

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 30 September 2025

Attendance list at end of document

The meeting started at 6.00 pm and ended at 9.50 pm

44 Minutes of the previous meeting held on 17 July 2025

The minutes of the previous meeting were agreed as a true record.

45 Declarations of interest

Minute 50. Public Spaces Protection Orders consultation.

Councillor Brian Bailey, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 50. Public Spaces Protection Orders consultation.

Councillor Daniel Wilson, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 50. Public Spaces Protection Orders consultation.

Councillor Marcus Hartnell, Affects Non-registerable Interest, Seaton Town Councillor.

Minute 50. Public Spaces Protection Orders consultation.

Councillor Matt Hall, Affects Non-registerable Interest, Exmouth Town Councillor and dog owner.

Minute 50. Public Spaces Protection Orders consultation.

Councillor Tim Dumper, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 51. Public toilets programme review.

Councillor Brian Bailey, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 51. Public toilets programme review.

Councillor Daniel Wilson, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 51. Public toilets programme review.

Councillor Matt Hall, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 51. Public toilets programme review.

Councillor Steve Gazzard, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 51. Public toilets programme review.

Councillor Tim Dumper, Affects Non-registerable Interest, Exmouth Town Councillor.

46 Public Speaking

Seven members of the public had registered to speak. It was agreed to take the public speakers at the start of the relevant agenda item.

47 Matters of urgency

There were no matters of urgency.

48 **Confidential/exempt item(s)**

There were no confidential or exempt items.

49 **Blackdown Hills National Landscape Annual Review and Management Plan**

The Blackdown Hills National Landscape Manager, Tim Youngs, presented the Annual Review and update on progress being made with reviewing the Management Plan 2025 – 2030. It provided an opportunity for the Committee to understand the work programmes and activities that had been carried out by the Blackdown Hills National Landscape team over the last 12 months and also to hear about the plans for 2025/26 and how they align with the Council's own priorities for the environment. The Blackdown Hills National Landscape team is hosted by Devon County Council, with East Devon DC (along with Mid Devon DC and Somerset Council) as key match funding partners, alongside Defra. The Management Plan 2025 – 2030, including the Delivery Plan, would be published imminently.

In response to a question regarding soil loss and soil entering rivers due to agricultural activity, the Manager advised that advice was available for farmers to assist with promoting crop management to minimise soil loss.

That Overview Committee noted the Blackdown Hills National Landscape Annual Review report 2024/25 and update on the Management Plan Review 2025-2030.

The Chair thanked Mr Youngs for attending the meeting.

50 **Public Spaces Protection Orders consultation**

Five members of the public had registered to speak on this item. The following points were made by the members of the public:

Martin Huscroft represented Kilminster Cricket Club and advised that the Club had seen a large reduction in recorded dog fouling incidents following the introduction of the PSPO. The continuation of the dogs on leads PSPO was supported as it would positively address the issues of dog fouling and dogs running free and causing a nuisance.

Ash Cook represented the Kilminster Playing Field Committee and noted that the Playing Field was distinct from the Kilminster Recreation Ground which was referred to in the consultation. It was requested that any further final PSPO document referred to the Playing Field. The Playing Field Committee opposed the introduction of dogs off leads for a large part of the day, as this would inevitably result in increased dog fouling with the associated risks to public health, including the potential for dog attacks which was a growing national problem. The Playing Field Committee supported retaining the current dogs on leads PSPO.

Yvette Turner represented the Kilminster Dog Walking Group and advised that the school and Cricket Club only use a part of the Playing Field during the summer months. There are no suitable alternative areas in Kilminster which elderly or less mobile residents can access to exercise their dogs off lead safely. Off lead exercise is also highly beneficial for dogs' well-being. Ms Turner outlined a compromise position which

would restrict dogs on leads to the summer months only: Kilminster Dog Walkers Association proposed that the dog on lead requirement should be removed and a new dog exclusion requirement between 10am and 6pm from 1 May to 30 September is applied. This compromise had worked well in other parts of Devon and the Dog Walking Group requested the Committee to support the compromise.

Sandra Ward highlighted the need for a place where disabled people and those with mobility issues can exercise their dog safely off the lead. Currently disabled people and those with impaired mobility have to use country lanes which can result in dangerous incidents such as Ms Ward had experienced when walking her dog. The compromise position worked in other parts of the country and took account of the Council's legal obligations and the needs of the whole community.

Robert Kathro addressed the Committee with regard to Exmouth Donkey Field and Exmouth beach. Mr Kathro advised that he had regularly observed dogs off lead on the beach during restricted times and had submitted complaints in previous years. Mr Kathro had been advised by the Council that his complaints would be treated as vexatious. A volunteer survey this summer had witnessed 53 dogs off lead on Exmouth beach and members of Mr Kathro's family had personally experienced a distressing incident involving a dog off lead. A compromise position for Exmouth beach could include a stretch which prohibited dogs at all times to enable everyone to enjoy use of the beach.

Angela Ashwin also addressed the Committee and expressed concern that local people are unable to use the beach anymore due to the large number of dogs. The time restriction prohibiting dogs between 10am and 6pm during the summer season is not relevant for local people who use the beach outside those times. Beach activities such as lying on the sand, picnics and children playing are being made impossible due to the intrusion of dogs and dog faeces left behind. Requests to owners to remove their dog have been met with an abusive response. Ms Ashwin asked the Committee to ensure that the beach is kept for the citizens of Exmouth to enjoy without the problems which dogs are causing.

The Chair thanked the public speakers for their contributions.

The Portfolio for Environment – Operational, Cllr Geoff Jung, commended the report to the Committee.

The Assistant Director – Environmental Health introduced the report and provided a short presentation which highlighted key points.

The Council currently has three PSPOs in place covering dog control, seashores and promenades and anti-social behaviour dating back to 2023. The Council has carried out a review of these PSPOs to ensure that the three-year review period is met and to assess if the controls are still required and if so whether they need to be amended. This included public consultation. It is recommended that the evidence supports the ongoing use of PSPOs but changes to existing controls require three new orders.

Responses to questions and discussion included the following points:

- The public might be interested to understand the differences in the figures for 2024 and 2025 as shown in the presentation;
- Concern was expressed about dog owners not abiding by the rules on Exmouth beach;
- Insufficient enforcement capacity is a major issue;
- Dog owners who have a disability should be supported;
- Fines should be issued in order to communicate the messaging clearly;

- People should be the priority rather than dogs;
- The impact of aggressive dog behaviour or dog faeces can be long-lasting;
- Messaging in tourist areas should be clear to ensure that visitors are aware of controls;
- It was noted that no fixed penalty notices had been issued in the previous two years as personal details of those involved could not be collected;
- Officers' concern to ensure the safety of EDDC staff was noted following aggressive abuse towards an EDDC officer from a member of the public on Exmouth beach;
- Mixed messaging and variations in the timings of controls across the district may lead to confusion;
- It is important that dogs are socialised properly and have sufficient exercise to prevent problems occurring;
- Only a small minority of dog owners do not act responsibly;
- It should be borne in mind that dog owners visiting Exmouth to exercise their dogs also contribute to the local economy;
- Residents of Kilmington have to access the Playing Field via narrow lanes and footpaths could be improved to enable greater access for disabled people;
- A very clearly defined demarcation between dog-friendly and prohibited areas on Exmouth beach, using obvious landmarks such as the lifeboat station, could be beneficial;
- Any changes to controlled areas on Exmouth beach should take account of life-guarded areas for swimmers.

The following recommendations were agreed:

RECOMMENDED TO CABINET:

1. That the evidence supports the ongoing need for public space protection orders in relation to the control of dogs, seashores and promenades and anti-social behaviour and consumption of intoxicating substances;
2. That Cabinet discharge the three Public Spaces Protection Orders from 2023 in March 2026;
3. That Cabinet approves three new East Devon Public Spaces Protection Orders for 2026 as attached to the report, with the exception of the PSPO for Exmouth seafront which the Overview Committee recommends should remain as it currently stands and that further consultation should be undertaken, if necessary, with a view to extending and clearly defining the areas where dogs are either permitted or prohibited.

51 Public toilets programme review

Two public speakers had registered to speak for this item.

Cllr Graham Deasy, representing Exmouth Town Council, advised that the Town Council had growing concerns regarding the review which had resulted in a shortfall of facilities for Exmouth. Existing facilities are struggling to remain serviceable and the Town Council would like to see additional and larger public toilet blocks. The Town Council seeks to promote Exmouth as a welcoming tourist destination but has received many complaints, including from international visitors, regarding the condition of the facilities. This is damaging the town's reputation and negatively impacting those wanting to visit the town, including local sports groups, which then has an unwanted negative impact on

the local economy. The Town Council was of the view that the review was based on outdated information and urged EDDC to work with the Town Council moving forwards.

Cllr Dianne Conduit, representing Exmouth Town Council, informed the Committee that she had received many complaints during this year, particularly from women and those caring for small children. The impact assessment which had formed part of the review was out of date in the post covid pandemic era. Cllr Conduit expressed concern regarding the public toilet provision at Foxholes which had been problematic: money had been taken although the public could not access the toilets; people had been locked in; disabled people had difficulty accessing the toilets and the design did not meet the needs of stoma users. There was a lack of confidence in the facilities at Foxholes. There had also been public health issues when the facilities at The Maer had been closed.

The Chair thanked the public for their contributions.

The report was introduced by the Portfolio Holder for Economy and Assets, Cllr Paul Hayward, who advised that the review and provision of the service was challenging and complex.

The Assistant Director – Place, Assets and Leisure, Tim Child, presented the report which followed on from a Spotlight Briefing to the Overview and Scrutiny Committees on 15 July. A key milestone has been reached in the programme for delivery against the outcomes of the 2021 Public Toilets Review. Phase 1 of the planned investment programme has now been completed alongside the transfer of some facilities to Town and Parish Councils and the sale, lease or closure of others.

The report also considered the current context for the delivery of the Public Toilets programme, including the challenges associated with the Medium Term Financial Plan and the backdrop of the forthcoming local government reorganisation [LGR], and considered the options for moving forward whilst also reflecting on learnings from the first phase.

The outcomes of the Spotlight Session were as follows:

1. Overview Committee to receive a report and make recommendations on the way forward;
2. The Scrutiny function to be satisfied by a cross-party Members group with oversight of project as it moves forward.

This report addressed the first outcome and provided Overview Committee with the opportunity to influence direction of travel and a more detailed options appraisal to inform Cabinet decision making.

The Assistant Director advised that it would be a significant budgetary ask to complete the programme in its current form and that any legacy as regards LGR needs to be balanced against budgetary restraints.

Responses to questions and comments on responses included the following points:

- There have been teething issues with the delivery of facilities which has not been unexpected. The programme follows a model of delivery which was being rolled out in other parts of the country;
- In light of incidences where people have been locked into cubicles, concern was expressed as to whether sufficient research was carried out given that there have been similar issues in other areas. Sound proofing of cubicles was a real concern if the user was in difficulty;

- Overall the number of faults and complaints have been low when compared with the level of use;
- Improved signage had been installed to assist users and it was noted that some issues were not due to a fault, but to incidences where the public were uncertain as to how to use the facility;
- Capital receipts from the sale of sites had gone back into general reserves;
- The first phase of delivery had to include Exmouth, Seaton and Budleigh due to the timescale around Government funding for the adult Changing Places facilities;
- The second phase of delivery would be based on need which included consideration of the state of specific buildings;
- Steamer Steps/Cliff Path site in Budleigh was on the list for rebuilding, but it was noted that this site would be challenging due to its location and constraints for installing a modular building;
- Administration of introducing and operating a discount scheme for local people would be costly and complex and no recommendations had, as yet, been made;
- Industry advice had been to move away from using radar keys which also have an administrative burden. All new toilet blocks had at least one accessible cubicle;
- Of the 11 remaining sites, the majority of these were currently planned to be new buildings;
- Concern was expressed regarding the ease of use of stoma facilities, although this may depend on the type of stoma. Officers would consider this issue further going forwards;
- A good facility at the Exmouth gateway site was desperately needed. It was noted that this site was not a Category A site and had never been identified to be kept open during the 2021 review so that there was no capital budget for this site. More recently the decision had been taken to retain this site, therefore, a revenue budget only was available and it was now doubtful whether any upgrades could be delivered ahead of LGR due to the lack of capital budget;
- Concern was expressed that the Council was considering expenditure on buildings which were only 7-10 years old;
- Consideration of the options available going forwards would determine whether further public consultation would be required, however, there would be time constraints due to the imminent approach of LGR;
- Discussions had commenced with Town and Parish Councils regarding the transfer of assets ahead of reorganisation;
- The design concept for the next phase of delivery was in place and therefore ready to apply for planning permission. Consultation with Ward Members would take place prior to seeking planning permission. If that approach was not going to be adopted, an options appraisal would be required as soon as possible with a view to a report to Cabinet at the end of this year, or early next year;
- There was concern regarding the timescales for LGR as toilet facilities would eventually transfer to another body such as a Town or Parish Council. Strong engagement with local councils at this stage could save time and money in the long run;
- Cabinet had received a report at the end of July on the stewardship of public amenities going forwards, with a further report due at the end of the year, which would address safeguarding amenities for the future. This timescale would align with the intention to submit an options appraisal on public toilets to Cabinet, should that be agreed as the way forwards;
- Councillors were advised that the anticipated S.24 notice at the end of next year would severely limit the Council's expenditure;
- There was concern that the timing of LGR does not align with the budget setting process for local councils. Currently Town and Parish Councils do not have data on the running costs of public toilets which were more of a liability than an asset;
- It was requested that consultation with Ward Members should include all members of a town with more than one ward.

During the debate, the following points were included:

- It was suggested that the capital amount available could be divided between the remaining facilities in the next phase of the review and transferred to Town and Parish Councils with the asset itself, for them to consider the options most suitable for their parish's needs. The legality of this as an option would need to be considered;
- The agreement between Exmouth Town Council and EDDC with regard to the maintenance of the toilets at The Maer was working well;
- The Exmouth Placemaking project with Exmouth Town Council would potentially provide the Town Council with the scope to enable keeping the station toilet facilities in place;
- Noted that EDDC can offer its services to Town and Parish Councils to keep amenities such as toilets operational;
- It was noted that Budleigh Salterton Town Council wants the Cliff Path site to remain on the phase 2 list;
- There are examples of unitary authorities not closing toilet facilities and other options were available and should be considered to ensure viability going forwards;
- Planning conditions could ensure that supermarkets and large commercial premises provide toilet facilities;
- The provision of public toilets should be put at the forefront of discussions on asset transfer with Town and Parish Councils;
- An options appraisal should be kept as wide and flexible as possible and should align with the timing of the forthcoming stewardship report to Cabinet.

It was agreed to recommend the following to Cabinet:

RECOMMENDED TO CABINET

1. That an options appraisal is undertaken to influence direction of travel informed through the debate, to include flexibility around capital expenditure and early engagement with Town and Parish Councils and that the timing of the options appraisal aligns with the forthcoming stewardship report to Cabinet, and
2. That Officers have regard to the discussion and comments made by the Overview Committee at its meeting on 30 September 2025.

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52 Work Programme 2025 - 2026

It was suggested that the Committee could consider the care and maintenance of ancient trees in the District. A proposal form would be submitted.

With this addition, the Work Programme, as published, was agreed.

Attendance List

Councillors present:

B Bailey
B Collins
R Collins
T Dumper (Vice-Chair)
A Hall (Chair)
M Hall
M Hartnell
D Mackinder
H Riddell
D Wilson

Councillors also present (for some or all the meeting)

I Barlow
S Gazzard
S Jackson
G Jung
M Martin
P Hayward

Officers in attendance:

Matthew Blythe, Assistant Director Environmental Health
Tim Child, Assistant Director Place, Assets & Leisure
Andrew Hancock, Assistant Director StreetScene
Andrew Melhuish, Democratic Services Manager
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Andrew Wood, Director of Place

Councillor apologies:

P Fernley
J Heath
Y Levine

Chair

Date: