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15 April 2024

FULL COUNCIL

A meeting of the **Full Council** will be held on **Tuesday, 23rd April, 2024** in the **Buckland Athletic Football Club, Kingskerswell Rd, Newton Abbot, TQ12 5JU** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Atkins, Bradford, Bullivant, Buscombe, Clarence (Chair), D Cox (Vice-Chair), Daws, Dawson, Farrand-Rogers, Foden, Gearon, Goodman-Bradbury, Hall, Hayes, Henderson, Hook, Jackman, James, Jeffries, Keeling, Lake, MacGregor, Morgan, Mullone, Nutley, Nuttall, Palethorpe, C Parker, P Parker, Parrott, Peart, Purser, Radford, Rogers, Rollason, Ryan, Sanders, Smith, Steemson, Swain, G Taylor, J Taylor, Thorne, Webster, Williams and Wrigley

Please Note: The public can view the live streaming of the meeting at [Teignbridge District Council Webcasting \(public-i.tv\)](#) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

A G E N D A

Part I

5. **Public Questions** (Pages 3 - 8)

Members of the public may ask questions. A maximum period of 15 minutes will be allowed with a maximum period of three minutes per questioner.

11. **Councillor Questions** (Pages 9 - 18)

Members of the Council may ask questions of the Council subject to procedural rules.

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

Council 23 April 2024

Public Questions

Question from Stuart Reynolds

“With the discovery of *Vibrio Alginolyticus* in the river Teign at Shaldon last year, what plans does the Council have to respond to the potential threat to public health from the spread of *Vibrio* species bacteria as the temperature of the estuary rises. Specifically, will the Council install a remote water temperature monitor to provide warning of temperatures in excess of 18°C, as part of its response to the climate change emergency it declared in April 2019”

Response from the Leader

Thank you for raising this issue. The council will look into the details of what has happened so far on since this discovery and continue to work with other agencies and partners to ensure that the appropriate agency takes the appropriate actions and that local residents are properly informed.

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What is Vibrio Alginolyticus ?

Vibrio Alginolyticus is a species of bacteria from the Vibrio genus. Vibrios are a species of bacteria that tolerate salt water and are unable to survive in fresh water.

Is Vibrio Alginolyticus dangerous?

Like some other Vibrio species, Vibrio Alginolyticus can cause illness in humans. It would be wrong to describe it as dangerous but it is pathogenic ie it can make people ill.

What illnesses does Vibrio Alginolyticus cause?

The most common ailments are ear infections (otitis) and gastrointestinal infections (watery diarrhoea). It is also known to cause skin infections and occasionally eye infections. If left untreated it can, rarely, cause cellulitis.

How was Vibrio Alginolyticus detected?

Samples of water, sediments and shellfish were taken and cultured in the laboratory. Various tests enabled the species to be identified.

Why was the testing carried out?

Vibrio species had previously been identified in other sites along the south coast of England. However, it was previously believed that the sea temperature in the Teignmouth area was not conducive to the growth of Vibrio species. With record high temperatures in May and September this year, it was felt that a further test was warranted to determine if this hypothesis remained correct.

Where and when was the test carried out?

The test was conducted in the “swimming” pool just above Shaldon Bridge (adjacent to Shoreside.) The test was carried out in September 2023.

Who carried out the test?

The test was carried out by Dr Sariqa Wagley at the University of Exeter. (Stuart Reynolds and Stephen Barnes, two local anglers, assisted in the collection of the samples.)

Is Vibrio Alginolyticus present throughout the year?

Like other Vibrio species, Vibrio Alginolyticus requires a stable temperature above 18°C to multiply. However, it can enter a semi-dormant state, attached to seaweed or hard surfaces, re-emerging when water temperatures rise.

Does Vibrio Alginolyticus affect fish and shellfish?

Yes. Vibrio Alginolyticus is believed to cause disease in fish and shellfish, although the mechanisms by which this occurs is not well understood. Fish species known to be infected by Vibrio Alginolyticus include gilt head bream and horse mackerel (both of which are present in the River Teign at different times of the year.) Vibrio Alginolyticus has also been shown to affect Pacific Oysters and Mussels.

Is Vibrio Alginolyticus linked to other potential health risks?

Yes. Although the exact mechanism is not clear, there is some evidence that Vibrio Alginolyticus can cause the concentration of certain neurotoxins (TTX) to increase in shellfish. TTX is a highly toxic substance capable of causing paralysis and death. Whilst TTX has been detected in U.K. shellfish the levels are believed to be within the safe limit (based upon the consumption of large

quantities of shellfish.) It's unlikely that this risk is currently material although the EU has noted this is an emerging risk as the climate warms.

Is the presence of *Vibrio Alginolyticus* linked to sewage pollution?

Vibrio Alginolyticus is a naturally occurring species that can be spread by fish, crustaceans and shellfish movements. There is nothing to suggest a direct link between sewage pollution and the presence of *Vibrio Alginolyticus*.

There is however some (limited) research to suggest that the presence of sewage can cause mutations in certain *Vibrio* species that can potentially increase their virulence. It is also possible that adding sewage to estuary water can increase the number of *Vibrio* bacteria present. In one study, the addition of 1% sewage to estuarine water caused the density of a pure culture of *V. vulnificus* and a natural *V. vulnificus* population to increase significantly, by two to three orders of magnitude.

What precautions are necessary as a result of the presence of *Vibrio Alginolyticus*?

The most common illnesses caused by *Vibrio Alginolyticus* are ear infections (otitis.) If left untreated these can cause catastrophic hearing loss. Regular swimmers should wear a cap and ear plugs. Children who are susceptible to ear infections should avoid getting their head in the water, particularly in the summer months when water temperatures rise. Showering, and careful drying, especially of the ears, is important. Early medical attention should be sought by anyone who has an ear infection after swimming or bathing in the river.

Skin infections are also a potential hazard. People should avoid entering the water if they have cuts, grazes or ulcers. Sturdy footwear should be worn to prevent cuts to the feet from shells, rocks and other sharp objects in the water. Anglers should ideally wear gloves, especially when handling spiny species, such as bass. Again, early medical attention should be sought by anyone who has a wound that starts to weep or is slow to heal.

Gastrointestinal problems, usually stomach cramps and watery diarrhoea, are also possible. The most common causes are uncooked shellfish or fish. Shellfish should be professionally cleaned using UV filtration or thoroughly cooked. Fish should be thoroughly cooked until it is opaque.

Care should be taken that drippings from fish and shellfish do not contaminate other food products or surfaces.

Most gastrointestinal problems will be self-limiting but medical treatment should be sought if the condition lasts for more than 48 hours or if the individual is vulnerable.

Thorough hand washing should be practiced by anyone who is in contact with the river water, fish, shellfish or items gathered from the foreshore.

Are there other *Vibrio* species present in the river?

We do not know. As water temperatures rise it is possible that other species, including more pathogenic species, could be found.

Isn't this just scaremongering?

Vibrio is a leading cause of water borne disease worldwide. The diseases caused range from cholera to necrotising fasciitis. In the USA, vibriosis is listed by the Center for Disease Control as a notifiable disease. It is not currently a significant cause of ill health in the U.K. but as sea temperatures rise it is likely to become an increasing risk.

What can we do about the presence of *Vibrio* in the water?

Vibrio is naturally occurring and a worldwide phenomenon: it cannot be eradicated as long as conditions are favourable. As the climate changes, it is possible that the variety of Vibrio species and their prevalence will increase. Aside from taking sensible precautions against illness there is nothing we can do.

Why has no one said anything about this before?

This is a new threat arising out of changes to our climate, although it's possible that Vibrio Alginolyticus has been present for some time and we have not noticed. Equally, it is possible that this is a new phenomenon driven by high sea temperatures.

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Council 23 April 2024

Members Questions

Question from Cllr Farrand-Rogers

1, When our planning officers formulate their recommendations for planning applications, to what extent do they take into account the increased generation of sewage, and the failure on the part of South West Water to deal adequately even with the present load?

Response from Executive Member for Planning

When a planning application is submitted, the authority will consult South West Water as a statutory undertaker where appropriate.

In response, the water authority will provide advice in relation to the development which the authority will take into consideration when determining the application. However, the perceived failure of the undertaker to discharge their statutory duty in respect of the existing infrastructure within the area is not a material planning consideration and cannot be taken into consideration in determining the application.

The operation and discharge of the statutory function of the Water Authorities is controlled by distinct and separate legislation.

Questions from Cllr Lake

PH Environment Charles Nuttall

2). Can the PH explain why as a result of escalating fly tipping at considerable cost that the budget for publicity ie posters / banners has been already exhausted!??

Response from Executive Member for Recycling, Household Waste & Environmental Health

These were part of a previous campaign externally funded through the 'Clean Devon' initiative. There was no internal budget provision to continue this campaign. We are aware that Cllr Lake did obtain the last of the remaining stock of signs for deployment.

3) Past experience demonstrates the effectiveness of these relatively cost effective measures and can he explain therefore what measures he is going to take to counter this growing illegal and anti social problem ?

At Full Council on the 27th February 2024 Teignbridge agreed to increase the fixed penalty notice fines for fly tipping up to a maximum of £1000 for the most serious offences. Officers have also made an application to the Fly Tipping Intervention

Grant fund for over £20,000 to provide mobile CCTV enforcement cameras, associated equipment and campaign materials.

4) Can he also explain why for the first time in recent history under his PH recycling figures for TDC have fallen ?

This is factually incorrect. Over the past 5 years the recycling rate has varied between 54 and 56 percent. The decrease in 2022/23 of 1.8% to 53.8% is largely attributable to a reduction of approximately 1,250 tonnes of garden waste collected for composting. The reduction was a result of the weather (2022 saw the joint hottest and fifth driest summer since the 1890's), coupled with a drop in subscription levels to the garden waste service, assumed to be linked in part to the cost-of-living crisis.

Teignbridge remains in the top 12% of authorities nationally for its recycling rate and was commended as an 'excellent' service in the recent Peer Review. During 2023/24 the number of garden waste subscriptions increased and the draft recycling rate for 2023/24 has risen to 54.1%.

PH Planning

5) Can the PH explain how and why still delays in processing planning application despite employing expensive consultants are occurring and often due to simple clerical issues ?

Response from Executive Member for Planning

The interim resources which have been secured are required to fill current vacant posts within the department which has previously caused significant operational difficulties, including large officer caseloads and the generation of a backlog of undetermined applications which the authority is currently now in the process of dealing with.

The resources secured to deal with the backlog is fully funded through the Planning Skill Delivery Fund which the Council was able to secure and therefore is at no cost to the Council.

As a consequence of bringing in resource to fill the vacant posts, the performance of the authority has also seen a rapid and sustained improvement in performance since December 2023 and is currently determining 100% of Major applications and 96% of all non-Major applications in time.

In addressing the backlog issue and improving performance within the department, we are now in the position to be able to start the process of going out to the market to fill the vacant posts and reduce the dependency upon the use of interim staff moving forwards.

Importantly, the securing of additional resources to fill vacant posts has resulted in individual officer workloads being reduced to a manageable and sustainable level. In doing so, this provides officers the time to properly review and consider their application and, as a consequence, should significantly reduce the number of simple mistakes being made.

Notwithstanding this however, Development Management is a highly complex and involved process and deals with over 1400 applications of various sorts a year. Whilst every effort is made to make sure that mistakes do not happen, unfortunately, with any such process, they will occasionally be made. These mistakes are taken very seriously and, in identifying them, we seek to learn from and put in place changes to ensure that they do not happen again.

PH Open spaces and leisure

6) Can the PH assure concerned woman's groups that staffs at the broad meadow centre will be sufficiently trained and equipped in enforcing speedy footfall is imperative and to facilitate procedures and rules to prevent such potential anti social issues and to place appropriate signage should be in place to protect women and children in using this new type of changing / toilet facility ?

Response from Executive Member for Open Spaces, Leisure, Sport, Resorts & Tourism

Appropriate training for staff will be arranged in time for the opening of the facility.

For Leader of the Council

7) Can the leader explain what procedures his administration has put in place to reverse the negative current situation highlighted by the recent peer review group concerning the discord between Administration and Officers?

Response from the Leader

The recent Peer Review is part of the process of improving and evolving the way the council works. In addition, the council has been working with CfGS to look at our constitution and ways of working. The council is also consulting on the new council strategy around the introduction of community powered principles. The action plan from the peer review is in preparation and will come before council in due course.

Questions from Cllr Jeffries to the Leader of the Council

8) Will the Leader agree that the Council must recognise the impact that the Israel Gaza conflict is having on communities across the world and commit to exploring ;

9) How the Council could support events for Teignbridge residents affected by the Israel Gaza conflict.

10) How support can be provided via advice and signposting as practical, to residents who require assistance or, who may have been affected by the Israel Gaza conflict.

Response from the Leader

The Israel Gaza conflict is both horrendous and catastrophic. Unless there is an immediate ceasefire it will only get even worse. Peace can only ever be assured by negotiation.

Actions taken by both sides must be held up for international investigation and consequences where war crimes are determined.

The impact on communities both directly involved and around the world is immense. I will commit to exploring the support that this council can provide as suggested in the questions.

Along with the war in Ukraine, the war in Gaza will have long-term consequences that this council must be aware of, and that local communities are, and will be impacted for some significant time.

Questions from Cllr Macgregor to the Executive Member for Open Spaces, Leisure, Sport, Resorts & Tourism

11) With the recent significant loss of beach area and volume in both Shaldon and Teignmouth due to dredging, does Teignbridge District Council have any form of beach management plan to address this loss and the dredging?

Response from Executive Member for Climate Change, Trees, Coast, & Flood Risk Management

Beaches are naturally dynamic environments with volumes of residual sediment subject to variation both seasonally and in response to specific wave and swell conditions. Teignbridge District Council are utilising national funding to develop a Beach Management Plan (BMP) to encompass the wider sediment cell between the Ness Headland at Shaldon, and the Parson and Clerk Headland at Holcombe (including the frontage at Teignmouth). The BMP is in production with specialist coastal consultants and additional professional sediment modelling resources. The BMP process is aware of Teignmouth Harbour Commission's dredging operations around the confines of the harbour approach channel.

12) Have Teignbridge District Council Objected to the damage caused by the dredging, whether on loss of sand or habitats of protected species like Sand Eels?

Response from Executive Member for Climate Change, Trees, Coast, & Flood Risk Management

Dredging operations undertaken by the Teignmouth Harbour Commission (a Statutory Trust Port) are regulated by the Marine Management Organisation through the award of a Marine License. Teignbridge District Council was not consulted by the MMO when the current Marine License was initiated. It is part of the regulatory process of the MMO to appraise any impacts on mobile species such as Sand Eels.

13) Some of the groynes on Teignmouth beach are in such a condition where they do not function as they are supposed to. Some of these are the responsibility of TDC, some the Environment Agency. Have meetings or discussions been held with the EA over ensuring the groynes they are responsible for are maintained and/or repaired effectively and is TDC maintaining and repairing the groynes it is responsible for in order to retain the beaches and reduce the strength of wave action on the seafront?

Response from Executive Member for Climate Change, Trees, Coast, & Flood Risk Management

The Environment Agency is the asset owner and is responsible for the maintenance of the majority of the groyne field on the front of Teignmouth, namely being 10 groyne structures from the Point in the south sequentially to the north. Teignbridge District Council are the asset owner and responsible for three groynes at the northern (Eatcliff end) of the beach to the north of the EA's array. Currently the Council's groynes are majoritively covered in sand as sediment levels are comparatively high at the Eastcliff end of the beach. Both the Council and EA will use the expected outputs of the current BMP to determine whether there is a flood defence led, economic justification, to maintain, enhance, replace with new or remove the existing groynes.

Questions from Cllr J Taylor

14) Councillor Wrigley please can you advise what definition of a 'woman', is being used by TDC in all Policies and decision making?

Response from the Leader

In developing policy the Council refers to the legislative definitions-

In the Equality Act 2010, "man" is defined as "a male of any age"; and "woman" as "a female of any age".

The Act places a duty on public bodies to have due regard to equalities considerations when developing policy and it sets out a number of 'protected characteristics' and prohibits discrimination on the basis of those characteristics.

The Council Equality Objectives

To encourage and enable a skilled and diverse workforce to build a culture of equality and inclusion in everything it does

To deliver responsive services and customer care that is accessible and inclusive to individuals' needs

To understand diverse communities and embed that understanding in how policy and practice across the Council are shaped.

15)It was agreed that TDC would provide a single sex changing facility at Broadmeadow Sports Centre. Can you please provide me with the definition of single sex?

Response from the Leader

We have designated male and female changing areas on the plans.

16)I would like to know what instruction has been given to staff if they are made aware of biological men entering female toilets of changing facilities? This is in all TDC managed premises.

Response from the Leader

Staff are fully trained in handling incidents of many kinds. All areas of the council have comprehensive risk assessments and response plans.

The Market Development.

17)Can you give me details of the Needs analysis or Business Case for this project?

Response from the Leader

The case was laid out in a variety of council documents freely available, and the needs and business case for all such government funded projects are laid out in a defined structure know as a Green Book assessment.

18)What is the timeline for this project from inception to completion?

Response from the Leader

The project has been in various stages since before the Newton Abbot Masterplan was consulted on in June 2018, and the Newton Abbot regeneration study which was consulted on in July and August 2010. The project has yet to complete.

19)Can you include in the timeline key events of the project and include, business case, design, planning, consultation, involvement of current market traders. (When did you do all of those things listed?)

Response from the Leader

With a project of this size and nature it isn't reasonable for the items listed to be considered single events and to give a comprehensive answer would require significant volumes of documentation. For example, current market traders have been involved in many conversations and consultations since 2010 and before. Conversations have continued and in the past few weeks have been part of continuing conversations as project details are finalised with their input.

Questions from Cllr Bradford

I find it concerning that some members (including myself) only found out about the plans for the market from the Members Newsletter number 228 which I received on 11th April

I also understand after speaking to some of the traders that they did not know what was happening, which is even more concerning.

20) Can you give me a timeline of the process involved to keep stall holders informed as to what was happening regarding their livelihoods?

Response from the Leader

Please see responses above.

Questions from Cllr Macgregor

21) What is the current deadline for spending the FHSF grant?

Response from the Leader

Verbal response to be given.

22) When are the plans for the Market Hall redevelopment expected to be presented to planning?

Response from the Leader

We are currently aiming for the finalised planning application to be submitted by the end of May. That would then be presented to the first practical committee meeting.

23) What is happening with the Alexandra Theare / Cinema element of the FSH fund and when will updated plans and schedule be made available?

Response from the Leader

As previously described a Project Adjustment Request was submitted to DHLUC. That PAR describes in detail the project for the Market hall and the market square improvements. A second PAR for funding projects that comply with the DHLUC guidance will be made in due course.

24) Why are FHSF reports now just token mentions at Executive and lack detail and risk to the projects as initially intended?

Response from the Leader

Since the removal of the cinema proposal from the project and pending the results from the Project adjustment request the project has been moving rapidly to adapt to the new situation. Officers have requested that verbal reports are presented, and the exec members have agreed, pending more detail being available once the planning application is determined.

Questions from Cllr Macgregor to the Executive Member for Open Spaces, Leisure, Sport, Resorts & Tourism

25) *In September and December questions were asked regarding ensuring the repairs following the leak that closed the Teignmouth Lido 2 weeks early would be carried out and completed before the start of this years season. Assurances were given clearly on both occasions that this would be the case. Is the Lido repair work going to be completed in time for the usual opening date in 2024 to enable residents and visitors to use this prized local community asset?*

Response from Executive Member for Open Spaces, Leisure, Sport, Resorts & Tourism

The repairs have been made and the standard pre-season works are continuing in preparation for the planned opening on 25th May.

26) *With SW Water increasingly polluting the Teign estuary and coast, wild water or sea water swimming is becoming increasingly risky, with significant increase in bacteria likely to cause a risk of illness amongst visitors and residents. In light of that, and with the new cost effective low carbon facilities, should this authority consider making the Lido an all year round facility, or failing that, extend the season to provide safer options for residents and visitors?*

Response from Executive Member for Open Spaces, Leisure, Sport, Resorts & Tourism

To date the balance between demand and the cost of staffing the site has meant that this would not have been viable. If this can be demonstrated to have changed, then an extended opening would be most welcome.

Questions from Cllr Bradford

27) *Are you able to accommodate all of the market traders in the old post office?*

And if not, what is happening to the others?

Response from the Leader

Conversations are in progress with the individual businesses in the market hall, and it would not be appropriate to comment on this question at this time.

28) *In an FOI dated 15th February 2024 it was stated that it would cost £203,000 to make the old post office usable by a new tenant.*

Has this amount been spent on the refurbishment ?

Response from the Leader

Commercial negotiations and tender processes are underway for work to be done. It would not be appropriate to comment on this question at this time.

29) *I understand current stall holders are not guaranteed a space in the 'new' market.*

If this is correct, then why?

What is the thinking behind this?

Response from the Leader

Conversations are in progress with the individual businesses in the market hall, and it would not be appropriate to comment on this question at this time.

Question from Cllr Macgregor

30) As we never seem to hear feedback from the various external bodies TDC has Lib Dem representation on, in particular those around Dartmoor which represents approx 40% of the District area, what discussions, advice and guidance is being provided to Dartmoor National Park to improve services for Teignbridge residents and to maximise CIL and s106 contributions for those improvements?

Response from the Leader

Overview and Scrutiny Committee will receive updates from Members on outside organisations from May 2024.

The Council works closely with Dartmoor National Park Authority on a range of matters, including plans for new development and infrastructure within our respective local planning authority areas. Specific decisions on securing contributions from development within the National Park are a matter for the National Park Authority and they have the expertise to make those decisions themselves. That said, we do coordinate and provide support where required.

S106 contributions need to be relevant to mitigate the impact from the development they are being sought from. DNP are their own local planning authority (LPA). Unless it's from a development on the edge of the National Park, it is unlikely any s106 secured in Teignbridge LPA could be used in the National Park.

DNP are not a CIL generating authority, so any CIL money would come from development within the Teignbridge LPA.

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