

2 November 2020

OVERVIEW AND SCRUTINY COMMITTEE 2

A meeting of the **Overview and Scrutiny Committee 2** will be held on **Tuesday, 10th November, 2020** at **10.00 am**. This will be a virtual meeting and you can observe the meeting [via our Youtube Page](#).

PHIL SHEARS
Managing Director

Membership:

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

Please Note: The meeting will be live streamed with the exception where there are confidential or exempt items, which may need to be considered in the absence of the media and public.

AGENDA

1. **Minutes** (Pages 3 - 44)
To approve the Minutes of the meeting held on 22 September 2020.
2. **Declaration of Interest**
3. **Public Questions (if any)**
4. **Councillor Questions (if any)**
5. **Work Programme** (Pages 45 - 50)
6. **Executive Forward Plan**
To note forthcoming decisions anticipated to be made by the Executive over the next 12 months. The Executive Forward plan can be found [here](#).

7. **COVID-19 Review Group** (Pages 51 - 52)
To receive an update from the Member Leads of the three groups: Rural, Coastal and Urban
8. **Cultural Quarter Review Group**
To receive an update from Councillor Bullivant, leading on the Review Group.
9. **Employment Sites Review Group**
To receive and update from Councillor Bullivant, leading on the Review Group.
10. **Executive Member Presentation - Councillor MacGregor (Sport, Recreation and Culture)**
11. **South and East Devon Habitat Regulations Executive Committee** (Pages 53 - 58)
To note the Minutes of 14 July 2020.

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

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

Members Attendance:

Councillors

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 1.

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

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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



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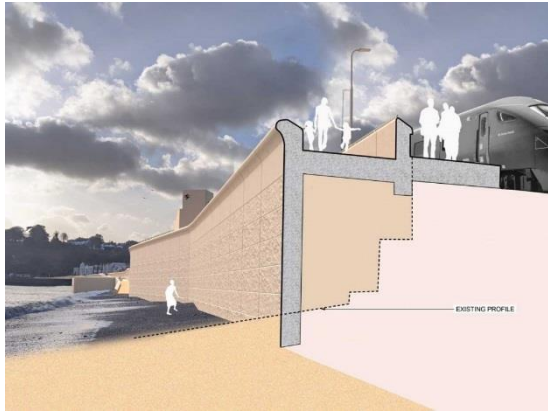
T10: Great Places to Live and Work

- 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

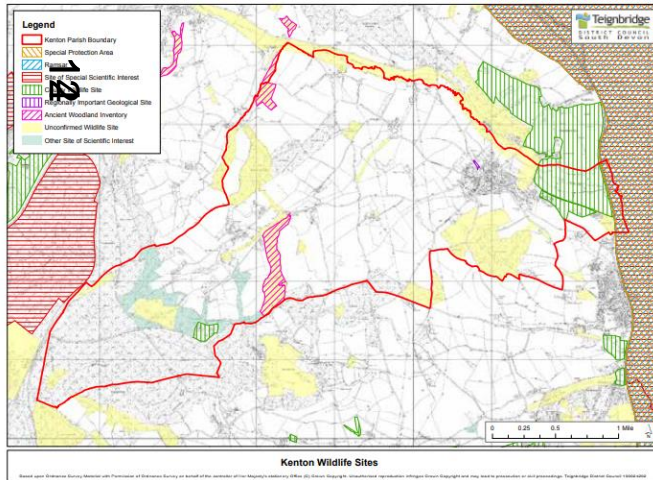
Budget

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

More headlines from the past year

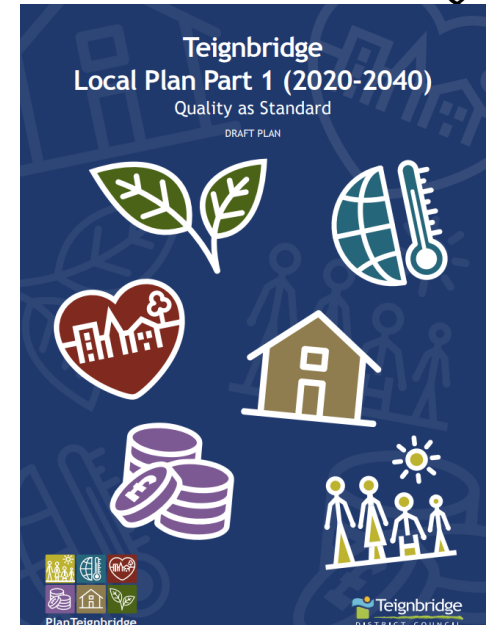
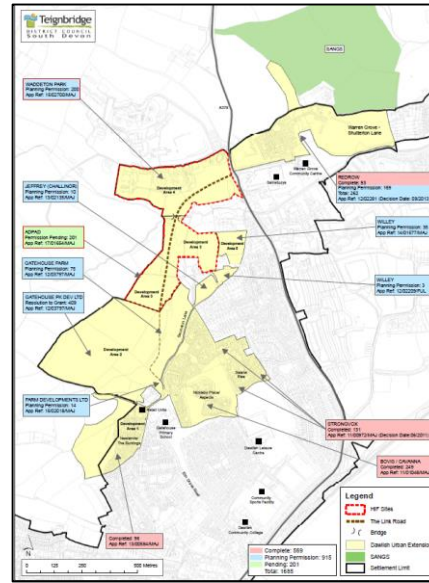


Dawlish sea wall

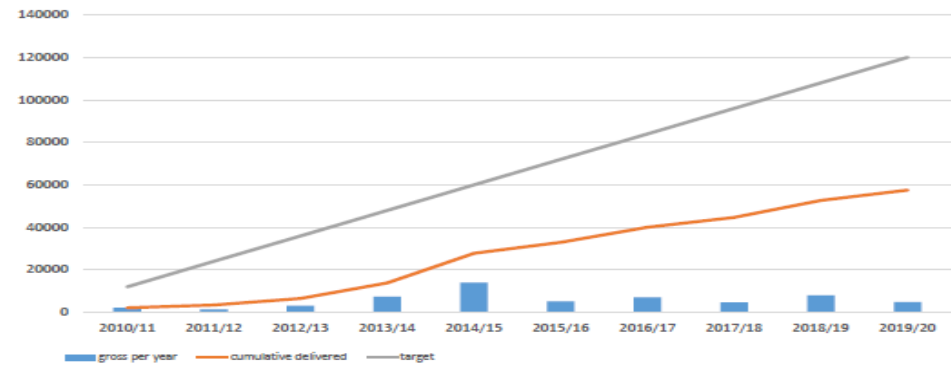


Two neighbourhood plans

Dawlish link challenges



Local Plan consultation



Ongoing difficulties bringing forward employment land

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



19 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



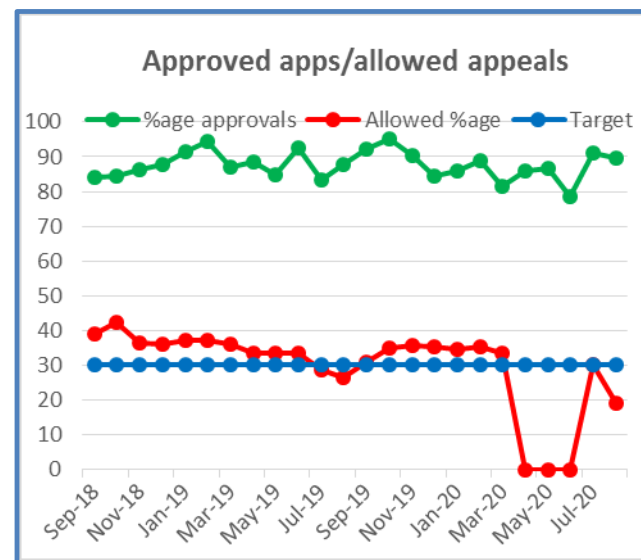
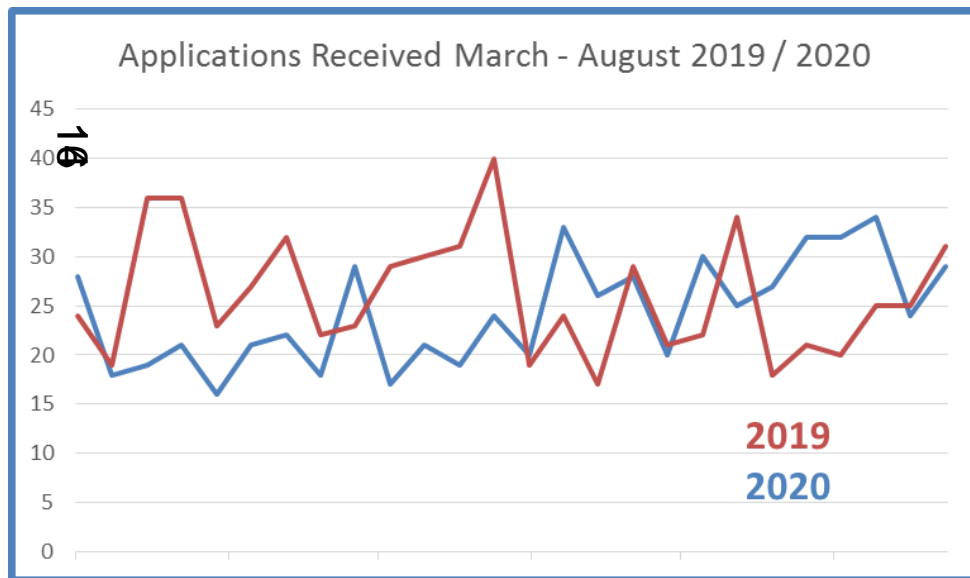
Development Management Performance

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

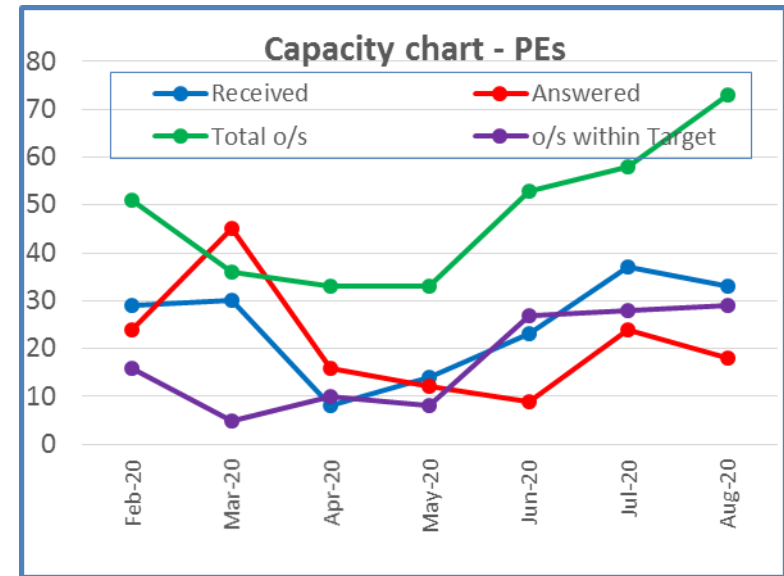
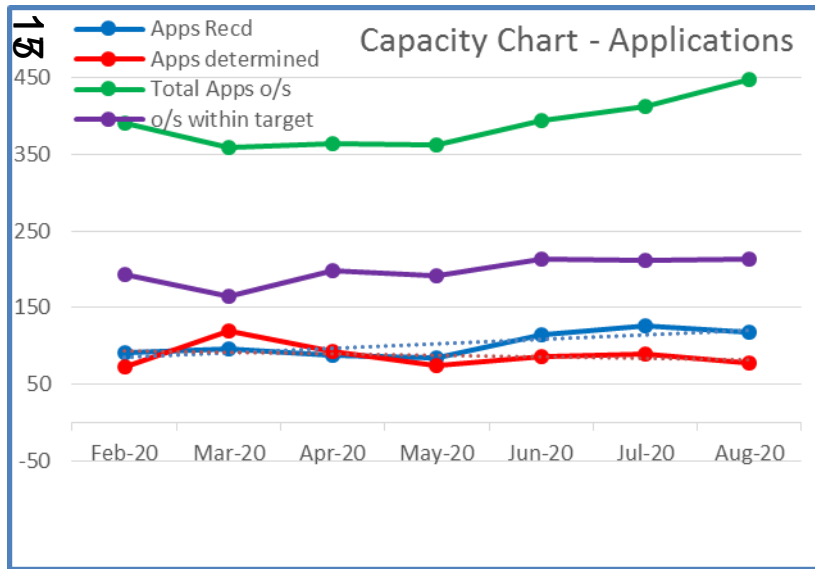
National Indicator figures for 2019-20

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



Development Management Performance 20/21

- 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?

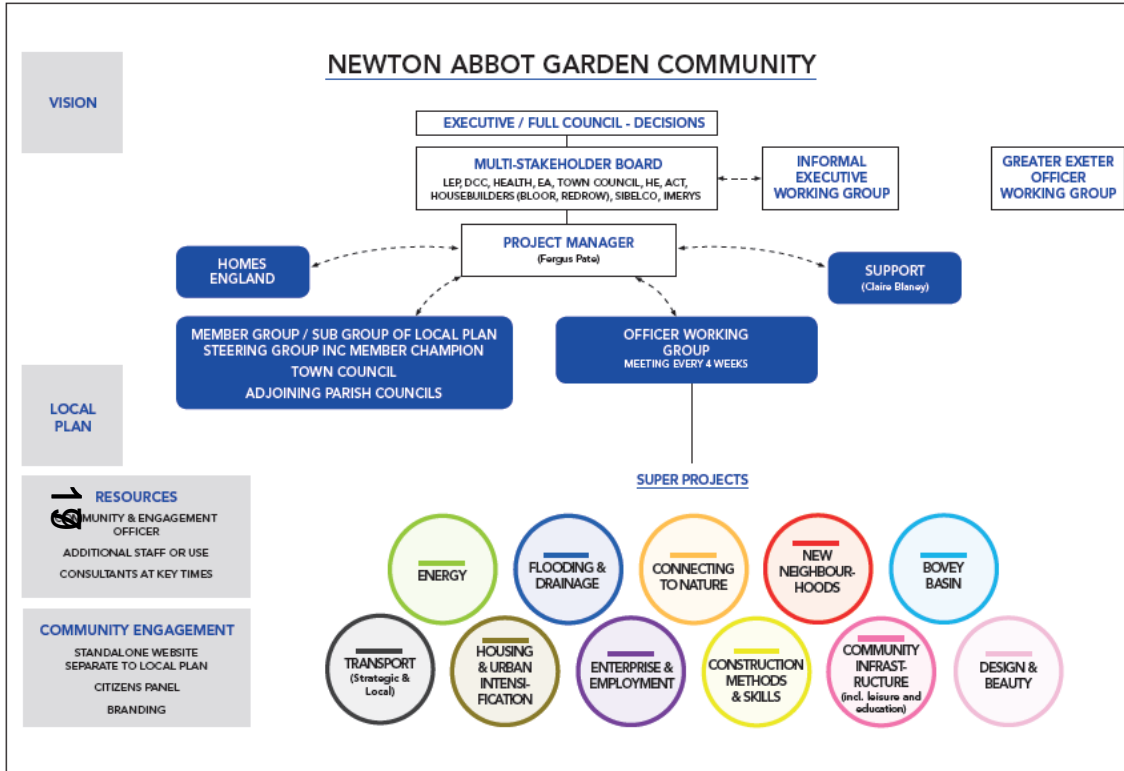
- The withdrawal of East Devon signals an end to GESP and a **statutory plan** but not to joint planning

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So what now?

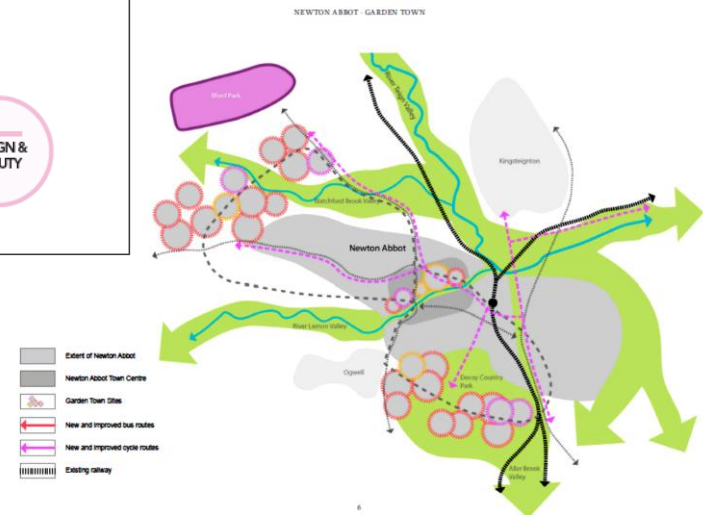
- All 4 authorities will accelerate their individual Local Plan timetables
- Continue to work together as an economically and socially important sub-region to prepare a **non-statutory** plan or prospectus alongside Local Plans

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)



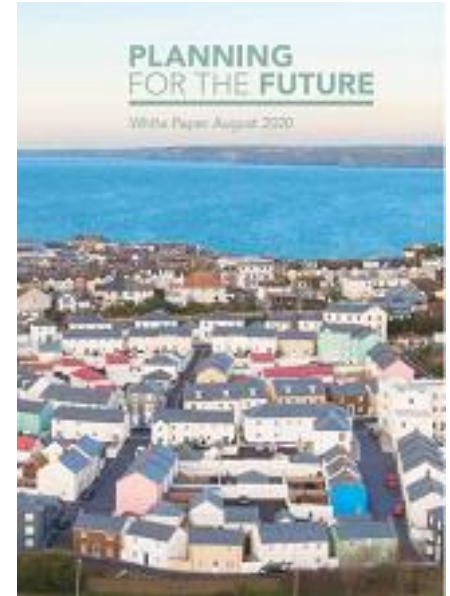
What are the key events and decisions coming up?



Determination of planning application for Houghton Barton (NA1)



South West Exeter District Heating Network



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

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Teign Estuary Trail



Opening of Phase 1 of South West Exeter Countryside Park

Priorities for the next year

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Planning key contacts

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

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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

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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

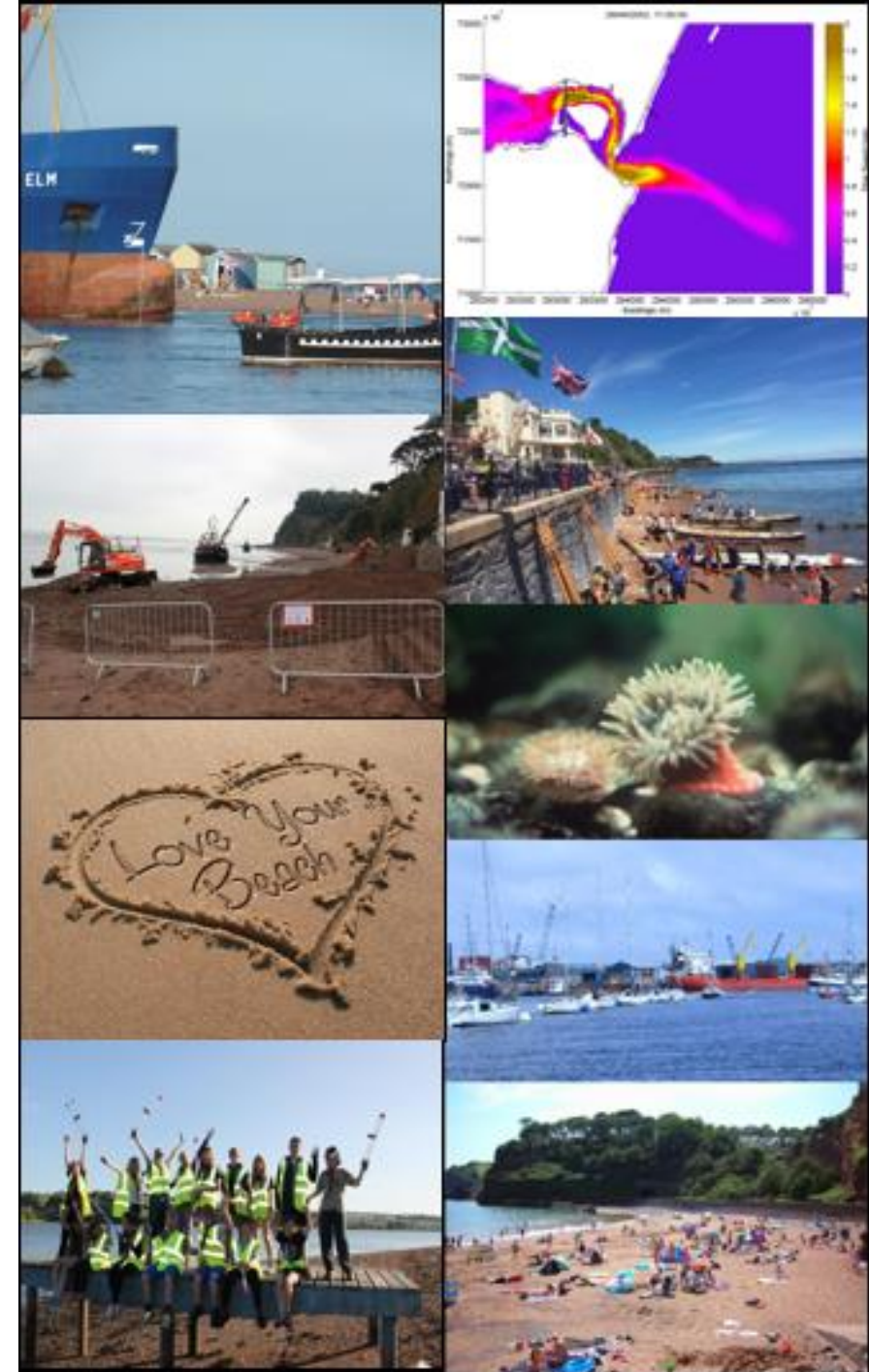
Water quality – Bathing waters and Shellfisheries

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)

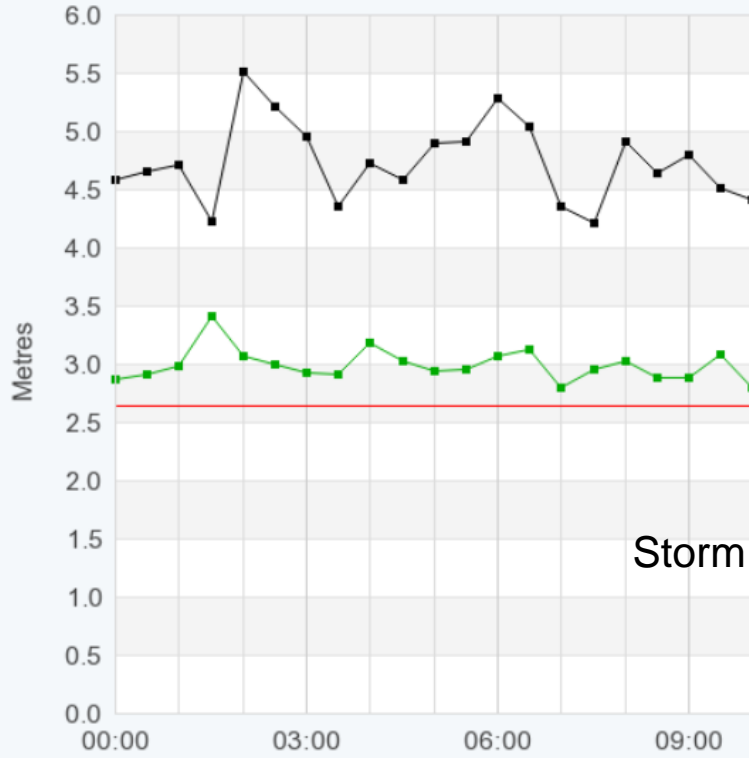


Data - Wave buoys and Wave radars / Step Gauges



Previous

Wave Height



■ Maximum Wave Height
 ■ Significant Wave Height
 — Storm alert threshold

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Channel Coastal Observatory Data

channelcoast.org/realtimedata/?chart=103&tab=ld&disp_option=

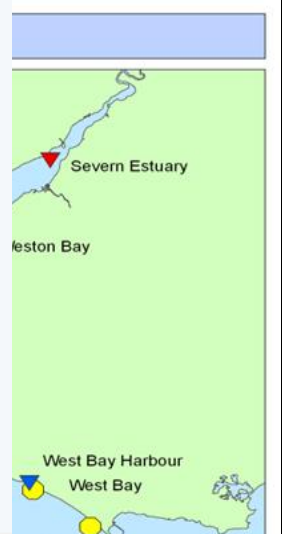
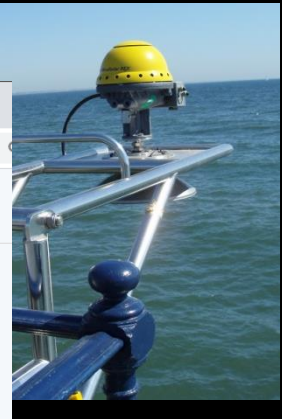
Dawlish

Waves | Wave Spectra | 1Hz Data | **Latest** | Information | QC data | Statistics

Live wave data (GMT) (updated every 5 seconds)

This one-second stream of data to the website is experimental and is being developed in conjunction with EMU Limited

Latest Wave Data	
Date/Time (GMT)	22-09-2020 06:00
Latitude	50.57951
Longitude	-3.41797
Wave Height (m)	0.23
Max Wave Height (m)	0.34
Tpeak (s)	4.2
Tz (s)	2.8
Peak Direction (degrees)	128
Spread (degrees)	31
Sea Temp (°C)	17.3

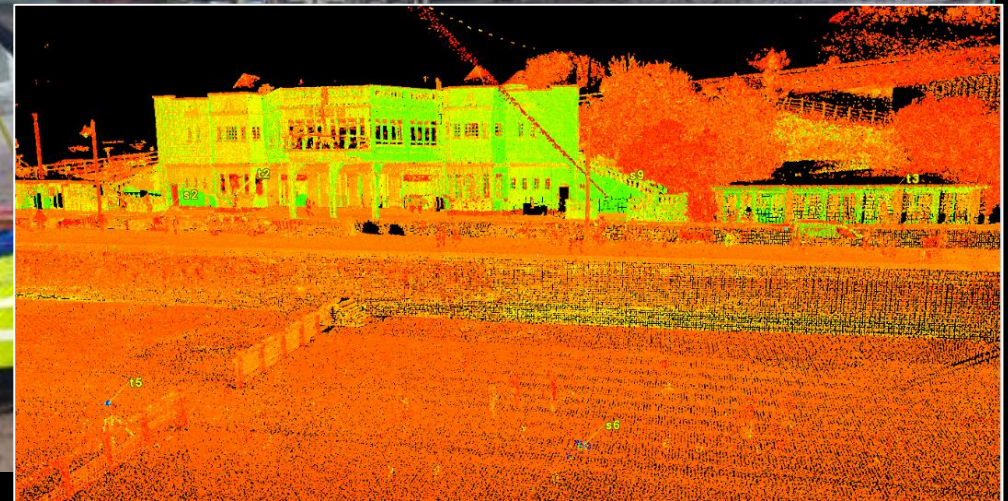
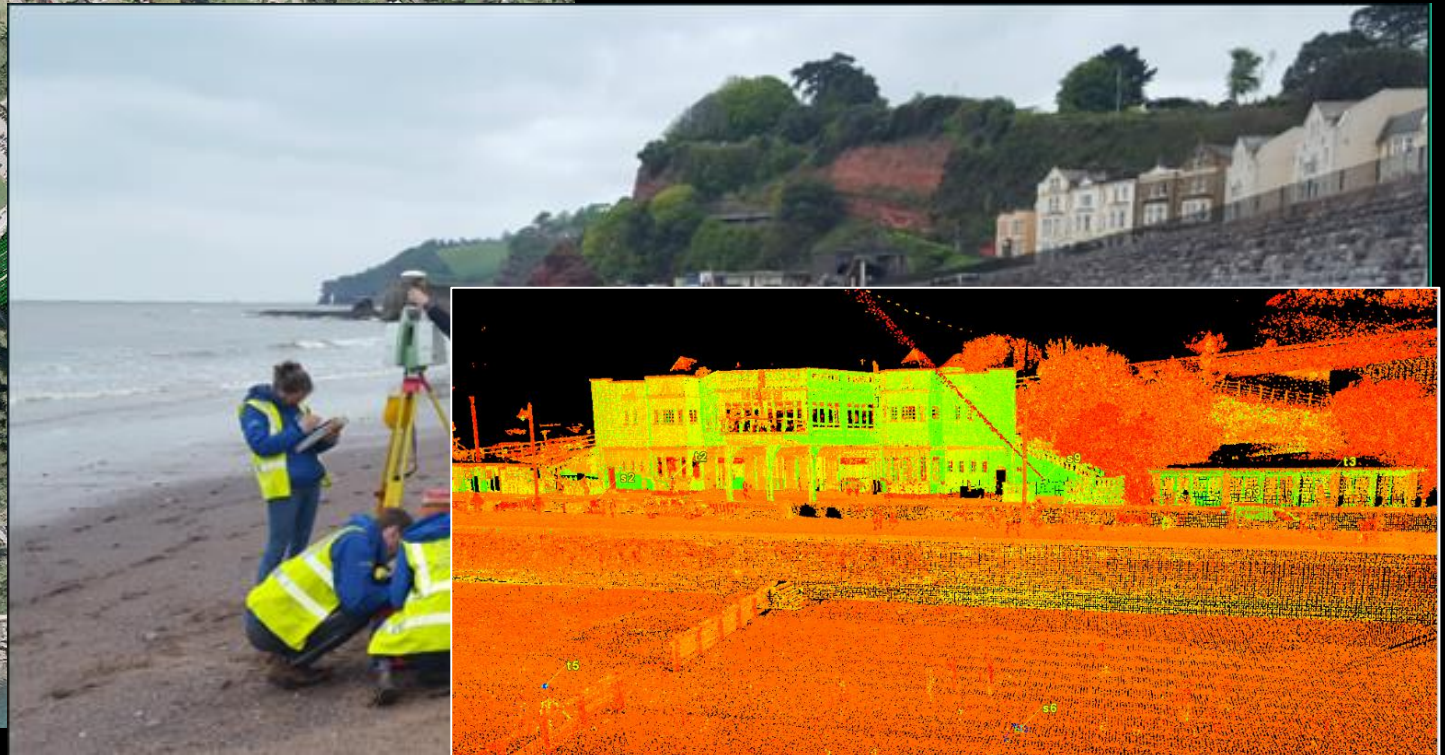


Wave Buoys and Tide Gauges



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

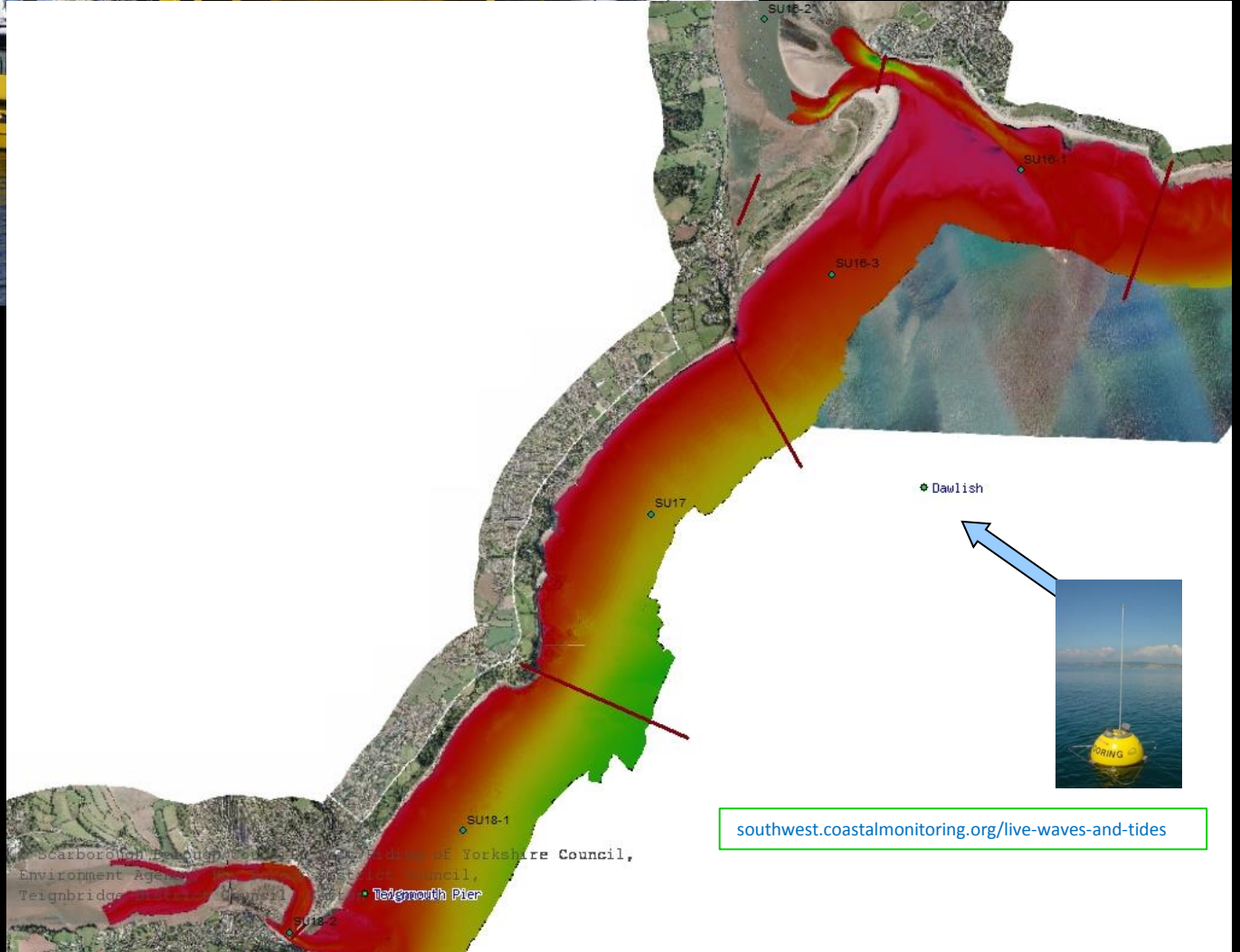
Lidar



Aerial photography

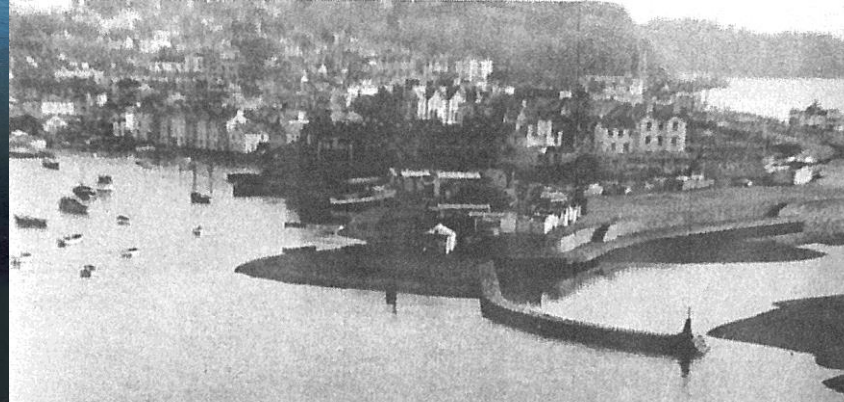


Bathymetric Surveys

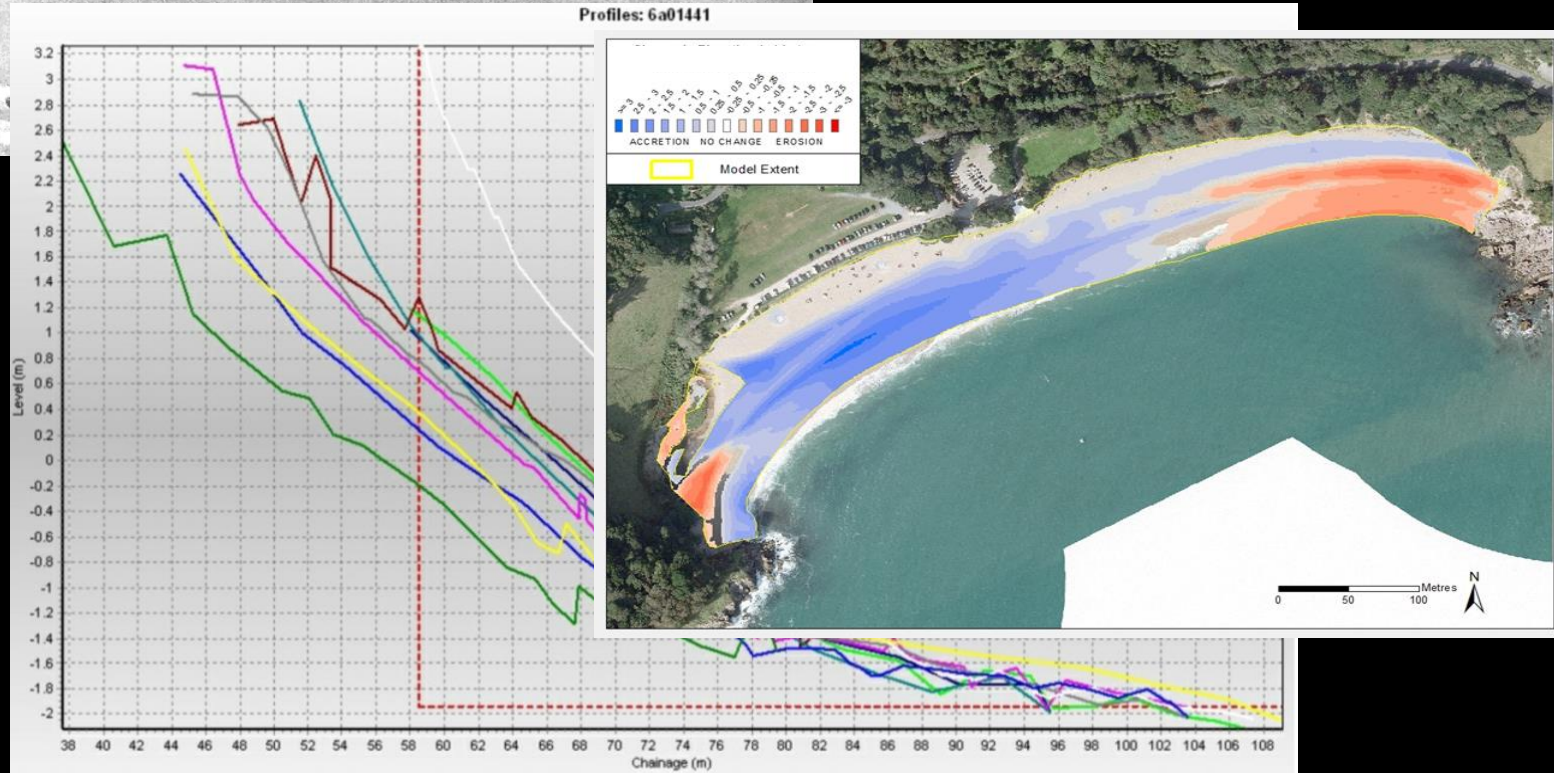


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ICM uses contemporary data (i.e. SWRCMP) alongside other sources (i.e. historical information)



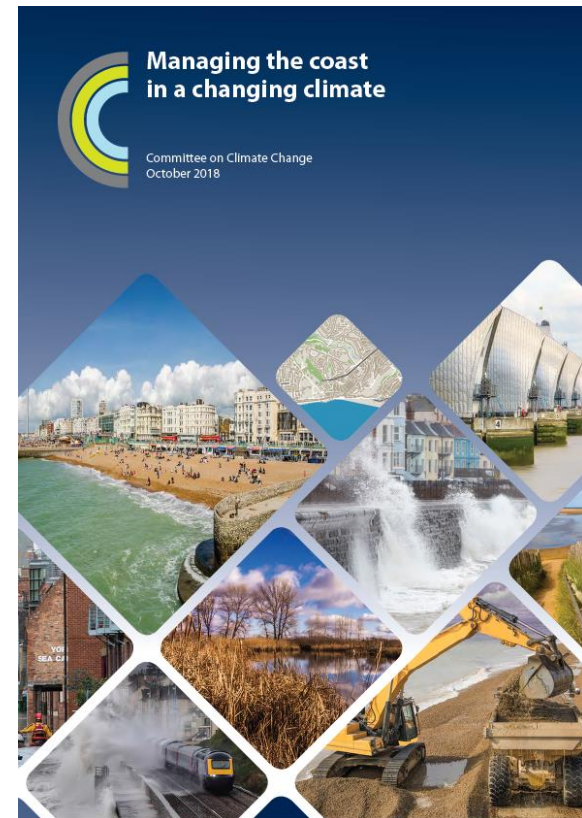
Repeated data collection (varying temporal scales) enables analysis and trends – cliff regression, beach changes, sediment bars





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.



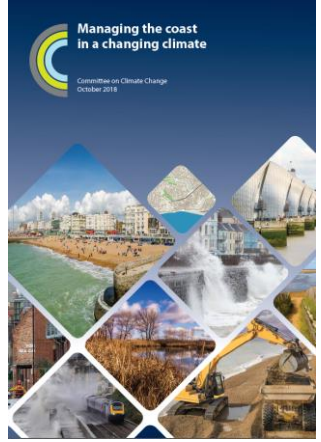


Climate change will exacerbate the already significant exposure of the English coast to flooding and erosion:

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

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- 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.



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- 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

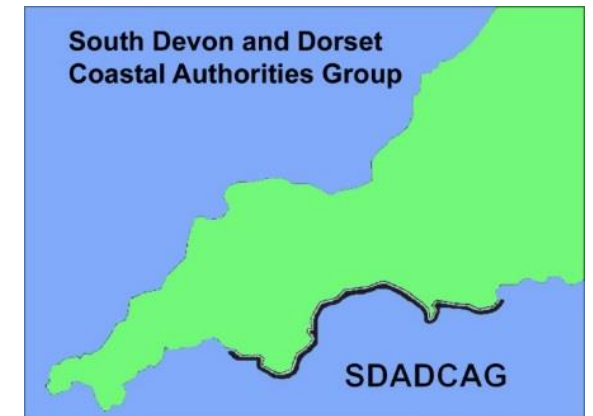
Shoreline Management Plan (SMP)

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

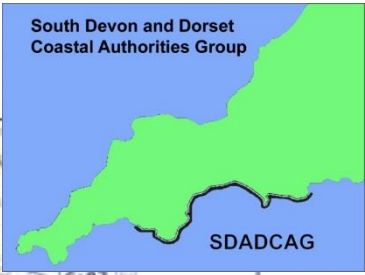
- The National Infrastructure Assessment 2018
- The Government's 25 Year Environment Plan 2018
- The Government's National Adaptation Programme 2018

Additional relevant initiatives

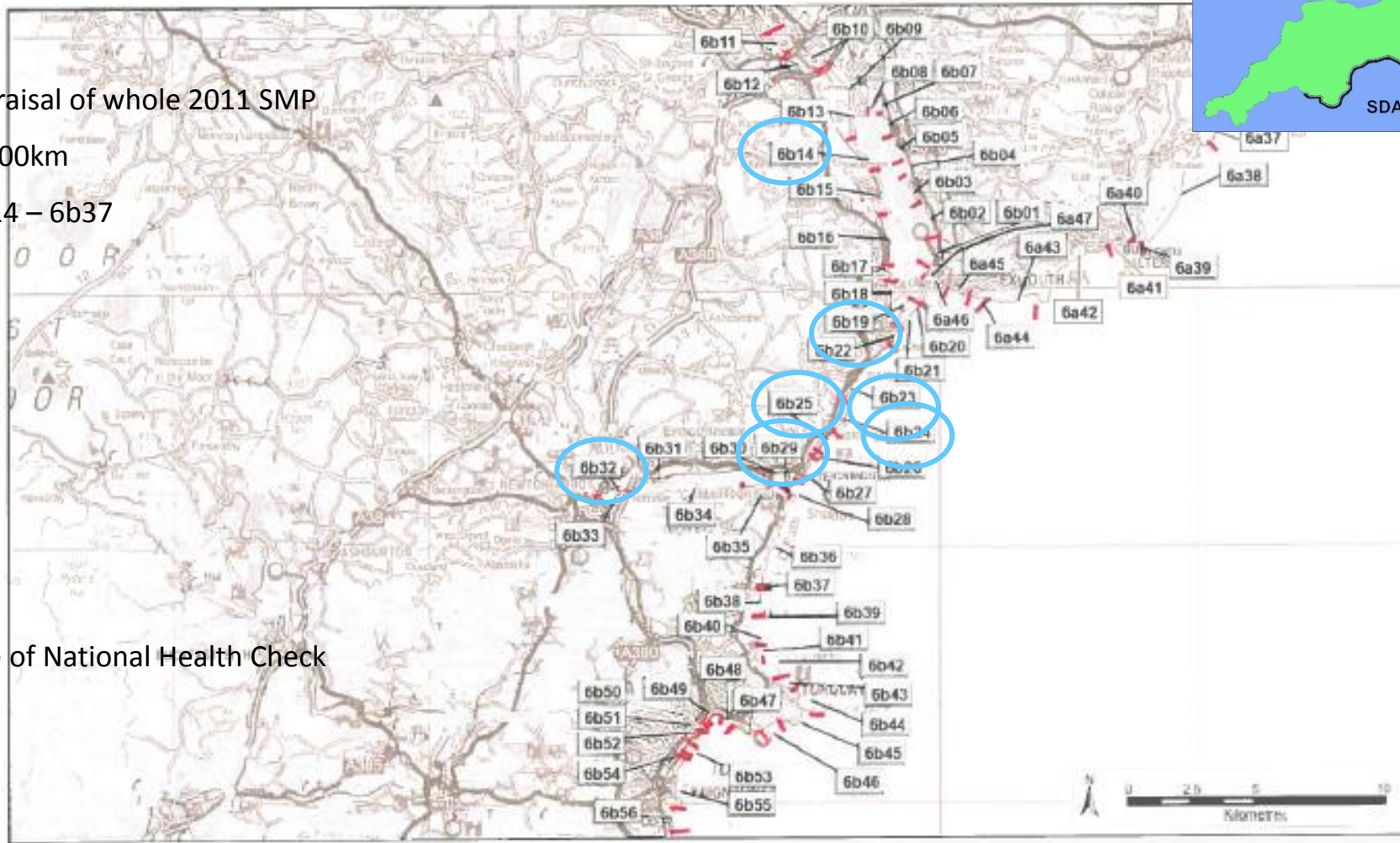
Defra –National Policy Statement for FCRM

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



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

— Policy Unit Boundary

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

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

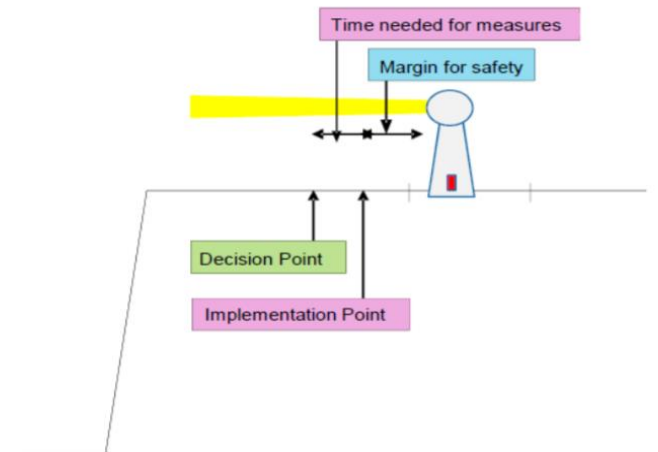
Revised Target methodologies to drive adaptation or remedial/risk mitigation works

'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)**

69 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

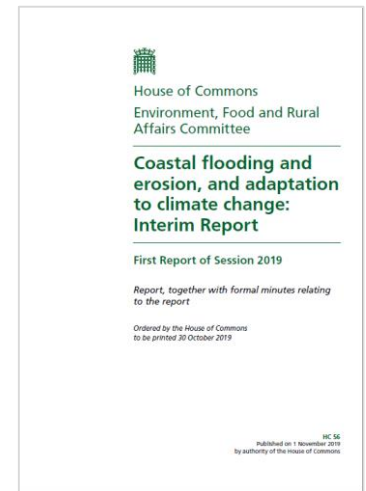
Sayers and Partners LLP – part of evidence for Committee on Climate Change

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



OVERVIEW & SCRUTINY COMMITTEE (2) WORK PROGRAMME 2020 – 2021

Economy, Business and Tourism; Planning; Corporate Resources; Sport, Recreation and Culture

Portfolio Holders

Corporate Resources (Cllr Keeling)

Planning (Cllr Taylor)

Jobs & Economy (Cllr Jeffries)

Sport, Recreation & Culture (Cllr MacGregor)

The Overview and Scrutiny Committee Work Programme details the planning activity to be undertaken over the coming months.

The dates are indicative of when the Committee will review the items. It is a flexible programme however and it is possible that items may need to be rescheduled and new items added with new issues and priorities.

Standing item

South and East Devon Habitat Regulations Executive Committee

10 November 2020 10am	Report	Lead Officer / Next Steps
Executive Member Presentation	Presentations	Councillor MacGregor (Sport, Recreation and Culture)
COVID-19 Review Group	Update	Review Group Members
Cultural Quarter RG	Update	Review Group Members
Employment Sites RG	Update	Review Group Members

12 January 2021 2.30pm	Report	Lead Officer / Next Steps
Executive Member Presentation	Presentations	Councillor Keeling
Budget (OS2 invited to OS1 10am for update and ask questions)	Report	Martin Flitcroft
Council Strategy performance Monitoring Q2	Report	Liz Gingell
Performance Monitoring Planning Enforcement (detailed data from Q1 requested on 22 Sept)	Report	Ros Eastman
Covid-19 Community Impact Review Group	Report of RG	Tony Mansour
BAME Review Group	Update	Review Group Members

9 February 2021 2.30pm	Report	Lead Officer / Next Steps
Executive Member Presentation	Presentations	Councillor Jefferies
Budget	Report	Martin Flitcroft
Council Strategy Performance Monitoring Q3	Report	Liz Gingell

9 March 2021 10am	Report	Lead Officer / Next Steps
Executive Member Presentation	Presentations	Councillor Taylor

11 May 2021 10am	Report	Lead Officer / Next Steps
Executive Member Presentation	Presentations	Councillor MacGregor (Sport, Recreation and Culture)

13 July 2021	Report	Lead Officer / Next Steps
Executive Member Presentation	Presentations	Councillor Keeling
Council Strategy Performance Monitoring Q4	Report	Liz Gingell

Task & Finish Groups

Group		Lead Officer
COVID 19 Community Impact		Amanda Pujol
Cultural Quarter		Neil Blaney
Employment sites		Neil Blaney
Car Parks		Neil Blaney
BAME	Joint with OS(1)	Amanda Pujol

Items to be scheduled

Leisure in the Digital Age	Presentation	James Teed
Update on Council Tax Reduction Scheme	Report	Tracey Hooper
Affordable Housing Supplementary Planning Document and Starter Homes	Report	Michelle Luscombe
Leisure Centre refurbishment	Report	Lorraine Montgomery – Interim Head of Operations James Teed

Past Meetings

22 September 2020	Report	Lead Officer / Next Steps
Portfolio Holder Presentation		Planning (Cllr Taylor)
Notice of Motion from Council 28 July 2020 Black Lives Matter		Amanda Pujol
Rising Sea Levels (members of O & S (1) invited and can ask questions	Report /presentation	Richard Rainbow Graeme Smith
Council Strategy performance Monitoring Q1	Report	Liz Gingell

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**PROPOSAL FORM FOR ITEMS FOR
FOR CONSIDERATION BY
OVERVIEW & SCRUTINY**

Submitted by:

Item for Consideration:

Expected outcome i.e. new policy, new action, new partnership, review and/or scrutinise the performance of other public bodies or of the Council in relation to its policy objectives, performance targets and/or particular service areas:

Priority for matter to be considered:

High (up to 3 months) Medium (3-6 months) Low (over 9 months).

Basis on which priority has been set

The suggested item should be included in future programme(s) because: (please tick as appropriate)

- (a) It is a district level function over which the district has some control
- (b) It is a recently introduced policy, service area of activity which would be timely to review.
- (c) It is a policy which has been running for some time and is due for review
- (d) It is a major proposal for change
- (e) It is an issue raised via complaints received
- (f) It is an area of public concern
- (g) It is an area of poor performance
- (h) It would be of benefit to residents of the district

(i) Which of the Council's objectives does the issue address?

(j) Is there a deadline for the Council to make a decision? (If so, when and why?)

Members are requested to provide information on the following:-

(k) What do you wish to achieve from the review?

(l) Are the desired outcomes likely to be achievable?

(m) Will it change/increase efficiency and cost effectiveness?

Additional information – an explanatory sentence or paragraph to be provided below to support each box which has been ticked.

Please return completed form to Democratic Services Department.

**WORKING GROUP: TERMS OF REFERENCE
Covid-19 Community Impact**

Name of Group	Task & Finish Group (COVID-19 Community Impact)
Decision making body to whom it will report	Overview & Scrutiny Committees 1&2
Terms of reference	<p><i>To establish what impact COVID 19 has had on rural, coastal and urban communities within Teignbridge District and to make recommendations to Overview and Scrutiny Committee on:</i></p> <ul style="list-style-type: none"> <i>a) What actions and priorities the Council should include in the review of the Council Strategy/Recovery Plan to support Teignbridge communities in their recovery from the impacts of the lockdown period;</i> <i>b) Identifying short, medium and long term timescales for the identified actions and priorities;</i> <i>c) An overview of any potential financial and resource implications of the identified actions and priorities; and</i> <i>d) Any changes required to the Terms of Reference for the COVID-19 Council Strategy Review Group</i>
Time limit for work and to whom report should be submitted	T&FG to report with final recommendations to Overview & Scrutiny Committee by the 12 th January 2021.
Group Membership	<p>A minimum of 6 Members, with representation from each political group to be appointed by Group Leaders.</p> <p>Rural Group, <u>covering Ambrook, Ashburton, Bovey, Chudleigh, Haytor, Kenn Valley, Morton Hampstead, Teign Valley, Ipplepen</u> Lead, Sarah Parker Kahn, (C) Members: Cllr's Daws, H.Cox, Patch, Nuttall, Purser</p> <p>Urban Group, <u>covering NA Wards, Kingsteignton, Kerswell with Coombe</u>, Lead. Chris Jenks, (LD) Members: Cllr's Hocking, Mullone, Peart, Rollason, Thorne</p> <p>Coastal Group, <u>Covering Dawlish, Teignmouth, Bishopsteignton</u> Lead John Petherick, (IND) Members: Cllr's Goodman Bradbury, Linda Petherick, Orme, Clarence, D Cox.</p>
OS Chairs	Cllr Huw Cox OS1 / Cllr Philip Bullivant OS2
Meeting Dates	<p>Virtual meetings and qualitative surveys conducted starting w/c beginning 5th October for a 1 month period via Skype or Zoom, telephone contact and/or email.</p> <p>Initial review of findings and report writing arrangements to be determined 10th November (Overview and Scrutiny 2).</p> <p>Review first draft report in 22nd December (Overview and Scrutiny 1)</p> <p>Sign off final report 12th January (Overview and Scrutiny 1/ 2)</p>

<p>Resources</p>	<p>Neil Blaney, Head of Place and Commercial Services (Strategic Lead)</p> <p>Tony Mansour, Housing Needs Lead and Recovery Lead (Project Lead)</p> <p>Rebecca Hewitt, Community Safety and Safeguarding Manager (Project Manager)</p> <p>Eve Bates, Policy Officer (Report author)</p> <p>James Toller and Gary Powell, Housing Strategy Lead and Community Projects Officer (Research and data gathering)</p> <p>Gail Charles, PA to Directors (Admin support and contacting witnesses)</p>
<p>Witnesses to be called</p>	<ul style="list-style-type: none"> • Town and Parish Representatives. • Rural parish representatives. e.g., North Bovey, Whitestone, Widecombe. • Community and Voluntary Sector Groups e.g. CVS, CAB, West bank. • Local business representatives e.g. chambers of trade, business forums, Federation of Small Businesses, National Farmers Union • Constituents and resident groups.

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of South and East Devon Habitat Regulations Executive Committee held on 14 July 2020

Attendance list at end of document

The meeting started at 2.05 pm and ended at 3.35 pm

38 Public speaking

There were no members of the public wishing to speak.

39 East Devon District Council Nominees

In Cllr Dan Ledger absence due to technical issues it was agreed that Cllr Geoff Jung, Environment Portfolio Holder be nominated as East Devon District Council's representative at this meeting.

40 Minutes of the previous meeting

Minutes of the South East Devon Habitat Regulations Executive Committee meeting held on 28 January 2020 were agreed as a true record, subject to the word 'and' replacing the word 'as' in line 2 of Minutes 31

41 Declarations of interest

Minutes 44 Cllr Martin Wrigley – Personal Interest . His house overlooked the estuary. Was a member and Treasurer of Cockwood Boat Club.

42 Matters of urgency

There were no matters which officers recommended be dealt with as Matters of Urgency.

43 Confidential/exempt items

There were no matters which the officers recommended be dealt with as Confidential/Exempt.

44 2019-20 Annual Business Plan

Members received the report of the Habitat Regulations Delivery Manager, Neil Harris and Principal Projects Manager, Naomi Harnett giving an update on the progress made in delivery of ongoing mitigation measures set out in previous annual business plans and ongoing measures established in the Plan. Members noted that it was important that progress continued to be made, or this would put the delivery of the partner Authorities' Local Plans at risk due to the continued legal duties under the Habitat Regulations.

Neil Harris, Habitat Regulations Delivery Manager reported that further detail on the reports of increased numbers of disturbance events on the water would be reported to the next meeting of the Committee. This would include recent proactive work undertaken with local water sports businesses.

During discussions the following points were noted:

- Congratulations were given on another good year for the Habitats Delivery Team.
- More detail was required on the Dawlish Warren Beach Management Plan.
- Would like to know more information on the increased number of disturbance events reported by the Habitat Monitoring Officers.
- Need for evidence before significant changes and actions are undertaken.
- As the Habitat Team had more boats available and they were able to do more patrols, they were going to discover more water based disturbances.
- Request that greater detail be provided for the social media interaction, including a graph so trends could be analysed. An element of clarification in the regard would be useful.
- There had been a number of report of wildlife disturbances by dog walkers, some of whom had been walking 7 dogs. Helicopters and train whistles were also a major cause of disturbance, In particular it was noted that the number of low flying helicopters seemed to have increased and Neil Harris, Habitats Regulations Delivery Manager reported that he had been in contact with the military camp at Lympstone to try to ensure that low flying over the Estuary was minimised as much as possible. He had also talked to the Aviation Authorities about establishing the Exe Estuary as an exclusion zone.
- Loose dogs were a problem and what were we doing to control this? The Tidal Defence Scheme had meant that dogs could no longer gain direct access to the mud flats. The Habitats Team would work with the Devon Loves Dogs Officer to help improve this.
- Possibility of putting up extra signage regarding dog walkers controlling their dogs and enforcing bye laws limiting the number the number of dogs per person to 5.

RESOLVED: 1. that the progress made in delivering the 2019/20 annual business plan be noted.
2. that the status of mitigation measures from each of the plans, as well as explanations given for measures subject to delay and revised completion dates.

45 **Financial Report July 2020**

Members received the report of the Habitat Regulations Delivery Manager, Neil Harris and Principal Projects Manager, Naomi Harnett giving an update, repeated every 6 months, on the current financial position of developer contributions (both anticipated and collected) for Habitat Regulations Mitigation across the three partner authorities. It was noted that further up-to-date figures would be provided at the next meeting.

Cllr Martin Wrigley asked the following questions: What staff had been furloughed during lockdown. What lessons were learned regarding the use of social media during this period? How are we reacting to the change of habits of people and what are we doing? Neil Harris Habitats Regulations Delivery Manager reported that EDDC had taken the decision to put the Habits Delivery team of 3.5 FTE's on furlough. The Manager between 13 April an 18 May and the staff between 7 April and 15 June as it was consider they should be removed from dealing with the public and were not essential workers and could not easily be deployed. In this period the Communications Team had tried to deal with the social media presence when they had time available. The key consideration during this period was keeping everyone safe.

During discussions the following points were noted:

- It was likely that the reduced delivery of housing due to the pandemic would affect the financial position.
- Request to colleagues that as and when further information on CIL payments are known they be fed through to the committee to ensure that has accurate financial information was available.
- What were we doing differently with regard to social media doing going forward? It was hoped that an innovative approach could be undertaken with regard to social media.

RESOLVED: 1. that the update on the overall financial position including contributions received, expenditure and anticipated contributions (from CIL and signed S106) be noted and include on-going monitoring.

2. that the potential for significant changes to anticipated contributions due to disruption to housing delivery as a result of the COVID 19 pandemic be noted.

3. that the expenditure against budget for the 2019-20 Annual Business Plan and reasons given for any variance be noted.

4. that a further report be received regarding anticipated contributions at the next meeting of the Committee.

46 **Risk Register Report 2020**

Members received the report of the Habitat Regulations Delivery Manager, Neil Harris giving an update on the Risk Register 2020. It was note that as a society we continue to experience the impacts of the COVID-19 pandemic and therefore it was too soon to be able to quantify the impacts (current & future) to the delivery of the Strategy.

However, considering the gravity and scale of the pandemic, it was considered appropriate to classify this as the highest risk (Severe) to the majority of the categories used. Additionally, there remain a number of risks which have the potential for high strategic and operational impact if not carefully addressed. Continued partnership working, use of updated housing forecasts and keeping updated on changes in the operational environment will assist in mitigating these risks. Continued and effective delivery of the strategy and the development this enables remains of very high importance to all partners.

RESOLVED: 1. that the identification, categorisation and prioritisation of risks as recorded in the accompanying Risk Register, associated with delivery of the South-East Devon European Site Mitigation Strategy be noted.

2. that in particular the Severe risk posed by the COVID-19 pandemic be noted'

3. that the control measures in place to mitigate the risks identified be noted.

4. that an updated Risk Register report be received at the next meeting.

47 **2020-21 Annual Business Plan**

Members received the report of the Habitat Regulations Delivery Manager, Neil Harris and Principal Projects Manager, Naomi Harnett setting out the principles for the projects

which have been recommended as a priority for delivery over the next 12 months. These recommendations had been reviewed and agreed by the respective organisations which constitute the Officer Working Group.

Members noted that if the 2020-21 Annual Business Plan was not approved then there was a high risk that the delivery of the South East Devon European Site Mitigation Strategy would be significantly compromised or delayed. This would put the delivery of the partner Authorities' Local Plan at risk due to their continued legal duties under the Habitat Regulations.

Neil Harris reported that he was meeting with stakeholders to further changes and would make a report to the next meeting of the Committee.

During discussions the following points were noted:

- Work had started doing signage for our car parks and pebble heath and they are looking good.
- Cllr Martin Wrigley asked what were the impacts of the unusual sand movements in the Exe Estuary and the need to investigate its impact. Neil Harris reported that he was trying to get in contact with the Environment Agency regarding this as it was their responsibility. The habitats team's main responsibility was recreational disturbance on the estuary.
- The impact of additional work undertaken on the website and signage be monitored. The team were trying to make the website more user friendly and it was important to know if the website was working and they would contact the Communications Team on this issue. There was the need to measure of success for this.
- The proposal to change vehicle for the team was welcomed. In response to a previous question about vehicle usage by the team, it was noted that the team sometimes had to use a vehicle late at night to be able to speak to those who walked their dogs inappropriately at this time.
- Cllr Martin Wrigley asked why the boat cost £7K per year to run? This was a mixture of mooring fees, insurance, fuel etc. The budget had not been spent in the last two years.
- Request that measures of success be given for the investments outlines in the report be reported to the committee.

RESOLVED 1. that the 2020-21 Annual Business Plan (Appendix A to the report) be approved and the commitments and actions set out therein.
2. that the updated 5 Year Delivery Plan also shown in Appendix A be noted.
3. that the potential disruption to delivery of the ABP and 5 Year Delivery plan as a result of COVID-19 be noted.
4. that a report be received by July 2021 relating to any proposed changes to the mitigation strategy regarding Dawlish Warren and the Exe Estuary in relation to the Dawlish Warren Beach Management Scheme.

48 **Dawlish SANGS Refreshments**

Members received the report of the Principal Delivery Officer, Fergus Pate on potential delivery of refreshment facilities for Dawlish Countryside Park. Members noted that any rent received, minus reasonable fees, would come back to the partnership.

During discussions the following points were noted:

- The proposal had the potential to help provide a regular presence on site and deter anti-social behaviour.
- Hope that the concession would be let to a local business who would run it in a sustainable way, including the use of reusable cups and able to include access to educational materials.

- RESOLVED:** 1. that authority be delegated for Teignbridge District Council to procure a lease for refreshments to be provided at Dawlish Countryside Park in accordance with the parameters set out at Section 3 to the report.
2. that proceeds from the lease be recovered as a contribution towards the Executive Committee's budget. The amount recovered should exclude the reasonable administrative expenses of Teignbridge District Council.
3. that a future report be received on whether to extend the lease for refreshments beyond the first year of operation.

Attendance List

Councillors present:

R Sutton (Chairman)
M Wrigley
G Jung

Councillors also present (for some or all the meeting)

M Armstrong
P Arnott
O Davey
P Faithfull
M Howe
P Millar
A Moulding
E Rylance
I Chubb

Officers in attendance:

Alison Slade Natura England
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Ed Freeman, Service Lead Strategic Planning and Development Management
Naomi Harnett, Principal Projects Manager East Of Exeter
Neil Harris, Habitats Regulations Delivery Manager
Chris Lane, Democratic Services Officer
Susan Howl, Democratic Services Manager
Andy Wood, Service Lead – Growth, Development & Prosperity
Kim Strawbridge, Clinton Devon Estates

Councillor apologies:

D Ledger

Officer apologies:

Peter Hearn
Henry Gordon Lennox

Chairman

Date: