

QUESTIONS FROM MEMBERS OF THE COUNCIL

Thursday 12 May 2016

1. QUESTION FROM COUNCILLOR DEWHIRST

Re: Civil parking Enforcement

Does the Cabinet Member for Highway Management believe that the issue of parking tickets by our Council Civil Enforcement Officers is fair and not overzealous? If so, how can he condone the issue of parking tickets in Kingskerswell village on a Bank Holiday Monday morning for overstaying the parking restrictions in what is a residential area?

REPLY BY COUNCILLOR HUGHES

I believe officers have previously responded on the issue to you. Firstly, parking restrictions are introduced following a democratic process to meet the needs of communities. It seems strange to then suggest that they should not be enforced.

Kingskerswell is not a priority community for Bank Holiday enforcement, none the less occasional visits to enforce the restrictions is not unreasonable. Enforcement should be unpredictable to be an effective deterrent and may occur en-route to a higher priority location. Typically the parking enforcement team resources are directed to our most busy destinations, such as Newton Abbot, to aid traffic management.

As ever we would advise all highway users to check and adhere to the restrictions in place on the ground before parking.

2. QUESTION FROM COUNCILLOR DEWHIRST

Re: Civil parking Enforcement

Does the Cabinet Member for Highway Management think that Civil Enforcement Officers are helping promote the image of the County Council by descending on a quiet Devon village on a Bank Holiday Monday morning and ticketing residents who overstay their allotted parking time whilst ignoring the request of residents, Parish, District and County Councillors to attend to the appalling parking problems associated with Kingskerswell Primary School?

REPLY BY COUNCILLOR HUGHES

Our Operations Team are aware of the Member's request for enforcement at this location, over the past 2 months our team have made 3 visits to the school, no enforcement issues were observed and no Penalty Charge Notices issued.

3. QUESTION FROM COUNCILLOR DEWHIRST

Re: Civil Parking Enforcement

Does the Cabinet Member for Highway Management believe that it is appropriate for County Councillors to take up issues of unfairness and overzealous actions by County Council Civil Enforcement Officers? If so can he explain why his Officers do not think so and can he explain why a resident of Abbotskerswell should be ticketed in Forde Park when parked next to a sign announcing suspension of parking charges?

REPLY BY COUNCILLOR HUGHES

I believe officers have previously responded on the issue to you, I don't think County Council time is best used to discuss individual cases, however for clarity the "sign announcing suspension of parking" was a paper Notice dating from 2014, which actually describes the Traffic Order applicable to the area becoming permanent. Whilst it would be preferred that out of date Notices be taken down to keep our streets looking as tidy as possible, it is reasonable to expect drivers to read any on-site notices in conjunction with permanent signage when deciding where to park.

If an individual believes they have been issued a Parking ticket in error or unfairly we advise they appeal, including their reasoning as per directions on the reverse of the Parking ticket. We as elected representatives need to be mindful of nationally issued guidance which states that elected representatives should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. That said where a Member believes the approach being taken by the service has been overzealous or unfair, their concerns will of course be investigated by appropriate officers.

4. QUESTION FROM COUNCILLOR HOOK Re: Parking Meters.

What % of council parking meters do not give change? What plans are there to rectify the situation, so that motorists do not find themselves being exploited due to lack of correct change? (i.e. when will all meters either give change or allow alternative measures of payment?)

REPLY BY COUNCILLOR HUGHES

No on-street pay and display machines provide change, this is typical nationally. Machines that provide change are sizeable, and costly. They are not suited to the high street environment and typically are used in off street pay on exit sites where single machines may serve several hundred spaces.

There has for many years been a cashless payment offering (by phone or through an app) in the vast majority of our pay & display schemes, which enabled the exact amount for parking to be charged to the motorist. We are looking to publicise the option of cashless payment further this year.

5. QUESTION FROM COUNCILLOR HOOK Re: Potholes

When will HATOCs and therefore local members know how the Governments new money for pothole repairs is to be allocated around the country?

REPLY BY COUNCILLOR HUGHES

Work is underway to use data gathered on pothole location and frequency to determine and tackle the roads most in need of repair within each Councillor division. The emphasis will be on preventative repairs such as patching and resurfacing works to add resilience to known trouble spots. This assessment will be completed by the end of May and Councillors will be advised of the value of the £1.95m funding which is to be allocated to their division. During the summer the Neighbourhood Highway Officer will discuss with the local County Councillor potential sites identified using the pothole data and any other sections of local road in a condition of concern to the Local Member. The costs of alternative repair treatments will also be shared so that a programme of work can be agreed to be completed within the current financial year.

6. QUESTION FROM COUNCILLOR DEWHIRST Re: South Devon Highway

Can the Cabinet Member for Economy, Growth and Cabinet Liaison for Exeter say if he considers the finish of the stonework on the retaining walls and abutments on the South Devon

Highway, with its large areas of efflorescence (pictures can be supplied), to be of a suitable quality for the people of Devon? Or does he think it is "ok for Devon"?

REPLY BY COUNCILLOR LEADBETTER

The limestone finish on the retaining walls and bridge abutments has received a lot of positive feedback and generally we are very pleased with the appearance. The Limestone is a local stone and its use is appropriate in this area. The stone was won from within the site and has been reused resulting in a sustainable product: reducing waste, reducing haulage and transportation and reducing the need to quarry and import material. In addition to the structures identified in the contract to be clad in the Limestone, further structures were clad rather than using concrete panels, this improved the aesthetic appearance of the structures on the site. We are aware that there are some areas of staining. This is naturally occurring and is to be expected. These areas have been identified to the Contractor and we expect them to be cleaned.

7. QUESTION FROM COUNCILLOR DEWHIRST

Re: Signing in Kingskerswell

Can the Economy, Growth and Cabinet Liaison for Exeter say why it is considered important that Kingskerswell residents and visitors should be denied signage of the route to Newton Abbot from the village? Engineers on the SDH say that "everyone in Kingskerswell knows where Newton Abbot is" and therefore there is no reason to signpost the town, rather signposting a settlement of nine houses and a quarry.

REPLY BY COUNCILLOR LEADBETTER

Newton Abbot is an important local destination and is signed from the A380. The most appropriate route into Newton Abbot from Kingskerswell is via Penn Inn junction where Newton Abbot is signed. The designers have considered the most appropriate destinations to include on traffic signs. The signs have been designed to give consistent messages and avoid signing proliferation. It is important that signs do not have too much information and that drivers are able to assimilate all the content of the direction signing. If Newton Abbot were to be signed from Kingskerswell then questions are likely to be raised over other destinations such as Paignton, Brixham, Totnes, Teignmouth, Dawlish and Kingsteignton.

The main destination in both directions are signed on entry to the dual carriageway, Torbay to the South and Exeter to the North. Once on the dual carriageway other destinations will be signed at the appropriate junction. It is also relevant to note that the quickest and most direct route to Newton Abbot from Kingskerswell is along Kingskerswell Road via Decoy. However this is not the most appropriate route and difficult for large vehicles.

I assume your reference to "a settlement of nine houses and a quarry" relates to Stoneycombe. This is signed at the Aller junction to enable drivers who have left the A380 at Aller junction looking for Stoneycombe to find the correct road to take.

8. QUESTION FROM COUNCILLOR HANNAN

Re: Our Services Our Say Campaign

To what extent does this Council already meet the requirements set out in the 'Our Services Our Say' campaign, which is calling on councils to sign up to principles of transparency, accountability and people above profit? These principles (as set out at <http://weownit.org.uk/public-solutions/our-services-our-say>) would mean that important decisions about outsourcing do not get made behind closed doors, without proper scrutiny. Also, if the Council has not met all of these goals would Councillor Hart be willing to make a commitment to us doing so in the future?

REPLY BY COUNCILLOR HART

I would suggest that the Council does abide by the principles of transparency and accountability and I have always ensured the Council makes decisions that are in the best interests of the people of Devon.

Services which are being considered for different models of delivery are subject to rigorous Consultation processes and we have a dedicated website for Consultations in respect of any changes in service delivery or provision <https://new.devon.gov.uk/haveyoursay/>. These are taken into account when Cabinet meets to consider the relevant options.

Whilst some of the issues in the campaign would require primary legislation (for example Freedom of Information applying to private providers), I would draw Councillor Hannan's attention to the action the Council is taking arising from the recent Scrutiny Task Group report 'Scrutiny in a Commissioning Council'. This explored the Council's approach to the scrutiny of commissioning processes and commissioned services; reflecting upon the changing face of the Council, how it delivered services and looking at the potential for strengthening communication and collaboration between Cabinet Members, Heads of Service and Scrutiny Committees in commissioning and reviewing services and the Cabinet accepted the Task Group's recommendations in full. Councillor Parsons is leading on how best to take the recommendations forward.

9. QUESTION FROM COUNCILLOR EDMUNDS

Re: Education Contributions and Community Infrastructure Levies

In the light of the announcement in the Government's Budget, that all schools will become academies, is it right that Devon County should still require developers to pay an educational contribution from S105/C.I.L.

REPLY BY COUNCILLOR LEADBETTER

The White Paper, Educational Excellence Everyone, stated that local education authorities duties will be focused on three areas including

'Ensuring every child has a school place: including that there are sufficient school, special school and alternative provision places to meet demand. Local authorities will retain responsibility for this in a fully academised system'

The response to planning applications and where necessary, securing funding from housing development, forms a key part of delivering this statutory responsibility. Therefore it is right that DCC continues to seek contributions (Section 106 or Community Infrastructure Levy) where requests meet the necessary tests as set out in planning guidance.

10. QUESTION FROM COUNCILLOR GREENSLADE

Re: Health Risks of Car Emissions

Will the Leader please note that I have received a letter from the Director of Public Health in response to my letter to him last October re the increasing health risks posed by car emissions.

Armed with this worrying evidence will the Leader please say what the County Council is going to do to address this growing health risk, now well documented by various professional bodies, particularly at the existing hot spots such as the centre of Braunton.

REPLY BY COUNCILLOR HART

There has been an increasing recognition of the contribution to ill-health of atmospheric pollution.

Whilst the trend in atmospheric pollution has been downwards since the 1970s, the variation in levels of pollution in different environments and the recognition that pollution could affect the heart and circulatory system as well as the lungs has led to a growing body of evidence about the effects of air pollution, both gaseous and particulate. It is this growing body of evidence that has

led to increasing interest from the Royal College of Physicians and the Government in continuing to reduce pollution.

However, this should not detract from the fact that the burden of disease from atmospheric pollution has in fact reduced substantially over the last half –century because levels of pollution have substantially reduced since the 1950s.

The Clean Air Act achieved a marked shift in reducing urban air pollution from industrial and domestic sources, and the recognition in the USA of the effect of traffic fumes on health in cities led to a drive to reduce pollution from cars through the use of catalytic converters. This has also happened in Europe, but with our much greater use of diesel cars we have also had a problem in reducing fine and ultrafine particles from vehicles.

Improvements in vehicle efficiency have reduced oxides of Nitrogen by 20% since 2008, and particulate emissions have also improved, however the reduction in particulate emissions has slowed in the last two years.

Overall, 14% of particulates derive from vehicles, and 30% of oxides of Nitrogen, so there are other contributors to atmospheric pollution as well as vehicles. One source of particulates that has been growing in recent years is wood combustion, which has been promoted as a zero carbon option.

Current strategies to reduce atmospheric pollution by vehicles;

- Promote and invest in alternatives to car travel, such as walking, cycling, public transport and park and ride;*
- Encourage behavioural change with travel plans, car clubs, new technologies that allow a more efficient use of the exiting road space;*
- Reduce the emissions from the vehicle fleet by taxation and potentially remove older vehicles from the road (scrappage);*
- Increase the number of ultra-low emission vehicles (ULEV). This has grown significantly in the last few years;*
- In some cases it may be possible to build a road scheme that relieves an air quality problem area (but may not reduce overall emissions). But these will to be the exception rather than the norm as they are expensive and have substantial planning implications.*

Rather than see this as a growing health risk, we should recognise this as a significant health issue, which has been successfully reduced in recent years, but where there is still potential to improve.

**11. QUESTION FROM COUNCILLOR GREENSLADE
Re: Upgrades to LED Street Lighting in Barnstaple**

The programme to upgrade street lights to lower wattage LED lighting is clearly welcome.

Could Councillor Hughes say which roads/streets in Barnstaple have been converted and which other roads/streets are programmed for conversion?

REPLY BY COUNCILLOR HUGHES

As part of the Challenge Fund, all the street lights in Barnstaple will be converted to LED. The conversions have already commenced in the Newport Area, and will be subsequently moving into the following areas on a rolling programme:

- Forches*
- Whiddon Valley*
- Long Bridge*
- Central*
- Pilton*
- Yeo Valley*

A selection of the oldest columns (around 40 years old) will also be replaced as part of this funding, with additional columns located in the Roundswell Industrial Estate due to recent failures.

It can be noted that the Challenge Fund will be completed no later than the end of March 2018.

12. QUESTION FROM COUNCILLOR PROWSE
Re: Totnes One Way System

To what extent did elected Councillors of this Council oversee the legal budget in respect of the recent Court of Appeal case regarding the legal challenge to this Authorities position on this case? Has the case surpassed the £200,000 bill yet?

REPLY BY COUNCILLOR HART

The Leader, Chairman of the South Hams Highways and Traffic Orders Committee and local member were closely involved in the legal process.

Costs will be subject to detailed assessment in due course.