

## **OVERVIEW & SCRUTINY COMMITTEE**

### **10 SEPTEMBER 2018**

#### Present:

Councillor Haines (Chairman)

Councillor Ford (Vice-Chairman)

Councillors Clarence, Connett, Cox, Dewhurst, Eden, Evans, Gribble, Hockin, G Hook, J Hook (was Brodie), Jones, Kerswell, Mayne, Morgan, Nutley, Orme, Peart, Smith, Thorne, Winsor and Wrigley

#### Other Members in Attendance:

Councillors Bullivant, Clemens, Christophers, Goodey,

#### Apologies:

Councillors Colclough, Dennis, Hocking, Jeffery, Matthews and Prowse

#### Officers in Attendance:

Martin Flitcroft, Chief Finance Officer

Nick Davies, Business Manager, Strategic Place

Amanda Pujol, Interim Head of Service delivery and Improvement

Neil Blaney, Economic Manager

Trish Corns, Democratic Services Officer

### **137. QUESTIONS UNDER PROCEDURE RULE 5.8 OF THE CONSTITUTION**

The following question was asked by Councillor Morgan:

“August saw a number of issues with our refuse and recycling collections. Bins and boxes were not emptied on time across the district (in some cases a week late).

I was informed that there were problems with staff shortages and truck breakdowns.

Can I ask what went wrong with this statutory service and what measures will be put in place to avoid disruption in future?”

The answer was given by the Chairman.

On Friday 30<sup>th</sup> August and Monday 3<sup>rd</sup> September we were unable to complete all of the scheduled household collection rounds due to 2 vehicle breakdowns, which have since been rectified.

On Saturday 1<sup>st</sup> September we were unable to deploy 2 of the 32 household collection rounds operated due to staff shortages despite having sufficient vehicles available.

When operational issues like this arise the crews work together to ensure as much of the outstanding work is completed as soon as possible to minimise the

disruption to residents. In this instance all work was back on schedule by Wednesday 5<sup>th</sup> September, with the majority of missed collections made prior to this on Monday 3<sup>rd</sup> and Tuesday 4<sup>th</sup>.

At present we have 4 LGV driver vacancies which are proving a challenge to recruit into which limits our ability to cover holidays and absences. The latest recruitment exercise undertaken in August only attracted 1 suitable applicant (an existing TDC waste employee who had been supported with training to achieve the LGV license). The department are acting on this specific issue within the context of a national and regional shortage of LGV drivers.

Rescheduling work is underway to improve the efficiency of waste collection rounds in order to absorb the growing number of properties requiring the service and to inform future resource requirements relating to staff and vehicles.

Councillor Morgan asked, by means of a supplementary question if a service schedule could be drawn up to allow for unexpected vehicle breakdown and staff shortages, and if all Councillors could be advised of similar instances in the future, so that they are aware of the situation when they are contacted by their electorate.

The Chairman advised that the supplementary question would be dealt with by a written response.

#### **138. MINUTES**

The Minutes of the meeting held on 2 July were confirmed as a correct record and signed by the Chairman.

#### **139. DECLARATIONS OF INTEREST**

Councillor Nutley declared an Appendix B interest in Minute 150 below by virtue of his membership of the Royal Society for the Protection of Birds. Councillor Nutley withdrew from the meeting while this item was dealt with.

#### **140. MINUTES OF THE STRATA JOINT EXECUTIVE 11 JUNE 2018**

The Minutes of the Strata Joint Executive meeting held on 11 June, 2018 were received and noted.

#### **141. T10 PROGRAMME OVERVIEWS**

Two presentations were made on the work being carried out, as part of the overall Council Strategy for the period 2016 - 2025, in relation to two of the Teignbridge Ten super-projects. These are ten connected areas of work, which will each have a widespread impact on the economy, community wellbeing, and the environment. Amanda Pujol - Interim Head of Service Delivery and Improvement (IHSD&I)  
*A Roof Over our Heads*

The IHSD&I advised that the T10 projects, agenda page 62 refers, have commenced, progress is on track, and updated Members as follows:

- **Make sure plans take full account of all housing needs**

As part of the Greater Exeter Strategic Plan (GESP), East Devon, Exeter, Mid Devon, Teignbridge and Devon County Council will update the strategic housing market assessment (SHMA) in 2018. The updated SHMA will use the new Government housing targets aggregated across the GESP area.

The Plan Teignbridge, Local Plan Review 2020/40 is out to consultation from 21st May to 16th July 2018.

- **Deliver affordable housing**

Delivery of affordable homes is well ahead of target as more properties were completed in the first quarter of the year and the net new additional homes has been boosted by late completion of properties previously unreported. Since the Local plan was adopted the target affordable homes delivery is 686 units. Teignbridge has delivered 902 properties targets have been met of 70% rented and 30% intermediate. 181 of those have been in rural areas with 46 on exception sites. 7.5% of properties delivered in that period have been fully wheelchair accessible.

- **Evaluate options for delivering affordable rented housing**

In relation to Council land in Newton Abbot, Kenn, Ideford and Chudleigh. Two sites have received positive pre application advice. A scheme at Haldon Ridge for three pitches is under construction with completion in October 2018.

A scheme for acquisition of land in Bovey Tracey to deliver 4 custom build affordable homes has been approved by the Capital Review Board. A planning application is pending approval and a Portfolio Holder decision for land acquisition is being drafted for signature.

- **Improve housing conditions and reduce empty homes**

There are a number of indicators well ahead of target including the number of dwellings improved by the Council following successful uptake of our Ecoflex scheme and intervention by the Private sector housing team, resulting in improvements being made to private rented properties.

The Property Rating scheme (PARs) is formally being launched on 19th September 2018. 15 applications

Whilst the number of empty properties is recorded as a concern, the target is based on the figure reported to government in October 2018 which is used to calculate new homes bonus payments. Work will be ongoing between now and October 2018 to reduce the figure and meet the target and as at last week figure is 432 .Target is maximum 363.

- **Prevent homelessness wherever possible**

A change to the homeless legislation and the criteria for recording homeless prevention statistics has resulted in the Council being unable to record homeless prevention outcomes previously recorded in 2018/19 and, as a result, these indicators are showing as a concern. We are seeking clarification from the Ministry of Housing which will hopefully enable us to count more cases going forward however, if this is not forthcoming, we may need to review the target as this was based on the previous definition and legislation.

Nick Davies - Business Manager, Strategic Place (BMSP)  
Great Places to Live and Work

The BMSP advised that the T10 projects, agenda page 74 refers, have commenced and progress is on track.

Teignbridge is a great place to live and work and the responsibility is to ensure that it stays that way for existing and future residents. The Great Places to Live and Work (GPTLAW) project aims to protect the things that make Teignbridge special and ensure that new development is of high quality design and is supported by the necessary jobs, infrastructure and facilities to support community life.

The Local Plan is up to date and allocates sufficient housing land to meet Teignbridge's needs up to 2033. One of the main elements of the project is the adoption of a residential design guide (RDG) to ensure that this housing development is of high quality design and layout. The content of the RDG has been approved by Executive and the final document is nearing completion and adoption. The success of the RDG will be monitored by performance indicators that measure the quality of residential development, both objectively and subjectively. As well as being well-designed the project will ensure that neighbourhoods are real communities with all the facilities required by residents. This will be achieved by adopting Framework Plans for the large allocations in the Local Plan, and monitored by:

- Surveying the % of residents who feel they belong to their neighbourhood.
- Measuring residents' satisfaction with open spaces.
- Reporting the amount of employment floorspace provided.

The project will also ensure the protection of Teignbridge's most important landscapes and built heritage through:

- A landscape policy on renewable energy proposals which was adopted by the Executive in July 2018.
- Making sure Conservation Area policies are up to date.
  - Working with towns and parishes to identify and protect locally important buildings.

Teignbridge is not only a great place for people to live, it is also home to a wealth of important wildlife. The GPTLAW project protects this biodiversity by:

- Adopting policies to protect curlew buntings and greater horseshoe bats.
- Implementing projects to protect the Exe Estuary and Dawlish Warren.
- Providing areas of SANGS. The Dawlish Countryside Park has been a notable success.

The project also recognises that walkable places with good public transport and cycling facilities are healthier to live in and also bring climate change benefits. The project therefore supports improvements to walking, cycling and public transport and this will be monitored by:

- Reporting on the no. of km of new cycle routes provided.

- Measuring CO2 emissions in Teignbridge.

The project is a cross-cutting one, requiring significant input from multi Council departments, and external partners including Natural England, Devon County Council and neighbouring Local Authorities.

The Project is very closely aligned to the Council's Vision "Making Teignbridge a healthy and desirable place, where people want to live, work and visit" and so is of crucial importance to the overall Council Strategy.

The Business Manager referred Councillors to Page 76 of the agenda which stated that one of the projects under GPTLAW has a "Caution" status. The Supplementary Planning Document for the Wolborough Development has had to be revised and is therefore not at the stage envisaged at this time. It is progressing and the revised timetable indicates completion before the end of the year.

The Business Manager referred to the 2017/18 end of year figures as follows:

- **Satisfaction with new development in your area** – Target 82.5% - Actual 66.1%

Lower than previous years and this was discussed by Members of this Committee in July. A Members Tour would be scheduled to look at the sites that were surveyed to see if there are any lessons to be learnt.

- **% "greens" achieved for approved housing developments as measured by Building for Life 12 criteria** – Target 83.0% - Actual 91.7%

This is measured against industry standards for good Urban Design. More recent approvals are performing well. This could translated into higher public satisfaction when the permissions are built out.

The project also measures how well Teignbridge is building communities and, encouragingly, the annual survey of residents in new developments showed that 73% of residents in new developments feel they belong to their neighbourhood.

The Business manager added that since the project started:

- 9.9 km of new cycle routes have been provided by working with our partners.
- 5,294 Sqm of employment space has been completed.
- £778,830 of Section 106 funds have been secured for biodiversity projects.

The Chairman and Members thanked the officers for their presentations.

In response to questions the IHSD&I advised that blocks of affordable housing in new developments are not sold to local authorities elsewhere in the Country. Affordable housing was safeguarded by policies in the Local Plan to people with a local connection, and were allocated through Devon Home Choice. Surveys showed that 80% of affordable house residents had a previous address with a local postcode.

**142. COUNCIL LOTTERIES**

The Chairman welcomed Nigel Ashton of Aylesbury Vale District Council, which was one of the first District Councils to run a weekly non-profit making lottery and raises £200,000 for local community groups. Tickets at £1.00 are purchased on-line or by telephone fed into the on-line system. Approximately 2,200 tickets are sold each week.

Some 50 councils nationally are running a lottery. Approximately 50% of the takings are returned to the community for good courses. Compared with the comparison figure of 28% of the National Lottery. The remaining 50% of the takings are used for the prize money, the funding of an external licence manager, and any surplus is reinvested back into the community. Minimal time of approximately 10 minutes a week is taken up in Council staff time. There is additional budget allocation for other grant funding.

In response to questions, Mr Ashton advised that: the Council Lottery compliments the Crowdfunding scheme because the former can provide funding to very small informally set up community groups; it is a mandatory requirement to become a member of the Gambling Commission, and an amount is donated towards the prevention of gambling addiction; there is a limit on the purchase of tickets to 5 per person; lotteries attract a particular genre of the public; and information on the social demographics of the ticket purchasers is available if required.

Members thanked Mr Ashton for his time and presentation.

**143. CAB TEIGNBRIDGE**

The Chairman welcomed Mr Vincent Wilson, Chief Officer at Citizens Advice Teignbridge.

Citizens Advice Teignbridge provided independent and free support and advice to those residents in need, which is confidential and impartial, with seven full time employees and 83 volunteers. The Volunteers averaged 8 hours work a week, which if paid would cost £750k. Clients have a huge range of issues, and there is an 85% success rate of resolving issues. Home visits are made to the elderly and vulnerable who cannot attend the office. The organisation works in partnership with other local advice providers. 4,543 issues have been brought to Citizens Advice Teignbridge in the first quarter of 2018-19.

Mr Wilson reported on statistical data that linked the work of Citizens Advice Teignbridge to the Council's 10 Year Strategy, and to the Teignbridge Ten Super Projects.

Challenges included the shrinking pool of volunteers, and decreased availability of grant funding, and increased time to secure financial contributions.

Members thanked Mr Wilson for his time and his presentation and asked that information be provided in 12 months to advise any increased demand on the

services of Citizens Advise Teignbridge as a result of the introduction of Universal Credit.

#### **144. TEIGNBRIDGE ECONOMIC DEVELOPMENT PLAN 2018-2023**

The Committee referred to the report of the Economic Development Review Group, circulated with the agenda. The report provided Members with a summary of the responses to the consultation on the draft Economic Development Strategy, and presented the final version of the Economic Development Plan 2018-2023, incorporating changes following the consultation. The Plan aligns with the Councils 10 Year Strategy, in particular the 'Going to Town' and 'Investing in Prosperity' projects, and provided clarity on how the Council would deliver its economic commitments and ambitions as set out in the 10 Year Strategy.

Following approval from the Executive Committee on 1 May 2018, the draft Economic Development Plan went to consultation between 14 May and 29 June 2018. Appendix A of the report circulated with the agenda consisted of a consultation report outlining the feedback received. Appendix B listed amendments made as a result of the consultation. Appendix C consisted of the final version of the Economic Development Plan, and the Action Plan was detailed at Appendix D.

The Economy Manager thanked the Members of the review group, officers and representatives of outside organisations who had assisted in the production of the Plan.

In response to a question regarding why climate change was included in the Plan as a 'disruptive force' and not Brexit and the future relationship with the EU, when the effect of both factors was an unknown quantity, the Economic Manager advised that the impact was not yet known, and that reference to the impact of Brexit was already picked up in the introductory text. However the effect of Brexit could be included if Members wished.

Other comments from Councillors included: Teignbridge has a shortage of agricultural workers; Teignbridge is in competition with Exeter to retain industries within the area; long term infrastructure investment is required; and evidence that the South Devon Highway has improved the economy of the area.

In response to questions and comments from Councillors, the Economy Manager advised that the available budget and staff resources would be utilised to implement the Plan; the Council would work in partnership with developers to achieve aspirations for employment such as the Peamore site at Exminster; efforts are being made to improve Wi-Fi and internet access within Teignbridge; the Shared Exeter and Heart of Devon (EHOD) Economic Strategy, and the Greater Exeter Strategic Plan highlighted potential achievements of partnership working; local food festivals and markets are being promoted, such as the Taste of the Teign, and Summer Nights food festival in Newton Abbot; the Council is part of a national project called 'England's Coast' aimed at the European market and working with accommodation providers, and food and drink outlets which

have the capability to book online; the Council is also working in partnership with neighbouring authorities, such as Torbay Council to look at opportunities arising from strategic investments in the area.

Points raised by Councillors with regards to internet provision related to improved internet access in rural areas to support rural businesses, and the provision of free Wi-Fi in town centres.

The Leader of the Council emphasised that much support is given to businesses; the employment rate in Teignbridge is good compared to the national average; growing businesses are encouraged to remain within Teignbridge; initiatives was increasing the economy of our Towns, such as coach trips to Newton Abbot had increased the economy from between £75k to £135k per year.

Resolved

That the Economic Development Plan 2018-2023 be referred to the Executive with a recommendation that the Plan is endorsed, with the inclusion of Brexit and the future relationship with the EU as a potential 'disruptive factor.'

**145. CALL-IN OF PORTFOLIO HOLDER DECISION 12-2018 PLANNING SITE INSPECTION PROCEDURE**

The Committee referred to the report circulated with the agenda, which included the Portfolio Holder decision and comments from Town and Parish Council's.

The decision that the planning site inspection procedure is amended so that Parish and Town Council representatives are no longer invited to site inspections, had been called in by Councillor Dewhirst and supported by Councillors Connett, Cook, Cox, Evans, Keeling, Nutley, Parker and Rollason. Councillor Dewhirst's reason for the call-in was detailed in the agenda report.

The Business Manager, Strategic Place advised that complaints were received from stakeholders, who are not afforded the same opportunity to attend site inspections. He referred Councillors to paragraph 2.2 of the agenda report which quoted guidance from the Local Government Association and Planning Advisory Service's publication – *Probity in Planning for Councillors and Officers*, where advice is given that *visits made by Committee members, with officer assistance, are normally the most fair and equitable approach. They should not be used as a lobbying opportunity by objectors or supporters.* There is an inherent unfairness in the current procedure which opens the Council to legal challenges. Town and Parish Councils are a statutory consultee and the views of these councils are reported in Planning Committee agenda reports. The presence of representatives at site inspections affords them further opportunity to express opinions which other stakeholders are not given.

The Portfolio Holder advised that the perception of applicants, supporters and objectors of applications is that there is an unfairness with the procedure, due to the additional opportunity given to Parish and Town Councils, and that it



provides a forum for lobbying. Site inspections were on the decline with only 18 in the last 15 months. In relation to declaration of interests and Parish and Town Councillors complying with the Code of Conduct, it was for Town and Parish Clerks to advise their Councillors accordingly, through the organisations that support local Councils. It was more transparent, and good practice for Parish and Town Councillors not to be present at site inspections.

Comments raised in support of the call-in included: there was a lack of consultation on the proposed change of procedure; applicants have unfettered meetings with planning officers; additional evidence would be useful in relation to the complaints and comments received from stakeholders on the process; the Council's Town and Parish Charter advises that they participate in the site inspection procedure; and representatives could attend, give their views and then leave the inspection.

Other comments included that there was no need for Parish and Town Councils to attend site inspection because their views are included on the Planning reports circulated with Planning Committee agendas.

In response, Councillors were referred to comments of Parish and Town Councils included in the report. The Business Manager advised that past complaints had been dealt with, and the Council should have robust and good practice processes in place to avoid future complaints and challenges. The proposed change was not a criticism of local councils. Training was not the issue, but the perception that the Council's procedure is unfair and biased.

The Committee considered that the presence of Town and Parish representatives at planning site inspections resulted in a better informed debate, because the representatives would have an in-depth knowledge of the site.

Resolved

That the call-in be referred to the Executive with a recommendation that:

- a) Town and Parish Council's should continue to be invited to planning site inspections.
- b) Planning Services meet with Town and Parish Councils to discuss issues raised in the Portfolio Holder decision.

#### **146. PERFORMANCE MONITORING Q1 DATA**

This item was deferred to the next meeting on 15 October, 2018.

#### **147. EXECUTIVE FORWARD PLAN**

The Committee received the Executive Forward Plan circulated with the agenda.

**148. WORK PROGRAMME**

The Committee received the Overview and Scrutiny Work Programme circulated with the agenda.

**149. EXCLUSION OF THE PUBLIC AND PRESS**

Resolved

That under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**150. CALL-IN OF PORTFOLIO HOLDER DECISION 11-2018 - FUNDING CONTRIBUTION FOR A CIRL BUNTING NATURE RESERVE**

*Councillor Nutley declared an Appendix B interest by virtue of his membership with the RSPB, and left the meeting.*

The Chairman welcomed Mr Robert Manners from the RSPB.

Consideration was given to the report circulated with the agenda in relation of a call-in of a decision by the Portfolio Holder for Planning and Housing, by Councillor Connett and supported by Councillors Dewhirst, Evans, J Hook, Keeling, Parker and Rollason.

Councillor Connett enquired as to the benefit to the Council should the decision be progressed and the effect on the Council should the decision not be progressed.

Following a debate it was considered the decision was unnecessary and could result in a financial risk to the Council.

Resolved

That the call-in be referred to the Executive with a recommendation that the Portfolio Holder decision as set out in the report circulated with the agenda is not approved.

Cllr Mike Haines  
Chairman