Tiverton had been identified as being suitable for 'Staying Close' accommodation and the Council would look to repurpose these to accommodate children in care in Devon.

The Proposed Phase Two Disposals were outlined at section 3(b).

- 2-4 Meeting Street, Exmouth
- Rosalind House Gardens, Tiverton
- Lea Combe, Axminster
- Sowton Industrial Estate Residual Land Freeholds, Exeter
- The Hive in Exmouth was formally declared surplus to requirements on 14<sup>th</sup> March 2024 by Delegated Member Decision.

Other key property updates in Exmouth, Tiverton and Tavistock were given, relating to the Kennaway Centre in Exmouth and Oaklands Court in Tiverton and how the buildings were being utilised. It was noted that in both Tavistock and Newton Abbot, an assessment and review of office accommodation was underway.

The Cabinet noted that as well as the capital receipts generated, there would be reduced revenue costs of approximately circa £50,000 – £100,000 per annum and an avoidance of backlog maintenance investment requirements in the region of circa £400,000.

In summary, the occupancy statistics demonstrated that the Council could reduce its portfolio without detriment to services and the property change programme would reduce the carbon footprint, provide value for money, generate capital receipts, and reduce revenue expenditure contributing towards the financial sustainability of the authority.

The property portfolio would be reviewed as part of an ongoing rolling programme to ensure the estate was aligned to the corporate priorities, including making best use of assets and buildings.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

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

**RESOLVED** that the following sites be declared surplus to the Council's requirements and disposal is progressed:

- The Hive, Exmouth (noting this site has already been declared surplus as set out in section 3B of the Report)
- 2-4 Meeting Street, Exmouth
- Rosalind House Gardens, Tiverton
- Lea Combe, Axminster
- Sowton Industrial Estate Residual Land Freeholds, Exeter.

\* **546**      **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.

\* **547**      **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.

\* **548**      **Exclusion of the Press and Public**

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

**RESOLVED** that the press and public be excluded from the meeting for the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely the financial or business affairs of a third party and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

\* **549**      **Part II - Land purchase for Redbridge, River Otter**

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

(Councillors Bailey, Biederman 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/24/29), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report gave the background on the footbridge (Harpford Bridge, also known as Red Bridge) across the River Otter between Newton Poppleford and Harpford and how it was used by the community.

The Cabinet noted how the River Otter was prone to movement, with adjacent fields providing important floodplain. The footbridge and connecting paths were subject to erosion from natural river realignment, and flood events. They further noted the monitoring of the condition of the footbridge and works to stabilise the banks.

The proposal for moving forwards was outlined in section three of the Report and other options and alternatives considered in section 4.

An Impact Assessment had also been circulated for the consideration of Members.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

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

**RESOLVED** that the recommendations as outlined in the Report at (a), (b) and (c) be approved in order to progress proposals for land purchase for Red Bridge, River Otter.

**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 10.31 am and finished at 12.33 pm