

OVERVIEW & SCRUTINY COMMITTEE

3 MARCH 2020

Present:

Councillors Bullivant (Chairman), D Cox (Vice-Chairman), H Cox, Daws, Evans, Goodman-Bradbury, Hayes, Hocking, Keeling, Morgan, Mullone, Nuttall, Nutley, Orme, Patch, J Petherick, L Petherick, Parker-Khan, Purser, Rollason, Thorne and Tume

Members in Attendance:

Councillors Clarence, Connett, G Hook, J Hook, Jeffries, MacGregor, Swain, Taylor and Wrigley

Apologies:

Councillors Austen, Jenks, Cook, Eden, Foden, Gribble and Peart

Officers in Attendance:

Graham Davey, Housing Enabling and Development Manager
James Toler, Housing Strategy Officer
Paul Woodhead, Solicitor & Deputy Monitoring Officer
Michelle Luscombe, Principal Policy Planner
Simon Thornley, Business Manager - Spatial Planning
Natalia Anderson, Trainee Solicitor
Trish Corns, Democratic Services Officer

23. UPDATE ON CORONAVIRUS

The Chairman gave an update on Coronavirus.

A following link had been added to the Council's website

<https://www.devonnewscentre.info/coronavirus-advice-from-public-health-england/>

24. MINUTES

The minutes of the meeting held on 7 February, 2020 were approved as a correct record and signed by the Chairman.

25. DECLARATIONS OF INTEREST

Councillor Cox declared a non pecuniary interest by virtue of his position as trustee of the charity HITS, and an employee of Teignbridge, CVS in regard to agenda item 10 - poverty in Teignbridge.

26. PUBLIC QUESTIONS UNDER COUNCIL PROCEDURE RULE 5.8(H)

None.

27. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 5.8(I)

None.

28. CALL-INS

None.

29. LOCAL PLAN PART 1 DRAFT PLAN

The Portfolio Holder for Planning presented the *Draft Local Plan (Part 1) 2020-2040: Quality as Standard* (Appendix A) and its associated documents (Appendices B, C, D, E and F) for consideration by the Committee before being presented to the Executive with a recommendation to publish them for an eight week consultation period.

The Principal Policy Planner, advised that the Local Plan Part 1 covered all policies relating to how development took place. It focused on climate change and design quality, improving the built and natural spaces through careful and positive management so that they support high quality living conditions in a carbon neutral environment. The *Local Plan Part 2: Creating Quality Places*, and the *Greater Exeter Strategic Plan* focused on specific policies and projects such as housing numbers. Once adopted the documents would collectively replace the adopted Local Plan 2013-2033 and provide both strategic and detailed policies to manage the use and development of land in Teignbridge up to 2040.

Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement for Local Planning Authorities to prepare development plans, which includes the Local Plan, for their area. These plans must identify the strategic priorities and have policies to manage the use of land. Planning applications, by law, must be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

In response to questions from Councillors the Committee was advised that: GESP was being prepared by all four Councils, and the County Council. It would be considered by the Committee and the Executive in May; and appendix A, chapter 7 would be sufficient for any ecological emergency the Council may declare in the near future.

The Committee thanked the Spatial Planning Team for the work in relation to the Local Plan review.

RECOMMENDED

The Committee recommends the Executive:

- Resolves that the '*Draft Local Plan (Part 1) 2020-2040: Quality as Standard*' and associated documents are made available for an eight week period of public consultation in accordance with the Statement of Community Involvement.

- Publishes the Strategic Environmental Assessment/Sustainability Appraisal Stage A and B reports for public consultation alongside the Draft Local Plan.
- Publishes the Consultation Statement alongside the Draft Local Plan;
- Publishes the Teignbridge Draft Settlement Limit Review for public consultation alongside the Draft Local Plan;
- Gives delegated authority to the Portfolio Holder for Planning in consultation with the Principal Policy Planner to make minor amendments to the above documents prior to publication.

30. HOUSING TARGETS

Councillor Daws proposed that a review group be created to review potential alternative approaches to the standard method of housing target that might be used by the Council. He considered this was justified given the advice from the Campaign for the Protection of Rural England (CPRE), and potential flaws in the projected population for 2040.

The Business Manager, Spatial Planning advised that any deviation from the National Planning Policy Framework's housing formula posed a significant risk to the Council by having the Local Plan declared *unsound* by the Secretary of State. The Council would need to evidence exceptional circumstances. It is unlikely that there would be any exceptional circumstances in Teignbridge. The Business Manager referred to his training session for Councillors at which he advised on the national policy formula to assess housing need. A review of this would most certainly result in a distraction in the preparation of the Plan. It would raise expectations that could not be met, and leave the Council in the position of being instructed by central government in relation to housing targets.

The Business Manager also reported on the extensive range of factors taken into account when calculating population projections.

The Leader advised that he had received a response from the MP to his previous enquiry on this matter, advising that the standard methods were expected to be reviewed by central government. He advised he would ask the Government for an update on this matter if the committee so wished.

An amendment was proposed that the matter be deferred, and the Leader makes representations to the Secretary of State for an update on whether the Government will be reviewing the current formula to assess local housing targets.

In accordance with Constitution Article 5, paragraph 5.8(m)(v) a recorded vote was taken as follows:

For: Cllrs Bullivant, D Cox, H Cox, Evans, Goodman-Bradbury, Hayes, Keeling, Nuttall, Nutley, J Petherick, L Petherick, Purser and Rollason
Total 13

Against: Cllrs Daws, Hocking, Mullone, Orme, Patch, Parker-Khan, Thorne and Tume - Total 8

Abstention: Cllr Morgan –Total 1

RESOLVED

That the matter be deferred, and the Leader makes representations to the Secretary of State for an update on whether the Government will be reviewing the current formula to assess local housing targets.

31. POVERTY IN TEIGNBRIDGE

The Leader referred to the agenda report which advised on the actions taken by the Council to mitigate the causes and impact of poverty locally, and to help all those in greatest need. He invited the Committee to consider further actions the Executive could undertake such as consultation with key partner agencies to ensure actions are meeting the desired outcomes.

The Housing Enabling and Development Manager and the Housing Strategy Officer referred to national and local statistics relating to poverty to demonstrate the main causes of poverty, in accordance with the Joseph Rowntree foundation, the extent of poverty in the District, and initiatives by the council to tackle the main causes of poverty. Initiatives included mitigating high costs of housing, essential goods and services, improving our benefit system, tackling unemployment and low-paid jobs and security, or a lack of jobs, tackling low levels of skills, or education, reducing discrimination, and tackling abuse, trauma or chaotic lives.

RESOLVED

A report be presented at the next meeting of the Committee outlining the way forward for a Task and Finish Review Group to review the actions and resources already being undertaken by the Council to mitigate the cause and impact of poverty locally.

The Executive is recommended to defer any action on this matter pending the consideration of the Review Group's investigation.

32. QUARTER 3 STRATEGY PERFORMANCE REPORT

The Portfolio Holder for Corporate Resources presented the agenda report on the Quarter 3 strategy performance for 1 October to 31 December 2019 of performance indicators and projects in progress. A detailed review of each T10 programme was attached at Appendix A.

It was noted that the report of the Performance Review Group would be presented to the Committee for consideration, and would be recommending a much condensed Committee quarterly report with more meaningful detail, and Portfolios present to advise on those services not performing to targets.

The agenda report referred to four performance indicators, and one project that were not performing to target. A summary of explanations were contained in the Appendix.

RESOLVED

The report, and actions being taken to rectify performance issues detailed at Appendix A be noted, and a more detailed report for each of the areas of concern highlighted in the agenda report being ROH 1.2, ROH 2.1, HAH 5.9. WE 8.2 and CLS 3.3, be brought forward for the Committee's consideration.

33. RESPONSE TO GOVERNMENT CONSULTATION ON STRENGTHENING POLICE POWERS TO TACKLE UNAUTHORISED ENCAMPMENTS

The Chairman referred to the agenda report. The Leader advised that the Council has been requested to respond to the Home Office Consultation Paper regarding proposed changes to police power to tackle unauthorised encampments. The council's proposed responses were set out at Appendix A which took into account responses received from the Teignbridge and Travellers Forum meeting, which met on a regular basis.

In regard to question 8 *should there be a maximum distance that a trespasser can be directed across*, it was considered that there should be a maximum distance and that this should be 15 miles.

RESOLVED

The Council submits the response to the Home Office in regard to the consultation paper, as set out in the agenda report Appendix A, subject to the response to Question 8 *Should there be a maximum distance that a trespasser can be directed across?*, being *yes, 15 miles*.

34. PORTFOLIO HOLDER PRESENTATIONS

Business, Economy and Tourism

Councillor Jeffries, Portfolio Holder for Business, Economy and Tourism summarised her service areas of responsibility, challenges and achievements.

In regard to tourism, Teignbridge was promoted through the many *Welcome to South Devon* promotions, to encourage more people to visit Teignbridge with the variety of the coast and Dartmoor. A survey was currently seeking accommodation providers opinions on the introduction of a voluntary guest charge of £1 to improve quality and variety of tourist facilities in Teignbridge. This would be a voluntary contribution and not a tax.

In regard to improving the economy, the Council was working with Connecting Devon and Somerset for improved internet access; and forthcoming improvement projects aiming for completion by 2021 included a Premier Inn, and NHS at Teignmouth, a Travelodge at Newton abbot, and a new cinema complex at Newton Abbot by 2022.

The Council offered assistance to local businesses which included finding work space, resolving issues, regulatory advice, training and encouraged apprentices and fairtrade. The Council worked with several organisations including the South Devon Coastal Local Action Group, and encouraged applications to the Greater

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Dartmoor Local Enterprise Action Fund. Challenges included the number of over 65's nearly doubling by 2035 to 44 for every 100 adults, climate emergency declaration and Brexit.

The closure of BC Tiles at Heathfield was referred to and how the Council's recent successful Trade Fair event resulted in the successful redeployment of BCT workers.

Housing, Communities and IT

Councillor Wrigley Portfolio Holder for Housing, Communities and IT summarised his service areas of responsibility, challenges and achievements. The areas of responsibility encompassed Housing, community engagement, customer services, IT, business improvement and development, and community safety.

Successes for the Housing Service over the past year included: close to £900,000 funding bid for such projects as rough sleepers; 15 community led affordable housing schemes; working closely with the Gypsy and Traveller community; and affordable housing delivery exceeds targets by 15%. Challenges included the reduction of government and other funding, and development of a second homeless hostel for single people or higher risk households.

The customer services team had successfully increased the first point of contact resolution from 36% to 80% meaning that customer enquiries were being resolved without having to transfer calls to other officers. Challenges for the team included continuing to promote and signpost digital services such as My Account.

In regard to community engagement, the Council had successfully completed several public consultation exercises such as the budget, parks and open spaces and recycling; and funding provided to community projects through the crowd funding scheme. Challenges included continuing to encourage community groups to engage with Crowd Funding, and resourcing new initiatives and consultation expectations.

In regard to business improvement and IT, the Council had been successful in continuing digital transformation of Council processes One Teignbridge, and 14,000 MyAccount customers have registered. Challenges included encouraging the public to use on-lines forms to report issues.

The Community Safety Team worked in partnership with agencies, the police and other authorities. Successes included Suicide Intervention briefings and Safetalk training for 345 individuals from 82 organisations, supporting Turning Corners Programme, (youth gang violence) and hosting South Devon Exploitation Prevention Network in regard to County Lines and exploitation. Challenges included: possible priority and funding changes for Devon community safety partnerships; a continued threat from County Lines drug supply; and improving the youth culture.

35. FLY-TIPPING - REVIEW OF POLICIES AND PROCEDURES

It was noted that an officer report would be presented to the next meeting of the Committee advising on interagency action to address fly tipping incidents. The Portfolio Holder referred to the potential for unlicensed operators who take household rubbish for a fee and consequently dispose of the rubbish illegally by fly-tipping. Residents should be cautious when using private operators to ensure they are licenced, and know where the rubbish will be taken, and the registration number of the vehicle.

RESOLVED

A report be presented to the next meeting of the Committee for consideration, and which would incorporate the answer to the Councillor supplementary question referred to at the last meeting of the Committee at Minute 16.

36. NON-TOXIC WEED CONTROL SPECIFICATION IN UPCOMING GROUNDS MAINTENANCE CONTRACT RENEWAL

The use of non-toxic weed control by the Council's grounds maintenance contractors was discussed. The Portfolio Holder advised that non-toxic options would be investigated in view of ecological considerations. Particular sites were treated as and when required, and certain surfaces such as tarmac could be damaged if weeds were not treated.

It was agreed that a detailed officer report be presented for consideration at the next meeting on the current contract and options available.

RESOLVED

A report be presented to the next meeting of the Committee for consideration.

37. EXECUTIVE FORWARD PLAN

The Committee noted the Executive forward plan.

38. SCRUTINY OF EXECUTIVE DECISIONS RELATING TO ISSUES PREVIOUSLY REVIEWED BY THE COMMITTEE

The Chairman referred to matters recently considered by the Committee and referred to the Executive as follows:

O&S 14 Jan 2020 - Provision of household waste containers

The Committee requested the Executive to make representations to the Secretary of State for legislation to be reviewed to enable the cost of the initial provision of waste and recycling containers to be levied on housing developers. This was approved by the Executive at its meeting on the 10 February, 2020.

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O&S 7 Feb 2020 – Final Budget Proposals

The Committee requested the Executive to recommend to Council:

- The approval of a Rural Aid Budget of £26k and criteria for Rural Aid applications.
- Amend the Commercial Strategy at Appendix 8 so that the Commercial Property Investment Board composition reads 'Chair of Overview & Scrutiny Committee and Leader of Opposition if different' and to add 'any Group Leader with 10% of the Members.

The requests were adopted by Executive at its meeting on 10 February, 2020.

39. WORK PROGRAMME

The Committee Work Programme circulated with the agenda was received and Members noted that issues would be added to the Programme as a result of the decisions made above.

The meeting started at 10am and finished at 2pm

CLLR P BULLIVANT
Chairman