

OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY, 13 MAY 2025

Present:

Councillors Bullivant, Cox, Foden, Hayes, Major, Rollason, Sanders (Chair), Smith, Steemson, Swain, J Taylor and Thorne

Members in Attendance:

Councillors Bradford, Buscombe, Clarence, MacGregor, Nutley, Nuttall, Palethorpe, P Parker, Parrott, G Taylor and Williams

Officers in Attendance:

Trish Corns, Democratic Services Officer

Kay Fice, Scrutiny Officer

Charlie Fisher, Democratic Services Team Leader

Rebecca Hewitt, Community Safety and Safeguarding Manager

Christopher Morgan, Trainee Democratic Services Officer

Amanda Pujol, Director of Customer Experience and Transformation

James Teed, Head of Leisure

Paul Woodhead, Head of Legal & Democratic Services and Monitoring Officer

1. APOLOGIES

There were no apologies received from Committee members but apologies were received from two members of the Executive, Cllrs Hook and Goodman-Bradbury. The Chair welcomed Cllrs Swain and Foden to the meeting.

2. MINUTES

It was proposed by Cllr Bullivant, seconded by Cllr Major and agreed that the Minutes of the meeting held on 4 February 2025 be approved as a correct record and signed by the Chair.

3. DECLARATION OF INTERESTS

None.

4. PUBLIC QUESTIONS (IF ANY)

The questions and answers to the questions raised by members of the public are attached to the Agenda of the meeting.

The supplementary question would receive a response in writing in accordance with our procedures and constitution.

5. REVIEW OF EQUALITY AND DIVERSITY POLICY

The Chair welcomed the Barrister, Jonathan Ward to the meeting.

The Barristers advice is that the Supreme Court ruling does not change his advice at all. It was based on a very narrow definition. The Equality Act is unchanged and the obligations for Teignbridge District Council are unchanged. The interim guidance does not appear to be substantively different or require any changes. It is not open for TDC to make a definition that deviates from the Supreme Court.

Points raised during the debate on the Notice of Motion included:

- The Equality Act was unchanged, and the council is compliant
- The Councils policies were fit for purpose
- The Barrister reminded those present that the council had to balance competing agendas and duties and stated that Broadmeadow complies with legislation and sets a good example
- Guidance showed a difference in what needed to be provided in the workplace and the optional requirements for community facilities
- When clarification was requested for the definition of Village changing they were described as easily accessible and inclusive individual lockable cubicles, and those at Broadmeadow were designed with the input of Devon & Cornwall Police 'designing out crime' department.
- Councillors have a responsibility to represent all constituents
- It was acknowledged that Leisure Centre Staff are doing their jobs well
- From an operational perspective, the council is clear that it has to comply with the law and operational guidance is under constant review
- It was recognised that there are potential practical and legal implications which the national guidance will need to address

Towards the end of the debate the following comments were made by Councillors:

- We have had a thorough and detailed review, and the advice received confirms that we do comply with the requirement of The Equality Act
- No complaints have been raised by the public with this issue in our Leisure Centres and we have heard from the Monitoring Officer and Counsel that we are operating within the law

At the end of the debate the Chair, Cllr Sanders, proposed the following:

The Overview & Scrutiny Committee has satisfied itself with the information received which has been thoroughly considered and recommend that officers provide an update to this committee once the Statutory guidance has been published and officers have had the opportunity to consider the implications.

This was seconded by Cllr Major and agreed by a show of hands with one abstention.

6. EXECUTIVE FORWARD PLAN

There were a number of points raised:

- Pavement Licence Cost – could we help our local businesses? Cllr Sanders recalled this being considered by the MTFP group previously but agreed that it could be reviewed again
- Review of the Carbon Action Plan - what decision will be taken/what is the nature of the decision to be taken? Executive to respond in due course when report written
- Rural England Prosperity Fund 2025/26 [Cllr Palethorpe advised that a report would be coming to the next full Council and would be similar to 24/25]

7. OVERVIEW AND SCRUTINY FORWARD PLAN

The Chair stated that the June Agenda had been planned when the Economic Development Officer would be reporting and a member of a Teignbridge business had been invited as Overview & Scrutiny had not addressed this aspect yet. Rural broadband is also on the Forward Plan for consideration. Please complete a proposal form if you would like the Committee to consider an item in the future.

8. SCRUTINY OF EXECUTIVE DECISIONS

The Chair referred to the areas considered by the Executive at the last 3 meetings. There were no questions or comments by any member of the committee or the Executive.

9. EXECUTIVE MEMBER BIENNIAL UPDATES

Environment Services

Cllr Williams gave his bi-annual report on Environmental Services and focussed on the following points:

- Replacement of the refuse Trucks going very well (low-emission diesel and electric)
- There is a full report going to Council on 20 May regarding the reconfiguration of the bulking centre (pages 129 – 190) which members were encouraged to read
- Future plans include aiming to be able to collect 'soft plastic' kerbside from next year
- There is currently a trial of 5,000 households (selected at random) with Tetrapak collections which is giving some interesting results, and it appears that the uptake is less than forecast

- One impact on the service could be the Government plan to introduce a scheme to return cans and bottles to shops from 2027
- Plans to introduce 3 weekly collections are on hold until after Local Government Reorganisation
- Recycling rates are up again and the team is receiving a lot of good feedback from residents

Questions included the following:

- How can we ensure that residents are able to receive services when there is a long delay in 'adopting' unadopted roads? Some residents have been waiting 8 years for services and need facilities like dog waste bins
- Re Tetrapaks (mix of plastic/fibre board) it is likely that they will be able to be brought into the mainstream collections (with metal and plastic)

Finance & Corporate

Cllr Parrott reported on the Finance & Corporate areas of the Service. He had been meeting with various team members and was very impressed. Increased demands from external auditors and the implementation of the new finance system were being faced. He talked through slides for HR, Legal and Democratic, Procurement and Audit & Governance describing the staff in his area of the Service as 'unsung hero's' crucial to the running of the Council.

Questions/comments included the following:

- The MTFP (Medium Term Financial Plan) group would be recommencing shortly with the aim of identifying further savings.
- Staff had been receiving mandatory cyber awareness training and this is available for members who are encouraged to attend
- Risk management was important and this was a good example of where pre-scrutiny informal meetings were helpful as that had been a main topic at a previous meeting
- It would be helpful if information could be received in advance to digest before the meeting
- Regarding the audit pressures, it appears that they chose a difficult time to arrive and chose disproportionate sample sizes for transactions
- Looking forward to hopefully seeing improved information from the new finance system e.g. CIL. This would be useful for Planning, Towns & Parishes
- The MTFP Group could request a presentation on the new finance system
- Staff shortages are a national problem, not just local
- Mandatory training for Overview & Scrutiny scheduled for May 29, July 10 & Nov 17 dependent on CfGS for delivery – there was a request to avoid school holidays if possible and to circulate material for those interested

Economy, Estates and major projects

Cllr Palethorpe reported on Economy, Estates and major projects and the good news that the team had completed 82% of the actions identified in the Strategic

Asset Plan. The maintenance backlog had been cleared and it was now moving to planned maintenance. The small team of people were very professional and were thanked. With regard to the capital programme, schemes must be realistic and meet a need rather than be reactive to potential funding sources. The Senior Leadership Team are meeting to discuss Legacy projects soon as part of the Capital Programme Review.

Queen Street: Now complete but with areas identified for improvements i.e. tactile crossing points, dropped kerbs, better enforcement signage. Visible changes now in place and need to see the impact of the changes on local businesses who are dealing with National Insurance and Business Rates increases. The two recent relocations of businesses from Queen Street have been for business needs not as a result of the enhancements

Market: On target and have appointed a professional management company to develop events, food offers, stalls etc

Bradley Lane: The site had been cleared using grant funding redirected from Devon County Council

Questions/comments included the following:

- Working together e.g. with Towns and Parishes is important
- Information on footfall and car-park spaces usage around Queen Street would be useful following the enhancements
- Market Square – what can be done to enhance the area now?
- Bradley Lane. It was suggested that the Council should look for recompense following the remedial work that could be invested in social housing
- Need evidence to show that the wider pavements are effective as intended in Queen Street

10. OUTSIDE ORGANISATIONS REPRESENTATIVES UPDATES

Teignmouth Town Centre Partnership

Cllr Williams reported to the Committee on the recent work of the Partnership and confirmed that the group was positive and constructive. Members include Cllrs Clarence, Atkins and Cox plus the Chamber of Trade and Seafarers.

Recent activity included:

- Commercial waste bins have been causing an issue with the narrow streets so a number of 'ghost' bins (no recognised 'owner') removed
- Pavement Licencing compliance has been taking place
- Decorative lighting along the sea front will be replaced

Devon Authorities Strategic Waste Committee

Cllr Williams reported on the work of the Committee which met most recently on 11 February 2025 at County Hall

- Working with Devon County Council, Teignbridge has a £98k grant to look at food collection, to develop technology suitable for PPE wearers. It was recognised that composting would take some 'blue bin' waste but there are spot checks to deter residents from 'contaminating' their general waste bins with food

- DCC are also targeting schools to encourage recycling which is having a lot of success

Teign Estuary and Coastal Partnerships

Cllr Hook had sent her apologies for the meeting but reported by email that the partnership had not met since November 2024 and the annual Forum which was due to be held in early May had been postponed.

- There were concerns expressed about the impact of additional developments e.g. NA3 would have on the local waste treatment plant and potential risk to the estuary

Stover Canal Trust

Cllr Buscombe reported on the active role that Teignbridge played with the Trust using the example of how a funding opportunity had been gained by the easing of a condition of a lease. The history of the canal is very interesting, particularly the key role that it played in the Industrial Revolution. He drew members attention to the Newsletter (circulated by Democratic Services) and website. There was interest from the floor on the recent impact of Storm Bert and the costs that would be attributable to the landowner, Network rail and South West Water. Both of these organisations have been added to the forward plan to attend a future Overview & Scrutiny Committee meeting

Devon Building Control Partnership

Cllr G Taylor explained that Devon Building Control was established in 2005 (South Hams, Teignbridge and West Devon Borough Councils) covering an area of 1,000 square miles and formed a partnership agreement in 2017. They cover extensions, conversions, major structural work, electrical installations and windows. Although they have open competition in the field, they have stabilised at 85% of the market share which is very pleasing and are meeting their KPIs. They have an active role in the South West Energy Partnership (with Devon County Council, Plymouth and Bristol) primarily on low carbon retrofit projects. Local Government Reorganisation provides challenges and opportunities for the Partnership.

11. OS ANNUAL REVIEW REPORT

The Chair reported that the first Annual Report of Overview & Scrutiny had been compiled spanning two years and that the Centre for Governance and Scrutiny (CfGS) had been consulted and she thanked those who had contributed. It would be considered at the Full Council meeting on 20 May 2025 and would become an annual report in future.

12. FEEDBACK FROM TASK & FINISH GROUPS

The Task and Finish Groups will restart from June 2025.

13. COUNCILLOR QUESTIONS (IF ANY)

There were none.

CLLR SUZANNE SANDERS

Chair