

CABINET

11 September 2024

Present:-

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

Members attending in accordance with Standing Orders 25

Councillors J Brazil and C Whitton

Councillors F Biederman and C Leaver (remote attendance)

Councillor Hodgson for item 7 (remote attendance)

* 601 **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](#)

* 602 **Minutes**

RESOLVED that the minutes of the meeting held on 14 August 2024 be signed as a correct record.

* 603 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* 604 **Announcements**

There was no announcement by the Chair at this meeting.

* 605 **Petitions**

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

* **606** **Question(s) from Members of the Council**

In accordance with the Cabinet Procedure Rules, the Leader responded to one question from a Member of the Council on the following matters:

1. Government announcement relating to the badger cull and replacement with vaccination programmes, and action of the Council on its land and farm estates and timeline for the transition;

The Leader responded orally to the supplementary question arising from the above.

[NB: A copy of the question and answer were available on the webpage for meeting and the supplementary question and answer may be observed through the webcast of this meeting – see Notes below].

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

The Chair exercised his discretion to bring forward this item of business from item 11.

In accordance with the Council's Public Participation Rules, the relevant Cabinet Member responded to one question from a member of the public on the following matter.

1. An explanation for shortfalls in floating bus stops in Rifford Road.

The Cabinet Member responded orally to the supplementary question arising from the above.

A copy of the question and answer had been sent direct to the questioner.

(NB: A copy of the question and answer was available on the webpage for meeting and the supplementary question and answer could be observed through [the webcast of this meeting](#) – see Notes below).

* **608** **Budget Monitoring - Month 4 (2024/2025)**

(Councillors Biederman, Brazil, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item raising questions on safety valve, sufficiency in places for children (and historical data), earmarked reserves, manager numbers across the Council, legal disbursements and achievement of savings).

The Cabinet considered the Report of the Director of Finance and Public Value (DFP/24/90) outlining the budget monitoring position at month 4 (2024/2025), 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.

At Month 4, it was estimated that budgets would overspend by just under £6 million. However, it was important to note that this excluded the Dedicated Schools Grant (DSG) deficit (at paragraph 3.18 in the Report).

Financial risks within Integrated Adult Social Care and Children and Young People's Futures were still being experienced, but the work underway across the whole authority to support these pressures continued to ensure the whole organisation was focused on achieving a break-even position for the end of the year.

Before any contributions from the Department of Education (DFE) or the Authority the DSG was forecasting a £38.5 million pressure compared to the DFE Safety Valve planned position of £31.2 million, a difference of £7.4 million. Work was therefore underway to ensure the outturn was as per the Safety Valve agreement, the details being set out within section 3 of the Report.

The table at paragraph 3.1 summarised the Month 4 forecast position by directorate, excluding the Dedicated Schools Grant forecast. However, the process of realigning staffing and associated budgets being impacted as part of organisational and staffing changes were still being worked through, therefore the values referenced should not yet be considered final.

The Adjusted Budget (b) reflected budget movements between service directorates and non-service lines which had taken place up to the end of July 2024. Appendix 1 detailed the in-year budget movements in full.

The delivery of budgeted savings, alternative funding and additional income (Savings) was reviewed throughout the year as part of the budget monitoring process. The table at paragraph 3.4 summarised delivery across the authority and applied a RAGB (Red, Amber, Green, Blue) colour rating to the level of confidence in delivery progress.

Budgeted savings of £49.6 million had been identified as part of the budget setting process. At month 4 Directorates were forecasting delivery of £46.5 million.

Integrated Adult Social Care services were forecast to overspend by £1.1 million and Children and Young People's Futures services an overspend of £6.6 million. The Cabinet noted that paragraph 3.9 of the report was a typographical error and should not form part of the Report. The Report also outlined the SEND forecast accumulated deficit reflecting the position at month 4, the expected DfE contribution, and the contribution the authority had committed to making for the year. A second progress update to the DfE had been submitted on 28th August 2024 detailing this position as well as progress made on delivering the transformation plan.

The latest DfE Safety Valve update also set out a number of areas where progress was being made which would improve the overall financial position and these were outlined in the Report.

At Month 4, the Climate Change, Environment and Transport directorate was forecasting an underspend of £333,000. Planned budgeted savings of £4.6 million were currently expected to deliver fully, however significant pressures were being managed within highways maintenance.

Public Health, Communities and Prosperity and Performance and Partnerships were forecasting to breakeven and fully deliver budgeted savings of £1.3 million.

Corporate Services were forecasting an overspend of £2.2 million, with Legal and Democratic Services forecasting an overspend of £1.8 million, the majority of which related to pressures association with legal disbursements. Corporate Services were forecasting savings delivery of £4.9 million against budget target of £5.1 million.

Non-service items, which include capital financing costs, interest earned and business rates pooling gain income, were forecasting an underspend of £3.5 million.

The approved capital programme was £249.3 million, with the year-end forecast of £214.2 million. Slippage of £28.7 million was mainly due to Major Schemes within the Climate Change, Environment and Transport Directorate. The Capital Receipts position was outlined in the table in paragraph 3.34.

Corporate debt stood at £6.5 million, being 2.8% of the annual value of invoices, against the annual target of 1.9%.

At the beginning of the financial year, earmarked reserves (excluding schools and non-schools carry forwards) stood at just under £101 million. During 2024/25 earmarked reserves were expected to decrease by just over £27 million to just over £73 million, as set out in the table at paragraph 3.38.

In addition to earmarked reserves, the General Fund Reserve (working balance) brought forward at the start of the financial year was just under £16 million.

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 McInnes, and

RESOLVED

(a) that the Month 4 budget monitoring forecast position be noted;

(b) that the Safety Valve Intervention programme update also be noted;

(c) that the budgets movements to date be noted; and

(d) that the forecast reserves position also be noted.

* 609 **Devon and Torbay Local Transport Plan 4 2026 - 2040: Approval to go to Consultation**

(Councillors Biederman, Brazil, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item raising questions on the future proofing of plans, devolution impacts, local plans, and the recent Government announcement relating to buses).

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/24/64) which sought approval to go to Consultation on the Devon and Torbay Local Transport Plan 4 2026 - 2040, 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 draft Devon and Torbay Local Transport Plan 2026-2040 (LTP 4), was shown in Appendix I. The Plans were statutory documents, required under the Transport Act 2000 (as amended), which set out the overarching ambitions for the County's local transport network (including Torbay) over a medium-term time period. This included the policies, proposals and strategic direction to guide future planning and investment in transport infrastructure and services.

The current Local Transport Plan (LTP 3) covered the period 2011-2026 and there had been many changes since that time.

It was proposed that the draft LTP 4 be recommended for public consultation during Autumn 2024 for a total of 8.5 weeks.

In terms of vision, the draft LTP 4 had been developed using available advice from the Department for Transport, including the need to focus on growing the economy, reducing environmental impacts, improving transport users' experience and ensuring the transport system was safe, reliable and inclusive.

Transport will facilitate sustainable growth and support reaching net zero carbon by 2050 at the latest. Well-integrated, accessible and inclusive transport will improve travel choice and benefit the health and wellbeing of everyone.

Alongside the overarching vision (above), six objectives for transport in Devon and Torbay had been identified which included Decarbonisation, Reliable and Resilient, Easier Travel, Unlock Development, Greater Places for People and the Place to be Naturally Active.

The draft LTP 4 recognised that Devon was a large County with a dispersed settlement pattern including major urban centres and growth areas focused along the main road and rail corridors; historic market and coastal towns, and picturesque seaside, country and moorland villages in more remote, rural locations. The significant demographic variations presented different challenges for connectivity.

In August 2024, Government released changes to the National Planning Policy Framework for consultation, which included specifying that local planning authorities should identify opportunities for maximising the efficient use of land, especially in areas well served by transport and other infrastructure. The draft LTP 4 therefore identifies four place types where policy and interventions were tailored to the specific challenges facing those communities and the opportunities that could deliver the vision and objectives of the LTP. These include Exeter, Torbay, Growth Areas and Rural Devon and Market & Coastal Towns.

The draft LTP 4 will include Action Plans for each of the chapters. The complete list of interventions, separated by place type, was detailed in the draft LTP 4 document (see Appendix I).

The Cabinet also noted the draft LTP 4 acted as an overarching umbrella document for the more detailed plans set out in and the range of emerging and adopted local strategies, plans and policies, listed in the Report.

The proposals for the consultation were outlined, noting that adoption of a final LTP 4 will either be the Council meeting in early 2025 or by the newly adopted County Combined Authority, which would have responsibility as the local transport authority for Devon and Torbay.

An outline of the proposed public consultation was set out, which included dates and duration, Feedback, Consultation Materials, Information in Libraries, online webinars, Notifications and Communications.

A Strategic Environmental Assessment (SEA) was being produced in parallel to the development of the LTP 4. The SEA would promote sustainable development through better integration of sustainability considerations in the preparation and adoption of LTP 4.

A Standing Overview Group of the Corporate Infrastructure and Regulatory Services Scrutiny Committee received a briefing document about the development and content of the draft LTP. The recommendations out of this session had been incorporated into the draft LTP 4.

Transport was a key mechanism to deliver the Council's Strategic Plan priorities and actions, with many cross-cutting themes evident in the LTP 4. The table at section 6 of the Report summarised how the draft document

would impact achievement of relevant Strategic Plan actions according to a seven-point scale.

The development and adoption of an updated Local Transport Plan was essential as it provided a strong policy framework, well aligned with the latest national policies, to support capital funding bids to Government. It also supported input to District Council Local Plans and enabled negotiations for future developer contributions.

An Impact Assessment had been prepared for Members at the meeting and was available at - [Published Impact Assessments - Impact Assessment \(devon.gov.uk\)](#).

All Devon residents stood to gain from the enhanced travel choices, benefitting from improved health and activity levels, improved road safety and more efficient transport networks that LTP 4 would deliver. Also to achieve carbon reduction targets and improve public health it would be necessary to improve accessibility and the attractiveness of sustainable alternatives to encourage mode shift, which may disproportionately impact those who were reliant on private vehicles. For such individual schemes, consultation and Impact Assessments would be carried out. A Rapid Health Impact Assessment has also been undertaken, highlighting a number of strengths and opportunities linking the draft Local Transport Plan with factors such as air quality, noise, physical activity, economy and employment, safety and connections with communities. These would be reflected upon and changes considered within the final LTP.

The Cabinet noted that following the public consultation, responses would be analysed and considered, with post consultation amendments to the LTP made where appropriate. This would facilitate a pathway towards a recommendation for endorsement at Cabinet before adoption either by Full Council or a newly formed Devon and Torbay County Combined Authority in 2025.

The Cabinet Members also highlighted and promoted the proposed drop in session for Members on 9th October 2024.

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 Davis, and

RESOLVED

(a) that a public consultation to be carried out in conjunction with Torbay Council on the draft Local Transport Plan 2025-2040 (Appendix I) and associated Strategic Environmental Assessment (Appendix II); and

(b) that delegated authority be given to the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management and the Cabinet Member for Climate Change, Environment and Transport to make minor amendments to the draft Local Transport Plan 4.

* **610** **Bus Service Improvement Plan: Tranche 3**

(Councillors Biederman, Leaver and Whitton attended in accordance with Standing Order 25(2) and spoke to this item raising questions on Sticklepath Terrace and links with cycle schemes).

The Cabinet considered the Report of the Director of Climate Change, Environment and Transport (CET/24/63) seeking approval for the Tranche 3 Capital Schemes of the Bus Service Improvement 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 Cabinet noted that Bus services were well documented to have significant social, economic and environmental benefits and recognising the value of buses, in 2021 the Government published its National Bus Strategy, which provided a pathway to help bus services improve following the COVID-19 pandemic.

This Strategy required local transport authorities to form Enhanced Partnerships with bus operating companies, and to publish a Bus Service Improvement Plan (BSIP). The Council's BSIP had been developed and approved by Cabinet on 13 October 2021, and an Enhanced Partnership formed.

In 2022, the Council had been allocated £14.1 million BSIP funding, split into capital (£8.8 million) and revenue (£5.3 million) for a three-year period from 2022/23 to 2024/25. All schemes were subject to final approval from the Department for Transport. The Report covered the final tranche of BSIP capital schemes (following BSIP scheme Cabinet approvals in October 2023 and July 2024).

The Report highlighted the proposals as follows:

1. Barnstaple Rail Station – a number of changes were proposed (2D scheme in Appendix 1) to overcome the current barriers to seamless connections between rail and bus, as well as for onward walking and cycling connections, for instance towards the town centre. An overview of the existing road network in the vicinity of Barnstaple Rail Station was shown in the Report and the existing road layout and parking/waiting facilities at the station.

The scheme was being developed in partnership with GWR, the operator of trains serving Barnstaple rail station, and Network Rail, the owner of Barnstaple rail station and other rail infrastructure.

In terms of option, Appendix 3, showed the two alternative high-level options considered for the Barnstaple Rail Station scheme:

2. Countywide Pinchpoint Removal Programme – it had been identified there were locations throughout the network where smaller-scale, quick-win interventions could improve the smooth, safe passage of public service vehicles by removing “pinchpoints”. The sites identified for action were included in Appendix 2 of the Report as well as those where minor physical engineering changes had been identified to address the issues experienced. Where a TRO was required, designs had been developed and local Members approached for permission to advertise. Details of these were also included in Appendix 2. Should objections be received, the TROs would be taken to the relevant local Highways and Traffic Orders Committee (HATOC) for resolution, but in instances where no objections were received, the Orders would be made and sealed as per recommendation (a).

Section three of the Report outlined the detailed public consultation for Barnstaple Rail Station and responses received. A PowerBI dashboard allowing users to analyse the quantitative responses in greater detail was available online at devon.cc/NorthDevonBSIPs. The Report then outlined the amendments to the proposals following the consultation period.

Further technical data was outlined in terms of Traffic/Pedestrian/Cycle Counts and Projected Bus Flows.

The Cabinet noted the schemes were well aligned with a range of the Strategic Plan priorities, the table at section 4 summarised how the proposals would impact the relevant Strategic Plan actions according to a seven-point scale.

They further noted that the BSIP funding was ringfenced for schemes identified within the Devon BSIP programme. Changes must be approved by the Department for Transport and could not be used for alternative transport schemes. The costings for each scheme were outlined in section 5.

An Impact Assessment had been prepared for the attention of Members at the meeting. This was available at [Barnstaple Rail Station Bus Integration Enhancements - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk). It was noted in the Impact Assessment that greater proportions of trips were made by bus for people identifying as 'Black' or mixed ethnicities than the general population. This indicated the potential to advance equality of opportunities for these groups by enabling faster, and more direct travel to employment, services and leisure facilities. Additionally, it was noted that greater proportions of trips made by young people (aged 17-20), elderly people (ages 75+), people with reduced mobility and females were made by bus than the general population, all of which would see an advancement in equality of opportunities as a result of these schemes.

The Countywide Pinchpoint Removal programme was covered by the Impact Assessment presented to Cabinet in September 2021 covering the overarching principles of the BSIP project [Bus Services Improvement Plan - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk).

In summary, approval of the recommendations would enable the construction of a capital scheme to improve multimodal integration at Barnstaple Rail Station, improving safety and making it easier to change between buses and trains and improved walking and cycling connections. The pinchpoint removal programme also supported these outcomes by ensuring buses run smoothly and safely with more reliable journey times.

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 advertising of the traffic regulation orders necessary for the schemes in the Report be approved, and, in the absence of objections, to make and seal the orders subject to the requirements of the legislation and the council's procedures;

(b) that, subject to the resolution of the traffic regulation orders, the construction of the Barnstaple Rail Station Bus Integration Enhancements scheme be approved, within the budget of £785,670;

(c) that, subject to the resolution of the traffic regulation orders, the construction of the schemes within the Countywide Pinchpoint Removal programme be approved, within the budget of £346,571;

(d) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Highways Management, to make minor amendments to the relevant advertised Orders in relation to the Countywide Pinchpoint Removal programme; and

(e) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Climate Change, Environment and Transport and the relevant Local Member to make minor amendments to the Barnstaple Railway Station scheme.

* **611** **Minutes**

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

Farms Estate (Interviewing) Committee – 8 July 2024

* **612** **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.

* **613** **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 11.55 am