

OVERVIEW AND SCRUTINY COMMITTEE 2

TUESDAY, 22 SEPTEMBER 2020

Present:

Councillors Austen, Bullivant, D Cox, Daws, Evans, Hayes, G Hook, Morgan, Nuttall, Parker-Khan, L Petherick and Swain

Apologies:

Councillors Tume

Officers in Attendance:

Rosalyn Eastman, Business Manager, Strategic Place
Liz Gingell, Business Improvement Officer
Michelle Luscombe, Principal Policy Planner
Phil Shears, Managing Director
Graeme Smith, Coastal Officer
Christopher Morgan, Trainee Democratic Services Officer
Sarah Selway, Democratic Services Team Leader

1. ELECTION OF CHAIR

It was proposed by Councillor G Hook and seconded by Councillor Morgan that Councillor Bullivant be elected Chair of Overview and Scrutiny Committee 2.

A roll call was taken.

For

Councillors Austen, Bullivant, D Cox, Daws, Evans, Hayes, G Hook, Morgan, Nuttall, Parker-Khan, L Petherick, and Swain.

Against

None

Resolved that Cllr Bullivant be elected Chair.

2. ELECTION OF DEPUTY CHAIR

It was proposed by Councillor G Hook and seconded by Councillor Bullivant that Councillor Swain be elected Vice-Chair.

A roll call was taken.

For

Councillors Austen, Bullivant, D Cox, Daws, Evans, Hayes, G Hook, Morgan, Nuttall, Parker-Khan, L Petherick, and Swain.

Against

None

Resolved that Councillor Swain be elected Vice-Chair.

3. WORK PROGRAMME

In response to a question, it was decided that the Car Park Working Group would be added to the work programme and brought to one of the two Overview and Scrutiny Committees.

The Chair invited members to attend a meeting of the Cultural Quarter Working Group, and suggested that the group write to the Employment Site Working Group to reconfirm the work of the group.

The Committee agreed to note the Work Programme.

4. EXECUTIVE FORWARD PLAN INCLUDING PRESENTATION FROM PORTFOLIO HOLDER FOR PLANNING

The Portfolio Holder for Planning gave a presentation to the Committee – see attached.

In response to questions from Councillors, the Executive Member for Planning informed the Committee that enforcement and officer visits to sites had been affected to Covid-19.

The Chair invited the Executive Member for Planning to attend a future Overview and Scrutiny Committee 2 Meeting to update on enforcement.

In response to an additional question, the Executive Member for Planning clarified that the CIL will be replaced by the Infrastructure Levy. They also informed the Committee that a number of changes were to be made to business usage later in the year, and clarified what CIL Liability is and the impact of it in recent years.

The Executive Member for Planning, in addition, responded to questions, informing the Committee by stating that there were a number of factors surrounding business

for the Planning Committee, the Teign Estuary cycle trail was progressing, and that the Local Plan Working Group is involved in consultation with central government regarding changes to the Planning system. They also agreed that there could be benefits to converting under used and redundant buildings to residential accommodation.

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

The Notice of Motion was introduced by the Executive Member for Business, Economy & Tourism. They informed the committee that a professor in Caribbean history and culture had put forward two PHD students to aid in this motion.

In response to a question by a member, the Executive Member for Business agreed to look at reaching a wider audience for this project.

A roll call was taken to agree the creation of a spotlight review alongside Overview and Scrutiny Committee 1.

For

Councillors Austen, Bullivant, D Cox, Daws, Evans, Hayes, G Hook, Morgan, Nuttall, Parker-Khan, L Petherick, and Swain.

Against

None

Resolved that Councillors L Petherick, Nuttall, and Parker-Khan join the BAME Spotlight Review alongside members from Overview and Scrutiny Committee 1.

6. SEA LEVEL RISE AND SHORELINE MANAGEMENT PLANNING (MEMBERS OF OVERVIEW AND SCRUTINY COMMITTEE 1 ARE INVITED TO ATTEND FOR THIS ITEM)

The Coastal Officer gave a presentation to the Committee – see attached to minutes. Members from Overview and Scrutiny Committee 1 were invited to attend. In response to questions the Coastal Officer advised the Committee that the Council led South Devon and Dorset Coastal Authorities Group is funded through a contribution process for all coastal Local Authorities (currently £750.p.a.) in combination with national funding, and that the Council led Regional Monitoring Programme and Shoreline Management Processes are funded through national grant mechanisms.

The Committee agreed to note the report.

7. PERFORMANCE MONITORING

Overview and Scrutiny Committee 2 (22.9.2020)

The Chair presented the report. They advised the Committee that several items had been cautioned on the report as a result of Covid-19.

In response to a question from the Chair about CSVV1.14 Number of subscriptions to my account, the Project Manager suggested that this is allocated to the Executive Member for IT. The Leader of the Council agreed to this and informed the Committee that complaints would be brought to October's Audit Scrutiny Committee by the Ombudsman, and that the Leader would report back to Overview and Scrutiny afterwards.

The Committee agreed to note the report.

Chair
Cllr Philip Bullivant

Presentation to Overview & Scrutiny

Executive Member for Planning

Cllr Gary Taylor
22 September 2020

Minute Item 4

Coming up

1. Reflect on T10 Great Places to Live and Work ambitions
2. Budget
3. Headlines from the past year
4. Decision making performance
5. The future of joint planning
6. Newton Abbot Garden Community
7. Key events and decisions
8. Priorities for the coming year

Coming up later in the week.....



.....planning reforms and housing numbers





T10: Great Places to Live and Work

- We ensure through our Plans and Decisions that sufficient homes and infrastructure is planned to meet the development needs of everyone living in, working in and visiting Teignbridge
- We deliver Local Plan projects on the ground and coordinate the spending of the Council's CIL which so far has generated over £9m from commenced developments
- We support the preparation of Neighbourhood Plans, giving communities more certainty and control about development in their localities
- We use our planning powers and harness funding resources to deliver essential infrastructure whilst protecting our built and natural environments

Budget

- Staffing costs
- Working to increase income
- Levering in funds to support capacity and delivery

Headlines from the past year

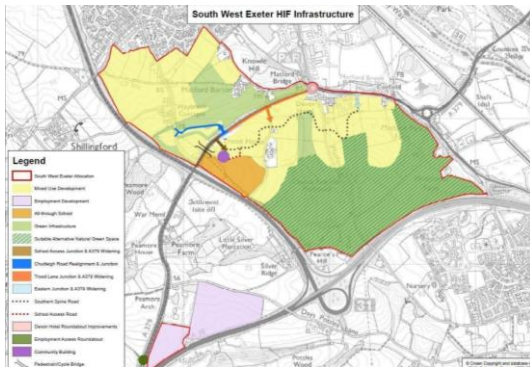


Housing Supply

- Strong housing land supply (7.1 years)
- Weaker delivery rate in 2019/20 (460 homes)
- Current housing target is 760 per annum

Major Infrastructure

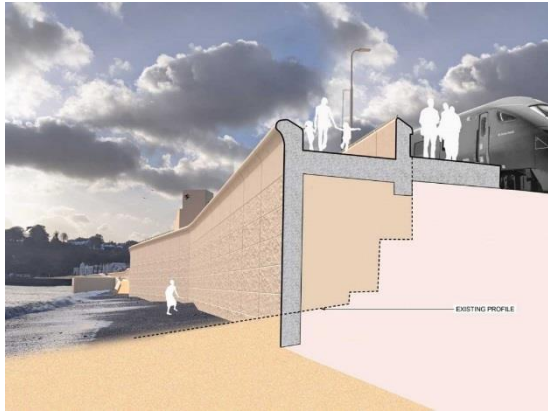
- Planning permission for A382 corridor improvements, including Houghton Barton link and Jetty Marsh Link
- Works commenced on phase 1 A382 improvements, with £5.1m CIL and £2m S106



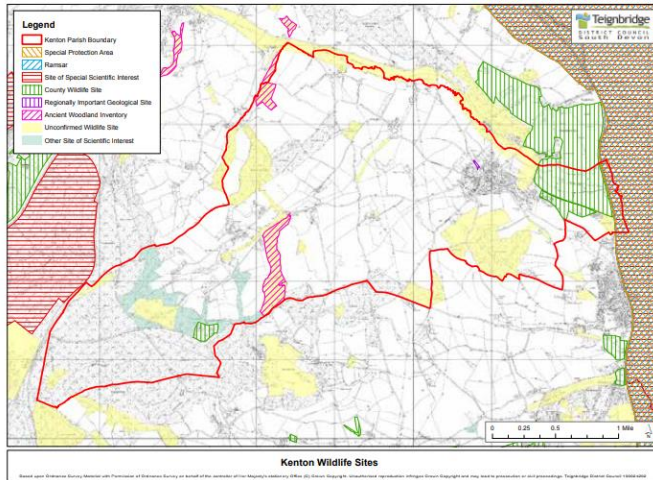
Funding support

- Housing Infrastructure Fund agreement complete for SW Exeter. £55m forward funding for infrastructure.
- Planning permission for SW Exeter all-though school campus

More headlines from the past year

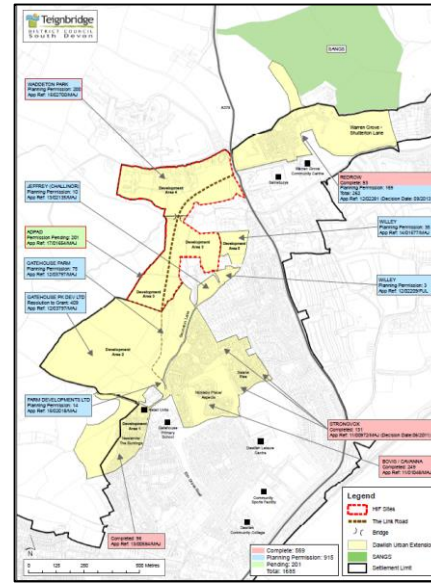


Dawlish sea wall

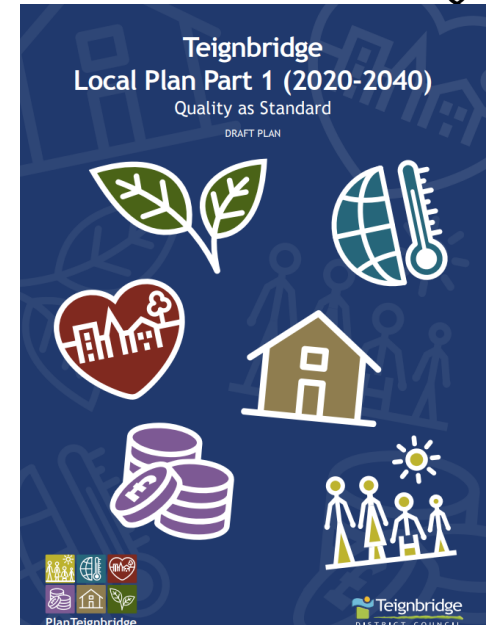
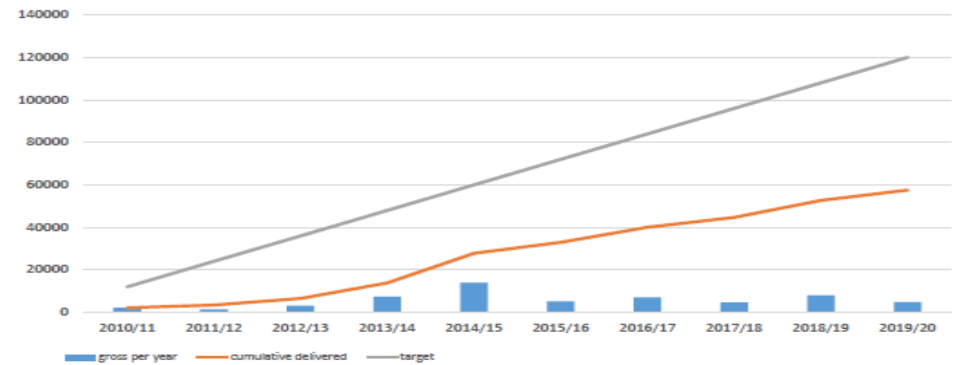


Two neighbourhood plans

Dawlish link challenges



Ongoing difficulties bringing forward employment land



Local Plan consultation

Development Management 2019/20

- 19 Tree Preservation Orders
- 1118 decisions
- 411 Enforcement Complaints Closed
- £153,530.35 from S106 for Biodiversity collected
- £107,506.44 from S106 for improvements to Dawlish Warren/Exe Estuary
- Costs awarded against us in planning appeals amounted to £9420
- CIL Liability (after exemptions) was £8,732,751 compared to a total from 2014 of £18,614,661



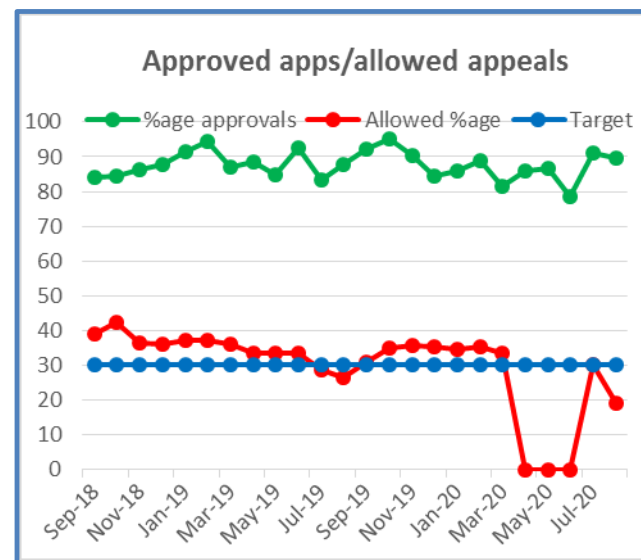
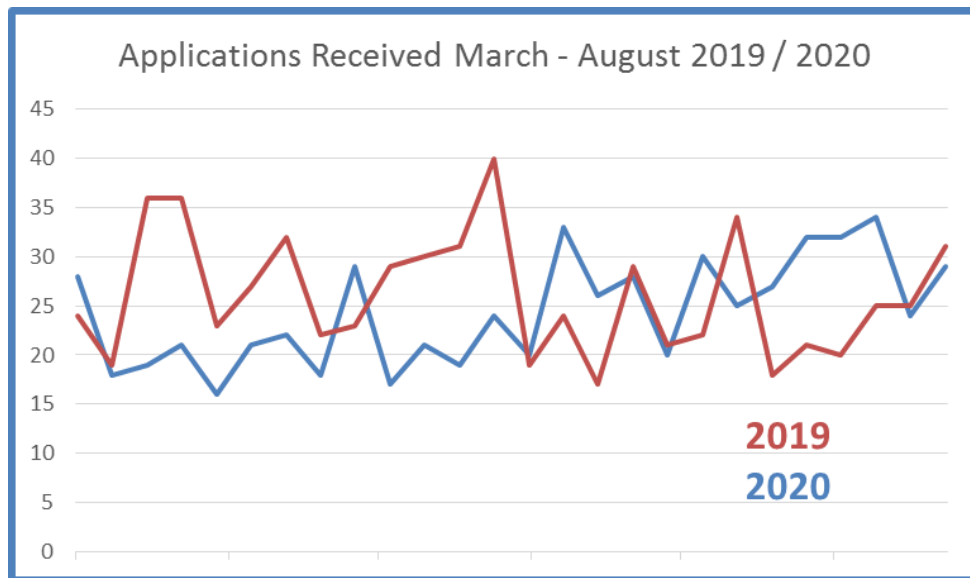
Development Management Performance

2019/20

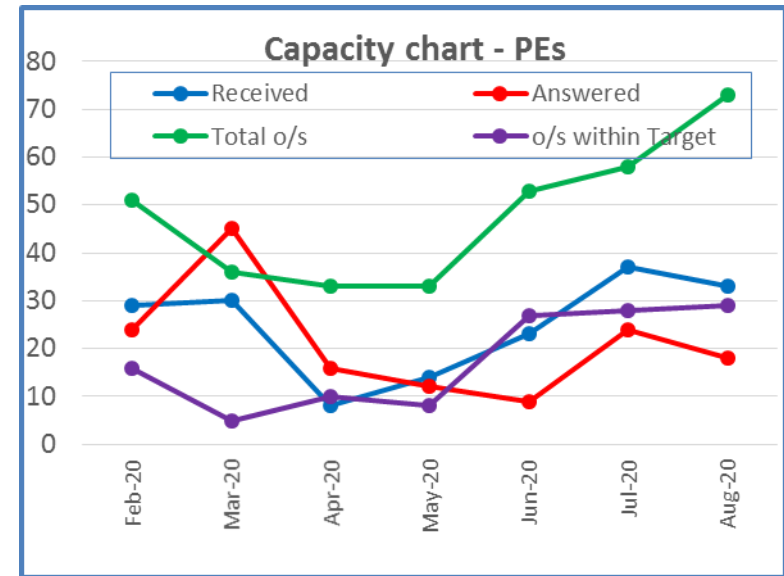
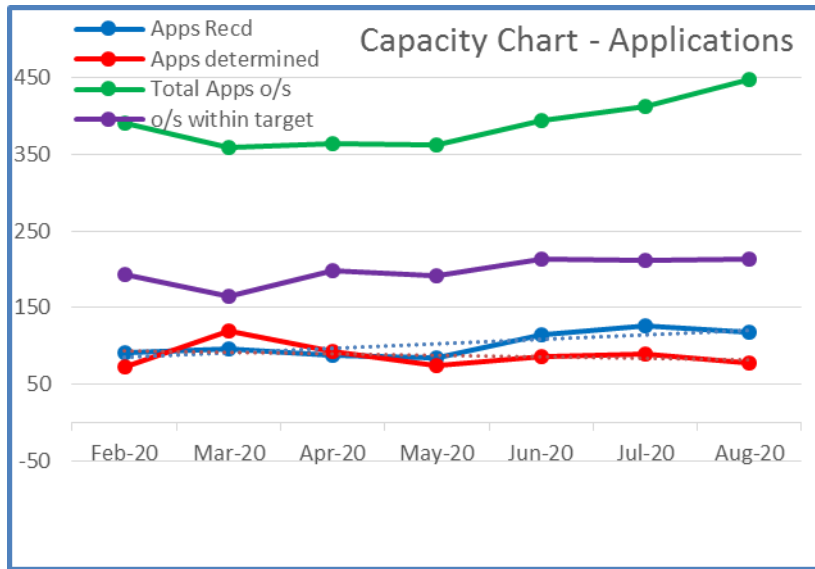
Quarterly NI figures (rolling percentage)					
	Q1	Q2	Q3	Q4	target
Major	88.89%	93.75%	96.00%	93.94%	60
Minor	76.40%	80.50%	81.62%	81.62%	65
Other	94.37%	94.44%	93.94%	91.85%	80

National Indicator figures for 2019-20

- Well above the National Target
- Still room for improvement
- Q1 2020/21 remains above National target



- Applications continue to be submitted
- 4 posts not filled as savings
- Staff turnover + recruitment processes = reduced staffing levels
- Successful recent recruitment to 4 of 5 vacancies, 1 advert out now



The future of joint planning

Why joint planning?

- Continues to be our best opportunity for leveraging in investment
- People, places and environments do not stop at political boundaries – so we have to think bigger than our district

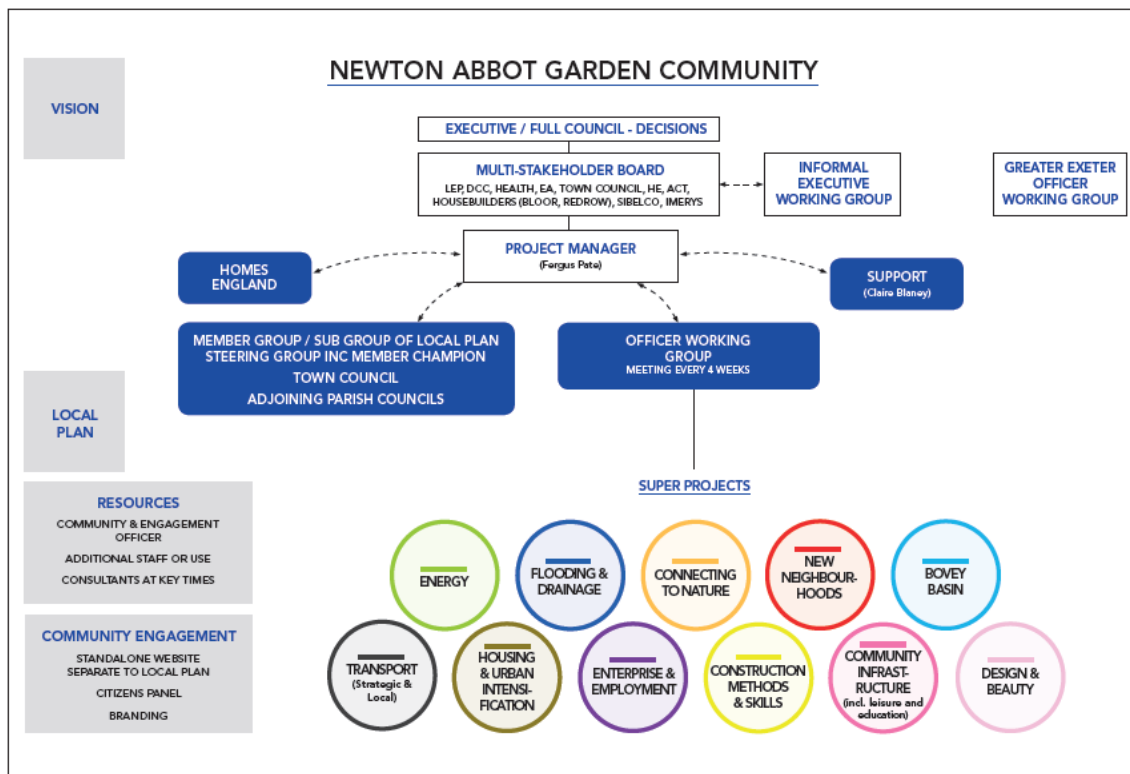
What's happening with GESP?

- The withdrawal of East Devon signals an end to GESP and a **statutory plan** but not to joint planning

So what now?

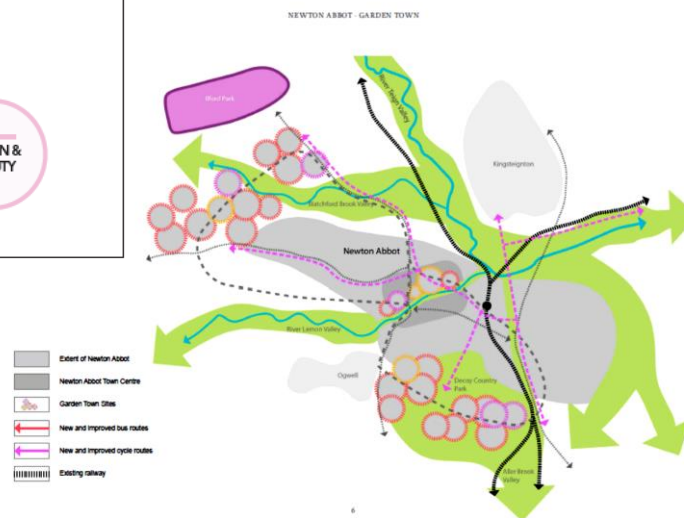
- All 4 authorities will accelerate their individual Local Plan timetables
- Continue to work together as an economically and socially important sub-region to prepare a **non-statutory** plan or prospectus alongside Local Plans

Newton Abbot Garden Community



- Confirmed as one of 49 Garden Communities
- Focus on low carbon, sustainable transport, green infrastructure
- Reviewing opportunities for brownfield redevelopment

Widespread community engagement will help to establish a town wide vision, as well as goals for individual neighbourhoods (new and existing)



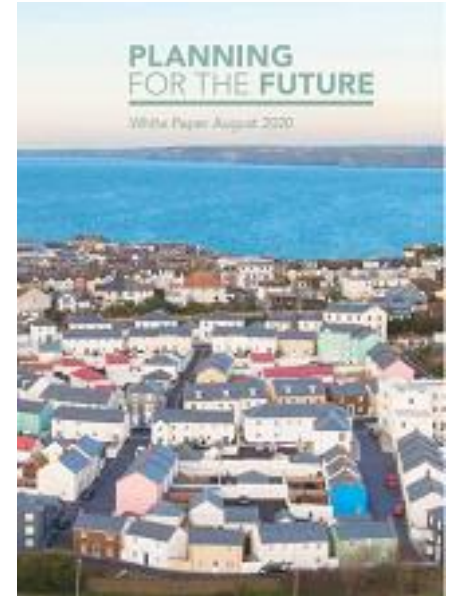
What are the key events and decisions coming up?



Determination of planning application for Houghton Barton (NA1)



South West Exeter District Heating Network



Planning Reforms
Thursday 24th
September: 2pm –
via Zoom



Teign Estuary Trail



Opening of Phase 1 of South West Exeter Countryside Park

Priorities for the next year



Planning key contacts

- Development Management
Ros Eastman
- Strategic Planning & Neighbourhood Planning
Michelle Luscombe
- Delivery
Fergus Pate

Overview and Scrutiny Committee 22 September 2020

Sea Level Rise and Shoreline Management Plan review – introduction

Graeme Smith – Coastal Officer

House of Commons EFRA Committee – November '19

UK Government's National Risk Register of Civil Emergencies

Coastal Risk is second only to pandemic flu

Adaptation is Key – National and Local leadership, funding, delivery mechanisms

Integration between SMP / CCMA's and Land Use Policies



House of Commons
Environment, Food and Rural
Affairs Committee

Coastal flooding and erosion, and adaptation to climate change: Interim Report

First Report of Session 2019

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 30 October 2019*

Coastal Local Authorities

District and Unitary Councils have a multitude of roles/duties/established expectations

Planning (to MLW)

Economic development

Harbour Authorities

Significant Coastal Asset owners / Landowners

Licensing and consenting a wide range of activities

Public Health and wellbeing

Inshore Byelaws

Tourism

Transport

Emergency planning and response

Heritage

Refuse and Litter / plastic free initiatives

Resort and Beach Management

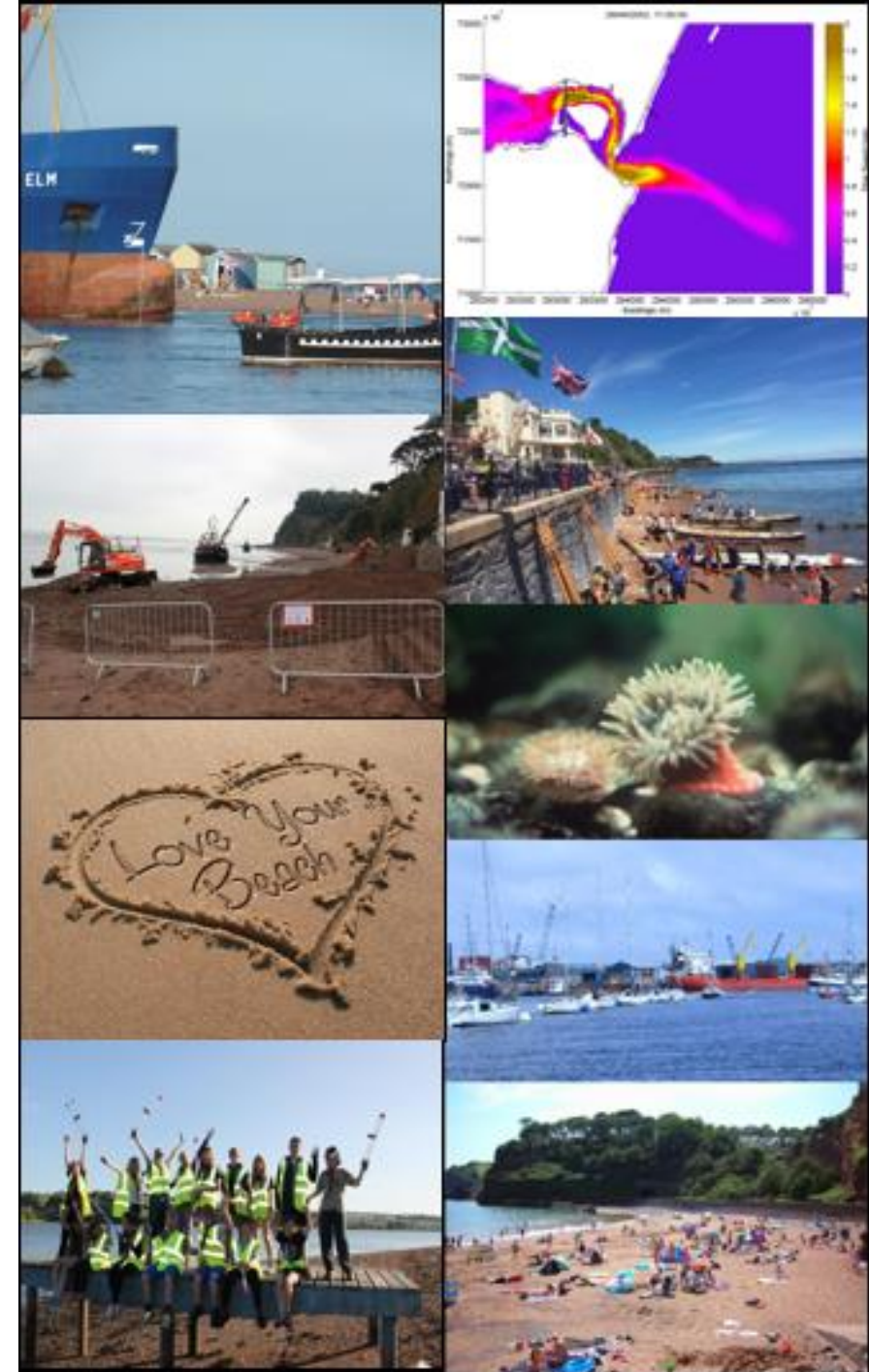
Water quality – Bathing waters and Shellfisheries

Access and Leisure

Consultees on Statutory processes – Marine Licenses

‘Climate emergency’

Public expectation - first point of contact either as Local Authority or Coastal Partnership



One of the many Local Authority roles is managing Coastal Erosion
Coast Protection Act – gives powers to Districts or Unitary Councils regarding eroding coasts.



Planning for change is directed through the Shoreline Management Plan (SMP)

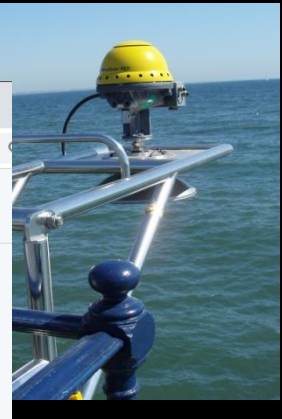
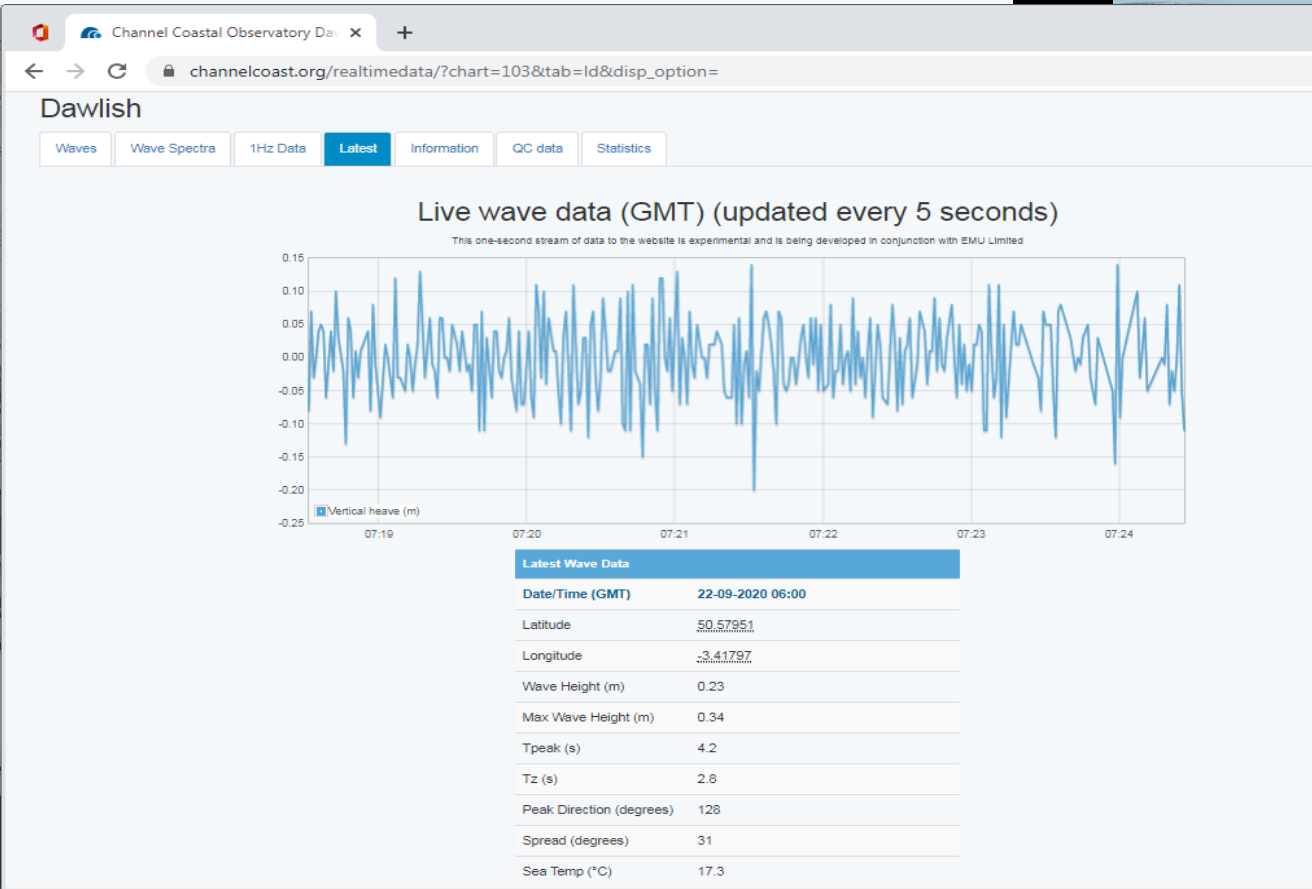
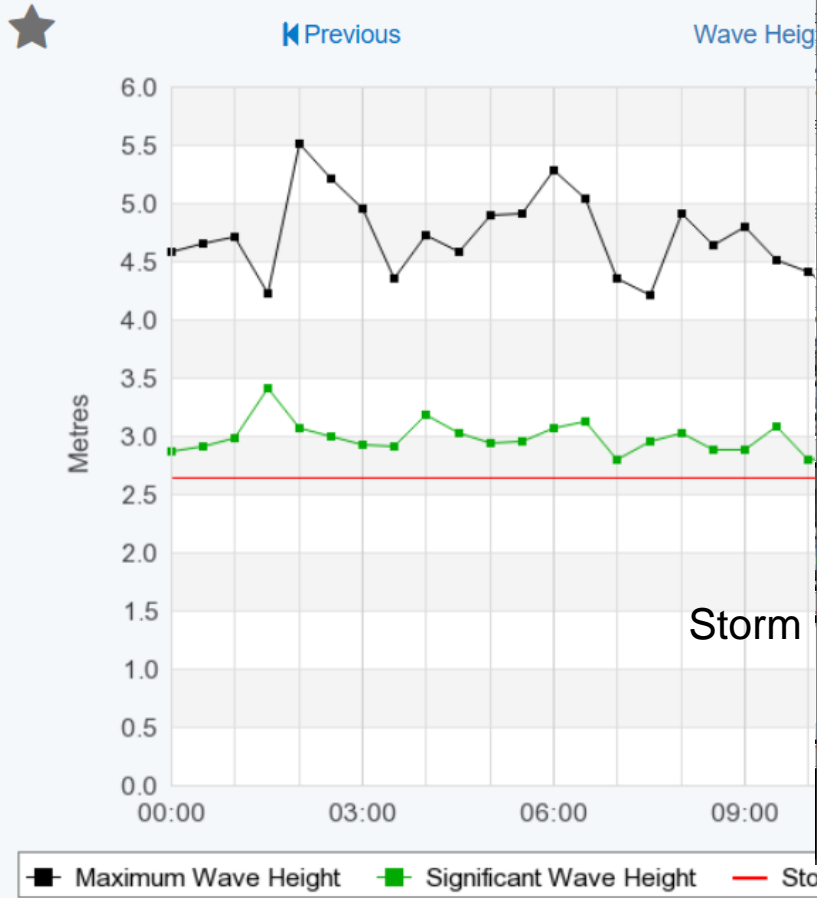
TDC leads the South Devon and Dorset SMP through SDADCAG

To plan and manage - you need to measure or predict dynamic change / risk

TDC hosts and manages the South West Regional Coastal Monitoring Programme (branded as PCO)



Data - Wave buoys and Wave radars / Step Gauges

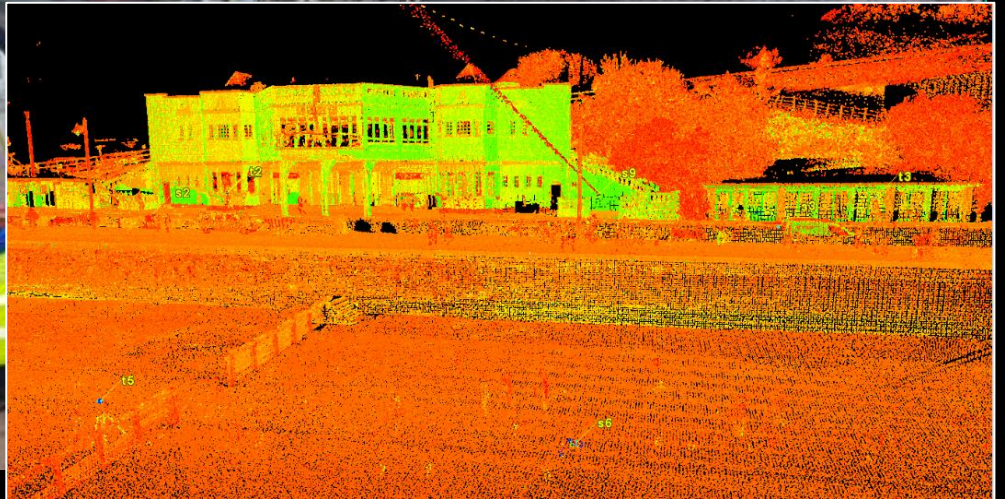


Lidar, Aerial Photography, Topographic Survey (inc Laser scanning)

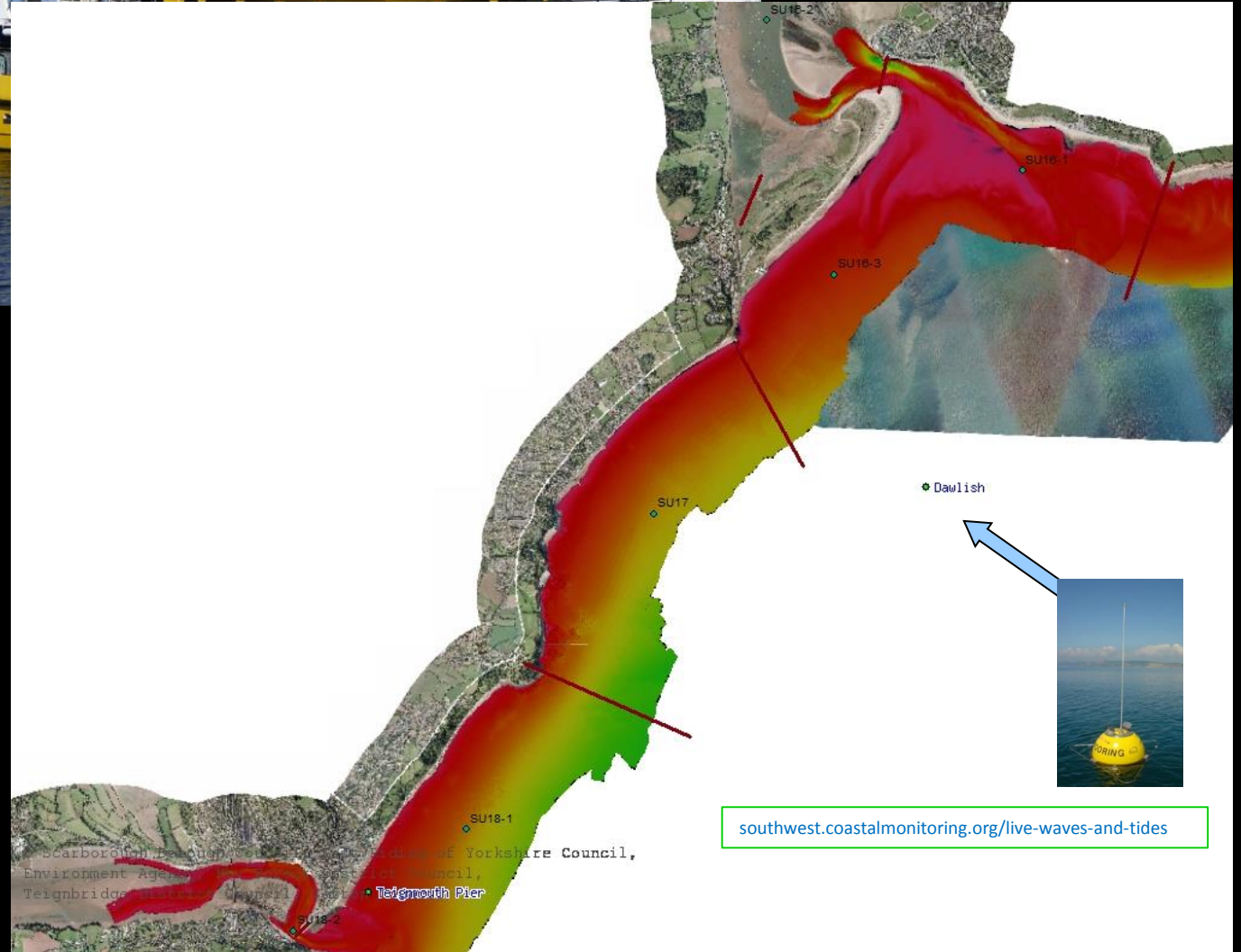
Lidar



Aerial photography

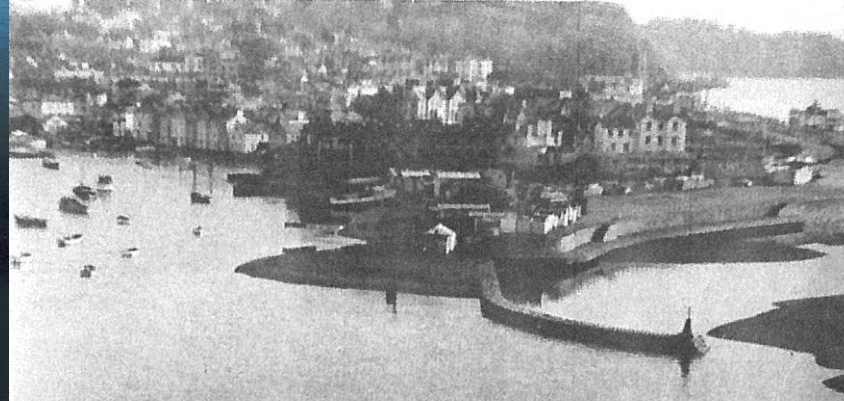


Bathymetric Surveys

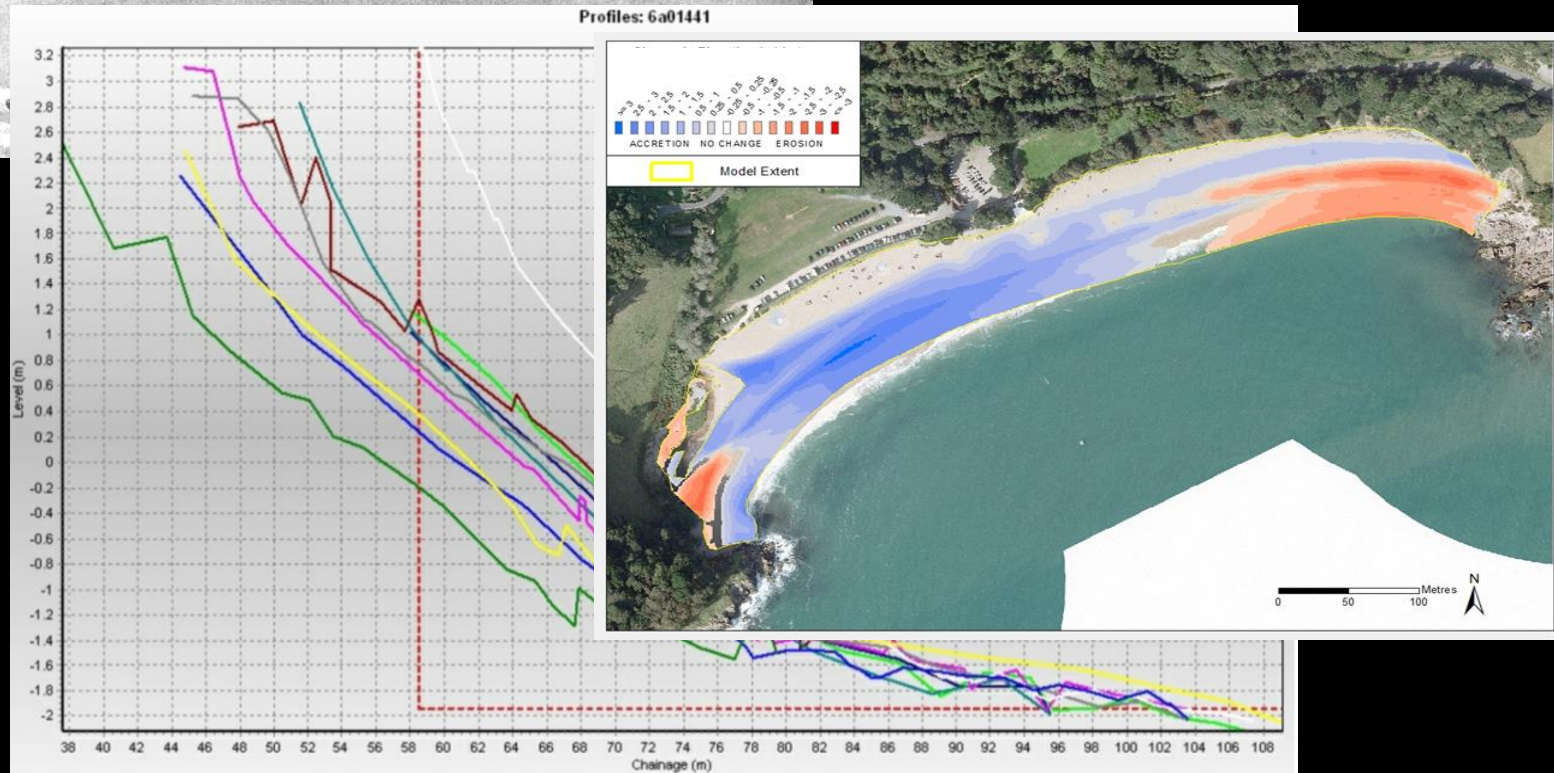


southwest.coastalmonitoring.org/live-waves-and-tides

ICM uses contemporary data (i.e. SWRCMP) alongside other sources (i.e. historical information)



Repeated data collection (varying temporal scales) enables analysis and trends – cliff regression, beach changes, sediment bars





The Committee on Climate Change (the CCC) is an independent, statutory body established under the Climate Change Act 2008.

Purpose is to advise the UK Government and Devolved Administrations on emissions targets and report to Parliament on progress made in reducing greenhouse gas emissions and preparing for climate change.

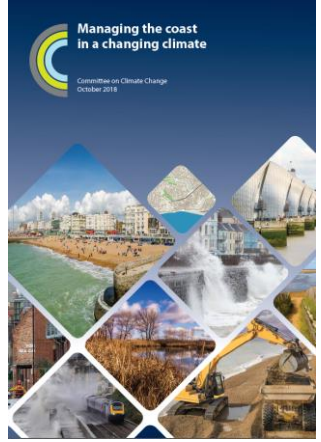




Climate change will exacerbate the already significant exposure of the English coast to flooding and erosion:

The current approach to coastal management in England is unsustainable in the face of climate change:

- Coastal communities, infrastructure and landscapes already face threats from flooding and coastal erosion. These threats will increase in the future.
- In the future, some coastal communities and infrastructure are likely to be unviable in their current form. This problem is not being confronted with the required urgency or openness.
- Sustainable coastal adaptation is possible and could deliver multiple benefits. However, it requires a long term commitment and proactive steps to inform and facilitate change in social attitudes.



- In England, 520,000 properties (including 370,000 homes) are located in areas with a 0.5% or greater annual risk from coastal flooding and 8,900 properties are located in areas at risk from coastal erosion, not taking into account coastal defences.
- By the 2080s, up to 1.5 million properties (including 1.2 million homes) may be in areas with a 0.5% or greater annual level of flood risk and over 100,000 properties may be at risk from coastal erosion.
- Today, coastal management is covered by a complex patchwork of legislation and is carried out by a variety of organisations with different responsibilities.



- It is almost certain that England will have to adapt to at least 1m of sea level rise at some point in the future.
- The public do not have clear and accurate information about the coastal erosion risk to which they are exposed, nor how it will change in future.
- Coastal communities, infrastructure and landscapes already face threats from flooding and coastal erosion. These threats will increase in the future.
- In the future, some coastal communities and infrastructure are likely to be unviable in their current form. This problem is not being confronted with the required urgency or openness.
- Sustainable coastal adaptation is possible and could deliver multiple benefits. However, it requires a long term commitment and proactive steps to inform and facilitate change in social attitudes.
- Calculated that implementing the current Shoreline Management Plans to protect the coast would cost £18 - 30 billion, depending on the rate of climate change.



How do we plan for change and coastal adaptation

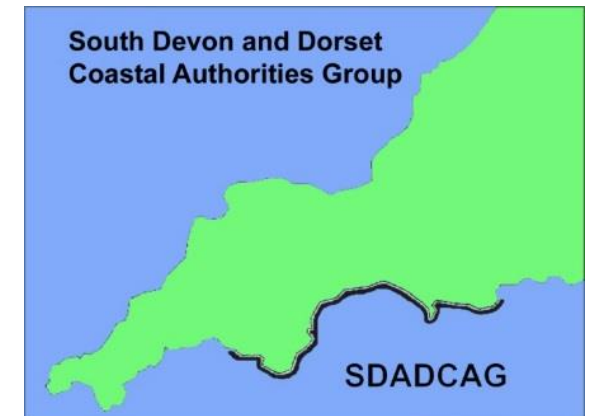
Shoreline Management Plan (SMP)

Delivered through

South Devon and Dorset Coastal Authorities Group (SDADCAG)

TDC host both SDADCAG and South West Coastal Group

SMP is adopted by Local Authorities to lead development of Coastal Change Management Areas (CCMA's) within Local Plan





Diverse area

- 400+km
- 22 estuaries, inlets, lagoon features
- Regionally important infrastructure – Railway
- Locally important infrastructure – roads, gas pipes, schools, businesses and of course homes
- Local, National, European designated habitats – inc areas of IROPI aspects
- Amenity beaches, ports and harbours, breakwaters, promenades, slipways, piers, cliffs, dunes, urbanised / developed areas and natural coastline
- Legacy features – from nationally treasured historic buildings through to eroding landfill sites
- Some significant lengths are owned by large organisations – i.e. Local Councils, Network Rail, National Trust or Military
- Some areas – esp in estuaries – the shoreline is owned by individual farmers or even individual businesses or householders – the bottom of the garden is an eroding cliff which is getting closer
- Huge variety of existing defences – design lives and costs
wave return walls, vertical walls, groynes, steps, managed dune systems, shingle banks, marram grass, breakwaters and more recently foreshore recharge and sand/shingle engines



England has 20 SMPs covering all 10,000km of coastline

Internationally regarded as model strategic planning for the coast , however

Most were completed 6-12years ago and have had varying levels of retest/update to maintain intended 'living' document status

SDADCAG SMP adopted 2011

National desktop review indicated a significant proportion of Policy Units warrant further analysis since SMP production

20% Hold the line – recommended for scrutiny, around a third of these due to funding criteria

12% No Active Intervention – largely due to the likelihood of challenge and difficulties around adaptation to change

42% Managed realignment – largely through evidence of coastal evolution and/or funding

A review of SMPs has also been recommended by

- The National Infrastructure Assessment 2018
- The Government's 25 Year Environment Plan 2018
- The Government's National Adaptation Programme 2018

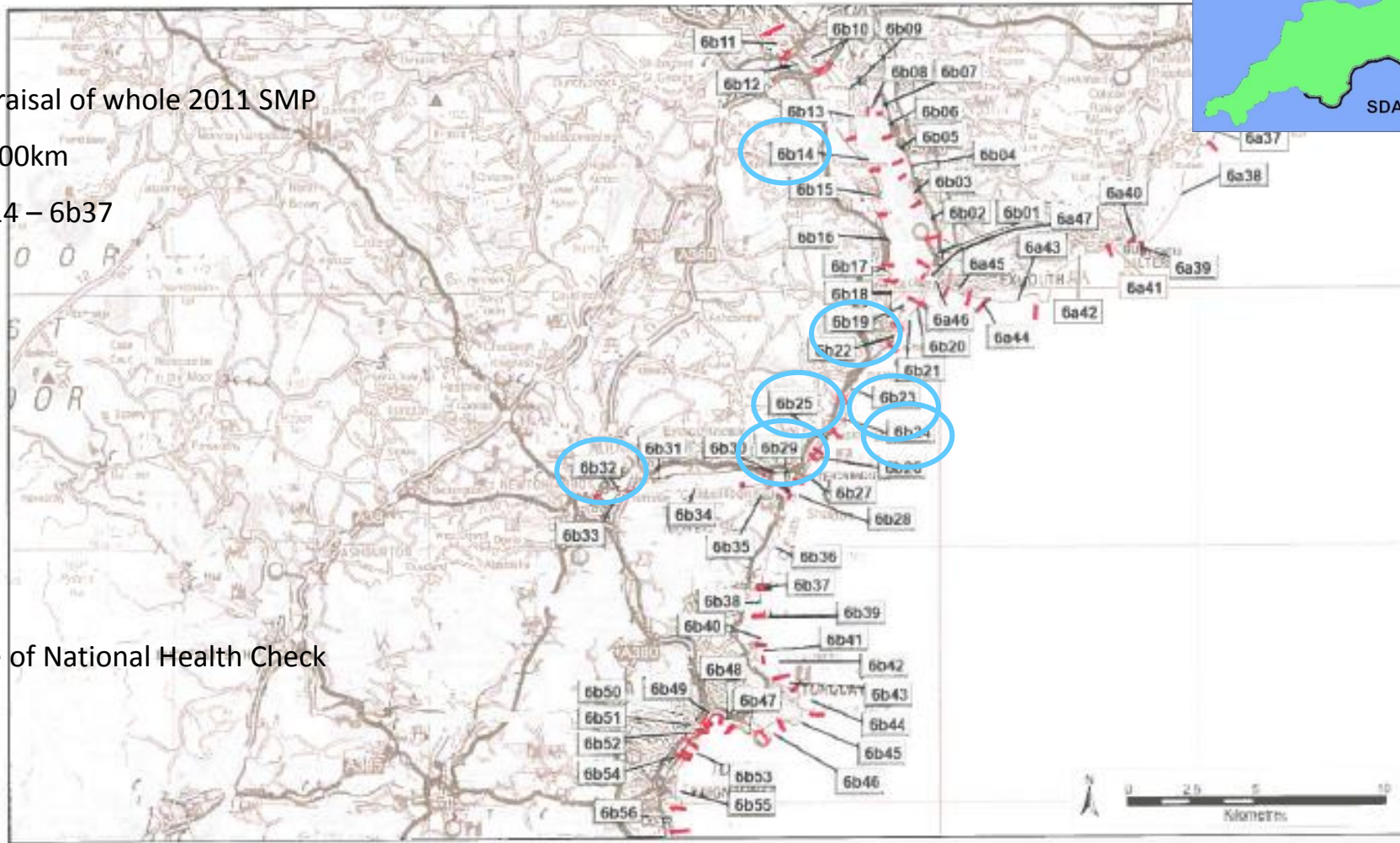
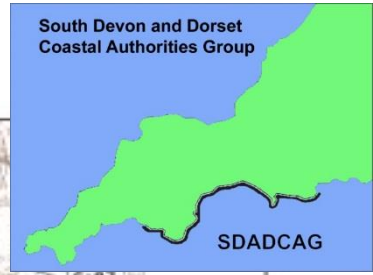
Additional relevant initiatives

Defra –National Policy Statement for FCRM

EA –FCRM Strategy for England and future capital investment programme



SDADCAG internal appraisal of whole 2011 SMP
200 Policy Units over 400km
TDC area – Policies 6b14 – 6b37



Undertaken in advance of National Health Check
and SMP-R processes

Durston Head to Rame Head Shoreline Management Plan Review
Figure 1.3c - Overview Map (3 of 5)

— Policy Unit Boundary

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office (C) Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Environment Agency, 100020380, 2009

What is the SMP Refresh?

The SMP-R Project, is being led by the Environment Agency undertaken by Jacobs and RHDHV on behalf of Coastal Groups. It will provide the following:

1. A review of what has changed since SMP2 (new legislation, climate change predictions, planning guidance etc) and how that might be accounted for in SMPs going forward.
2. Look specifically at where any of the above might need to be considered in your SMP.
3. Supplementary guidance for helping to manage the implementation of SMP policies, including a consistent template for SMP action plans.
4. Develop a prototype map based data and information web platform, which will both signpost and host (where appropriate) SMPs and coastal data (undertaken by Swirl on behalf of the EA/CGN)

This is not SMP3 and it will not update SMP action plans, change policies, shortcut the SMP policy change process or take away any local ownership or decisions on SMPs.

SMP-R national programme has been slightly delayed by Covid

Currently completing national Health Check on existing SMP2's inc SDADCAG

Health Check - Expected to deliver end Sept

Some expected provision of national funding potentially augmented by Local Levy

Expectation of new Policy definitions and splitting of existing policy prescriptions

Local Coastal Authorities Groups - SDADCAG - to develop further and instigate change

Feeds directly into definition of CCMA's

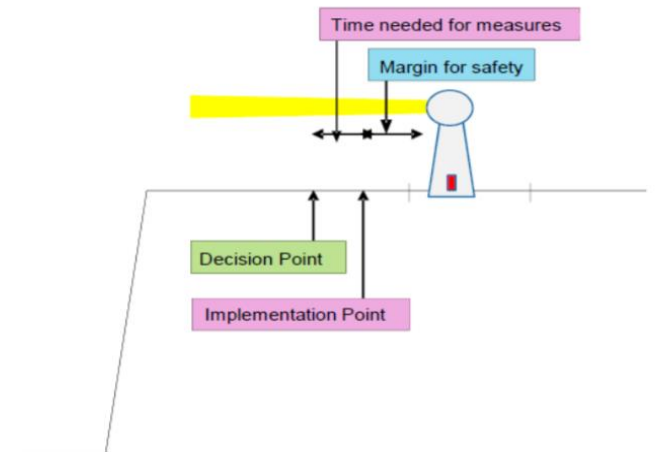
Revised Target methodologies to drive adaptation or remedial/risk mitigation works

'live' action plan and reporting processes

May require re-adoption by all Local Authorities

SMP Epochs + Management Tools and Triggers

- There are two broad types of triggers:
 - 1) Triggers that lead to implementing a change in SMP policy / management approach (i.e. timing of when transition policy).
 - 2) Triggers that lead to a fundamental re-think of SMP policy and/or change in SMP policy direction.
- Within both types, there are then a range of factors driving policy change (some of which can be monitored), broadly grouped as:
 - Physical processes (e.g. erosion rate/extent; flood frequency; asset condition).
 - Enabling activities or impacts (e.g. injection of funding; land-use adaptation completed; changes in policy/regulations)



National Planning Policy Framework (2018)

Overarching presumption in favour of sustainable development

Coastal Change s. 166-169

Encourages Integrated Coastal Zone Management (ICZM)
typically through Coastal Partnerships

Identification of **Coastal Change Management Areas (CCMA's)**
for any area likely to be affected by physical changes to the coast
directed by SMP policy units

Provision to relocate development and infrastructure away from CCMA's



Ministry of Housing,
Communities &
Local Government

National Planning Policy Framework

Adaptation isn't straightforward – difficult choices ahead

South Devon example used as case study

Slapton – gravel barrier beach between sea and freshwater habitat

NNR / SSSI designated - Carries A379 (Dartmouth to Torcross)

Does not directly defend houses – the lead criteria for FCRM funding

250m damaged in Jan 2001

Alternate road route 7km / 25km for heavy vehicles – whilst road re-built

High profile local engagement project to develop adaptive strategy

However – March 2018 Storm Emma 400m damaged

8mth diversion whilst road rebuilt and reopened

'The re-built road will, however, almost certainly be washed away again in the future'

Demonstrates understandable societal / political pressures for short term fix (and seven figure resourcing) compared with long term sustainable approaches

The re-built road will, however, almost certainly be washed away again in the future. This questions the wisdom of the new investment and the decision making process related to 'responsive' investments. If a long-term and objective decision making process had been applied it is unlikely that this same decision would have been made as the cost-benefit relationship for re-building in the current location is marginal at best.

This case highlights that even when significant time and money has been invested in engaging the local community and developing a forward-looking, adaptive strategy, it is still difficult to implement plans that have taken long-term issues into account. Such plans can be overlooked and a reactive and potentially unsustainable solution can be implemented instead, particularly where authorities are under pressure to respond rapidly to events.



Source: Photograph included with kind permission from Ian Coomber (2018).

Notes: Slapton Sands Beach Management Plan (2018) available at <http://www.slaptonline.org/news/news.php?id=145>; news stories from: <https://www.devonlive.com>; Devon County Council: <https://new.devon.gov.uk/roadsandtransport/traffic-information/roadworks/a379-slapton-line-realignment/> and communication with other local stakeholders.

Adaptation isn't quick or easy

1. GIS based assessment of coastal risks

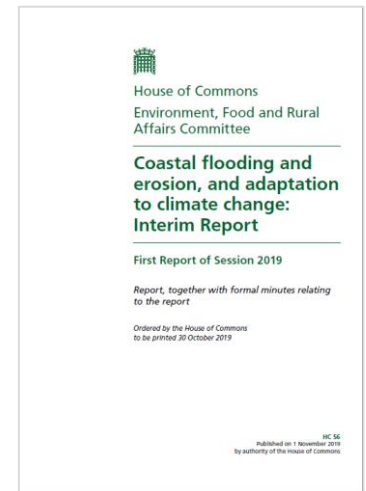
Sayers and Partners LLP – part of evidence for Committee on Climate Change

The analysis indicates that approximately 1,400km of England's coastline will not be economically viable to manage as proposed through the SMPs based on the number of properties being protected alone (defined as achieving a Benefit Cost Ratio – BCR - of less than 2).

2. £5.2bn funding settlement announced for 2021-27 (fluvial and coastal). Outcome measure 3 (coastal erosion) is under review by Treasury and is anticipated to improve, and a new measure introduced for properties at risk to 2040

3. The National Trust explained that at Studland Bay in Dorset, it had

“taken three years and an awful lot of money to persuade that community just to relocate a café”.



Graeme.smith@Teignbridge.gov.uk

