

E-mail: comsec@teignbridge.gov.uk

27 September 2021

EXECUTIVE

A meeting of the **Executive** will be held on **Tuesday, 5th October, 2021** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at 10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Connett (Leader), Dewhirst (Deputy Leader), J Hook, Keeling, Jeffries, MacGregor, Purser, Taylor and Wrigley

Please Note: The public can view the live streaming of the meeting at [Teignbridge District Council Webcasting \(public-i.tv\)](#) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

A G E N D A

Part I

1. **Apologies for absence**
2. **Minutes** (Pages 7 - 10)
To approve and sign the minutes of the meeting held on 16 September 2021.
3. **Declarations of Interest (if any)**
4. **Executive Forward Plan**
To note forthcoming decisions anticipated [on the Executive Forward Plan](#)

5. Public Questions (if any)

Members of the Public may ask questions of the Leader or an Executive Member. A maximum period of 15 minutes will be allowed with a maximum of period of three minutes per questioner.

The deadline for questions is no later than 12 noon two working days before the date of the meeting.

Reports/Items for consideration

- 6. Update Shellfish collection on the Teign and Exe Estuaries (attached)** (Pages 11 - 14)
- 7. Notice of Motion on the Environment**

For the Executive to consider their response to the Notice of Motion on the Environment submitted by Cllr Macgregor to the [Full Council 20th September 2021](#)

Background

Council Notes that –

- This Council has declared its commitment to address the Climate and Ecological Emergencies via Declarations made in April 2019 and Sept 2020 respectively. We are also signatories to the Devon Carbon Declaration and being recognised as a leader in District Council responses to the twin emergencies.
- The Council has fulfilled the initial commitments we made at Full Council in Sept 2019 including employing a Climate Change Officer. We have completed our 2018/19 Carbon Footprint and have identified and funded projects to address the Council's top 15 emissions sites.
- The Council has made substantial progress in other areas including through our Local Plan, installing EV charging, promoting district heating schemes, energy efficiency and renewable energy retrofitting of the District's housing stock, created SANGS at Dawlish and Matford, planted more than 3000 trees and assisted with many other projects to reduce our District's carbon footprint, as well as protect and improve biodiversity and habitats.
- Central Government, however, has failed to provide the legislative framework to match Teignbridge District's Council ambition.
- The Government has delayed for the 3rd time the progress of the Environment Bill through Parliament. The Bill; created to enshrine in law environmental principles which will embed environmental values at the heart of government policy making and replacing EU regulations covering areas such as pollution, wildlife protection, air quality, biodiversity and waste reduction. However, the Bill will now not be in place until Autumn 2021, at the earliest.
- Despite these positive plans, the Government has already taken a backwards direction by reversing the EU ban on the use of neonicotinoids, undermining previous commitments in 2018 that the UK would keep the ban in place post Brexit. Research shows that neonicotinoids are highly toxic chemicals that

can persist in the wider ecosystem for some time, potentially to be absorbed by wildflowers that pollinators then visit. In 2018 the government agreed with this research, and there is no new research to dispute this finding.

- Last year the Committee on Climate Change, the Government's own independent advisory body stated that steps taken so far by Government "do not deliver adequate progress in addressing even the unavoidable impacts of climate change, let alone the risks of expected levels of global warming of around 3°C above pre-industrial levels", and that "the delivery of effective new policies must accelerate dramatically if we're to seize this chance. Progress is generally off-track in most sectors, with only four out of 21 of the indicators on track in 2019."
- The United Nations has just produced the results of the largest public opinion poll in history, which demonstrates that 2/3rds of people agree that climate change is a "global emergency". 1.2 million people have been questioned in 50 countries. 81% of UK residents questioned also agreed there was a Climate Emergency.

Council believes that –

- As a District, as a Nation, as a World, we are currently fighting two potentially cataclysmic emergencies. The Government must urgently make and enact a serious Plan to address the climate and ecological emergencies.
- The Government must urgently listen to the suggestions of environmental organisations in the UK, in order to tighten the proposed regulations in the Environment Bill, including to;
- Further protect food import standards
- Set a target date for the removal of deforestation from supply chains
- Set air pollution targets in line with WHO guidelines
- Introduce legally binding targets on loss of nature
- Introduce legally binding targets on plastics reduction
- Make a legal commitment to protect 30% of UK land for nature
- Reintroduce the ban on neonicotinoids.
-
- Teignbridge District Council is committed to do all it can to address the climate and ecological emergencies but needs government to provide the legislative framework via the Environment Bill, to fulfil its ambitions for our District.

Motion

The Leader and relevant Executive Members will write to our MP's and Sec of State for the Environment urging them to ensure that the time delay to the Environment Bill is used to ensure the following improvements are incorporated,

- Further protect food import standards
- Set a target date for the removal of deforestation from supply chains
- Set air pollution targets in line with WHO guidelines
- Introduce legally binding targets on loss of nature
- Introduce legally binding targets on plastics reduction
- Make a legal commitment to protect 30% of UK land for nature
- Reintroduce the ban on neonicotinoids.

8. Notice of Motion - Giving the Community a stronger voice in local planning

For the Executive to consider their response to the Notice of Motion on the submitted by the Leader on Giving the Community a stronger voice in local planning to the [Full Council 20th September 2021](#)

GIVING THE COMMUNITY A STRONGER VOICE IN LOCAL PLANNING

Teignbridge Council notes:

The significant concerns expressed through the ballot box in Chesham & Amersham over the Conservative Government's Planning Reforms.

The concessions already made to Conservative backbench MPs concerns about the impact of planning deregulation.

Local residents concerns about their reduced ability to object to building works under Permitted Development Rights which have been extended under this Government.

Widespread concerns and condemnation of the Planning White Paper proposals across Local Government, The Planning and Architecture Sector, and organisations concerned with protecting green spaces and heritage.

Council is concerned that:

Government proposals to deregulate planning will remove the already limited rights of residents to influence or object to inappropriate development where they live.

The Government's proposals will decimate the character of our district and give carte blanche to developers to build what they please across large 'zones' without needing planning permission.

Council believes that:

Residents have the right to an improved say over development that will change the area they live in.

Local councils, in consultation with their residents and businesses are best placed to understand the issues in their area and respond with a spatial strategy tailored to that area.

Council calls for the Government to:

Scrap its Planning White Paper and instead

- Undertake a wholesale review of Permitted Development Rights
- Make the Government's Planning Inspectorate more accountable to local people
- Implement stronger controls to ensure Ministers making decisions on planning applications are not connected either financially or personally with the developers or related parties to the application.

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

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EXECUTIVE

16 SEPTEMBER 2021

Present:

Councillors Connett (Leader), Dewhirst (Deputy Leader), Keeling, Jeffries, MacGregor, Purser, Taylor and Wrigley

Members in Attendance:

Councillors Haines and Hocking

Apologies:

Councillor J Hook

Officers in Attendance:

Christopher Morgan, Trainee Democratic Services Officer

Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer

Neil Blaney, Head of Place & Commercial Services

Tom Butcher, Senior Estates & Development Surveyor

Martin Flitcroft, Chief Finance Officer & Head of Corporate Services

Tony Mansour, Housing Needs & Recovery Project Lead

Fergus Pate, Principal Delivery Officer

Phil Shears, Managing Director

Trish Corns, Democratic Services Officer

These decisions will take effect from 10.00 a.m. on 23 September 2021 unless called-in or identified as urgent in the minute

53. MINUTES

The minutes of the meeting held on 5 July 2021 were agreed as a correct record and signed by the Chair.

54. DECLARATIONS OF INTEREST

None.

55. EXECUTIVE FORWARD PLAN

RESOLVED that the Forward Plan be noted.

56. PUBLIC QUESTIONS

Public questions and responses attached.

The Leader responded to the supplementary questions arising therefrom. See the [live stream \(public-i.tv\)](#).

57. RESOURCE AND WASTE STRATEGY FOR DEVON AND TORQUAY

The Executive Member for Recycling, Household Waste and Environmental Health presented the report to which sought approval of the amendments to the Resource and Waste Management Strategy for Devon and Torbay.

RESOLVED that:-

- (1) The proposed amendment to reduce the waste prevention target to 400kg/head/year by 2030 be approved; and
- (2) The final strategy be approved.

The vote was unanimous.

58. RECOVERY PLANS

Councillor Purser presented the Recovery Plan report and the recommendations arising from the joint meeting of the Overview and Scrutiny Committees. He proposed that Executive support these recommendations.

Executive thanked all those staff and members involved in the work over the past 18 months to bring this Recovery Plan forward.

RESOLVED that:-

- (1) The approach to recovery from the impacts of the Covid-19 Pandemic as outline in the circulated report and all Projects Plans at appendices 14 to 20, be approved subject to the following additions:
 - Appendix 14 -*Training and support for business project* – project summary to make it clear that existing businesses are also eligible to receive this support.
 - Appendix 15 -*Transport Hubs* – project summary to be clear that e-bikes need to be looked at in all towns, not just ‘main’ so rural towns can be covered; and *Project Objectives* to include ‘accessibility for all.’
 - Appendix 16 *Recycling campaign to reduce waste* – the *outcomes* section included the investigation of community repair workshops.
 - Appendix 17 -*Supplier section of TDC website* – clarification on whether the requirements on the supplier, for example in terms of insurance, basic public liability levels are the same for schemes under £10k and those over £10k due to concern that onerous requirements would discourage the businesses we’re seeking to engage with.
 - Appendix 20 - *Community – Combined data demand analysis pilot scheme* – the last paragraph of the project summary specify parish and town councils; and

- (2) The delivery of the Project Plans be included in the Executive Forward Plan be approved.

The vote was unanimous.

**59. 2020/21 DRAFT FINAL ACCOUNTS & TREASURY MANAGEMENT.
2021/22 BUDGET MONITORING – REVENUE AND CAPITAL, TREASURY MANAGEMENT LENDING LIST'.**

The Executive Member for Corporate Resources presented the report to update Members on the 2020/21 draft final revenue results including the draft closing general reserves, the draft closing capital funding and resources carried forward. The report also detailed the draft financial results of the treasury management function for the year ended 31 March 2021 and the principal areas where there were likely to be departures from the 2021/22 revenue budget and summarised those variations to the end of July 2021.

RESOLVED that:-

- (1) The draft revenue results for 2020/21 be approved;
- (2) The draft year end capital and updated programme as shown at appendix 1 be approved;
- (3) The revenue budget variations for 2021/22 as shown at appendix 2 be approved; and
- (4) The updated lending list as shown at appendix 3 be noted: and

RECOMMENDED to Council that the draft treasury management results for 2020/21 at appendix 4 are noted

The vote was unanimous.

60. EAST DEVON DISTRICT COUNCIL, EXETER CITY COUNCIL, MID DEVON DISTRICT COUNCIL AND TEIGNBRIDGE DISTRICT COUNCIL JOINT STRATEGY

The Executive Member for Planning presented the report which sought formal agreement of the scope, resourcing, timetable and governance arrangements for preparing a non-statutory Joint Strategy for East Devon, Exeter, Mid Devon and Teignbridge Councils.

Members noted that section 1.5 of the report referring to Executive approval for the early stages of evidence gathering was now obsolete as the report would be going to Full Council for approval on 20 September 2021.

RECOMMENDED that Council support the scope, resourcing, indicative timetable and governance arrangements set out in Section 1 of the report for preparing a non-statutory Joint Strategy for East Devon, Exeter, Mid Devon and Teignbridge Councils.

The vote was unanimous.

61. BRADLEY LANE REGENERATION

The Executive Member for Corporate Resources introduced the report for the regeneration and redevelopment of the Bradley Lane area which had been a long-standing priority for the Council.

62. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

63. BRADLEY LANE REGENERATION

The Executive Member for Corporate Resources presented the report which sought approval of the bid submission following competitive tendering for a development partner.

RECOMMENDED to Council that:-

- (1) The development proposal as detailed in section 4 be agreed; and
- (2) Delegated approval be granted to the Head of Place and Commercial Services, in consultation with the Portfolio Holder for Corporate Resources and Council Solicitor to agree the final Development Agreement Terms.

The vote was unanimous.

The meeting started at 10.00 am and finished at 11.25 am.

Chair

TEIGNBRIDGE DISTRICT COUNCIL
EXECUTIVE COMMITTEE

5 OCTOBER 2021

Report Title	SHELLFISH COLLECTION ON THE TEIGN AND EXE ESTUARIES – UPDATE REPORT
Purpose of Report	To update Members regarding shellfish collection and to offer support to the Devon and Severn Inshore Fisheries and Conservation Authority in the management of the resource.
Recommendation(s)	<p>The Committee RESOLVES to:</p> <p class="list-item-l1">(1) Note the report; and</p> <p class="list-item-l1">(2) Support the Devon and Severn IFCA in efforts to manage the shellfisheries in the Teign and Exe Estuaries.</p> <p class="list-item-l1">(3) Recommend the Devon and Severn IFCA adopt either a sectoral or geographical approach to prioritise the early adoption of an appropriate Byelaw</p>
Financial Implications, Legal Implications, Risk Assessment, Environmental/ Climate Change Implications	None – No change from November 2020 position Graeme Smith – Coastal Officer Tel: 01626 215748 Email: Graeme.smith@teignbridge.gov.uk None – see 2.4
Report Author	Graeme Smith – Coastal Officer Tel: 01626 215748 Email: Graeme.smith@teignbridge.gov.uk
Portfolio Holder	Cllr Jackie Hook
Appendices	
Background Papers	<p>Shellfish Collection on the Teign and Exe Estuaries – Executive Report and resolutions – 3 November 2020</p> <p>(Public Pack) Agenda Document for Executive, 03/11/2020 10:00 (teignbridge.gov.uk)</p>

1. PURPOSE

- 1.1 Following a previous report to, and resolutions of, the Executive Committee (Shellfish Collection on the Teign and Exe Estuaries – 3 November 2020) the purpose of this report is to:

- Update Members regarding continuing concerns raised by the public regarding informal and largely unregulated public collection of shellfish from the Teign and Exe estuaries,
- Offer research and engagement support where practicable to the Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA) as the lead Agency in the management of the resource,
- Recommend either a sectoral or geographical priority be instigated to progress a Byelaw applicable to the Teign and Exe Estuaries.

2. REPORT DETAIL

2.1 Background

As outlined in previous report, 3 November 2020, the D&S IFCA were aware of the issue and local concerns, and as the relevant authority with the Byelaw powers to manage the activity were expecting to progress a Hand Gathering Byelaw by the end of calendar year 2021. The Hand Gathering Byelaw was envisaged to cover a multitude of target species and activities, potentially including, clams, cockles, mussels and oysters alongside bait digging, crab tiling and lobster hooking. The Byelaw was also expected to be capable of applying in all suitable inter-tidal areas of the D&S IFCA area which covers both coasts of the county of Devon, as well as areas in Somerset and Gloucestershire.

2.2 Progress

It is now understood that due to resourcing and staff constraints D&S IFCA have not been able to significantly progress the research, consultation and legal processes to deliver an over-arching Byelaw within the original timeframe (December 2021), and are unable to confirm that they would be in a position to do so by the end of next year (December 2022).

2.3 Continued local concerns

There currently remains no legally enforceable limit to the amount of shellfish, particularly cockles, together with mussels and oysters (those not in Regulated or Several fisheries areas), that can be collected by a member of the public.

There is a pragmatic working assumption that collecting up to a maximum of 5kg (approximately a bucket full) could be considered as appropriate for ‘personal consumption’ and that volumes above this figure raise concerns about whether this is being undertaken as part of a commercial activity or that unregulated/untested stock is entering the wider food chain.

Concerns from members of the public around both the Teign and Exe continue to be reported to D&S IFCA as well as to this Council, the two local Harbour Authorities, the Police, the Gangmasters and Labour Abuse Authority and the local offices of the Environment Agency.

2.4 Financial

None – No change from November 2020 report

2.5 Legal

None – No change from November 2020 report

2.6 Risks

None – No change from November 2020 report

2.7 Environmental/Climate Change Impact

None – No change from November 2020 report

3. OPTIONS

D&S IFCA as the responsible agency for fisheries regulation are understood to be unable due to resourcing and staff constraints to progress an over-arching Hand Gathering Byelaw, which would potentially cover large and disparate areas, and a wide variety of species and activities.

D&S IFCA could therefore be recommended to instigate a targeted approach either being sectoral (i.e. pertaining to named species – particularly cockles and mussels), or geographic (specifically relating to the Teign and Exe Estuaries).

Following an adoption of a Byelaw for individual species/areas, it may conceivably be easier for the D&S IFCA to subsequently roll out this targeted approach to other activities or locations, and demonstrate the resources required to bring the benefit of appropriate management to the wider fisheries sector.

4. CONCLUSION

The Committee is recommended to note that concerns continue to be raised by the public regarding the position of hand gathering and to continue to offer support where appropriate or practicable to the Devon and Severn Inshore Fisheries and Conservation Authority in the management of this issue.

The Committee is further recommended to encourage that the Devon and Severn Inshore Fisheries and Conservation Authority instigate a targeted approach to directly address local concerns regarding shellfish collection activities on the Teign and Exe estuaries.