

OVERVIEW AND SCRUTINY COMMITTEE 1

A meeting of the **Overview and Scrutiny Committee 1** will be held on **Monday, 19th October, 2020** at **11.00 am**. This will be a virtual meeting and you can observe the meeting [via our Youtube Page](#).

PHIL SHEARS
Managing Director

Membership:

Councillors H Cox (Chair), Jenks (Vice-Chair), Clarence, D Cox, Eden, Foden, Gribble, Hocking, Mullone, Nutley, Patch, Rollason and Thorne

Please Note: The meeting will be live streamed with the exception where there are confidential or exempt items, which may need to be considered in the absence of the media and public.

AGENDA

1. **Minutes of the meeting held on 22 September 2020** (Pages 3 - 10)
2. **Declaration of Interest**
3. **Public Questions (if any)**
4. **Councillor Questions (if any)**
5. **Call-in Rural Skip Service** (Pages 11 - 16)

Councillor H Cox has called-in the Executive decision of 6 October regarding the rural skip service. The reason for the call-in is *"I believe there needs to be an opportunity for affected towns and parishes to have their say on the matter and further questioning and debate to take place."*

The call in is supported by Councillors Clarence, Gribble, Hocking, Nutley and

Patch.

The decision of the Executive is below and the Executive report is attached

55. RURAL SKIP SERVICE

Executive Member for Recycling, Household Waste and Environmental Health presented the report to consider the future provision of the rural skip service. He commented that it was with a heavy heart that the Council would have to cease this non-statutory service which it had taken in when the County Council withdrew its support. The Council needed to look at savings to bridge the budget shortfall as a result of the COVID pandemic. Members attention was brought to alternative options available to residents which included the councils own bulky waste collection and charities in the district that collect and recycle goods. The Leader brought Members attention to a letter, which had been circulated to Executive from Ipplepen Parish Council raising concerns regarding the cessation of this service. Members discussed the costs of the service and the possibility of Towns and Parishes taking on the service either individually or jointly. The Waste and Cleansing Manager clarified that the average cost of a skip was £1800 plus disposal costs and the council would share its information with regards to risk assessments for this work to assist the Town and Parishes if they wish to make their own arrangements.

RESOLVED that:-

- (1) The discontinue the service be agreed and necessary arrangements with the existing contractor for early contract termination be made; and
- (2) Support be provided to the Town & Parish Councils impacted to assist them with their own arrangements where requested.

Councillor Purser abstained from voting.

If you would like this information in another format, please telephone 01626 361101 or e-mail info@teignbridge.gov.uk

OVERVIEW AND SCRUTINY COMMITTEE 1

TUESDAY, 22 SEPTEMBER 2020

Present:

Councillors Clarence, D Cox, H Cox, Eden, Foden, Gribble, Hocking, Jenks, Mullone, Nutley, Rollason and Thorne

Members Attendance:

Councillors Connett, Dewhurst, J Hook, MacGregor and Wrigley

Apologies:

Councillors Patch

Officers in Attendance:

David Eaton, Environmental Protection Manager

Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer

Trish Corns, Democratic Services Officer

Liz Gingell, Business Improvement Officer

1. ELECTION OF CHAIR

It was proposed and seconded that Councillor H Cox be elected Chair for the 2020/21 Municipal Year.

A roll call was taken as follows:

For the proposal: Councillors Clarence, D Cox, H Cox, Eden, Foden, Gribble, Jenks, Nutley, Rollason and Thorne Total 10

Against the proposal: None

Abstention: Cllrs Hocking and Mullone Total 2

RESOLVED

That Councillor H Cox be elected Chair for the 2020/21 Municipal Year.

2. ELECTION OF DEPUTY CHAIR

It was proposed and seconded that Councillor Jenks be elected Vice Chair for the 2020/21 Municipal year. It was also proposed and seconded that Councillor Clarence be elected Vice Chair for the 2020/21 Municipal year.

A roll call was taken as follows:

For Councillor Clarence: Councillors Clarence, Gribble, Hocking and Thorne Total 4

For Councillor Jenks: Councillors D Cox, H Cox, Eden, Foden, Jenks, Nutley and Rollason. Total 7

RESOLVED

That Councillor Jenks be elected Deputy Chair for the 2020/21 Municipal Year.

3. DECLARATIONS OF INTEREST

Councillor D Cox declared an interest in Minute 7 below in relation to the update by Councillor Wrigley, Executive Member for Homes and Communities, by virtue of his association with the charities the CVS and HITS.

4. PUBLIC QUESTIONS (IF ANY)

None.

5. COUNCILLOR QUESTIONS (IF ANY)

None.

6. WORK PROGRAMME

The Committee's Work Programme as circulated with the agenda was noted.

7. EXECUTIVE FORWARD PLAN AND VERBAL EXECUTIVE MEMBERS' UPDATES

Councillor D Cox declared an interest in relation to the update by Councillor Wrigley, Executive Member for Homes and Communities, by virtue of his association with the charities the CVS and HITS.

The Executive Forward Plan was noted.

Executive Member Updates

Councillor Dewhirst – Waste and Environmental Health

Councillor Dewhirst's update included the following:

- The services under his responsibilities are waste and cleansing, environmental protection, and Food, health & Safety and Licensing services. Customers can access all services digitally.
- The Environmental Protection Act set out the Councils statutory responsibilities with regard to the waste collection, recycling and street cleansing. Waste disposal is the responsibility of Devon County Council.
- Waste collection cost each household £51.83 per year and street cleansing cost £23.08 per annum.
- No waste goes to landfill. Residual waste is used for energy.
- The service is ranked highly being 23rd nationally, 2nd in Devon and 3rd in the South West in 2018/19.

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- Under Environmental Protection the Council is responsible amongst other issues for emergency planning and business continuity, the provision of community environment wardens, and pest control.
- Food, health & safety, and Licensing include responsibility for inspection of cafes and restaurants, and official controls such as food hygiene, corporate health and safety at work, licensing of taxis and premises.

RESOLVED

That the Business Mangers and their staff be formally recognised and thanked for their time and commitment to the community during the Covid lockdown in providing for and responding to the needs of residents.

The full update can be seen at

<https://www.youtube.com/watch?v=-CcSeUOfntY>

Councillor Wrigley – Housing and Community Engagement

Councillor Wrigley's update included the following:

- The services under his responsibilities also include customer services, business improvement and development, community safety and IT.
- The Covid lockdown resulted in emergency support for business and residents to access services online, and Council staff being supported to work remotely, all achieved by the Council's IT provider Strata.
- Customer Services deliver an admirable service to customers.
- The community safety service is delivered in partnership with the Police and projects have been funded through funding from the Police and Crime Commissioner.
- Housing delivery and affordable housing numbers set by Government were down on target due to the decrease of building work as a result of Covid lockdown.
- The Council run a Warmer Homes service which was currently focusing on residents of park homes, and oversees private tenant and landlords, and gypsy and travellers. A bid for £140,000 government funds was recently achieved to help home the homeless.
- Community engagement provided amongst other services support for the voluntary sector who directly help our more vulnerable residents, again invaluable during the challenging Covid situation.
- All staff were thanked for their commitment to the community during this time.
- The Council recognised that the Covid situation had highlighted digital poverty, and the importance of telephone access to the Council for some residents who had difficulty with internet access.

The full update can be seen at

<https://www.youtube.com/watch?v=-CcSeUOfntY>

Councillor J Hook – Climate Change, coastal and flood risk management

Councillor Hook's update included the following:

- The Council has a declaration for Teignbridge to be carbon neutral by 2025 which is relevant to all service delivery areas.

- Local Plan Policy S7 requires a carbon calculator to be submitted for planning applications.
- A carbon footprint had been calculated for the Council to ascertain where areas need to be addressed to reduce carbon emissions.
- Community groups consisting of climate change experts were assisting the Council.
- Her executive responsibilities also included air quality, drainage and flood risk, and shoreline Management planning which Teignbridge was leading on, and was 100% funded by the Environment Agency. Devon County Council's drainage and flood risk strategy was currently out for public consultation. Projects were ongoing in relation to these issues, many of which had received government funding.

The full update can be seen at

<https://www.youtube.com/watch?v=-CcSeUOfntY>

Councillor Connett Leader – Strategic Direction

The Leader advised that having recently taken on the role of leader of the Council he was meeting with the Managing Director and the strategic leadership team officers to shape the direction of the Council's service delivery, and dealing with current issues with the Covid situation. He would report at the Council meeting on 30 September 2020.

8. BAME NOTICE OF MOTION REFERRED FROM COUNCIL 28 JULY 2020

Councillor Jefferies gave an update on her Notice of Motion (NOM) detailed in the agenda. The NOM was considered by the Audit Scrutiny Committee which set up a Review Group to look at section (a) of the NOM. Section (b) was pertinent to the OS Committees as follows:

(b) [The Council to] Work with Devon County Council (DCC) to explore the prospect of making changes the curriculum to include BAME experiences, contributions, and the FACTs of History, throughout the year:-

[The Council to] Explore the possibility of an education transformation project in conjunction with schools that creates a suite of curriculum resources specific to Teignbridge's History:-

[The Council to] Lobby Government to invest and resource changes to the curriculum across the UK through the support of organisations such as The Black Curriculum and via associated campaigns:-

[The Council to] In partnership with DCC, [to] conduct a review of street names and monuments within Teignbridge to assess where information plaques relevant to uncovering the history of Imperialism and links to slavery can be put in place as soon as possible.

DCC had put forward its own NOM and this Council could work with the County. In relation to paragraph two regarding an *education transformation project in conjunction with schools* she had moved this forward with the use of

her community fund. Students at Winchester University had published books about local history and would work in partnership with the Council. Teignmouth Community School was also involved with this project.

The Committee would be able to assist in regard to the third paragraph to *lobby Government to invest and resource changes to the curriculum across the UK*, by supporting the most relevant campaigns.

In regard to *in partnership with DCC, [to] conduct a review of street names and monuments within Teignbridge*, historical links should be identified and residents encouraged to reflect on the issue when using roads and parks with names linked to BAME, and suggested projects such as history walks. She did not wish the Council to rename streets, roads and areas.

Comments made by Committee members included that education was key to transforming behaviours and prejudices, and that recently released figures from the Police and Crime Commissioner's ethnicity audit revealed that a black person was twelve times more likely to be stopped by the Police.

It was proposed that the Police and Crime Commissioner be requested to disclose further figures from the ethnicity audit for the last four years on how more likely a black person was stopped by the Police.

It was also proposed that a spotlight review group be set up consisting of three members from this group, and OS2 Committee be invited to also appoint three members to the group. This was seconded and a roll call was taken as follows:

For the proposal: Chair, Vice Chair and Cllrs Clarence, D Cox, Eden, Foden, Gribble, Hocking, Mullone, Nutley and Rollason - Total 11 - unanimous

The above proposal regarding figures from the Police and Crime Commissioner was seconded and a roll call was taken as follows:

For the proposal: Chair, Vice Chair and Cllrs Clarence, D Cox, Eden, Foden, Gribble, Hocking, Mullone, Nutley and Rollason - Total 11 - unanimous

RESOLVED

1. A spotlight review group be set up consisting of three members from this group, and the OS2 Committee be invited to also appoint three members to the group. The Members from this Committee being Councillors H Cox, Eden, and Jenks.
2. The Police and Crime Commissioner be requested to disclose further figures from the ethnicity audit for the last four years of how many more times a black person was likely to be stopped by the Police.

9. FLY TIPPING

The Chair invited Executive Member Cllr Dewhirst to present the report.

The report advised on the Council's powers, responsibilities and initiatives regarding fly tipping, in response to a councillor's questions regarding fly-tipping cases investigated and successful prosecutions. The main legislation to control fly tipping was contained within the Environmental Protection Act 1990. The Council had robust proactive and reactive strategies and procedures in place to investigate offences of fly tipping where sufficient evidence was available. Proactive measures included the monitoring and surveillance of hotspot locations subject to regular fly-tipping and the use of publicity campaigns. Reactive measures involved the investigation of incidents of fly-tipped waste to determine whether evidence could be gathered to take action. The Council was also active in a number of multi-agency initiatives to raise the profile of fly tipping, encouraging reporting and educating householders about their legal responsibility.

In response to Member questions, Members would be advised of the cost of disposing of fly-tipped asbestos, and it was noted that *Recycle and Reuse*, and the bulky waste service were promoted to the public.

RESOLVED

The contents of the report be noted.

10. GROUNDS MAINTENANCE WEED CONTROL -NON TOXIC WEED CONTROL

The Chair invited the Executive Member for Sport, Recreation and Culture, Cllr MacGregor to present the report in response to concerns raised by Members about the Council's use of Glyphosate herbicides and alternative options available. The Council's use of Glyphosate had reduced substantially and there was an ongoing effort to find effective alternatives. The current use was minimal, targeted and managed carefully, with the Council taking responsible measures with regards to health and safety.

It was noted that the Council had a legal duty to clear some evasive weeds on Council land which could be eradicated only with the use of glyphosates. Alternative methods were less effective and more costly, and increased weed would lead to additional financial costs.

It was proposed and seconded that the recommendation as set out in the reported be approved.

A roll call was taken as follows:

For the proposal: Chair, Vice Chair and Cllrs D Cox, Eden, Foden, Hocking, Mullone, Nutley and Rollason -Total 9 - unanimous

RESOLVED

- (1) To continue the current carefully managed use of glyphosate.
- (2) Implement the improvements suggested and reduce the use of glyphosate in parks and cemeteries by a further 20% (within current budgets).
- (3) Continue to seek alternative solutions and opportunities to reduce use of Glyphosate.

11. PERFORMANCE MONITORING

The Chair referred to the agenda report which gave an update on the delivery of the Council Strategy 2020-2030, and an overview of performance for the Teignbridge Ten Programmes. It provided the detailed performance information used to track its delivery, and advised Members where performance was not on track.

It was noted that Council resources had been directed to respond to the impact of the Covid situation which had resulted on some projects underperforming or being on hold. This was also the case with the impact on the community, and the local and national economy which had effected some performance indicators.

It was proposed and seconded that the recommendation as set out in the report be approved.

A roll call was taken as follows:

For the proposal: Chair, Vice Chair and Cllrs D Cox, Eden, Foden, Hocking, Mullone, Nutley and Rollason. Total 9 - unanimous

RESOLVED

The report and actions being taken to rectify performance issues detailed in the Appendix be noted.

CLLR H COX
Chairman

TEIGNBRIDGE DISTRICT COUNCIL

EXECUTIVE COMMITTEE

OCTOBER 6TH 2020

Report Title	Rural Skip Service
Purpose of Report	To consider the future provision of the rural skip service
Recommendation(s)	<p>The Committee RESOLVES to:</p> <p>(1) Agree to the discontinue the service and make necessary arrangements with the existing contractor for early contract termination; and</p> <p>(2) To provide support to the Town & Parish Councils impacted to assist them with their own arrangements where requested.</p>

Financial Implications	<p>There are significant costs incurred by the Council to deliver this non-statutory service. Discontinuing the service would generate significant savings.</p> <p>Please see Section 2.1</p> <p>Chief Finance Officer Email: Martin.Flitcroft@teignbridge.gov.uk</p>
Legal Implications	<p>As set out at Section 2.2</p> <p>Paul Woodhead Legal Services Team Leader and Deputy Monitoring Officer Paul.Woodhead@teignbridge.gov.uk</p>
Risk Assessment	<p>A specific risk assessment is not considered relevant for this decision. Please see section 2.3 for further detail.</p> <p>Chris Braines. Waste & Cleansing Manager chris.braines@teignbridge.gov.uk</p>
Environmental/ Climate Change Implications	<p>Please see Section 2.4 for further information.</p> <p>Chris Braines. Waste & Cleansing Manager chris.braines@teignbridge.gov.uk</p>
Report Author	<p>Chris Braines. Waste & Cleansing Manager 01626 215841 chris.braines@teignbridge.gov.uk</p>
Portfolio Holder	<p>Cllr Alistair Dewhirst PH for Environmental Services</p>
Appendices	<p>A1 – Rural skip locations</p>
Background Papers	<p>None</p>

1. PURPOSE

Teignbridge District Council has historically provided residents with an attended skip service for the disposal and recycling of bulky household waste. It is usually provided at each site once annually on Saturdays from Spring to Autumn. The service visits various locations, and on occasions covers two sites that are in close proximity per Saturday. Information on the site locations can be found in Appendix 1.

Since the introduction of social restrictions relating to the CV-19 pandemic the planned rural skip services from April 2020 to the end of September have been cancelled. Initially it was not possible to comply with the necessary guidelines but as restrictions have eased the decision to temporarily withdraw the service has been

upheld. In order to adhere to social distancing measures the service would require additional staff and operational equipment at increased costs.

This purpose of this report is to consider the future provision of this non statutory service.

2. REPORT DETAIL

2.1 Financial

At the time of contract award in 2017 the service cost had almost doubled to £55K per year plus annual RPI increases. The incumbent supplier at that time did not bid to continue delivering the service. The cost for 2019/20 was £57,358 plus additional disposal costs of £1,343.

The Waste & Cleansing Business Plan 2018/19 identified the cessation of the service as a possible way to generate savings and improve recycling performance. The decision was taken in 2019 to extend the service for a further 2 years in line with the contract option available. The current contract now expires in March 2022.

So far in 2020/21 no services have been provided due to the CV-19 pandemic. This has resulted in avoided costs of £27.6k at the end of July. Ongoing annual savings of approximately £60k per year could be realized by discontinuing the service completely subject to any early termination costs.

In addition DCC could take the position during the contract term that this is not a service that TDC as the Waste Collection Authority should be providing and no longer cover any of the disposal costs. This has the potential to create a further budget pressure of approximately £12,000 per year.

2.2 Legal

The current contract was awarded to Coastal Waste in 2017 for an initial period to the 31st March 2020. The contract was extended for 2 years through the option available within the contract award.

The service is non statutory, is unique to Teignbridge in Devon and does not have the support of Devon County Council (DCC) who have withdrawn funding of the disposal costs at locations considered sufficiently close to their permanent Recycling Centres (i.e. those within a 5 mile radius).

There are clauses within the contract that allow for early termination of the contract by mutual agreement. Discussions with the incumbent supplier have confirmed that there would be no issues or costs associated with an early termination of the existing contract.

2.3 Risks

The removal of the service may be met with some disappointment from Town and Parish Councils and regular users. They can be advised, however, that residents who have bulky items to dispose of can take them to their nearest recycling centre, arrange collection through the Teignbridge 'Bulky Waste Collection Service' or make private arrangements for the disposal of their items.

The annual frequency of the service means its removal is unlikely to lead to an increase in fly tipping in any given area. There is also potential for our officers to provide the Town and Parish Council's with advice and assistance with their own arrangements to deliver the service should they wish to continue to provide it themselves.

2.4 Environmental/Climate Change Impact

Historically the service has had a negative impact on our waste performance by increasing costs and total waste arising and returning lower than average recycling rates. The recycling performance has improved through the new contract but still has detrimental effect on our costs and total waste arising performance figures.

In 2019/20 the service generated 145 tonnes of waste of which 90 tonnes were recycled giving a recycling rate of 62%. The main recycling centres operated by DCC which deal with the equivalent waste streams typically return recycling rates above 90% due to their ability to segregate additional types of waste material.

3. ALTERNATIVE OPTIONS

There is currently no clear timeline for the lifting of social distancing measures and as a result there would be a significant additional budget pressure to resume and continue the service. The Town and Parish councils impacted would be offered support by the Teignbridge waste team to set up their own arrangements directly with waste service providers.

Residents that have bulky items to dispose of can be advised to take them to their nearest recycling centre or arrange a collection through the Teignbridge 'Bulky Waste Collection Service' online at www.teignbridge.gov.uk/recycling-and-waste/special-collections/bulky-waste-collections which costs £22 to book plus a cost per item. Alternatively residents could use a private company and be reminded about their 'duty of care' ensuring that they use a 'registered waste carrier' which can be checked here www.gov.uk/guidance/access-the-public-register-for-environmental-information and that fly tipping is an offence carrying a fixed penalty charge of £400 and the potential for prosecution.

4. CONCLUSION

As this is a non-statutory service that increases costs and is detrimental to our waste performance it is recommended that the provision of the Rural Skip Service is discontinued and early termination of the contract is progressed.

At a time of extreme financial pressure it seems counter-intuitive for TDC to provide a non-statutory service that is already provided statutorily by the Waste Disposal Authority (DCC) through their network of Recycling Centres and by TDC through our bulky waste collection service.

Appendix 1 – Rural Skip site locations

PARISH (TOWN / VILLAGE)	SITE NAME / LOCATION
Ashburton	Kingsbridge Lane Car Park
Bishopsteignton	Parish Council Recreation Ground Car Park
Bovey Tracey	Station Road Car Park
Bridford	Lay-by at the Top of Pound Lane
Broadhempston	Church Hill Cottages Car Park (Near The Square)
Buckfastleigh	Victoria Woodholme Car Park
Christow	Recreation Field Car Park
Chudleigh	Market Way Car Park
Chudleigh Knighton	Play Park Car Park
Combeinteignhead	Village Hall Car Park
Dawlish	Barton Hill Car Park
Dawlish	Sandy Lane Car Park
Dawlish Warren	Dawlish Warren Outer Car Park
Denbury	New Village Hall Car Park
Doddiscombsleigh	Victor Brook's Yard, Middle Hills
Dunchideock	Farm Entrance, opposite Riverside Cottage (formerly The Court)
Dunsford	Butts Landing
Exminster	Victory Hall Car Park
Hennock & Teign Village	Roadside along Hazel Crest Terrace, Hennock
Ide	Old Ide Lane
Ideford	The Pound Area
Ilsington	Village Hall Car Park
Ipplepen	Layby on Biltor Road (outside Primary School)
Kennford	The Old Weighbridge (top of town)
Kenton	The Triangle Car Park
Liverton	Blackpool Primary School Car Park
Longdown	Bus Stop Opposite the Lamb Inn
Lustleigh	The Orchard, alongside Post Office
Manaton	Manaton Car Park (opposite Cricket Field)
Moretonhampstead	Betton Way Car Park
Shaldon	War Memorial
Starcross	Sports field Car Park
Tedburn St Mary	Village Hall Car Park
Trusham	The Square
Whitestone	Hill Lane Junction (near Crossway)

Widecombe	Main Car Park (coach park)
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