

17 May 2024

OVERVIEW AND SCRUTINY COMMITTEE

A meeting of the **Overview and Scrutiny** will be held on **Tuesday, 28th May, 2024** at **10.00 am** in the **Council Chamber, Forde House Offices, Newton Abbot, TQ12 4XX**

PHIL SHEARS
Managing Director

Membership:

Councillors: as advised at Annual Council 21 May 2024

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.

AGENDA

1. **Apologies**
2. **Minutes** (Pages 5 - 12)
To approve the Minutes of the former Overview and Scrutiny 1 and 2 Committee meetings held on 26 March and 9 April 2024
3. **Declaration of Interests**
4. **Public questions (if any)**
Members of the public may ask questions of the Chair. A maximum period of 15 minutes will be allowed with a maximum period of three minutes per questioner. The deadline for questions is no later than three working days before the date of the meeting i.e. should the meeting be on a Thursday the deadline would be the Friday before at 5pm.
5. **Councillor Questions (if any)**
Members of the Council may ask questions of the Chair of the Committee subject to procedural rules. The deadline for questions is no later than three clear working

days before the meeting.

6. **Executive Forward Plan**

To note forthcoming issues anticipated to be considered by the Executive over the next 12 months. The Executive Forward Plan can be found [here](#).

7. **Overview and Scrutiny Forward Plan**

To review the Committee's forward plan which can be found [here](#)

8. **Digital Connectivity for households** (Pages 13 - 16)

To consider the attached proposal submitted by Cllr Sanders

9. **Executive Member biannual update**

To receive a biannual update from Executive Member for Estates Assets Parking and Economic Development (Cllr Palethorpe)

10. **Council Strategy Q4 Performance Monitoring Report** (Pages 17 - 44)

To consider the attached report

11. **Outside organisations updates from Council representatives**

12. **Referral from Audit Committee - Webcasting of Meetings** (Pages 45 - 52)

The Committee is requested to consider the Notices of Motion relating to webcasting of council meetings.

The report presented to the Audit Scrutiny Committee on 22 March 2024 is attached and the Minute is below.

11. NOTICES OF MOTION - WEBCASTING

The Committee considered that a decision on the motion did not fall into their terms of reference and would be more appropriately decided elsewhere. It was suggested that decision could be deferred until after the current contract is complete.

It was proposed by Cllr Purser and seconded by Cllr Radford that the motion report be sent to the Overview and Scrutiny Committee for consideration.

13. **Notices of Motion referred from former Overview and Scrutiny 2 Committee** (Pages 53 - 70)

To consider the attached reports relating to Notices of Motion (NOM) referred from the former Overview and Scrutiny 2 Committee on 9 April 2024

Loss of section 106 contributions

Green improvements in conservation areas

Public speaking procedure at Planning Committee

The OS agenda for the former OS2 Committee meeting 9 April 2024 for background information on the NOMs can be found at

14. Feedback on task and finish groups

To receive updates from the Task and Finish Groups' Chairs

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

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OVERVIEW AND SCRUTINY COMMITTEE 1 (UNTIL MAY 2024)

TUESDAY, 26 MARCH 2024

Present:

Councillors Parrott (Chair), Buscombe, Hayes, Ryan and J Taylor

Members Attendance:

Councillors Hook, Jackman, Nuttall, Palethorpe, C Parker and Wrigley

Apologies:

Councillors Williams, Henderson, Sanders and Thorne

Officers in Attendance:

Kay Fice, Scrutiny Officer

Rebecca Hewitt, Community Safety and Safeguarding Manager

Amanda Pujol, Head of Community Services and Improvement

Raine Tudor-Williams, Democratic Services Administration Assistant

Christopher Morgan, Trainee Democratic Services Officer

20. MINUTES

It was proposed by Cllr Buscombe, seconded by Cllr Hayes and

RESOLVED The Minutes of the meeting held on 6 February 2024 be approved as a correct record and be signed by the Chair

21. DECLARATION OF INTEREST

None

22. PUBLIC QUESTIONS (IF ANY)

None

23. COUNCILLOR QUESTIONS (IF ANY)

None

24. EXECUTIVE MEMBERS BIENNIAL REPORTS

a) It was reported that Cllr Nuttall's update on Recycling, Household Waste & Environmental Health is being deferred until the meeting on 28 May 2024. A question was raised on whether it was appropriate to defer this report and following a show of hands this was agreed.

b) Cllr Goodman Bradbury was invited to update the Committee on the Homes and Communities Portfolio.

The presentation contained details on the following:

- Homeless and Rough Sleepers
- Number of Households on the Devon Homes Choice register increasing across 1 – 4 bed accommodation with the supply insufficient for demand. There is a particular need for one-bedroom accommodation and perhaps more surprisingly for larger 4 bedroom homes. The key statistic is that there are only 17 one bed homes available for the 551 households that need one
- There are new and emerging needs for Refugees and Asylum seekers and Teignbridge has the highest number of Care Leavers and those with a disability in Devon
- There is an increase in older population and the number of people requiring adaptations
- Housing conditions are relatively poor and it is estimated that to bring all of the Category 1 properties up to standard, and therefore available for use, would cost £44m
- Meeting rural Housing Need. Up to a quarter of housing need is in a rural area including within Dartmoor National Park. Pictures were shown of recent schemes with 28 rental, shared ownership or intermediate properties completed in Denbury and Christow with our partners, Teign Housing
- Collaborative working to meet the challenges is ongoing and there is a need to do more.

Full details can be seen in the presentation which can be viewed at the link below

[Agenda Overview & Scrutiny 1 26 March 2024](#)

Cllr Hayes proposed that the update be noted, this was seconded by Cllr Buscombe and agreed unanimously by a show of hands

25. EXECUTIVE FORWARD PLAN

The Executive Forward Plan listing items to be considered over the next few months was noted. There were no comments or questions raised by members of the committee or by Members of the Executive

26. WORK PROGRAMME

The Committee's work programme circulated with the Agenda was noted.

The Executive member biannual update for Recycling, Household Waste & Environmental Health from Cllr Nuttall will be deferred until the meeting to be held on 28 May 2024

27. SOUTH DEVON AND DARTMOOR COMMUNITY SAFETY PARTNERSHIP ANNUAL REVIEW

Rebecca Hewitt, the Community Safety and Safeguarding Manager was welcomed to the meeting to talk through the report which was included as part of the Agenda pack.

Questions included the requesting of information about targets and assurances were received that the Local Delivery Plan containing RAG ratings were provided to the Community Safety Partnership on a quarterly basis.

Full details can be viewed at the link below

[Agenda Overview & Scrutiny 1 26 March 2024](#)

It was proposed by Cllr Buscombe, seconded by Cllr Hayes and unanimously

RESOLVED to note the report and to provide any questions to be raised at the next Community Safety Partnership Meeting by 18 April 2024

28. COUNCIL STRATEGY Q3 PERFORMANCE MONITORING REPORT

The Leader was invited to present the reports covering the period quarter 3 (1 October – 31 December 2023) which updated performance of the Council's Strategy 2020 - 2030 T10 priorities, under the auspices of the Committee, providing the detailed performance information used to track its delivery.

Members reviewed the performance information and areas where performance was not on track. Details of the programmes, projects and performance indicators with a caution or concern status together with an explanation of the performance and improvement plan was detailed in the appendix of the agenda report.

8 of the T10 programmes are on track and the remaining two (A roof over our heads and Going to Town) are reported with a caution status.

It was proposed by Cllr Buscombe, seconded by Cllr Hayes and unanimously

RESOLVED to note the report and the actions being taken to rectify performance issues detailed in Appendix A

29. FEEDBACK ON TASK AND FINISH GROUPS

Medium Term Financial Plan Task & Finish Group

Cllr Parrott, as vice-chair reported on the recent work of the group which included receiving a presentation on the Modern 25 programme.

The early work of the group had focussed on work relating to the 2024/25 budget and were now developing the work plan to consider areas for review that could influence future budgets including statutory and discretionary service areas

It was proposed by Cllr Buscombe, seconded by Cllr Hayes and RESOLVED to accept the verbal update by a show of hands

CLLR J PARROTT
Chair

OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY, 9 APRIL 2024

Present:

Councillors Sanders (Chair), Buscombe (Vice-Chair), Bullivant, Foden, Hall, Hayes, Henderson, C Parker, Parrott, Peart and Purser

Members in Attendance:

Councillors Goodman-Bradbury, Nutley, Palethorpe, G Taylor and Wrigley

Apologies:

Councillors P Parker and Rollason, and Executive Members Keeling and Nuttall.

Officers in Attendance:

Trish Corns, Democratic Services Officer

Kay Fice, Scrutiny Officer

Christopher Morgan, Trainee Democratic Services Officer

Raine Tudor-Williams, Democratic Services Administration Assistant

Jack Williams, Performance Data Analyst

19. MINUTES

It was unanimously,

RESOLVED

The Minutes of the meeting held on 6 February 2024 be approved as a correct record and signed by the Chair.

20. DECLARATION OF INTEREST

None.

21. PUBLIC QUESTIONS

None.

22. COUNCILLOR QUESTIONS

None.

23. EXECUTIVE FORWARD PLAN

The Executive Forward Plan listing items to be considered over the next few months was noted, and consideration was given to whether any items were to be requested to come forward to the Committee prior to being considered by the Executive. There were no requests for items to come forward to the Committee.

24. WORK PROGRAMME

The committee's work programme as circulated with the agenda showing issues to be considered by the Overview and Scrutiny Committee over the next few months was noted.

The Chair advised that the work programme would be amalgamated with that of Overview and Scrutiny (OS) 1 Committee, for the one OS Committee going forward from May 2024. Priorities would be reviewed and agreed at a future meeting of the Committee.

25. EXECUTIVE MEMBER BIENNIAL UPDATE

The Executive Member for Open Spaces, Leisure, Sport, Resorts and Tourism, Cllr Nutley presented the biennial update. The update included: conservation volunteer task days; education and learning, noting that Teignbridge Leisure was an approved accredited training centre; green spaces and community engagement; refurbishment of Broadmeadow and Dawlish leisure centres, which includes individual changing and shower units; sports pitches and open spaces play areas; budget consultation 2024; performance indicators and the Dawlish ridgetop SANGS site.

A question relating to the identification in the 2019 Strategic Plan of the requirement for additional swimming lanes and hockey pitches, and how this is to be addressed could not be answered at the meeting. This would be provided in the Members Newsletter.

The full presentation can be viewed at [Agenda for Overview and Scrutiny Committee 2 on Tuesday, 9th April, 2024, 10.00 am - Teignbridge District Council](#)

26. COUNCIL STRATEGY Q3 PERFORMANCE MONITORING REPORT

Consideration was given to the agenda report.

In response to questions, it was noted that:

- Current T100 opportunities included 23 houses at Sherbourne Road House car park, and possibilities being investigated for single bed accommodation.
- The Council land at Teignmouth for the NHS health and wellbeing centre is still operating as a car park and providing income for the Council.
- Other ways of boosting the economy of Newton Abbot are being followed up as part of the Future High Street Fund proposals, as detailed at agenda page 21, following the Council decision in January 2024 to abort the cinema project.
- In regard to the budget 2024/25 savings and new methods of working, particularly with opportunities to work with the community, are ongoing.
- The Executive Member for Corporate Resources would be advised of the comment for ongoing change of circumstances checks on the single persons council tax allowance scheme.

Overview and Scrutiny Committee 2 (until May 2024) (9.4.2024)

- There has been an increase in the performance targets for decisions on planning applications.
- A devolution documentation pack including forms to complete to request assets to be devolved in accordance with the Council's Strategic Asset Plan was available on the Council's website.

Requested information relating to a timescale for decisions on older planning applications, and how many and percentage of affordable houses being delivered would be provided in the Members Newsletter.

It was unanimously,

RESOLVED

The report and actions being taken to rectify performance issues detailed in the appendix be noted.

27. REFERRAL FROM THE PROCEDURES COMMITTEE- NOTICES OF MOTION

The Chair referred to the Notices of Motion (NOM) set out on the agenda, and consideration was given to the recommendations from the Procedures Committee relating to the NOMs.

The NOMs were:

- Loss of Section 106 contributions presented by Cllr J Taylor.
- Green improvements in conservation areas presented by Cllr Mullone
- Public speaking procedure at Planning Committee presented by Cllr P Parker.

It was requested that officers look at:

- scheduling a Councillor informal briefing on the current and forthcoming NOMs relating to Planning Services to assist the new group of overview and scrutiny Members agreeing work priorities.
- scheduling to speed up NOM processing.

It was unanimously,

RESOLVED

Consideration of the NOMs be deferred to the new Overview and Scrutiny Committee and in the meantime officer reports are to be provided for Committee, detailing the procedural, financial, constitutional, and legal implications for each NOM.

28. FEEDBACK ON TASK AND FINISH GROUPS

The Committee received updates from the Chairs of the Medium-Term Financial Plan, and the Car Park task and finish groups as below.

Overview and Scrutiny Committee 2 (until May 2024) (9.4.2024)

It was requested that officers look to scheduling a Councillor informal briefing regarding the Estates and Assets service to assist the new group of Overview and Scrutiny Members agreeing work priorities.

The Chair referred to the recommendation of alternative overview and scrutiny work methods to task and finish groups.

Medium term Financial Plan

The Group were meeting on a monthly basis and were looking at several items with regard to efficiency savings such as future work streams and processes, Modern25 programme, and statutory and discretionary processes.

Car Parking Task and Finish Group

The agenda report of the task and finish group and the Operational Car-Parking Plan attached as Appendix B to the agenda report was noted.

It was unanimously,

RECOMMENDED

The Executive be recommended to adopt the Operational Car-Parking Plan attached as Appendix B to the agenda report.

RESOLVED

The Car-Parking Task & Finish Group reconvene to review the items identified in Appendix C of the Agenda report and produce a further report(s) for the Committee's consideration, having regard to relevant external reports and the Local Plan.

The Chair referred to the meeting being the last of Overview and Scrutiny 2 Committee as the committee and Overview and Scrutiny 1 Committee would be returning to one Overview and Scrutiny Committee of 20 Members from May 2024. The Chair thanked Members and officers for their contribution over the past year, particularly those who had contributed to several meetings of task and finish groups. The Committee also thanked the Chair for the work, time and commitment towards the scrutiny role of the Council on behalf of the Committee.

CLLR S SANDERS
Chair

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

Submitted by:

Cllr Sanders

Item for Consideration:

Improvements in Digital Connectivity across Teignbridge – particularly rural areas

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:

Request representation from BDUK (Building Digital UK)/Connecting Devon & Somerset at a future O&S meeting to provide evidence with regard to how 99% of premises in Teignbridge will have gigabit or superfast connectivity in Teignbridge by March 2025 and to ensure they are prioritising the 3.6% of premises (approximately 3,100 properties) that do not even benefit from a basic broadband connection

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

There is a risk that inadequate improvements would be disadvantageous to Teignbridge residents and businesses

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?

Investing in Prosperity, Strong Communities & Action on Climate

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

Not specifically but we must take steps now to ensure that the bodies responsible are on track to deliver adequate improvements by March 2025

Members are requested to provide information on the following:-

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

Assurances that there will be adequate digital connectivity across the whole District

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

This will depend on the responses received from this investigation

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

Yes for residents and businesses adversely affected.

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

According to data from Building Digital UK (BDUK), only 57.7% of premises in Teignbridge currently benefit from a gigabit internet connection. 42.3% do not.

Some [3.6% of premises](#) (approximately 3,100 properties) do not even benefit from a basic 'superfast' connection (30Mbps).

Connecting Devon and Somerset are responsible for overcome these inadequacies. They have provided a database of 7,500 premises that they say 'are not likely to have gigabit-capable' broadband within the next three years.

By contrast, DEFRA, on behalf of BDUK, have told us that, 'most of your local authority area (99%) will have gigabit or superfast connectivity in place or being built during the lifetime of the REPF'. This is a reference to the Rural England Prosperity Fund, which runs until March 2025.

In reaching this conclusion, BDUK have assumed that at least 3,750 premises will achieve a gigabit connection using the Gigabit Voucher Scheme, which is worth up to £4,500 per property but is [not currently open](#) to Teignbridge households and businesses – what are the alternative plans as Teignbridge did not receive funding from the UK Prosperity fund or the Gigabit voucher scheme?

Overview and Scrutiny Committee is asked to investigate the district's real digital connectivity prospects, with a particular focus on what solutions can be provided for the 3.6% (approximately 3,100) premises that do not even benefit from a basic broadband connection.

Suggested witnesses/case studies etc

To be determined but could include:

- UKBD/Connecting Devon & Somerset
- Executive member
- Ward councillors with examples from their local areas
- Businesses
- Other comparable local authorities

Suggested Questions (not exhaustive)

1. Communication with TDC- why did UKBD, just prior to TDC launch, after thousands of pounds of staff time invested, decide this was now an unnecessary project? Why was this not proactively discussed months prior with TDC? How will future relations ensure this is not repeated?
2. The UKBD Open Market Review of May and September 2023 regarding the roll out for 2024-2026- was due to be ready for use January 2024- is it and what is the update?
3. 16.9% (blue on map) to be serviced by planned BDUK interventions – are these elements on track? If not what actions are being taken to bring them on track?
 - 25% (of 16.9%) superfast to complete March 2025. What is the current position/forecast?
 - Summer 2024 – awarding of contracts. Clarification required
4. Has the gigabyte voucher project been launched and what is the uptake? We understand that it is not covering our district. What action is being taken to reach these premises?
5. What assurances do we have that our rural areas (almost half of our population) will definitely gain delivery of this broadband roll-out in the 3 years proposed
6. If any of these responses suggest the project is not on target- how have TDC been notified, what actions have been put in place to realign the project and what improvements to collaboration can TDC make to ensure we are best placed to liaise and collaborate with UKBD.

The examples above are used to illustrate potential questions that could be asked and are not exhaustive

Please return completed form to Democratic Services Department

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**Teignbridge District Council
Overview & Scrutiny Committee
O&S 28th May 2024
Part i**

Quarter 4 2023-24 Council Strategy Performance

Purpose of Report

To update members on the delivery of the Council Strategy 2020-2030, providing the detailed performance information used to track its delivery. Members are asked to review the performance information and areas where performance is not on track.

Recommendation(s)

The Committee RESOLVES to:

Review the report and the actions being taken to rectify performance issues detailed in Appendix A.

Financial Implications

A summary of the financial information supporting the delivery of the council strategy has been provided as part of this report.

Finance Systems Manager
Email: martin.flitcroft@teignbridge.gov.uk

Legal Implications

A summary of the legal requirements are contained in the detail of this report.

Monitoring Officer
Email: paul.woodhead@teignbridge.gov.uk

Risk Assessment

Failure to deliver the council strategy or parts of it will be identifiable in both the performance and risks reports, enabling both senior management and members to take action where necessary.

Chief Finance Officer
Email: martin.flitcroft@teignbridge.gov.uk

Environmental/ Climate Change Implications

The council strategy contains a dedicated programme entitled Action on Climate alongside other projects in the strategy that also impact on climate and the environment. Detailed information about this programme and actions being taken are contained within this performance report.

Climate Change Officer
 Email: william.elliott@teignbridge.gov.uk

Report Author

Data and Performance Analyst
 Email: jack.williams@teignbridge.gov.uk

Executive Member

Strategic Direction - Cllr Martin Wrigley

Appendices/Background Papers

1. Introduction/Background

This performance report looks at the Council Strategy 2020-2030 and covers the period from 1st January to 31st March. If you have any queries, please ask them in advance of the meeting.

1.1 T10 Finance

[Financial Budget Proposals at Executive 13.02.2024](#) identified budget gap has worsened and is £4.2 million in 2026/27 before using earmarked reserves. The budget deficit for 2026/27 is likely to continue into future years and Members will be updated on progress with funding reforms/further Government funding /savings to determine how the funding gap can be closed in conjunction with work carried out by Overview & Scrutiny work on specific areas of the budget.

1.2 T10 Programmes

8 are on track. The following programmes are reported with a caution status:

- A roof over our heads
- Going to town

1.3 T10 Performance Indicators

A total of 67 PIs included in the report this quarter. The statuses for these are in the table below, with the previous quarters for comparison.

KPI Status	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Ahead of target	11	11	16	14
On target	12	14	10	12
Underperforming	8	8	7	6
Monitoring indicators	27	34	34	35
Total	58	67	67	67

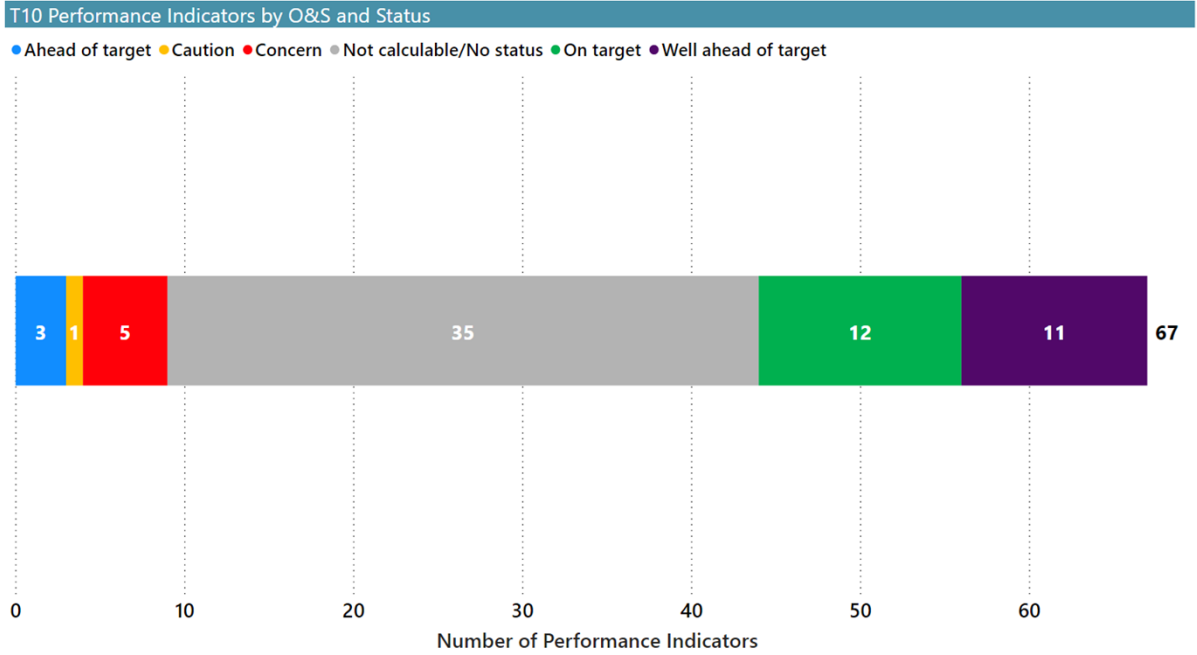


Figure 1 – Performance Indicators by Status

1.4 T10 Projects

A total of 45 projects are included in the report. The statuses for these are in the table below, with the previous quarter for comparison.

Project Status	Quarter 1	Quarter 2	Quarter 3	Quarter 4
On track	37	35	36	38
Caution	3	4	3	2
Completed	4	5	5	4
On hold (data not due)	1	1	1	1
Total	45	45	45	45

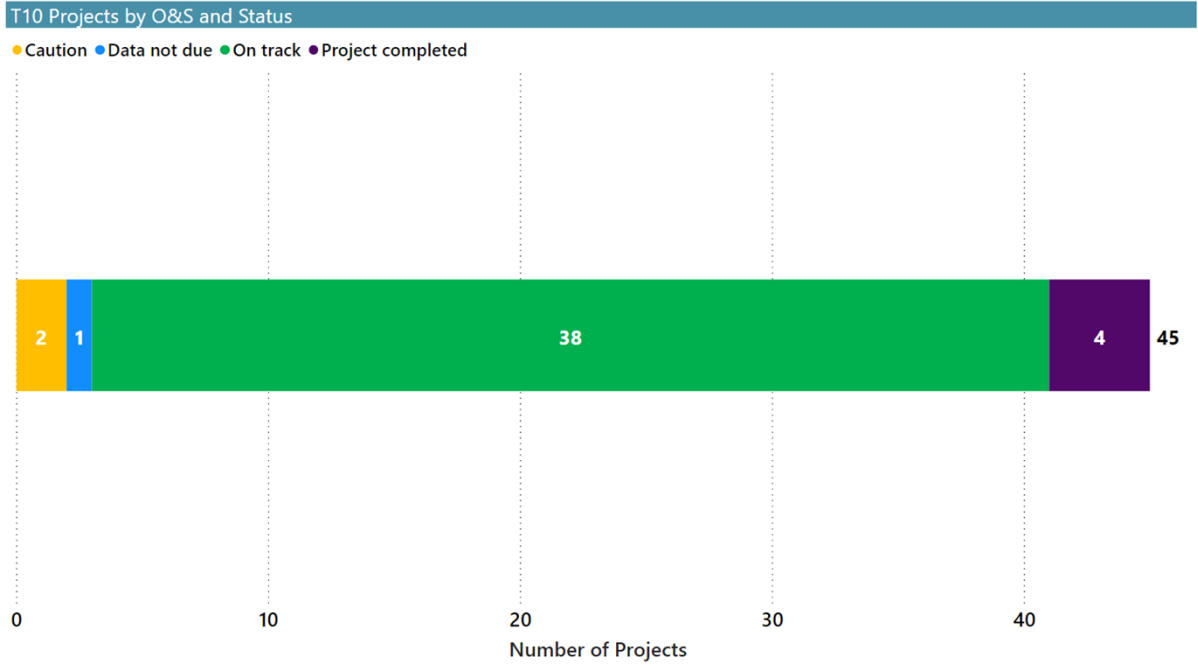


Figure 2 – Projects by Status

Details of the programmes, projects and performance indicators with a concern or caution status together with an explanation of their performance and improvement plan can be found in **Appendix 1**

2. Implications, Risk Management and Climate Change Impact

2.1 Legal

Although there are no direct legal implication regarding this report, it will be appreciated that the Committee has constitutional responsibility to review and scrutinise the performance of the Council in relation to policy objectives and performance targets to which this report refers.

2.2 Risks

The Council Strategy has a comprehensive set of risks associated to its delivery. Each risk has a set of mitigating actions which are reviewed and updated by the officers directly responsible.

These risks are monitored and discussed as part of the strategic and corporate risk reports that are presented regularly to the Strategic Leadership Team and Audit Scrutiny Committee. Any areas of poor performance or unacceptable risk are identified in the reports.

2.3 Environmental/Climate Change Impact

The council strategy contains a dedicated programme entitled Action on Climate. This programme looks at the actions the authority can achieve to

reduce carbon emissions and to increase the district's resilience to the changing climate.

The authority continues to support the Devon Climate Emergency, which is seeking to achieve net-zero carbon emissions across Devon at the earliest credible date.

ALTERNATIVE OPTIONS

None

CONCLUSION

The Council Strategy performance report provides Members with an overview of performance for the Teignbridge Ten Programmes including details of any areas of poor performance.

The Council Strategy runs from April 2020 to 2030.

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01 Action on Climate

Lead contact: David Eaton, Cllr Jackie Hook

Programme Status: On Track

Note: Data for the 4 utilities monitoring performance indicators provided by the utility companies, is not yet available.

Summary Statement

Lead by example to inspire others by becoming a carbon neutral council, using less energy and moving over to renewables, decarbonising our vehicle fleet and maximising recycling.

Following Full Council approval work is progressing on the fleet replacement. A dedicated website is being developed to host the resident and business actions from our draft Carbon Action Plan 2 which focuses on the district. The website and actions will be launched in quarter 1 of 2024/25

There are three major projects that are currently in progress.

Newton Abbot Leisure Centre - An Executive Member decision has been taken to approve the budget for the new connection to the heating and cooling system. The project completion date is October 2024 in time for the winter heating season.

Broadmeadow Leisure Centre - Following a wide public consultation, officers have made changes to the final design, and this will be presented to the Executive Committee on the 2nd of April for approval.

Create an agile workforce that reduces the miles travelled in the course of our business

Officers continue with a blended pattern of working from the office and working from home based on the needs of the service. The majority of meetings with partners and other agencies continues to be delivered via MS Teams reducing the need to travel. The data for business mileage will be available during the next quarter.

Provide public electric vehicle charging points in council carparks to augment and link in with the wider strategic charging network

There are three key projects.

- **On Street Residential Charging Scheme (DELETTI 2)** - The first site in phase 1 is in Bovey Tracey and the final review of the lease is being progressed. An installation date should be agreed during the next quarter.
- **EV Strategy** - Workshops have taken place with Staff and the Executive Members as part of the strategy development. The first draft will be available by the end of April.
- **Local Electric Vehicle Infrastructure LEVI** - officers have agreed to collaborate and be part of the County wide bid to this fund. There is currently no dedicated staff resource to undertake this work.

Increase resilience to the changing climate so that Teignbridge remains a safe and healthy place to live and do business

There are significant projects that are being progressed including working on a review and options appraisal of the River Lemon corridor with the Environment Agency, the Teignmouth Beach Management Plan, Teignmouth Combe Valley Dam improvements study and continued liaison with the Environment Agency regarding Dawlish Warren.

Ensure all council decisions consider climate change implications, updating council policies like those in our Local Plan to reduce greenhouse gas emissions

The Climate Change Officer continues to review all planning applications that require a Carbon Reduction Statement in accordance with our local plan policies.

Support businesses and communities to encourage carbon emission reductions, particularly in the transport and buildings sectors

Officers are working with partners as part of the Devon Climate Emergency Response Group. Officers continue to work with Members of ACT on specific projects and with local town and parish councils as part of the engagement work for the Carbon Action Plan 2.

02 A Roof over our Heads

Lead Contact: Graham Davey, Cllr Lin Goodman-Bradbury

Programme Status:

Caution

Summary Statement:

2 performance indicators are well ahead of target and 4 are on target

5 performance indicators are annual monitoring / tracking indicators and therefore have no target.

The remaining 5 indicators are recorded as either concern. They relate to homelessness and housing delivery.

Details of these are summarised below and a fuller explanation is in the Performance Indicator section of the report. The areas of concerns relate to net additional homes provided, (435 against a target of 720) However, affordable homes delivery has improved with 126 delivered against a target of 128. Homeless preventions by helping clients stay at home remain below expectation at 37 against a target of 80.

Of the 9 projects, 1 is completed 8 are on track.

Make sure plans take full account of all housing needs

Following the formal ending of the Greater Exeter Strategic Partnership the Local Development Scheme timetable was delayed due to additional consultation and the high level of consultation responses.

An updated timetable for the Local Plan was approved by the Executive on 12 September 2023. The key milestones in this were for consultation on the Addendum in November 2023 and submission to the Secretary of State to begin proceedings for public examination in February 2024. The Local Plan Addendum has since been re-consulted upon. The Plan was submitted on 14th March 2024 and Inspectors have been appointed to coordinate dates for the Examination hearing sessions.

Delivering affordable housing

Affordable housing delivery exceeded the annual target last year due to the addition of Teignbridge's T100 own housing delivery pipeline and homes coming on stream early at Southwest Exeter (SWE1) Total 200 against a 128 target. The pulling forward of delivery of homes into the end of last year has had the effect of slightly reducing figures this year. However, affordable homes delivery has improved with 126 delivered against a target of 128.

Evaluate options for delivering affordable rented housing

With the Councils Drake Road and East Street, Newton Abbot schemes both completed together with the Chudleigh Buy to Rent Scheme, a large house in Dawlish for temporary accommodation to compliment Albany House and the 5 Rough Sleeper Accommodation properties, focus has now turned to the next phases. The 18 homes for Afghan and Ukrainian refugees have all be secured with all but 2 completed and the remainder in the process of purchase. Sherborne House Car Park is still on track and in budget and a planning application has been submitted for 23 one and two bedroomed apartments. Application has been validated and awaiting decision likely to be at June Planning committee. The Rural 5 consultation with Town and Parish Councils has completed. Results have been circulated imminently and further consultation events have commenced with good attendance.

Improve housing conditions and reduce empty homes

The number of dwellings improved by Council intervention remains on track and the annual Empty Homes target was reduced again this year despite challenging market conditions.

Prevent homelessness wherever possible.

The current market conditions mean that the target to prevent homelessness remains a challenge.

We are still below target for this indicator because we are unable to prevent homelessness as effectively as we have in previous years, due to the lack of affordable private rented options locally. The gap between the local housing allowance rates and local market rents has meant far more homes are unaffordable for low-income households and therefore impacting our success in prevention and relieving homelessness.

Where we are able to secure private rented homes directly with landlords, we prioritise those in temporary accommodation where possible. However, the majority of homes secured in the private rented sector are through the resident finding the accommodation themselves and us supporting financially to secure it.

Housing Strategy

The Teignbridge Housing Strategy is completed and approved by Full Council. An event with stakeholders took place of 18th November 2022 at the Kenn Centre, Kennford which received positive feedback form those who attended. A further event took place on 8th March 2024 in the Council Chamber which was again well attended by Members, Officers, Town and parish Council representatives and Stakeholders.

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PI Code	Title	Executive Member	+/-	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	PI Verifying Manager	Officer Notes
CSROH01	Net additional homes provided	Planning	+	720	70	133	276	435	Michelle Luscombe, Fergus Pate	(Quarter 1 - 4) This figure is an interim figure and hopefully will increase slightly in the next couple of weeks, as a take a while for completions to get to us. (HW)
CSROH2	Number of self-build homes provided	Planning	+	38	5	6	10	14	Michelle Luscombe, Fergus Pate	(Quarter 4) Overall completions are down so no surprise that the self and custom build completions are down also. (HW)
CSROH6	Deliver 29 affordable homes in rural areas to include delivery within the DNPA	Communities, Housing & IT	+	29	0	3	14	16	Graham Davey	(Quarter 4) Only 16 rural homes completed this year. Some delivery has slipped in to Q1 of 2024/25 and Rural 5 initiative have commenced with Town and Parish Councils to increase future delivery led by the Housing Enabling Team. (GD)
CSROH7	Deliver 5 affordable homes a year that are fully wheelchair accessible	Communities, Housing & IT	+	5	1	2	4	4	Graham Davey	(Quarter 4) Ashburton (2) Dawlish (1) Newton Abbot (1) (GD)
CSROH11	Homelessness prevented by helping client remain at home	Communities, Housing & IT	+	80	6	18	31	37	Tammy Hayes, Fran Lawrence	(Quarter 4) The increase of affordability issues has reduced opportunities to help people remain in their home where the property is not affordable long term. (TH)

03 Clean Scene

Lead contact: Chris Braines, Cllr Charles Nuttall

Programme Status:

On track

Summary Statement

The program remains largely on track with some ongoing challenges and significant projects underway, specifically;

The ageing fleet is contributing to some delays in collection services. The fleet decarbonisation and replacement project is on track and the first new vehicles arrived on schedule.

Imminent changes to waste transfer station legislation has significant implications for the operation of the Council's recycling and bulking station. Options to remain compliant are being explored and a project initiated which is likely to have significant financial and site disruption implications.

The implications for waste and recycling services from recent Extended Producer Responsibility and Simpler Recycling reforms are beginning to crystalize. A detailed update will be provided to the O&S committee on the 13th of May 2024.

The Community Environment Wardens are actively educating and enforcing the provisions of the Public Spaces Protection Order. They continue to work with Town and Parish councils informing them of the action they are taking and seeking their support to publicise the controls.

All of our beaches bathing water quality has been classified as 'Good' or 'Excellent'.

04 Going to Town

Lead Contact: Neil Blaney, Cllr Nina Jeffries

Programme Status:

Caution

Summary Statement

The 'Going to Town' retains an overall status of 'caution'.

However, following the approval of a Project Adjustment Request by Government the delays and changes to the flagship projects to be funded through the Future High Street Fund projects can now be revised. Along with closing off projects that are no longer progressing and the implementation of new projects it is anticipated that the status can be upgraded to 'on track' for the next quarterly review.

Designing and delivering small and large scale schemes:

The Project Adjustment Request for the Future High Street Fund projects has been agreed. This removes the proposal for a new cinema and extends the timeframe to deliver the remaining projects.

The Council has granted planning permission for the Health and Wellbeing Centre in Teignmouth and has an agreement in place with the NHS to sell them the land. However there has still been no meaningful progress from the NHS to date.

Plans for a new hotel in Newton Abbot have now been shelved.

Running and improving Newton Abbot Markets:

The current tenants will be temporarily rehoused to enable the improvements to the Markets, using Future High Street Funds. Plans for how the markets will be managed in the future are being developed.

The Council's Investment Plan for the UK Shared Prosperity Fund includes a 'Markets and town centres promotion and coordination' project. Its aim is the 'Promotion of Teignbridge towns and villages to help increase visitor and footfall numbers'. A budget of £286,000 is allocated to this project.

Town centre health checks:

Information is available on the Council's website <https://www.teignbridge.gov.uk/planning/local-plans-and-policy/annual-monitoring-report-2022-2023/going-to-town/>

The Council's Investment Plan for the UK Shared Prosperity Fund includes a 'Markets and town centres promotion and coordination' project. Its aim is the 'Promotion of Teignbridge towns and villages to help increase visitor and footfall numbers'.

Working with and supporting continued town centre management:

Officers continue to work with those responsible for managing or leading on projects within the towns across Teignbridge. The Council's Investment Plan for the UK Shared Prosperity Fund includes a bid for funding to support markets and town centre promotion and coordination.

Using our powers to bring about improvements and support business growth:

The Environmental Health team provides significant support to businesses and uses its powers to deal with breaches, which helps consumer confidence. The Planning Department is prioritising enquiries and applications related to employment and job growth.

The UK Shared Prosperity Fund is being used to support businesses.

Improving accessibility and encouraging more town centre living:

The proposals for pedestrian enhancements along Queen Street in Newton Abbot are moving to delivery, starting in May and due to be completed by November 2024. The plans for cycle improvements along the National Cycle Network are being implemented in May and June 2024.

The proposal for a Health and Wellbeing Centre in Teignmouth will provide accessible health facilities for the community.

The plans for the regeneration of Bradley Lane, Newton Abbot are currently in for consideration with the Planning Department, to be delivered by Lovells. There are also plans for housing being considered for land next to Sherborne House, Newton Abbot.

Supporting evening cultural and leisure opportunities:

The Future High Street Fund projects will bring forward a wide range of evening activities that will complement the town centre. As noted above, there is now an increased element of risk to delivery for this project.

The Council's Investment Plan for the UK Shared Prosperity Fund includes £300,000 for funding to support exhibiting, performing and participating in art.

05 Great places to live and work

Lead contact: Neil Blaney, Cllr Gary Taylor

Programme Status:

On track

Summary Statement

Overall, the project is considered to be 'on track'. All key projects are on track, with the exception of the Ridgetop Park SANGS at South West Exeter, although this is due to a slippage in overall project delivery timescales, the park is open and being used, with the next phases in progress.

Make sure that our new neighbourhoods and other developments are built to the highest standards of design, with great public spaces and landscaping:

There is an ongoing focus on ensuring design quality in all major developments bringing forward new neighbourhoods, with adequate resource allocated and community engagement throughout.

Ensure that new neighbourhoods are real communities; safe, inclusive and accessible to all, close to, or including, local jobs, facilities, sports and leisure opportunities, with high quality public open spaces which support social interaction:

This can be evidenced in the emerging work on new applications and on the schemes being brought forward across the district.

Ensuring growth and development is high quality and sustainable by our continued involvement in the Garden Communities programme:

The Garden Community Project continues to thrive and develop plans and strategies with positive community involvement.

Protect our most important landscapes and heritage, and support proposals which enhance them:

The updated Local Plan sets the framework for future growth and protection of the most important landscapes and heritage, with mitigation policies to secure enhancements. The Local Plan was subject to a further consultation and is anticipated to be submitted for examination of Q4 of 2024.

Work towards an overall improvement in the area's biodiversity by protecting the most important habitats and investing in new wildlife areas:

This is covered through the Local Plan. In addition, the introduction of new legislation regarding Biodiversity Net Gain requirements is designed to ensure that there is not only protection but also enhancement of biodiversity.

Support improvements to walking, cycling and public transport opportunities and other ways to reduce carbon emissions and encourage a healthy, active lifestyle:

This is covered through the Local Plan and Local Cycling and Walking Infrastructure Plan. A number of projects have been implemented and attention is turning to future schemes, particularly the Teign Estuary Trail.

Make the difficult, long term decisions to create a resilient, prosperous and green future by preparing the Greater Exeter Strategic Plan and updating our own local plan:

This commitment has been superseded by the Council's all deciding to cease work on GESP. However, the authorities continue to work closely to ensure plans are aligned and shared ambitions can be delivered. The Council approved a document 'Shared Coordinates' which is a non-statutory statement of commitment to continued close working on strategic issues.

Project Status	Code	Title	Executive member	Last Review Date	Progress Review	Project Responsible Officer
Caution	CSGP 4.5	SW Exeter suitable alternative natural greenspace (SANGS)	Planning	07/05/2024	<p>Progress:</p> <p>Parcels K, A1 and B, acquired and established. Legal agreements with Land Trust for long-term management and endowment completed March 2022.</p> <p>Legal contract in place for land transfer A1 car park, A3 and B car park.</p> <p>Parcel A3 landfill area restoration - application determined November 2023. Parcel A1, B & K, approx. 20-hectares, opened to the public 8th June 2022.</p> <p>Parcel A1 car park opened for public use 2nd March 2023 (to be operated via licence initially).</p> <p>Parcel A2 now proposed to be delivered by Vistry as part of spine road. De-scoped from HIF contract.</p> <p>Parcel D now proposed to be delivered by developer, via planning condition requirement. De-scoped from HIF contract.</p> <p>Parcel B car park opened for public use August 2023.? Operated via licence with developer.</p> <p>Residents event held 12thAugust 2023, followed by positive press for the site.</p> <p>Planting of Parcel A3 has been completed (1,350 trees planted to expand Church Hill Path Plantation and create the first phase of Barbara's Copse).</p> <p>Ongoing:</p>	Fergus Pate

					<p>Inception meeting early June 2024 to commence on final legal documentation for Parcels A1 & B car parks, and Parcel A3.</p> <p>Design and preparation of interpretation materials during spring/summer 2024.</p> <p>Planting of hedgerows and remaining sections of A3, meadow seeding and installation of interpretation, seating and fencing in autumn 2024.</p> <p>Parcel B & A1 car park completion of long-lease completion by autumn 2024.</p> <p>Parcel A3 transfer to TDC expected by winter 2024/25.</p> <p>Parcel A3 long-lease completion with Land Trust completion by winter 2024/25.</p>	
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06 Investing in prosperity

Lead contact: Tom Phillips, Cllr Martin Wrigley, Cllr Nina Jeffries

Programme Status: On track

Summary Statement

Investment in commercial property projects

- Work is ongoing with T100 opportunities on Council owned land. Principally driven by Housing team with support from assets as and when appropriate.

- The Future High Streets Fund (FHSF) Full Council decided on Tuesday 16 January 2024 to abort the cinema project. On 16 April 2024 DLUHC approved the Project Adjustment Request to exclude the cinema and enhance the Market Hall. The unspent grant will be £2.25M and officers are exploring compliant alternatives that could meet the spend deadline of 31 March 2025. Transport (Queen St and NCN2) on track for a planned start on site May 2024. The FHSF project will see investment in the regeneration of Newton Abbot Market together with improvements to Queen Street, the gateway to the Town from the Railway Station and part of the National Cycle Network 2.
- Halcyon Street car park Newton Abbot hotel has been publicly aborted by the Administration and officers will have to take a report to executive to formalise the position. The car park will be re-lined.
- Brunswick Street Health and Wellbeing Centre achieved planning. No conditional contract in place – therefore no automatic subsequent transaction. NHS finally met with officers on 19 April 2024 and the trust reaffirmed their interest in pursuing this, however, they are struggling with internal NHS approval processes. Talk of inflationary pressures but no mention of trying to renegotiate price and transfer boundary. TDC contingency position is to hold as operational and income producing car park.
- Bradley Lane planning has again been delayed from March committee to after Summer. Developer contract longstop date expires on 5 May 2024, and they have no grounds to implement an extension. A new contract would have to be entered to continue with current Developer, who themselves are reviewing whether to now pursue this planning designed scheme. If successful, this BLRF grant assisted development will deliver c.100 dwellings (c.50% affordable) on brownfield land. Due to the latest planning delay the unconditional release of land for housing will not be achieved by fund deadline of end March 2024 and extension agreements will have to be sought. It has been confirmed that in an abortive situation, under Grant terms the spent money would not have to be paid back, however, the unspent money would have to be.
- The Council has a number of active projects, but there have been no new opportunities due to current economic uncertainties and requirement to tidy off legacy projects, some of which do not appear to have support of current members. Asset Manager is keen to unlock and progress Newton Abbot Aldi Employment site during 2024. A new Town Centre Masterplan is being explored for Newton Abbot given the extent of the Councils land holdings.

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Facilitating links between businesses education providers

This project is ongoing as we continue to work with Building Greater Exeter (BGEX) as a partner. BGEX send Employers and apprentices into schools in an effort to enlighten young people about the variety of careers in construction from Architect to bricklayer. We aim for all

Teignbridge senior schools to be included in this programme. The Economic Development Officer also visits schools to talk about life in the workplace.

The Economic Development Officer works with local schools to provide inspirational speakers from the world of work and encourages local employers to attend careers fairs at Teignbridge senior school.

Project Status	Code	Title	Executive member	Last Review Date	Progress Review	Project Responsible Officer
Caution	CSIIP 2.3	Investment in commercial property projects	Business, Economy and Tourism	23/04/2024	<p>- Work is ongoing with T100 opportunities on Council owned land. Principally driven by Housing team with support from assets as and when appropriate.</p> <p>- The Future High Streets Fund (FHSF) Full Council decided on Tuesday 16 January 2024 to abort the cinema project. On 16 April 2024 DLUHC approved the Project Adjustment Request to exclude the cinema and enhance the Market Hall. The unspent grant will be £2.25M and officers are exploring compliant alternatives that could meet the spend deadline of 31 March 2025. Transport (Queen St and NCN2) on track for a planned start on site May 2024. The FHSF project will see investment in the regeneration of Newton Abbot Market together with improvements to Queen Street, the gateway to the Town from the Railway Station and part of the National Cycle Network 2.</p> <p>- Halcyon Street car park Newton Abbot hotel has been publicly aborted by the Administration and officers will have to take a report to executive to formalise the position. The car park will be re-lined.</p> <p>- Brunswick Street Health and Wellbeing Centre achieved planning. No conditional contract in place – therefore no automatic subsequent transaction. NHS finally met with officers on 19 April 2024 and the trust reaffirmed their interest in pursuing this, however, they are struggling with internal NHS approval processes.</p>	Tom Phillips

					<p>Talk of inflationary pressures but no mention of trying to renegotiate price and transfer boundary. TDC contingency position is to hold as operational and income producing car park.</p> <p>- Bradley Lane planning has again been delayed from March committee to after Summer. Developer contract longstop date expires on 5 May 2024, and they have no grounds to implement an extension. A new contract would have to be entered to continue with current Developer, who themselves are reviewing whether to now pursue this planning designed scheme. If successful, this BLRF grant assisted development will deliver c.100 dwellings (c.50% affordable) on brownfield land. Due to the latest planning delay the unconditional release of land for housing will not be achieved by fund deadline of end March 2024 and extension agreements will have to be sought. It has been confirmed that in an abortive situation, under Grant terms the spent money would not have to be paid back, however, the unspent money would have to be.</p> <p>- The Council has a number of active projects, but there have been no new opportunities due to current economic uncertainties and requirement to tidy off legacy projects, some of which do not appear to have support of current members. Asset Manager is keen to unlock and progress Newton Abbot Aldi Employment site during 2024. A new Town Centre Masterplan is being explored for Newton Abbot given the extent of the Councils land holdings.</p>	
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07 Moving up a gear

Lead contact: Fergus Pate, Cllr Gary Taylor

Programme Status: On track

Summary Statement

The overall programme is on track. Priority infrastructure projects are being delivered, including major strategic pedestrian and cycle schemes.

Improving the A382 into Newton Abbot and a Forches Cross A383 link

The entire length of the A382 scheme benefits from planning permission. Phase 1 works between Forches Cross and Whitehill Cross have been completed. Teignbridge committed £5.1 million of developer funding towards the £13m project, which includes a new off road pedestrian and cycle route.

The A382 is due to benefit from an announced £45 million package of funding that has been awarded in order to commence works by around the end of 2024. A Full Business Case has been submitted to DfT and is due to be decided in the near future and preparatory works have already commenced.

Full Council approved a £600,000 funding contribution towards the Jetty Marsh link in April 2022. For VAT reasons, we ended up paying £500,000. A further £1,000,000 contribution towards the scheme was approved in Summer 2023.

The main street through Houghton Barton benefits from planning permission. The first phase between Forches Cross and Howton Road is complete. Teignbridge and Devon approved £1.25m (each) forward funding of future developer contributions in order to deliver the scheme. If planning permission is granted at Houghton Barton (current application for 900 homes), the developers will be expected to repay the forward funding and provide the remainder of the link road.

Bus improvements and park and ride services

Much of the work associated with bringing forward new park and ride facilities is in the hands of external partners, including Devon County Council as transport authority.

Further analysis from the transport authority indicates that plans for park and ride in Newton Abbot are not viable. There may still be limited scope for park and change at locations including Forches Cross.

£200,000 funding for a bus only route between Ashburton Road and Newton Abbot town centre was awarded by Homes England. Consultation responses did not support the project, which has now been shelved. An opportunity to use the funding for phase 1 of the Ogwell cycle link through Bakers Park is being taken forward instead. Works have commenced and are due to complete by Summer 2024.

Initial work on bringing forward a transport hub for Newton Abbot in collaboration with Devon County Council has paused because there has been a focus on other transport priorities. There is potential that a new transport hub could come forward in concert with redevelopment of the Cattle Market area and a consultancy brief for undertaking feasibility work ahead of any public consultation on bringing a scheme forward on this site has been drafted.

Supporting new railway stations

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Marsh Barton station is now operational, having received £1.3m funding from Teignbridge using Community Infrastructure Levy receipts.

Dawlish Sea Wall defences now are constructed.

Heath Rail Link are understood to be continuing to work with Network Rail, GWR and Devon County Council on potential to reopen the branch line from Newton Abbot to Heathfield.

Encourage a cycling revolution .

The Teign Estuary Trail planning application has been approved and Full Council dedicated £1 million towards preparing a business case and progressing land acquisition in partnership with Devon County Council.

The scheme is a key priority but was not suitable for the Levelling Up Fund.

Other funding opportunities will be considered as they arise. The cost of this project is very significant and a phased approach to delivery may be required. The business case (which is now in development) will help to confirm the best approach to this, as well as helping to clarify the tourism potential of the project in consultation with local stakeholders.

Innovative transport schemes

Development frameworks for development allocations propose electric car charge point facilities in key public areas. The emerging Local Plan considers innovative transport opportunities.

The Newton Abbot and Kingsteignton Garden Community programme is bringing forward evidence on potential innovative public transport and walking/cycling improvements in the Newton Abbot area. A Local Cycling and Walking Infrastructure Plan has been adopted and schemes that align with it are being taken forward, including improvements to the National Cycle Network, the Teign Estuary Trail, the Ogwel Link and a feasibility assessment looking at improvements in the vicinity of Broadway Rd, Kingsteignton.

Opportunities to bring forward rural transport hubs are being considered through the Rural England Prosperity Fund. It is expected that local communities and partners will be asked to develop and submit schemes that they would like to implement. We are working with Dartmoor National Park Authority to agree an approach to this.

A Newton Abbot car parks study has been produced and provides robust evidence on the extent to which Local Plan proposals for town centre developments can be accommodated without adversely impacting on the adequacy of car park availability over the long term. Following a well-attended stakeholder workshop, further evidence has been gathered and the study has been published in support of the Local Plan.

Development supported by sustainable transport facilities

Individual new developments continue to be supported by improved transport facilities. The Development Frameworks for development allocations across the district incorporate sustainable transport facilities (including walking and cycle routes) as a centrepiece of their proposals.

A Design Code for the Houghton Barton and Bradmore new neighbourhood has also been devised with input from a citizens' panel and includes objectives for easy walking access to local facilities, including a greenway running through the neighbourhood.

The Infrastructure Delivery Plan and capital programme also continue to prioritise sustainable transport. More than £1 million has been identified as a contribution towards pedestrian and cycle facilities by 2027. Work is ongoing to ensure that sustainable transport remains at the forefront of the Local Plans.

Bids were submitted to the Government's Housing Infrastructure Fund for funding to support delivery of key transport infrastructure at Dawlish and South West Exeter. Funding totalling £4.9 million has been approved for the Dawlish link road and, combined with a CIL allocation of £1.3 million, the project is on track for completion by Summer 2024.

The £55 million South West Exeter Housing Infrastructure Fund programme is on track overall, including major junction, pedestrian and cycle improvements.

Proposals for the Combined County Authority capital funding have also been put forward in line with existing strategies and await assessment.

08 Out and about and active

Lead contact: James Teed, Cllr John Nutley

Programme Status:

On track

Summary Statement

The programme is on track across all projects. Strong levels of participation are being reported across a broad range of projects, which is encouraging.

There is a continued broad range of community engagement activities demonstrated across many areas of the Council's work, including the varied and interesting work with the Rangers and Green Spaces teams. The Broadmeadow refurbishment is progressing well, and the public consultation evidenced good levels of support for the scheme. The Teignbridge Leisure approved training centre received a very positive result from a recent audit from the Chartered Institute assessing the quality of the training being delivered.

09 Strong communities

Lead contact: Rebecca Hewitt, Cllr Martin Wrigley

Programme Status:

On track

Summary Statement

Teignbridge CVS has sourced £174,022 of grant funding for community groups in Teignbridge. The CVS have also facilitated 13 cost of living events. Work continues with food banks. 821 people have used community transport which is just slightly higher than the previous year.

An event took place in March hosted by the Devon Association of Local Councils which discussed ways to improve communication and joint working.

The Community Safety Partnership continues to deliver projects that help build the resilience of the community including the Let's Talk initiative which has reached nearly 7,000 people and developed how Community Protection Warnings can be utilised.

10 Vital, Viable Council

Lead contact: Amanda Pujol, Cllr Martin Wrigley, Cllr Richard Keeling

Programme Status: On track

Summary Statement

The programme is on track. 3 indicators are well ahead of target, 1 ahead of target and 3 on target. Subscriptions to the Councils My account have continued to rise and customers are continuing to increase the number of transactions completed online. Cost per head of service, income generated, and external funding received have also exceeded their targets.

There is one note of caution which relates to customer enquiries first point of contact resolution; however, it is anticipated this will improve next quarter as new staff become fully trained and gain further experience.

PI Code	Title	Executive Member	+/-	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	PI Verifying Manager	Officer Notes
CSWE 3.2	% of telephony enquiries dealt with at first point of contact	Corporate Resources	+	85%	83%	83%	79%	78%	Tracey Hooper. Amanda Pujol	Performance has been impacted by a number of new staff joining the team following a period of high staff turnover. New staff require extensive training before being able to deal with all enquiry types. This results in a higher number of 'hand offs' to more experienced Customer Support Advisers. We are working to improve our automated routing system (which ensures an appropriately skilled member of staff receives the call) to increase uptake of this automated service and improve performance against this KPI but where customers decline to select a query type their call may be handled by a CSA who is yet to receive training in the particular field.

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**Teignbridge District Council
Audit Scrutiny Committee
22 March 2023
Part i**

Video Recording and Retention of Council Meetings

Purpose of Report

To consider the following Notices of Motion submitted to full Council. The Motions did not secure the required votes to be discussed at full Council, hence referral to this Committee for consideration.

Recommendation(s)

It is recommended that the Audit Scrutiny Committee considers the information presented in this report and makes a recommendation to Council on future video streaming and retention policy.

Financial Implications

Financial implications where known, are included in the report. There is no additional budget for these, so any costs arising from changes to current policy would be a budget pressure requiring savings to be found elsewhere.

Legal Implications

There is no legal requirement for any Council meetings to be live streamed. The written minutes provide the formal record of the meeting in accordance with the [Local Government Act 1972](#). There are also Data Protection implications arising from the fact that the images and voices constitute personal data under the Data Protection Act 2018 and UK GDPR. These considerations are outlined in the report.

Risk Assessment

There is a possible risk from non-compliance with Data Protection legislation should the Council not manage data lawfully.

Live streaming of meetings can also increase potential for legal exposure relating to any inappropriate behaviours of those in attendance, such as defamatory statements that could give rise to civil action. In mitigation, Councillors and Council Staff should be guided by their Codes of Conduct and refrain from making such statements.

Environmental/ Climate Change Implications

Webcasting meetings may prevent the need for the public to travel unnecessarily, however, public participation is low for the meetings not currently live streamed, as can be seen by the statistics in the report, therefore any positive impact would be minimal in this respect.

If increased data storage caused a requirement for additional servers this may have a minor negative impact. Generally, the energy consumption of data centres is a growing concern, with some studies suggesting data centres account for around 1-2% of electricity used globally. YouTube is estimated to store over 500 hours of uploaded video every minute, which requires large scale data storage. The more we store the more we contribute this statistic.

Report Author

Christopher Morgan
Email: Christopher.Morgan@teignbridge.gov.uk

Executive Member

Councillor Richard Keeling – Executive Member for Corporate Resources

1. Introduction

The Motions are set out below. One calls for the reinstating of webcasted footage held by the council onto a free, public website, for an indefinite period of time. One calls for live streaming of **all** Council meetings (as opposed to the current practice of doing this for just Full Council, Executive, Planning and Overview and Scrutiny Committees):

[17th October 2023](#) (item 63)

The following motion on recordings of meetings has been presented by Cllr Daws and supported by Cllrs Hall, J Taylor, P Parker, Gearon, Bradford, Macgregor, Mullone, Radford and Ryan.

Recordings of council meetings. The council records public meetings for ease of access for residents. To maintain a full public record of meetings it is proposed that the council halts with immediate effect its current policy of deleting recordings of meetings after a set number of years and maintains public access

to meetings on streaming platforms, such as YouTube currently. It is proposed that all meetings currently in the possession of the council or in existence, are reinstated to a free publicly available platform and that all future meetings saved and are uploaded in a similar manner.

[27th February 2024](#) (item 13)

The following motion on live streaming of public council meetings has been presented by Cllr J Taylor and supported by Cllrs Gearon, Hall, Bradford, Daws, Ryan, Radford, Macgregor, Atkins, P Parker

"I would like to discuss the issue of the live streaming of public council meetings.

I first identified that all meetings were not live streamed when attending a Standards meeting, which I expected to be live streamed but was not. My understanding was that this was due to an error and I wrongly assumed that all public meetings held in the Council Chamber were live streamed. Again, at the latest Procedures Committee, which covered many of the motions not debated in Full Council, which were of public interest, was not live streamed.

I raised this at that meeting and was informed that live streaming is not governed by a policy which rationalises or prioritises which meetings are to be live streamed and it was believed it was purely based on cost.

In the interest of transparency and public engagement, I propose that all public meetings which are held in the council chamber should be live streamed and that all public meetings, not to be live streamed have the reason recorded in the minutes."

2. Background Information for Consideration

Whilst there is currently no legal requirement for public meetings to be video recorded, from 2020 onwards, meetings were held using Zoom and livestreamed on YouTube as a result of the Covid-19 pandemic. From mid-2021 public meetings returned to the Council Chamber where they have been recorded in person and uploaded to the Public-I Webcasting library on the Teignbridge website. From mid-2022 to May 2023 meetings were held in Buckland Athletic Football Club and were livestreamed to YouTube.

The current data retention policy for this footage is **two years** with our Webcasting provider, Public-I. This retention period was carefully chosen on the advice of relevant officers, to strike a balance between transparency, and data protection principles.

UK GDPR (General Data Protection Regulations) relevant provisions include:

- the Data Minimisation Principle: data should be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed. We should therefore identify the MINIMUM amount of personal data required and hold no more.
- the Storage Limitation Principle: data must not keep data longer than required. Individuals have the right to be forgotten.

If footage is kept an unreasonable amount of time, we risk claims from individuals who did not expect their recorded presence to persist indefinitely under the right to erasure (council members, staff, public speakers). This could involve lengthy and potentially costly work to redact footage.

The prospect of being permanently recorded may also have a chilling effect, discouraging some individuals from participating freely in discussion.

Costs of Retention

The current cost of retaining meetings for two years is **£3,087.60** per year. The cost of increasing this to indefinite online retention is an additional **£1,926.72** per year. Currently the webcasting is provided under a contract with Public-I who provide services to 150+ other councils.

YouTube

The motion proposes using YouTube as a streaming platform and uploading all recordings currently in the possession of the Council to YouTube.

Use of YouTube is currently free, however there is a likelihood charges will be introduced in the future (amount unknown at present). There is also a degree of internal resource required to do this, as it takes some time to upload files. To reinstate an entire archive of files would be quite a considerable task.

Benchmarking

Comparison with other Devon authorities found West Devon, North Devon, South Hams, and East Devon Councils livestream all meetings to Youtube. Exeter City Council only record Executive, Planning, and Full Council, also using Youtube. Mid Devon record the audio of meetings and upload it to Soundcloud.

The main difference between these authorities and Teignbridge is that Teignbridge uses the Public-I system and webcast library as part of a signed contract.

Benchmarking with our CIPFA nearest neighbour group revealed:

- West Norfolk and New Forest Councils upload all meetings to YouTube with no specified retention
- Fylde livestream full Council and upload (not livestream) planning meetings
- Arun and Lewes record all meetings but only keep for 6 months
- Fareham and Wyre don't record any meetings

Viewing Statistics

The viewing figures for the past 6 months of livestreamed meetings highlight the variances between committees in terms of public interest. For example, September's Overview and Scrutiny 1 and 2 were watched live by 21 and 15 individual viewers respectively whereas October's Full Council meeting was viewed live by 232 people. When further analysed, the data reveals that at least half of those live viewers are from areas other than Teignbridge. The table below provides a breakdown of meetings held since May 2023 including views. It should be noted that the data includes repeat viewers, bots, and viewers from outside the county.

Webcast	Live date	All views	Live views	Archive views	Total length	Times shared
Full Council	23/05/23	46	114	354	237:06:24	0
Full Council	25/07/23	36	32	334	95:46:24	0
Full Council	17/10/23	34	232	116	233:02:13	0
Planning	13/06/23	32	80	248	86:43:39	0
Executive	12/09/23	19	27	164	38:39:28	1
Full Council	28/09/23	18	46	141	36:28:12	0
Scrutiny	11/07/23	18	36	145	37:30:10	0
Full Council	05/09/23	17	91	86	67:19:25	0
Planning	18/07/23	16	27	140	29:13:20	0
Executive	06/06/23	15	19	136	32:57:10	0
Planning	19/09/23	15	52	100	48:25:55	0
Planning	22/08/23	13	40	96	23:34:09	0
Executive	22/08/23	13	28	105	45:45:19	0
Executive	10/07/23	13	25	105	20:00:38	0
Executive	03/10/23	90	12	78	13:12:36	0
Scrutiny	20/06/23	72	19	53	08:33:30	0
Scrutiny	26/09/23	69	21	48	16:00:05	0
Scrutiny	26/09/23	63	15	48	09:52:35	0
Full Council	29/04/23	47	0	47	04:28:13	0

Request to live stream all meetings (NOM 27th February 2024)

Currently Teignbridge live stream:

- Full Council
- Executive
- Planning
- both Overview and Scrutiny committee meetings

Committee meetings not currently live streamed:

- Appointments and Remuneration
- Audit Scrutiny
- Devon Building Control Partnership
- Licensing and Regulatory
- Licensing Sub Committee
- Procedures

- Standards
- Strata – joint Executive
- Strata – joint Scrutiny

Live streamed meetings require at least two Democratic Services staff to facilitate. The team is already stretched and would require additional resources to be brought in to assist, should all meetings need to be webcast. It is estimated this could cost in the region of **£17,100** (including on cost) for a part time post.

Public-I charges would also increase. It currently costs £38.59 per hour per meeting and we have a contract for 80 hours. A very crude estimate based on the likely frequency of these additional meetings taking an average 2 hrs each would require an additional 60 hours added to the contract, costing approximately **£2,315**.

Options Summary

Councillors are reminded that there are 3 aspects to the Notices of Motion:

- the online retention of future meetings indefinitely
- the reupload of any meetings held over 2 years ago
- the livestreaming and retention of recordings for **all** Council meetings

The choices for this Committee to consider are:

- to continue the current cycle of keeping recorded meetings online for 2 years
- to change the retention period to a longer time frame
- to make all future livestreamed meetings uploaded indefinitely but not reupload meetings from over 2 years ago
- to live stream **all** meetings as opposed to just key meetings, i.e. full Council, Executive, Planning and Overview and Scrutiny
- to keep to the current recording practice of just the key meetings mentioned above, or consider which, if any further meetings should be added

3. Conclusion

The Local Government Act 1972 requires meetings to be open to the public however this is specifically for in-person attendance. The written minutes are the legal record of the meeting. There is no legal requirement for the livestreaming of council meetings. The retention period of meetings must be balanced when considering the good governance of data. There are costs to both retention of data and for webcasting additional meetings to those already covered. The decision made by Councillors must balance the desire for openness and transparency with a realistic understanding of the costs of administering webcasting.

**Teignbridge District Council
Overview and Scrutiny Committee
28 May 2024
Part i**

Notices of Motion relating to Planning

Purpose of Report

To provide a response to the issues raised by Notices of Motion raised at Full Council relating to Planning matters.

Recommendation(s)

The Committee RESOLVES to:

- (1) Note the report and debate the issues in relation to the Notice of Motion
- (2) Make recommendations to Full Council based on the conclusion of the debate

Financial Implications

There are no direct financial implications arising from this report. Please see 3.1 for further detail.

Martin Flitcroft
Head of Corporate Services
Email: martin.flitcroft@teignbridge.gov.uk

Legal Implications

There are no Legal implications arising from this report, save that the Council's processes and procedures should recognise the distinct roles of officers and members and operate to mitigate risk to the Council of its decisions and those of its committees being successfully challenged.

Paul Woodhead
Head of Legal Services and Monitoring Officer
Email: paul.woodhead@teignbridge.gov.uk

Risk Assessment

Risks are set out in Section 3 of this report.

Neil Blaney
Head of Place and Commercial Services
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Environmental/ Climate Change Implications

There are no environmental or climate change implications arising from this report.

Neil Blaney
Head of Place and Commercial Services
Email: neil.blaney@teignbridge.gov.uk

Report Authors

Sim Manley, Interim Head of Development Management
Neil Blaney, Head of Place and Commercial Services
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Executive Member

Cllr Gary Taylor

Appendices/Background Papers

Background Paper 1: [Agenda for Overview and Scrutiny 2 Committee – 9 April 2024](#)

1. Introduction/Background

At the meeting of the Overview and Scrutiny 2 committee of 9 April 2024 three Notices of Motion (NoM) were considered, having been referred from the Procedures Committee.

The full details of those NoMs can be viewed via the link in Background Paper 1.

This report sets out a response to the NoM relating to ‘the loss of Section 106 contributions’.

In section 2 the NoM is responded to on a paragraph-by-paragraph basis, with the text of the NoM in italics.

2. Notices of Motion – Loss of Section 106 contributions

NoM: “I would like your support for the following motion, which I believe will improve transparency within the planning process and give councillors more decision making in regards to planning applications and amendments of major developments. It is particularly important that all decisions relating to the loss of agreed 106 affordable units, are made by the Planning Committee.

Response: Each application is dealt with on its merits and the current Constitution allows for applications to be called into Committee.

NoM: Planning is a process tied up in legislation, including the committee decision making element. Councillors are, when an application comes to committee, presented with recommendations, accompanied by detailed reports and are expected to adopt an open mind when deciding on the merits of that

application. Often, the officer presenting the report has anticipated where concerns might lie and along with technical aspects listed conditions that will apply should the application be passed.

On large sites, those conditions might relate to aspects such as the number of affordable homes, children's play areas and green landscaping. Thus, typically, the committee members make a decision based on what is in front of them but in reality the ends product looks nothing like the approved application. That application may then change beyond recognition by a process of amendments, submitted by the applicant and approved by delegated authority. It may never come back to the Planning Committee.

Response: The planning process allows for negotiation and changes to be made. In entering these negotiations in accordance with the provisions of statute, guidance and advice, the officers are discharging the statutory duty of the Council as a Local Planning Authority.

Consideration could be given to requesting a detailed schedule from each application for a variation, specifically identifying every change being requested.

However, it should be noted that this is not a requirement for validating an application or a reason to delay or withhold a decision.

NoM: This is a well-established practice by Developers which enables the Plans to be passed and then amended so that the maximum profit can be achieved. It is called value engineering. I call it disingenuous and it's time it stopped.

Response: No evidence was provided to support this statement in relation to applications within Teignbridge. It has not, therefore, been possible to quantify or qualify the validity of this statement or the scale of the stated problem.

In scrutinising this NoM Members may wish to request further details on the number of applications that this NoM relates to, to allow further investigation of specific cases to understand what the differences in proposals were and why, what the Ward Member and Town/Parish Council views were, and whether there was a request for the application to go before Committee.

NoM: The council are well aware of this process but choose to engage with it for fear of the monetary consequences of non-compliance. It is no secret that this council, along with many others, has an unhealthy dependency on the money provided by major house builders.

Response: No evidence is presented to support these statements or any qualification of what is meant by them.

Planning is a quasi-judicial process which is governed by strict rules, processes, and procedures, along with the council's officer code of conduct to preclude inappropriate behaviour and/or such matters as potential fraud, etc. In addition, the Planning officers of the Council are professional, most are members of the Royal Town Planning Institute and bound by a professional code of conduct. Officers making recommendations other than fully in accord with material planning considerations would be behaving contrary to their professional code of conduct.

NoM: It is time to draw the line and take the first steps to breaking the cycle and distancing ourselves from this unhealthy relationship, by developing a transparent process and sending a clear signal to Developers. We will not be bartering to build houses. Submit, approve, build. We will no longer be engaging in planning ping pong.

Response: Reference to 'unhealthy relationship' has ramifications for the reputation of the Council, and for the officers dealing with applications made under delegated authority. If there are examples of where it is believed that an 'unhealthy relationship' exists and what it is consider this to be, then this should be raised as a specific complaint. If there are not examples, then this accusation should be retracted.

NoM: The motion calls for additional transparency by ensuring that on all major developments (over 20 homes,) where variations to conditions are applied for, must be brought to the planning committee.

This is to apply to all 106 changes and any visible amendments, eg. change of materials, removal of garages, landscaping, etc.

All amendments on the grounds of viability, must come to the Planning Committee. (However, it should be an exception rather than the rule. Viability should covered at the initial planning application stage. If a development is not viable then it should be withdrawn)."

Response: We do not require a viability assessment in support of an application at the initial planning stage unless there is a validation requirement to do so (when the Local Validation checklist is adopted) where it relates to a policy exception i.e., not meeting our affordable housing requirements at submission stage, or the application is seeking that amendment to a S106.

Requiring one to be submitted at the initial planning stage, where one is not required, would result in appeals and costs for unreasonable behaviour through the non-valid application procedure route.

It is for the applicant to decide if a scheme is viable or not. They seek permission and if the scheme is not viable that is the concern of the developer and not for the Council to consider. We cannot refuse an application because we consider the scheme to be economically unviable, that is the risk taken by the developer in bringing forward a development and it must be assumed that they have run a viability assessment before the submission.

If, however, a developer has obtained permission and it transpires that they consider that, for whatever reason the scheme is no longer economically viable they can seek to vary the S106 i.e., a reduction in the affordable housing provision. The developer would have to prove this through the submission of a detailed viability assessment produced by a professionally qualified person. Once received this is then assessed by an independent, professionally qualified, expert appointed by the Council.

Where an application is refused against expert advice it would be difficult to sustain at appeal, as we would be unlikely to get another expert witness to stand against the agreed position of two qualified experts, who would have had to have followed the national guidance and advice in reaching that decision.

Currently this is picked up by paragraph 1.3 of Section 6 of the Scheme of Delegation (Feb 2022 Version 1), which says that applications may not be referred to committee if it concerns a matter of a technical appraisal.

3. Implications, Risk Management and Climate Change Impact

- 3.1 Financial** – There are no direct financial implications from this Notice of Motion. However, the responses do set out situations where the Council may be exposed to costs related to its process or decision making.
- 3.2 Legal** – The Constitution sets out the processes to be followed for calling in a planning application. The issues identified in the Notice of Motion are considered to be adequately covered by the current process.
- 3.3 Risks** – There are no direct risks associated with the Notice of Motion. However, the responses do set out where potential risks may occur.
- 3.4 Environmental/Climate Change Impact** – There are no environmental or climate change impacts in relation to this report or the Notice of Motion.

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**Teignbridge District Council
Overview and Scrutiny Committee
28 May 2024
Part i**

Notices of Motion relating to Planning

Purpose of Report

To provide a response to the issues raised by Notices of Motion raised at Full Council relating to Planning matters.

Recommendation(s)

The Committee RESOLVES to:

- (1) Note the report and debate the issues in relation to the Notice of Motion
- (2) Make recommendations to Full Council based on the conclusion of the debate

Financial Implications

There are no direct financial implications arising from this report. Comment on potential budget implications is set out in paragraph 3.1 of this report.

Martin Flitcroft
Head of Corporate Resources
Email: martin.flitcroft@teignbridge.gov.uk

Legal Implications

There are no Legal implications arising from this report, save that the Council's processes and procedures should recognise the distinct roles of officers and members and operate to mitigate risk to the Council of its decisions and those of its committees being successfully challenged.

Paul Woodhead Head of Legal Services and Monitoring Officer
Email: paul.woodhead@teignbridge.gov.uk

Risk Assessment

There are no risks arising from this report.

Neil Blaney
Head of Place and Commercial Services
Email: neil.blaney@teignbridge.gov.uk

Environmental/ Climate Change Implications

Environmental and climate change implications are set out within the report and summarised in Section 3 of this report.

William Elliott
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Report Authors

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Executive Member

Cllr Gary Taylor

Appendices/Background Papers

Background Paper 1: [Agenda for Overview and Scrutiny 2 Committee – 9 April 2024](#)

Background Paper 2: [National Planning Policy Framework - 16. Conserving and enhancing the historic environment - Guidance - GOV.UK \(www.gov.uk\)](#)

Background Paper 3: [Conservation Area Character Appraisals](#)

Background Paper 4: [Climate Change and Historic Building Adaptation - draft for consultation \(historicengland.org.uk\)](#)

1. Introduction/Background

At the meeting of the Overview and Scrutiny 2 committee of 9 April 2024 three Notices of Motion (NoM) were considered, having been referred from the Procedures Committee.

The full details of those NoMs can be viewed via the link in Background Paper 1.

This report sets out a response to the NoM relating to ‘green improvements in Conservation Areas’.

In section 2 the NoM is responded to on a paragraph-by-paragraph basis, with the text of the NoM in italics.

2. Notice of Motion – Green improvements in Conservation Areas

The Notice of Motion states:

NoM: Large parts of residential Teignbridge are designated Conservation Areas. The rules for a conservation area come under Article 4 Directions that, unlike listed status for an individual building which are nationally codified, may be set and amended by a district council.

Response: There are 35 Conservation Areas in Teignbridge. These are locally designated areas with special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance. Conservation Area Consent from the Council can be required for demolition within a Conservation Area, including partial demolition.

Designation of a Conservation Area is a formal process undertaken by a Local Authority.

Guidance on designating Conservation Areas and how to consider proposals affecting heritage assets are set out in Section 16 of the National Planning Policy Framework (NPPF). A link to the NPPF is included as Background Paper 2.

Article 4 directions relate to permitted development rights. Permitted development rights are described in The Town and Country Planning (General Permitted Development) (England) Order 2015. This Article gives local councils powers to restrict or remove permitted development rights from sites or areas within their authority.

There are no Article 4 Directions in place in Teignbridge.

NoM: The rules for Conservation Areas in Teignbridge have not been re-examined for a long time. They do not take into account the sweeping changes in technologies, materials or group aesthetics. Neither do they account for the Climate Emergency that has been declared by many councils including this one.

Response: Proposals that require permission within Conservation Areas in Teignbridge are assessed against several documents. Alongside the NPPF, which was originally published in 2012 and is continuously updated, there is the Local Plan, adopted in 2014 and due to be superseded by the version submitted to the Planning Inspectorate this year.

There are also Conservation Area Character Statements and Management Plans, which were originally published in 2000 and updated in 2010. These have not been updated due to a lack of resource and capacity.

In 2022 Historic England undertook a consultation on a proposed advice note relating to Climate Change and Historic Building Adaptation. A link to the document is included as Background Paper 4. The post-consultation version is yet to be published. Page 15 sets out some lenient parameters for changing windows and installing PV in unlisted dwellings located within conservation areas. It also provides guidance on EV charge points, heat pumps, and other energy efficiency measures. The advice uses uncertain language, so for anyone living in

a conservation area and considering these measures, they will still need to consult with the LPA to gain certainty on planning advice.

Below is a chart from a Passivhaus Trust report showing the carbon footprint of various window construction approaches. With the right care, a wooden window can be expected to last 75 years, whilst a upvc window may need to be replaced three times over the same timescale.

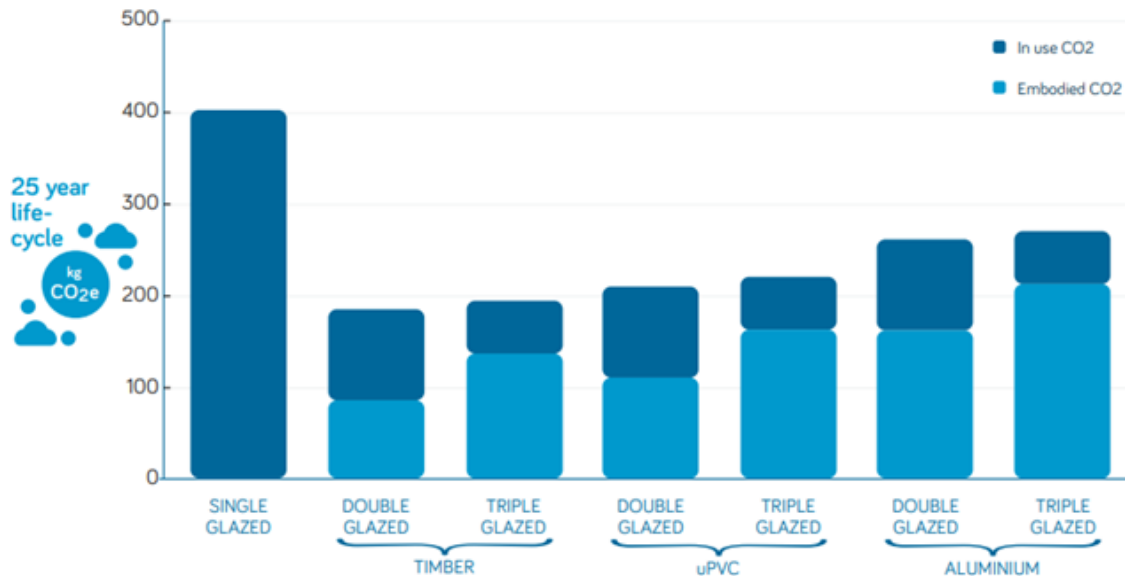


Figure 3 - The impact of frame type on whole life carbon calculations

NoM: Amendment to these rules is seriously overdue, most urgently in regard to windows and solar panelling. The rules on windows were drafted to stem the tide of shiny white plastic PVC windows being installed without thought in Georgian and Victorian houses that began to detract from areas of architectural heritage in the 1980s. These insist on like-for-like replacement of timber frame louvre windows. Today windows are being made from airtight, scientifically advanced materials that are, to any observer, entirely in keeping with older houses and which would bring them up to environmental standards with no loss of area aesthetics.

Response: The Conservation Area Character Appraisals and Management Plans do need to be updated.

Where permission is required, each application is considered on its own merits. This includes policies relating to climate change and sustainability.

Any development within a Conservation Area must preserve or enhance the special historic character of the area. It should be complementary to the character of the area and make a positive contribution to the appearance of the area through siting, scale, design and use of materials. It would normally require

the use of traditional materials such as single glazed timber windows, although there may be occasions where a contemporary design is suitable.

'Sustainability' can also include protecting our heritage assets with great weight being given to this. Green issues do not override heritage concerns, which is why things that might otherwise be 'permitted development' outside Conservation Areas are specifically excluded. Many of these 'green' permitted developments are either excluded or restricted by being in a conservation area.

In respect of the example given in the NoM and to clarify, upvc windows are development in and outside of conservation areas in flatted development. Upvc windows in flats are development for which permission is required. The fact that some have become lawful is immaterial if a complaint is received. The fact is they need permission and should be regularised through an application.

Central to this is that, where development requires permission, the Council has a legal requirement to assess each application in a Conservation Area having regard to the provision of the legislation and, in particular the tests within the National Planning Policy Framework relating to the significance of the heritage asset, substantiality of the harm, and the wider public benefit.

Each application is assessed on its own merits with the Conservation Area Character Appraisal providing and informing the significance of the heritage asset against which the level of harm is assessed e.g. replacement windows in a modern dwelling in a Conservation Area would be assessed very differently from a non-listed but historic dwelling in that same conservation area.

The historic nature of the dwelling and its features may be an important contributory factor to the character of the conservation area and the introduction of upvc windows may cause significant harm by introducing a discordant and intrusive feature. The impact of introducing upvc windows in that dwelling would be far more harmful than a newer modern building where upvc would otherwise be appropriate and not out of character with its age.

It is for the Council to then decide if the harm caused is outweighed by the wider public benefit of the introduction of upvc. In some cases, it will be acceptable and in others it will not, dependent upon these considerations.

NoM: Solar panels, meanwhile, may need a change in our culture. We have decided as a society that wind turbines do not ruin a landscape; in fact most of us are pleased to see them. We might adjust our sensibilities to accommodate solar panels on the roofs of older, architecturally attractive dwellings. None of them, after all, have the original roof anymore so it seems somewhat contrarian to object to solar panels being installed on them.

We need to permit sensible ecological adjustment in Conservation Areas, as blanket bans make no sense, run contrary to our declared Climate Emergency and the rules are currently being applied with no consistency at all. At the Forde Park Conservation Area in College Ward we have residents being persecuted for high quality modern upgrades next to houses full of PVC that have got away with it for years, seemingly because they weren't 'dobbbed in' by a neighbour within the required time.

Response: There is no 'blanket ban' in Conservation Areas. The previous response sets out how proposals are considered.

NoM: I therefore propose that:

A task and finish group be put together to look at reassessing the limits of remodelling in the area's Conservation Zones with an eye to allowing green improvements."

Response: What is being sought through this NoM appears to look more fundamentally at what does and does not require planning permission. This is a matter for legislation and the appropriate route would be to lobby the government to allow more permitted development for 'green' developments in Conservation Areas.

The assessment of a Conservation Area is something which needs to be done by a suitably qualified Heritage Officer. The Conservation Area Character Appraisal is an assessment of the heritage assets of an area and its constituent parts which, collectively, contribute to the whole and justify its designation as a Conservation Area - the character of that area.

3. Implications, Risk Management and Climate Change Impact

3.1 Financial – There are no financial implications arising from the Notice of Motion. However, if the Conservation Area Character Appraisals are to be updated it will require budget to bring in a suitably qualified person or company to undertake the work and consultations.

3.2 Legal – There are no legal implications arising from the Notice of Motion.

3.3 Risks – There are no risks arising from the Notice of Motion.

3.4 Environmental/Climate Change Impact – The Notice of Motion highlights a significant issue in seeking to support homeowners in making changes to their properties to improve their efficiency. The Council has a conflict in its ambitions to support climate change adaptation measures and its duty to protect the historic environment.

**Teignbridge District Council
Overview and Scrutiny Committee
28 May 2024
Part i**

Notice of Motion (NOM) - Public Speaking at Planning Committee

Purpose of Report

To provide information as requested by the Overview and Scrutiny Committee on 9 April 2024, on the Planning Committee's current public participation scheme (PPS) and consequences of the amendment to the scheme as proposed by the NOM, to enable consideration of the NOM.

Recommendation(s)

The Committee is recommended to consider the NOM detailed at paragraph 2.1 below.

Financial Implications

See 6.1 and 7.1 below for financial implications

Martin Flitcroft
Head of Corporate Services
Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk

Legal Implications

There are no legal implications arising from this report save that the Council's adopted policies and procedures should operate to mitigate any risk to the risk by way of challenge or otherwise. Care should be taken when considering this matter to avoid unintended consequences.

Paul Woodhead – Head of Legal Services & Monitoring Officer
Tel: 01626 215139 Email: paul.woodhead@teignbridge.gov.uk

Risk Assessment

The risks with amending the PPS relate to legal implications as above.

Sarah Selway Democratic Services Team Leader
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Environmental/ Climate Change Implications

No environmental or climate change implications.

David Eaton – Environmental Protection Manager
Tel: 01626 215064 Email: david.eaton@teignbridge.gov.uk

Report Author

Sarah Selway Democratic Services Team Leader
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Executive Member

Councillor Keeling – Executive Member for Corporate Resources
Councillor G Taylor - Executive Member for Planning.

Appendices/Background Papers

Appendix – the current Planning Committee public participation scheme

1. BUDGET AND POLICY FRAMEWORK

- 1.1 The current PPS can be found at the Appendix. The impact of the scheme is that it enables the public to address the Planning Committee on planning applications as either a supporter or an objector. The scheme is a procedure and has no budget allocation.

2. BACKGROUND

- 2.1. The NOM was presented to Council by Cllr P Parker as follows:

“In light of recent presentations by supporters and objectors at recent planning committee meetings it is apparent that the quality and clarity of presentations can vary.

There are instances where councillors would benefit from being able to request clarification for a point made during a presentation enabling a better decision to be reached.

*For this reason I request **that standing orders for planning committee meetings are altered to allow, through the chair, questions requesting clarification of a point made during the presentation to be put to an applicant/objector and answered by them.**”*

- 2.2. The NOM was referred by Council to the Procedures Committee. The Procedures Committee referred the matter to the Overview and Scrutiny (OS) Committee as set out on the agenda for the OS meeting on 9 April [Agenda](#)

3. CURRENT POSITION

- 3.1. The current PPS is detailed at the Appendix.
- 3.2. Legal advice was sought on interpretation of the proposed amendment to the PPS as set out in the NOM and is detailed below.
- 3.3. Should there be more speakers registered to speak than the scheme permits a spokesperson(s) is agreed by those registered who speaks on behalf of the others registered. I

4 ADVICE & OPTIONS

- 4.1 Advise in relation to risk management is set out at paragraphs 5 to 8 below.
- 4.2 The options for consideration are:
 - No change to the current PPS.
 - An amendment to the PPS in accordance with the NOM.
 - An amendment to the current Committee debate practice whereby Cllrs continue to ask planning related questions of the Planning Officer for points of clarification and then through the Chair allowing the Planning Officer to direct the question to an objector or supporter in instances where the Planning Officer is unable to provide an answer.

5. RISK MANAGEMENT

- 5.1 Risk implications include:
 - Incorrect information being provided by an objector or supporter which could be taken into account by Cllrs when reaching a decision.
 - The supporter or objector being perceived as being part of the debate.
 - The Meeting evolving into a magistrate's court room environment.
- 5.2 The Council is open to challenge in relation to a planning application decision if it is considered that a public speaker(s) has unduly influenced a decision.
- 5.3 Questions that the objector, supporter or Planning Officer cannot answer could result in an application being deferred for the information and therefore affecting the Council's national and local performance targets.

6. FINANCIAL IMPLICATIONS

- 6.1 The Council could incur costs should it be challenged in relation to a planning decision considered to be unduly influenced by a public speaker(s).

7. RESOURCE IMPLICATIONS

- 7.1 There is the potential for increased staff time with any increase in the average time for a planning Committee meeting to deal with all matters on the agenda at a meeting. Any issue that cannot be answered at the meeting could result in the application being deferred and resources required to research the matter and take back to Committee for a decision to be made.

Appendix

Current procedure for Speaking at Planning Committee

What do I do if I wish to speak at Planning Committee

If you wish to speak at a Planning Committee Meeting on an application please email democraticservicestdc@teignbridge.gov.uk by 12 noon on the Thursday before the meeting giving your full name, email address, mobile telephone number and quote the planning reference number. If more than one person requests to speak your email address will be sent to all who wish to speak for you to arrange a spokesperson between yourselves.

Members of the public who speak at a committee will have their name published within the minutes and they will be recorded where a meeting is broadcast live. Should members of the public wish to remain anonymous then they should contact comsec@teignbridge.gov.uk to make this request.

What is the order of speakers on an application at a Planning Committee

- Planning Officer presenting the report
- Objector(s)
- Supporter(s)
- Discussion by Councillors
- Decision (which may be approve, refuse, or defer to a subsequent meeting e.g. to allow for a site visit).

Who may speak and for how long

For major applications up to two objectors and two supporters may speak for 5 minutes each. The time between objectors and supporters is balanced. For example if there are two objectors but only one supporter the supporter will be able to speak for 10 minutes.

For other applications one objector and one supporter may speak for a maximum of 3 minutes each.

What may I speak about

Only planning related matters can be considered and any comments regarding disability, race or ethnicity, religion or belief, sexual orientation or gender reassignment or that are defamatory, prejudiced or otherwise likely to cause offence to the subject of the comments or any other reader will be removed. Any comments that are considered to constitute hate incidents or hate crimes may be passed to the police.

Examples of planning related comments include:-

- Overlooking/loss of privacy
- Design/effect on appearance of area
- Access, parking, traffic, road safety
- Trees/Biodiversity/Landscape/Heritage
- Noise/disturbance
- Local or Government Policy/Economic benefits
- Flooding issues

Comments which should not be made and cannot be considered include:-

- Loss of property value/loss of view
- Boundary/land ownership/neighbour disputes
- Impact on private drainage systems
- Inappropriate or personal comments
- Doubts as to integrity of applicant
- Breach of covenant
- Principle of development when outline consent exists

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