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21 October 2024

## **FULL COUNCIL**

To all Members of Teignbridge District Council

A meeting of the **Full Council** will be held on **Tuesday, 29th October, 2024** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**



Phil Shears  
Managing Director

**Please Note:** Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

## **A G E N D A**

### **Part I**

#### **17. Councillor Questions** (Pages 3 - 12)

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](mailto:info@teignbridge.gov.uk)

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Council 29 October 2024

Members Questions

**Questions from Cllr Bullivant**

*Q1) In light of the financial issues facing the council and work done by the MTFP O&S team to identify areas of concern plus proposed design issues can the following decision be reviewed:-*

*Background*

*The refurbishment of the Market Hall in Newton Abbot produces a large, interior open space that requires an internal heating system that can maintain a comfortable environment for users.*

- 1. All expert advice on heating applications gives guidance that a heating system should be able to react to external and internal temperature changes as efficiently and quickly as possible and (the proposed use of electric heat pumps do not adequately meet this requirement) that the appropriate heating system should use the highest temperature possible to enable rapid heating. Expert guidance says that we should be installing a gas based system not an air sourced heat pump system*
- 2. the cost of providing a new electrical substation to feed the proposed heat pumps is many £000,000's and unnecessary*
- 3. The cost of a gas heating system is many £00,000's less than an air sourced heat pump system*
- 4. The operating costs of an air sourced heat pump is over £30,000 per year more than a gas heating system.*
- 5. Changing the proposed installation will save the council £000,000's*
- 6. The costs to Market Hall users would be minimised*
- 7. The installation of the required air handling units on the roof of the Grade2 building would be unnecessary*
- 8. The use of gas in a direct heating solution is more efficient than burning gas to produce the electricity for heat pumps*

*In light of the above is it too late to change the plans for the heating system?*

**Response from Executive Member for Estates, Assets and Parking**

**Cllr Palethorpe**

**Market Hall Heating.**

Thank you for your inquiry regarding the heating solution for the Market Hall, which was discussed at the Executive Meeting on 4th April 2023, which addressed updates on the Future High Street Fund (FHSF) project. I appreciate the opportunity to provide further clarification.

As outlined in the meeting and within the comprehensive report (Agenda Item 8, pages 41-68), the decision to proceed with electric heating for the Market Hall was made following a thorough appraisal of available options, taking into account both

the practical constraints of the building and the Council's environmental commitments.

### **Key Considerations:**

**1. Heritage Constraints:**

The Market Hall is a Grade II listed building, which imposes limitations on any potential insulation improvements. The hall's fabric cannot be altered to enhance thermal efficiency, as this would conflict with its protected heritage status. This constraint was a significant factor in determining the appropriate heating system.

**2. Options Appraisal:**

Two primary heating solutions were considered: gas heating and electric radiant heaters.

- **Gas Heating:** Was considered due to its controllability, with output adjustable from 10% to 100%, providing the flexibility needed to heat a large, uninsulated space efficiently.
- **Electric Radiant Heaters:** While more aligned with environmental goals, the electric option was less controllable, operating in a simple on/off mode. Despite this limitation, it was ultimately the preferred option, as it avoids reliance on fossil fuels and supports the Council's decarbonisation policy.

**3. Environmental and Climate Considerations:**

Sections 3.2.11 to 3.2.15 of the report detailed the environmental implications of each heating option. It was essential that the chosen solution aligned with the Council's carbon reduction targets, as set out in the **Carbon Action Plan** approved in July 2022. Specifically:

- Target 1: An 88% reduction in natural gas consumption by 2025 across Council-owned buildings.
- Target 5: A 90% reduction in the carbon footprint of Council-owned buildings by 2030, with the remaining 10% to be achieved through carbon offset.

The Council's **Fossil Fuel Phase-Down Policy** also mandates that when gas-fired systems reach the end of their life, they must be replaced with low-carbon alternatives. Given these objectives, the decision was made to pursue an all-electric heating solution for the Market Hall.

**4. Radiant Heating Panels:**

The agreed solution involves the installation of electric radiant heating panels, which directly heat individuals rather than the air. This method is well-suited to the Market Hall, as it efficiently addresses the challenge of heating a large, poorly insulated space. Alternative systems, such as air-source heating, were deemed unsuitable due to the building's lack of thermal fabric upgrades, which further diminishes the efficiency of air-based heating systems.

**5. Decision on Gas Supply:**

As part of this transition, the Council has cancelled the gas account for the Market Hall. Wales and West have been contracted to physically remove the gas supply from the road. This decision reinforces the Council's commitment to reducing fossil fuel consumption in line with its environmental policies.

**6. Future Considerations for Solar Integration:**

The Market Hall is already linked to an existing solar array, and consideration

will be given to the potential installation of additional solar panels on the new Food Hall roof. This aligns with our ongoing commitment to enhancing the building's sustainability.

### **Conclusion:**

The decision to proceed with electric heating for the Market Hall reflects a careful balance between practical building constraints, financial considerations, and the Council's long-term carbon reduction goals. The use of radiant heating panels will provide an efficient and sustainable solution, ensuring a comfortable environment for traders and visitors, which is vital to the success of the Market Hall's refurbishment and its enhanced food and drink offerings.

The administration remains committed to ensuring that all aspects of this project meet our shared objectives of sustainability, heritage preservation, and economic viability.

*Q2) The services provided by this council to residents are wide ranging.*

*All residents pay council tax which goes towards meeting the costs of services we provide.*

*People living in newer developments are deprived of some of these services until their roads are adopted.*

*As we give no discounts on council tax to those affected residents can the council explain why we do not provide all council services from the date residents pay council tax as the services are not affected by the status of the roads.*

*Residents who pay the full council tax should not receive an inferior service from this council .*

*What will this council do to correct this policy?*

### **Response from the Leader and Executive Member for Corporate Resources**

#### **Cllr Parrott**

Teignbridge District Council is a precept authority that collects on behalf of others. This includes upper tier authority, Devon and Somerset Fire & Rescue Service and Devon and Cornwall Police. Devon County Council is the transport authority with the remit and purview for highways. The Highways Act 1980 lays down the process for a highway authority to accept the maintenance liability for un-adopted roads.

### **Questions from Cllr Macgregor**

*Q3) What progress has this authority made, working with partners and stakeholders in reducing violence against women and girls?*

### **Response from the Executive Member for Homes and Communities**

#### **Cllr Goodman Bradbury**

The Council works as a partner in the South Devon and Dartmoor Community Safety Partnership. The CSP adopted Violence against women and girls as a priority in early 2022. A subgroup was facilitated that focussed on this area of work for more than two years, this was then included in the routine work of the CSP.

Since then the CSP have been involved in the following pieces of work that have focused on this theme -

- Turning Corners programme
- Adolescent Safety Framework
- UK Prosperity Fund Safer Spaces Safer Places project
- Let's Talk which has a focus on misogyny has reached more than 8,000 engagements. Included sessions on the impact of pornography and the impact of hypersexualised social media.
- Work with schools including action plans to address harmful sexual behaviour
- Discussions with licensed premises
- Engagement with operation Night Eye
- Provision of a safe space in Teignmouth over the summer
- Theatre performance on misogyny delivered in schools
- Multi-agency 'Walk ons' to key events such as Teignmouth Carnival
- Use of Community Protection Warnings in domestic abuse, stalking, exploitation and violence cases.

The CSP is also a member of the Devon Interpersonal, gender-based violence and abuse partnership which leads and co-ordinates work across the county on both domestic abuse and sexual violence.

**Q4)How many incidences of violence against women and girls have been recorded within Teignbridge since the authority announced its policy to work to reduce it?**

**Response from the Executive Member for Homes and Communities Cllr Goodman Bradbury**

Teignbridge does not have a policy in relation to violence against women and girls. Teignbridge is a key partner in the South Devon and Dartmoor CSP which has a focus on the subject.

The following has been provided by an analyst from Devon and Cornwall Police Please note there are different definitions of what constitutes VAWG offences. This data is from 1/6/22-30/9/24

Row Labels	Not VAWG	VAWG	Total
Other Sexual Offences	188	332	520
Rape	39	205	244
Stalking and Harassment	840	964	1804

*Q5)Refuge UK, a charity supporting and providing refuge for women and girls from domestic and sexual violence, note that nationally 1 woman or girl dies on average from male inflicted violence every 5 days. What are the local statistics?*

**Response from the Executive Member for Homes and Communities - Cllr Goodman Bradbury**

As Chair of the Community Safety Partnership Becca Hewitt is an active member of any Domestic Homicide Reviews. A Domestic Homicide Review considers the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by: a person to whom s/he was related or with whom s/he was or had been in an intimate personal relationship; or a member of the same household as him/herself.

We were not able to gather comparable data.

*Q6)What are the figures for sexual crimes that this authority is provided with for its residents?*

**Response from the Executive Member for Homes and Communities - Cllr Goodman Bradbury**

	Male	Female	Unknown
Rape	25	214	4
Sexual Offences	105	374	26

*Q7) In May 2019, this authority was notified by its insurer that the footpath through the golf course from the A379 opposite the entrance to Coast View represented a risk that they would not cover. Extensive discussions were had about whether it could be re-opened and this was rejected. The attempts to get agreement from Coastal View to lease and maintain the path were unfortunately undermined by the former deputy leader who is now no longer an elected member.*

*Last year the entrance off the highway was noted as being open and accessible through a gap in the fence and assurances were provided that this would be closed off. The current situation is that this authority is aware of a risk, has done nothing to rectify it or find a solution, leaving officers at risk if a claim is made following an accident.*

*Can the Exec member responsible for this matter please explain why a year after it was brought up, the opening is still there and the council is uninsured?*

**Response from Executive Member for Estates, Assets and Parking – Cllr Palethorpe**

Dear Cllr Macgregor,

Thank you for your question regarding the footpath through the golf course from the A379, opposite the entrance to Coast View Holiday Site. I appreciate the opportunity to clarify the situation and address the points you have raised.

**Footpath Discussions and Proposals:**

Teignbridge District Council (TDC) were engaged in discussions with the owners of Coast View Holiday Site for some time regarding the creation of a formal footpath.

During these discussions, it was made clear that any formal footpath would need to be constructed at the expense of the owners, in accordance with the technical specifications provided by TDC.

These specifications are designed to ensure the safety of pedestrians and to meet all necessary legal requirements.

Unfortunately, the owners of Coast View Holiday Site declined to accept these terms and subsequently withdrew from discussions.

They did indicate their intention to return with an alternative proposal; however, to date, no such proposal has been submitted.

TDC remains open to further discussions should the owners of Coast View Holiday Site wish to revisit the matter of installing a compliant footpath.

**Vandalism and Trespassing:**

Regarding the gap in the fence, this has been caused by repeated acts of vandalism.

TDC has undertaken repairs to the fence on several occasions at public expense, and clear notices have been posted informing the public that this is not an authorised footpath.

Despite these efforts, individuals continue to use the gap as a shortcut, which constitutes trespassing on private land.

While I understand that this route may be viewed as a convenient shortcut, it is important to note that entering the land without permission is unlawful.

TDC does not condone vandalism or trespassing, and repairs will continue to be carried out when necessary.

However, individuals who choose to use this unauthorised route do so entirely at their own risk.

**Insurance Status:**

I can assure you that TDC is insured against any claims arising from individuals who have a legitimate right to access the land.

However, those using the unauthorised gap in the fence are trespassing, and the liability in such instances lies with the trespassers.

Should any accidents occur, TDC would robustly defend any claims, having taken appropriate steps to secure the area and inform the public of its unauthorised status.

**Clarification of 'Re-opening' and Footpath Status:**

To clarify, the term "re-opened" does not apply in this context, as there has never been an officially recognised footpath at this location.

Discussions have only ever concerned the creation of a new footpath, not the reopening of an existing one.

**Respectful Discourse Regarding Former Councillors:**

In relation to any reference to former Councillors, I believe it is essential that we maintain a respectful and professional dialogue.

It is important that we remain focused on the facts at hand rather than individuals who are no longer able to represent themselves.

**Highway Safety:**

Lastly, I would like to remind you that responsibility for pedestrian safety along the public highway between Coast View Holiday Site and the Town lies with Devon County Council (DCC) Highways.

TDC would fully support proposals from DCC to improve pedestrian safety in this area.

**Conclusion:**

In conclusion, while TDC has made efforts to manage the situation by repairing the vandalised fence and informing the public of the risks of trespassing, the construction of a formal footpath remains a matter for the owners of Coast View Holiday Site to address.

TDC is fully insured, but individuals using the unauthorised gap in the fence are doing so at their own risk.

The Council remains open to further discussions with the owners should they wish to propose a compliant and safe footpath for public use.

With regard to Shaldon Golf Course, the matter is now in the hands of the Coast View Holiday Site and our Estates Team.

TDC is continuing to monitor unauthorised access and will take further action to block any new openings as necessary.

However, due to ongoing vandalism and the removal of fencing boards and rails, no further repairs are currently being undertaken.

*Q8) Have any further discussions taken place over establishing a way forward to make this facility available for residents and visitors?*

**Response from Executive Member for Estates, Assets and Parking Cllr Palethorpe**

Please see above.

### **Question from Cllr Lake**

*Q9) Could the PH explain why the longevity of the previous hessian waterproof sack for paper been replaced by a plastic carrier bag type which longevity wise will need replacing substantially more frequently albeit at presumably lower cost?*

*Will he see this as a strategy that will prove cost effective in terms of overall replacement cost?*

### **Response from Executive Member for Waste and Recycling - Cllr Williams**

During covid the lead times for the hessian bags extended beyond 6 months and so we had to source an alternative. The hessian bags originally used were made in India, from non-recycled material and were also not recyclable at end of life. The bags now used are made in the UK out of recycled LDPE, and are recyclable at end of life. The current bags are also around 7 times cheaper than the original hessian bags and are only marginally less durable.

### **Question from Cllr Farand-Rogers**

*Q10 Does this Council make a distinction between affordable housing and social housing when talking about its housing policy, and if so what is that distinction?*

### **Response from Executive Member for Teignbridge 100 – Cllr Buscombe**

The term ‘affordable housing’ is not defined in legislation. The most commonly used definition, set out in [annex 2 of the government’s National Planning Policy Framework](#), is “housing for sale or rent, for those whose needs are not met by the market”.

This includes housing for rent at

- a ‘social rent’ level (around 50% of local market rents)
- an ‘affordable rent’ level (up to 80% of market rents)
- an ‘intermediate rent’ level (between social and market rents)

It also includes low-cost home ownership. This is

- housing sold at a discount of at least 20% below local market value, for example [First Homes](#)
- [Shared ownership](#), where people buy a share of a property and pay a subsidised rent on the remaining share
- [Rent to Buy](#), where people rent at around 80% of market rents in order to save for a deposit to buy the property

All homes built by Teignbridge DC so far have social rents. The stock that belonged to the Council and now transferred to Teign Housing is social rent.

The Councils current Reg 19 Local Plan which is at Examination stage states that all new affordable housing delivered via Section 106 planning gain will be delivered at social rent.



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