

Council 30 July 2024

Members Questions

Question from Cllr Macgregor

1. At the last full council meeting, Cllr Swain suggested that the work schedule of the Overview and Scrutiny Committee was very heavy and that adding to it would cause problems. If that is the case why did the Liberal Democrat administration decide to reduce the Overview and Scrutiny function from 2 committees to one as well as reduce the membership by 6 in total?

Response from the Deputy Leader

The O&S Committee has 20 members, most members were duplicated on both O&S committees in the past, this was not the intention of the two committees, the Council decided to reduce the duplication of two committees in its deliberations, in conclusion we have provided extra resources to assist.

Questions from Cllr Lake

2. Rural areas receive minimum cleaning and town and parish councils use their precept to undertake cleaning with directly employed and or sub contractors through parish & or town councils Towns and villages then have to dispose of the waste at Newton Abbott Brunel road station and que up with the public ?

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

Waste generated from activities undertaken by town and parish councils has to be disposed of in accordance with the instructions of Devon County Council as the Waste Disposal Authority.

3. Town and parish councils have invested in street cleaning equipment to keep pavements free of weeds and overgrown bushes etc there are suitable machines owned / leased by TDC how many machines do TDC own or lease ?

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

The responsibility for the clearance of weeds and bushes sits with Devon County Council. TDC operate 4 x 12 tonne mechanical sweepers and 1 x compact sweeper for street sweeping activities.

4. What are the times of operation hours of the road sweeping vehicles of street cleaning vehicles and how many do TDC currently own or lease?

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

Crews operate 7 days a week between 0530 and midnight on various shifts Please see above for information on vehicles.

5.What is the cost of fly tipping to TDC including specialist removals ie asbestos etc?

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

Costs linked directly to fly tipping clearance are not tracked as various crews clear the waste around their other scheduled duties, making them difficult to separate out.

We do however report all instances of Fly tipping to the national database, which calculates an assumed costs based on the type and quantity cleared. The assumed cost for 2023/24 was £46,514.

6.What capacity and time does the current TDC recycling facility have left before a new site is required (beside the DCC owned site) ?

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

The site has capacity to deal with the district's waste for the foreseeable future, (estimated 15 years) pending improvements relating to the requirement to obtain a waste permit and the Simpler Recycling reforms detailed at the recent O&S committee meeting on the 18th June 2024.

7..what educational and deterrent materials for schools, placing at sites of fly tipping does TDC supply, does the Council have a budget for this and if not why not as they both prove their small cost in prevention.

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

I refer Cllr Lake to his previous question on this at the Council meeting of 23 April 2024 and the response given at that time.

These were part of a previous campaign externally funded through the 'Clean Devon' initiative. There was no internal budget provision to continue this campaign. We are aware that Cllr Lake did obtain the last of the remaining stock of signs for deployment.

8.What is the current recycling rate and how does the PH achieve a higher place in DCC league table of district councils and does he think three weekly black bin collections as EDC operate are essential to achieve this ?

Response from the Executive Member for Executive Member for Recycling, Household Waste & Environmental Health

TDC currently sits 4th in relation to recycling rates amongst the Devon authorities at 53.8% and 25th nationally out of 210 Waste Collection Authorities (22/23 finalised figures).

Authority	Recycling Rate 22/23
East Devon District Council*	59.5%
Mid Devon District Council*	55.4%
West Devon Borough Council	53.9%
Teignbridge District Council	53.8%
Torridge District Council	52.6%
North Devon District Council	45.6%
South Hams District Council	44.8%
Exeter City Council	24.5%

*These authorities provide 3 weekly residual waste collections

Work is continuing on the measures detailed in the 10 point action plan as detailed in the linked Executive Report 20210302 Exec Increasing Recycling Rate 20210216.pdf (teignbridge.gov.uk).

Further clarification from Government in relation to the 'Simpler Recycling' consultation is also anticipated, which includes amongst other measures an indication that fortnightly residual collections will be mandated via 'Statutory Guidance' and a new requirement to collect cartons (2026) and plastic films (2027) from all households. Teignbridge remains in the top 12% of authorities nationally for its recycling rate and was commended as an 'excellent' service in the recent Peer Review. The draft recycling rate for 2023/24 has risen to 54.1%.

Question from Cllr Clarence

9.. Whilst welcoming and wishing the soon to be new leader good luck, I feel obliged to raise the following question which I will pose at the end of the narrative for the question.

I can't help feeling it should be the members of the Council through the democratic process that it should be the members running the Council and that senior officers should be trying to implement our decisions. All too often that doesn't seem to be happening/implemented without ease

I first raised this in a letter to the MD dated 20.9.2023 where I pointed out, I quote, "the seemingly complete disconnect between many members and some officers, with respect that includes the MD."

I went on in that letter to quote examples of this disconnect one of which was that Councillors wanted to try and find a solution of being able to implement the establishment of a footpath through our Approach Golf Course at Shaldon to serve the development of Coast View and avoid the danger currently of the serious

possibly of a highway accident as no public footpath serves the development and to walk down a main "A" road with bends in it, is far from satisfactory. It was on the 28th July 2023 that we had a site visit to look at this. Our leader at the time and the portfolio holder were present as were representatives of DCC, the Coast View representative and myself and the parish council representative were present at that site visit, all wanting to achieve this goal. In a letter to a constituent dated 3.6.2024 nearly a year later, our MD writes "The decision to close this unofficial cut through was taken after careful consideration of all the relevant issues" which blatantly flies in the face of what was wished for at the site meeting on 28.7.2023. The letter from our MD goes on to state, "Teignbridge will continue to work with DCC as they explore options for providing new or alternative safe arrangements for pedestrians." No progress at all on this, seemingly still being blocked by the senior management of TDC, not Councillors who were asking officers to progress this.

Having pointed out this one glowing example, I would like to point out the sort of general issue often thrown back in our faces which seems to emanate from senior officers telling us this, being we haven't any money to achieve this.

I would now like to provide what I see as a glowing example of this situation. This is to do with decorative lighting on the sea front of Teignmouth. Having been appointed to the Teignmouth Town Centre Management Committee there seems to be a major stumbling block to achieving this. Surely the ruling group through O/S should simply be putting this into the next budget negotiation for this to be achieved, for committee consideration to purchase new lights, if voted through, then a recommendation onto the Executive, say £120,000 to achieve this? Or simply this could come before the Executive if desired, via the forward working plan to achieve this if desired?

Every year through the Capital Account we budget for borrowing; the last budget forecast for 2024/25 borrowing was to be to the tune of £26.7 million but in the end TDC never needed to borrow a penny! In 2017 till 2025 should we have borrowed what we forecast to do in those years, we should now be borrowing a staggering £136.5 million! Yet we are debt free still thanks to the careful watch of our 151 officer. But I say to you all, if its alright to be forecasting all this borrowing why can't we anticipate borrowing for achieving such relatively small projects of £120 k like my example? Simply borrow the money? The pattern being the out turn has never taken us into debt yet! If it did we actually would borrow for once as forecast! It was a few years ago that Teignbridge managed to produce just over £13 million to buy businesses from a London based property management company, in the heart of Newton Abbot. This opportunity came almost out of the blue and rightly or wrongly we found the money to achieve this, from our capital account without I believe any forecast of capital borrowing to do this!

As you know I was also extremely disappointed in the lack of any budget to achieve any sort of refreshment at lengthy Full Council meetings at all during my time as Chairman of TDC, miraculously this has now happened, not sure how either, a rethink of a tiny budget maybe, plus the lock out of members to the majority of our offices which I gather looks like being allowed once the officer/member protocol

finally is agreed. My take on this why does everything have to take so long to occur? Dare I mention the referral to the Secretary of State when the Council voted to do this, with regard to trying to save Teignmouth Hospital at the Full Council meeting on the 23rd February. Here we are some four and a half months later and this is only just materialising? Also sad to see that the leaders office isn't beside that of the most senior officers where it used to be to achieve what should be a much improved harmonious relationship between members via our leader and senior management to better progress issues.

So my question to the newly soon to be appointed leader, do you believe you can command the leadership needed, with your senior officers to better effect?

Response from Leader

Verbal Response at the meeting

Question from Cllr Macgregor

This council has made much of the very positive effort to construct and commission a railway stop at Marsh Barton. A newspaper article in DevonLive quoted former leader Cllr Connett pushing for a completion date, and subsequently both he and former leader Cllr Wrigley announced progress and completion. The station had been intended to open originally in 2016, but was delayed due to design and funding issues. The station has since been completed and opened on 4th July 2023. With one year since completion, I ask

10. What was the total investment in time and cost by Teignbridge?

Response from the Deputy Leader/ Executive Member for Climate Change, Trees, Coast, & Flood Risk Management

Teignbridge Council contributed £1.3 million towards Marsh Barton Rail Station. Limited officer time was involved in finalising the associated funding arrangements.

11. Was a survey done of businesses in Marsh Barton relating specifically to their needs?

12. Was there an expected benefit in terms of carbon reduction and is there an idea of how that might look?

Response from the Deputy Leader/ Executive Member for Climate Change, Trees, Coast, & Flood Risk Management

The project was led by Devon County Council. Please see the agenda for Devon's January 2021 Cabinet, which includes an impact assessment and associated consultation statement. The agenda can be found at the following link:

Further questions should be directed to the County Council as lead authority for Marsh Barton Rail Station.

Question from Cllr Lake

13. In previous administrations pre planning advice was always available / offered why is this no longer available to the public ? and why has this retrograde step been taken is it a result of departmental budget cuts and/ or chronic still staff shortages ?

Response from the Executive Member for Planning

The Development Management team have always offered pre-application advice to our residents, businesses and developers and continue to do so. The service today is a comprehensive service with the cost dependent upon the type of development proposed or the level of engagement the applicant wants. They can request just a written response from a desk-based assessment, or they may want to include a site visit or meetings with officers meaning the service is as bespoke as the applicant requires.

We openly encourage the use of the pre-application service as it allows for those planning to submit a planning application to gain a good indication of how a proposal would be viewed by officers; it gives a clear steer on submission requirements or areas of potential concern and is often a means to gain early views of consultees.

The use of this service ultimately will ensure the planning application process that follows is as smooth and timely as possible for the applicant.

For those queries where a customer is unsure whether planning permission is needed, they can satisfy themselves by using the planning portal site. If they require something more definitive, they can apply for a Certificate of Lawful Development from Development Management which will give them a formal decision setting out whether planning permission is needed or not. Such a decision is a lawful determination and will satisfy solicitors and buyers in future.

Questions from Cllr Macgregor

14. The NHS health centre saga has dragged on for over 5 years. The recent announcement that it will not now go ahead is not merely disappointing but disastrous for Teignmouth. When were the council made aware that the NHS were not going to purchase the land?

Response from the Executive Member for Homes and Communities

18th July 2024.

15. The decision to withdraw from building the health centre has been taken for purely financial reasons. Was there any discussion on assistance that TDC could provide?

Response from the Executive Member for Homes and Communities

No.

16. The stated reasons for making the land available was to increase footfall in that part of the town centre and to provide new appropriate facilities for the GP surgeries in the town. The issue of GP availability and attracting new staff was a key element. Also the state of the current GP premises which one former district councillor has undoubtedly unfit for purpose. What steps will the authority take to support and ensure Teignmouth retains and enhances its GP services?

Response from the Executive Member for Homes and Communities

This is a matter for the Torbay and South Devon NHS Foundation Trust and the GP services. We are advised that they are in discussion about solutions.

Question from Cllr Daws

17. I would like to ask this question of the portfolio holder for FHSF and/or Chair of the Council.

At the most recent Executive meeting at TDC, the agenda point on the FHSF suggested in the report that there were no risks to the project. When I asked the Chair of the Council to call an EGM on the FHSF matter, she suggested that one of the principal reasons she would not call an EGM was that there was the potential of a legal challenge to the works and TRO's on Queen Street. In terms of managing risks in the proper manner, can the council inform members which position is correct? 1) That there are no material risks to the FHSF project or 2) there is a risk of a legal challenge. If there is the risk of a Legal Challenge, which might be demonstrated by the letter Lodders to DCC on 21st May, have TDC's auditors and the Department of Levelling Up been put on notice of this risk? If not, can you explain the reasons why not?

Response from the Executive Member for Estates, Assets, Parking & Economic Development

The matter was the subject of robust and lengthy debate at the Full Council meeting on 27 February 2024 and the issues properly and transparently debated by Members.

It is matter of fact and the reality that any and all decisions made by a Public Sector Organisation and in particular Local Authorities are subject to an inherit risk of challenge.