

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 9 September 2024 at 5.00 pm

Present

Councillors

L G J Kennedy (Chair)
G Westcott (Vice-Chair), D Broom,
E Buczkowski, A Cuddy, G Czapiewski,
C Harrower, B Holdman, L Knight,
R Roberts and S Robinson

Also Present

Councillors

N Bradshaw, G Duchesne and D Wulff

Also Present

Officers:

Richard Marsh (Director of Place & Economy), Paul Deal (Head of Finance, Property & Climate Resilience), Simon Newcombe (Head of Housing & Health), Jason Ball (Climate and Sustainability Specialist), Sarah Lees (Democratic Services Officer) and David Parker (Democratic Services & Policy Research Officer)

Councillors

Online

J Buczkowski, A Glover, S Keable and J Lock

Officers Online

Dr Stephen Carr (Corporate Manager for Performance and Improvement) and Adrian Gardner (Specialist Lead – Community and Safeguarding)

23 APOLOGIES AND SUBSTITUTE MEMBERS (00:04:57)

No Apologies were received.

24 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:05:07)

No interests were declared under this item.

25 PUBLIC QUESTION TIME (00:05:23)

There were no questions received from members of the public.

26 MINUTES OF THE PREVIOUS MEETING (00:05:26)

The minutes of the meeting held on 15 July 2024 were **APPROVED** as a correct record and **SIGNED** by the Chair.

27 CHAIR'S ANNOUNCEMENTS (00:08:10)

The Chair had no announcements to make.

28 DECISIONS OF THE CABINET (00:08:11)

The Committee **NOTED** that none of the decisions made by the Cabinet on 27 August 2024 had been called in.

29 COMMUNITY SAFETY PARTNERSHIP - ANNUAL REPORT (00:08:19)

The Committee had before it and **NOTED** a *report from the Head of Housing and Health (Chair of the East Devon and Mid Devon Community Safety Partnership).

The following was highlighted within the report:

- This was an annual report for 2023-24 and an opportunity to look ahead to the priorities for 2024-25 and beyond.
- This was a mandatory partnership that operated in a strategic way on a multi-agency basis to influence a reduction on crime and disorder.
- New priorities or directions coming the way of the Community Safety Partnership (CSP) were:
 - New Serious Violence Duty.
 - New Martyn's Law (The Protect Duty – looking at premises to make sure that people are safe at events).
 - A Government review around Community Safety Legislation.
- The updated Terms of Reference for the CSP.
- Work for the forthcoming year including;
 - A more detailed look at Anti-Social Behaviour (ASB).
 - The implementation of the Serious Violence Duty.
 - Violence against Women and Girls.
 - Domestic Abuse.
- There was no funding for the CSP. The role of the CSP was largely an influencing one, a strategic one and a conduit for other activity.

Discussion took place with regard to;

- How elected Members were involved.
- Whether further training would be offered to interested Members in relation to ASB work?
- ASB Youth Intervention Panel.
- Funding – the Government had promised some funds which went to Devon County Council and were then proportioned. That funding had been made available to the CSP.
- Partnership approach.
- Child placed at the centre of decision making
- Further briefing for Councillors wanted on who does what?
- Awaiting Central Government to implement "Martyn's Law". In Mid-Devon, this would be implemented for lower tier premises such as Community Halls and Pubs.
- Tenancy Management and the officer overseeing this area.
- The need for a briefing for the Scrutiny Committee from a senior police officer.
- The Council was asked to give a briefing to Members on Terrorism.

- The driver of the Community Safety Partnership was to reduce anti-social behaviour.

Note: *report previously circulated.

30 MID DEVON AS A TRAUMA INFORMED COUNCIL (00:35:49)

The Committee received and **NOTED** a verbal update from Head of Housing and Health on Mid Devon District Council being a Trauma Informed Council.

The following was highlighted in the update:

- Recognising the impact of traumatic experiences, often when a child, and noting what those people went on to do.
- Drivers
 - Trauma – what was it?
 - How did it affect the lives of those that experienced it?
- The training for Councillors on this subject was estimated to cost £20,000 three years ago, then Covid prevented the training and subsequently there had not been the funds available for the training as a discretionary piece of work.
- Within the Community Safety Partnership the Council was working with other agencies on this subject.
- The Anti-Social Behaviour Relief Panel approach was an example of the Council being “Trauma informed”.
- The Serious Violence Strategy was in itself mandated by the Government that, the Council had to take a preventative Public Health approach to serious violence, not just the crime, there had to be an understanding as to what was causing it, the public health approach had led to a number of priorities in that strategy which were “trauma informed” and a number of other county level agencies were getting involved.
- Corporate Parenting response.
- Frontline Housing/Housing Options team had all been trained and were “trauma informed” .
- The Homes Policy Development Group were looking into hoarding, with a view to looking at tenant vulnerability and why they were hoarding, to avoid the tenant commencing hoarding all over again after the initial problem was cleared.
- The mantle for the Trauma Informed work had been passed to the Equalities, Diversity and Inclusion Group.

Discussion took place with regards to:

- Success at Teignbridge District Council where the emphasis was on Anti-Social Behaviour (ASB) where they measured the number of interventions and the percentage rate of re-offending.
- Mid Devon District Council had started to look at the levels of hoarding and would be in a position to measure whether the intervention had been a success after a year.
- The measurement of outcomes could only take place at the end of an intervention.

- Suggestion that this work was put through the Economy and Assets Policy Development Group (PDG) and encourage them to think about those measures so that the Council could justify resources being spent on them.
- Whether there would be a greater in-depth report and whether it could come back to the Community, People and Equalities PDG? – The mandate had been taken up by the Equalities, Diversity and Inclusion group and they could bring it to the Community, People and Equalities PDG as a Community Safety Report.
- Whether the Council had the relevant skill sets within the officer teams? The training was focussed towards those officers who had a lot of dealings with vulnerable and complex clients. Going forward the Council would continue to invest in that training. Often the team worked with other agencies who were more highly trained than they were.
- General Data Protection Regulation (GDPR) The Council already had fairly strict understandings about protecting people’s personal information. Recently there had been a case elsewhere in Devon where somebody had died and, had agencies exchanged information better, then that person may have been saved. Some agencies hid behind GDPR regulations and yet the legislation sat above those regulations and there should have been greater information sharing.

31 CULLOMPTON INFRASTRUCTURE UPDATE REPORT (01:00:27)

The Committee had before it and **NOTED** a *report from the Director of Place and Economy.

The following was highlighted within the report:

- The Council had been granted additional funds for the Cullompton Town Centre relief road and were working with Homes England to progress the scheme and finalise the contract (Deed of Variation).
- With regard to the Railway Station re-opening project, it was frustrating that the government had cancelled the “renewing your railways programme”, particularly as this was a viable project. The Council would continue to push the project forward.
- Junction 28 upgrade – given the success with securing funds for the relief road, it was hoped that the Government would see the unlocking of the full opportunity that existed at Culm in terms of the wider Garden Village proposition.

Discussion took place regarding:

- The land that would be required to deliver the relief road – 80% of it ran through Cullompton Community Association fields, notably the Cricket and Football pitches but what about the land nearer junction 28? A lot of people were engaging with local residents and were largely supportive. The work to relocate the cricket club had begun. At the Station Road end of the scheme the most significant piece of undeveloped land was that owned by Tesco adjacent to their supermarket. Unfortunately, the Council had been unable to get a constructive dialogue. It was hoped that, in light of the positive funding decision, Tesco would enter into more progressive discussions. It was noted that there may be a difference of opinion regarding the value of the Tesco land between Tesco and the scheme promoters. It was noted that Devon County

Council would progress a compulsory purchase order to enable delivery of the scheme.

- Continued public support would do the bid no harm.

32 AIR MANAGEMENT IN CULLOMPTON AND BEYOND (01:15:46)

The Committee received and **NOTED** a *report from the Director of Place and Economy.

It was highlighted in the report that the Council were proactively replacing the previous Air Quality monitoring equipment which was reaching the end of its life. This would enable the Council to continue monitoring the air quality. The new town centre relief road and the Junction 28 scheme would both have positive outcomes in terms of relieving traffic congestion and therefore pollution. The report mentioned Crediton and referenced the Crediton Masterplan. There was an inherent challenge in Crediton about the nature and volume of traffic that travelled up and down the High Street but the District Council had been proactive in seeking opportunities to make incremental changes to improve Air Quality.

Discussion took place with regard to:

- When the equipment would be installed – Section 106 funding had been approved in August, it would take a few more weeks to complete the procurement process, there was an 8-10 week lead in time, post order through to delivery.
- Data had been gathered for a number of years and the trend in air pollution was positive probably due to better vehicles and the reduction in emissions. However, more development with greater population and tourism could reverse this positive trend and drive up pollution levels.
- With the level of planned growth it was important to keep the Air Quality Management areas in situ, especially for Cullompton.
- The figures were reported back to Department for Environment Food and Rural Affairs (DEFRA). Where the figures were lower and consistently below objective values this raised questions as to whether Air Quality Management Areas were necessary, however, with the development in the area, the Council had recommended to DEFRA it retained the Cullompton area.
- The Council continued to monitor the pollution using simpler diffusion tubes across the district even though the main equipment had expired pending replacement.
- Arguments around Crediton air quality were more nuanced and arguments with DEFRA as to whether they needed to retain the Crediton Air Quality Management Area was a tougher question to answer given development pressures were currently less. This area was due review shortly and additional monitoring data from the new equipment would support this.
- There was a difference in opinion as to the levels of pollution. The new monitoring equipment when it was installed, should provide a level of assurance that where the equipment was sited, especially around the hourly air quality objective value. This level of monitoring resolution wasn't possible without the replacement monitoring equipment.
- Those that were affected were those that lived in the congested areas such as the High Street. The long-term local monitoring indicated people in the air quality management areas were more likely to be at risk from air pollution

levels measured against a lower, annual average. If that objective was exceeded it would equate to longer-term more chronic exposure and symptoms. This was opposed to the short-term exposure and the hourly objective level which if exceeded would result in more acute symptoms.

- Live reporting and real world data may provide information as to why the High Street was snarling up and whether it was other networks that were causing the issues.
- Air Quality came under the remit of Community, People and Equalities Policy Development Group (PDG) instead of the Planning, Environment and Sustainability PDG because the Air Quality Objectives were Public Health Objectives impacting on various diseases from asthma to cancer.

Note: - *Report previously circulated.

33 **PORTFOLIO PRESENTATION FROM THE CABINET MEMBER FOR ENVIRONMENT AND CLIMATE CHANGE (01:36:58)**

The Committee received and **NOTED** a presentation from the Cabinet Member for Environment and Climate change.

The Cabinet Member gave an overview of what Climate Change does to Mid Devon and what we could do to address the issue. There were many targets to address in working towards the Net Zero target for 2030 and there were five years to go. The Portfolio was about both Climate Change and the Environment together, the Council needed to generate more power, to cut carbon and to show leadership.

The Cabinet Member also highlighted:

- Mid Devon district had a carbon footprint of just over one million tons of carbon equivalent per year.
- There were key climate risks to; our landscape and communities, particularly flood risk, health, food systems, soil, wildlife, energy and other supplies.
- We need to adapt as well as make efforts to reduce our carbon footprint.
- Many of the Council's residents were Climate conscious.
- The District needed to attract funding.
- Climate Emergency Interim Planning Policy Statement.
- The Challenge to balance the Climate need with the need for more homes.
- Enable more people to act.
- Enable investment.
- Strategic Partnerships to drive things like greener transport.
- Policy e.g. working across the Council on our Biodiversity duty action plan.
- Decarbonising Homes.
- Decarbonised Leisure Centres (Net Zero at Exe Valley).
- Recycling rates were good (avoiding tonnes of carbon).
- The Net Zero Advisory Group.
- A strategic approach to cutting carbon was needed.

The Cabinet Member said the good news was that the Council's carbon footprint was going down, however, fifty percent of it was in social housing and so retro-fitting of insulation was really important. The Climate was a risk rated as red in reporting terms and she wanted to see that reduced to amber within the next six to twelve months.

Discussion took place with regard to:

- To what extent was the Council able to consider the Climate Emergency Statement when looking at the carbon implications of new development applications? Primarily, Energy efficiency, Energy usage and Carbon Emissions were dealt with through the Building Regulations.
- Were we allowed to require energy efficiency standards in planning applications? In planning applications, it appeared that developers were not providing data on what the carbon emissions would be as a result of the development. The Director of Place and Economy stated that there was no statutory requirement and the Council could not demand it – he would check his understanding and revert back to the Committee.
- Developers were provided with a free calculator tool to enable them to assess the most cost-effective ways to achieve low / zero carbon homes.
- The Local Plan Review was helping to shape policies.
- The Development Control Department were encouraging developers to do the right thing rather than enforcement as Climate Change was not a planning consideration under the current National Planning Policy Framework.
- The Climate Strategy and Action Plan included an action road map to 2030.
- With regard to the sewage outflow at the end of the proposed Cullompton Relief Road into the River Culm, the Council had met with South West Water and were awaiting the Water Cycle Report.
- The majority of works toward Net Zero had been paid for out of grant funding.
- There was a challenge to mitigate the impact of new housebuilding on the environment.
- The Council were working closer with Town and Parish Councils.
- Good planning and thinking on a landscape scale, how the Council could help the community to be responsive.

The Cabinet Member in concluding said that she was keen to mobilise faster change. Internally she had seen examples around the Council where they needed to work across teams better. Externally she was keen that we set up a Climate Forum.

34 **WORK PROGRAMME (02:10:44)**

The Committee had before it and **NOTED** the *Forward Plan and the *Scrutiny Committee Work Programme.

Cllr R Roberts declared that he had an interest. He was a consultant with a renewable energy company and he had worked alongside them for three years which included Electric Vehicle installations.

Discussion took place with regard to:

- With regard to Motion 583 “Rivers and Seas”, the Water Cycle Study had been commissioned and it should be possible to bring South West Water before the Scrutiny Committee early in 2025.
- Would it be possible for the Scrutiny Committee to consider Ambulance attendance rates and the provision of First Responders?
- The Head of Housing and Health would circulate a briefing paper by e-mail relating to Void Properties and Asset Management. He also said that he would deliver a report on Asset Management when he could set out the numbers

based on the quarterly reporting to the Homes Policy Development Group (PDG), however, he thought it preferable that the PDG got to see the report first. Cllr E Buczkowski proposed that the report come to the Scrutiny Meeting on 28 October 2024 with a report on the number of Voids broken down by Ward and what was being done to mitigate the void and return it to use. This was **CARRIED**.

- Noting that a report on Solar Panel Farms and Anaerobic Digesters were coming to the Scrutiny Committee on 30 September, could an evaluation be included of how many solar panel farms have been located or are planned to be located on agricultural land and what was happening to that agricultural land after the installation?
- How many applications for Electric Vehicle chargers had been received and how many had been installed? – Figures would be provided but they would not have been subject to a Planning Application because they would not usually need one.
- On-Shore wind and Solar Energy / Anaerobic Digester land use were two distinct areas but could they be combined into a single report on Renewable Energy? The report should be a forward look on Solar panels and wind, alongside a backward look at what solar panels and anaerobic digesters the district already had and to consider it against the timeline of the Local Plan Review, which was due to come before the Scrutiny Committee on 30 September. The Director of Place and Economy said that he could add On-Shore wind to the report on Solar Panel Farms and Anaerobic Digesters and to frame the report around “Renewables” but that he would need more time. – It was **AGREED** to move this item to 28 October.
- Further, it was **AGREED** that as the only item left on the work plan for September was a presentation from a Portfolio holder, that this item also be moved and the meeting scheduled for Monday 30 September be cancelled unless there were any items called in from the Cabinet meeting on 17 September.

The Scrutiny Proposal Form relating to House maintenance, emergency repairs, pollution monitoring and resident safety was **APPROVED** to go onto the Work Plan.

(Proposed by Cllr B Holdman and seconded by Cllr C Harrower).

Note – The *Forward Plan and the *Scrutiny Committee Work Programme were previously circulated.

(The meeting ended at 7.34 pm)

CHAIRMAN