TORBAY COUNCIL

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Date: Thursday, 21 May 2020 Torquay

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Dear Member

COUNCIL - THURSDAY, 21 MAY 2020

I am now able to enclose, for consideration at the Thursday, 21 May 2020 meeting of the Council, the following reports that were unavailable when the agenda was printed.

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Yours sincerely

June Gurry Clerk

Meeting of the Council, Thursday, 21 May 2020

Questions Under Standing Order A13

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

Round 1

| Question (1) by Councillor Foster to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey) | The Government has now given guidance that Municipal Recycling Centres can be opened again. Can you please update Torbay residents on when Torbay's Recycling Centre will be open and what measures will be put in place to manage traffic control, social distancing and the safety of residents and staff on the site. |
|---|---|
| Councillor Morey | The HWRC was re-opened on Tuesday. Initially visits will be limited to 480 vehicles a day, weekdays only from 9.00am to 17.00pm, and will be on a booking only basis with the requirement to obtain a physical voucher at Quaywest car park prior to visiting the Recycling Centre. The pre booking slots at Quaywest will be allocated via telephone number 208777 where residents will need to turn up at the pre allocated time and day of the week and then proceed to the Recycling Centre. Since the reopening of the Centre, we have received many compliments from the public on how the booking system is proving much quicker than previously, when long queues regularly formed on the roads outside. |
| Question (2) by Councillor Barbara Lewis to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long) | Can you please provide me with an update of what is happening at Crossways |

Councillor Long

In respect of the design phase, the project team have been procured and appointed, and their work is well underway. The TDA have had 4 project meetings that include a planning officer and the first set of draft drawings have been produced for comment by the project team. These drawings are now being altered, following various comments, and revised drafts are expected next week. There is a target to submit a planning application by the end of July.

In addition to this, a conditional contract has been prepared with the Council's preferred developer, TorVista Homes, and this contract has been presented to the TorVista Homes Board and this has been approved. A further meeting with the landowner is due to take place in the next 2 to 3 weeks to continue negotiations.

In addition to the 'all member' briefings that have taken place (there have been updates at Group Meetings, an update at a Cabinet and Full Council meeting, and an email sent to all Councillors with a detailed timeline) a meeting has also taken place with ward Councillors and this will be followed up with another meeting once we have designs to present.

Alongside the preparatory work and negotiations with the landlord, the work required in respect of a CPO, is progressing.

Question (3) by Councillor David Thomas to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey) On my Riviera FM show on Tuesday 14th April 2020. Cllr Morey informed myself and listeners that he was looking to introduce a kerbside green waste collection in short order, his direct quote was 'not wait and see, something will be afoot sooner rather than later'. More than 1 month has passed since that promise and we have still not seen the introduction of this much needed service. Can Cllr. Morey please advise when it will be introduced and quantify timescales, I believe most people listening would expect more than a month to be in the 'later' bracket and doesn't feel like 'sooner'.

Councillor Morey

The Bulky Waste collection service started again on Monday 18th May and this includes kerbside collection of garden waste. The fortnightly Sunday garden waste service at Lymington Road and the once a month service at Brixham Community College cannot be resumed as these locations do not lend themselves to social distancing and no assistance could be offered to load the green waste into the back of the waste truck. There are Health and Safety reasons why the public cannot load directly into these vehicles. Also, Lymington Road has since become the location for a Covid-19 drive through test centre. Providing a regular kerbside collection of green garden waste, on a subscription basis, will need additional investment as it would require at least two additional large waste compaction vehicles and a large stock of wheeled bins. This will be a project in itself when SWISCo starts trading and with the current COVID-19 restrictions TOR2 do not have the available staff to roll out a new service.

| Question (4) by Councillor Hill to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey) | I have had a number of residents complain to me about people having bonfires in their gardens, burning garden waste. This is not only antisocial, but dangerous to some residents health who have difficulties with respiratory problems. Apart from a press release asking residents not to partake in bonfires, what else have the administration done or is about to do to help alleviate this situation. |
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| Councillor Morey | Torbay Council has received an increased volume of complaints relating to bonfire nuisance since lockdown. There is legislation to deal with such issues whereby a statutory nuisance is found to be in existence. As yet, most instances have been isolated and therefore neither unreasonable or in any way near being considered to be in breach of the legislation. For those where there may have been several occasions of bonfire and therefore an increased chance of nuisance we have written to the household responsible in the form of a warning and request that consideration be shown. Council communications have asked that people show consideration and avoid having bonfires, however, control measures remain within existing legislation and repeat occurrences may be required to demonstrate an ongoing and unreasonable nuisance. This week the Council has reopened the Household Waste and Recycling Centre to enable people dispose of household waste including green waste via a booking system. Bulk collections of green waste can also be arranged. These actions should serve to reduce the likelihood of bonfires being held across Torbay. |
| Question (5) by Councillor O'Dwyer to the Cabinet | As the purchase of Debenhams was a regeneration purchase to improve the property and or facilitate change of use and or redevelop the site to ensure the site does not remain empty. |
| Member for Economic Regeneration, Tourism and Housing (Councillor Long) | What validated evidence was provided to ensure the site would break even for the authority and produce a positive yield over the first 5 years as this is currently a non producing income asset and limited due diligence was carried out plus there was no running costs/carry financial information provided except that any Fleetwalk profits would pay the current interest, capital repayments, management costs and planning fees. |
| Councillor Long | Appended to the Chief Executive's Record of Decision was the Part 2 Exempt Report which provides supporting documentation relating to the acquisition. This has been circulated to all Members separately. |

| Question (6) by Councillor Skyes to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey) | With the Government relaxing the rules on visiting beaches when will the Partnership re open the Toilets and Car Parks in the beach areas. In addition will the summer bins be put out and the cleaners who keep the beaches/proms clean be employed. |
|--|--|
| Councillor Morey | The beach cars parks and the Eastern Esplanade were re-opened for parking on Thursday 14th May 2020. Parking enforcement has also resumed in all pay and display areas. The reopening of public toilet facilities could lead to people congregating and waiting at entry and handwashing points, and not being able to adhere to the social distancing guidance. We are therefore working with our contractor, Healthmatic, to agree a suitable risk assessment to ensure the safety of the public and cleaning staff. This risk assessment process is being reviewed by Public Health colleagues. We expect to see a gradual re-opening of |
| | some public toilets and it is hoped that a few locations could be open by the weekend. Agency staff are used in some beach locations to empty bins and clean the promenades. These staff cannot be deployed until we are able to open the toilets, however, a number of beach locations are being prepared, albeit on a limited basis. |
| Question (7) by Councillor Pentney to the Cabinet Member for Adults and Public Health (Councillor Stockman) | I am aware of a number of Torbay residents who have arranged a Coronavirus test via the Government registration site and have ended up going to Exeter to have the test done. The Test Centre in Torquay was not an option when they tried to book the test. Why has this situation occurred? |
| Councillor Stockman | Tests are booked via a national portal. There have been issues with the Torquay site not appearing on the drop down test site selection list on at least two occasions. When we reported this the 'fix' described to us was to select the Plymouth site but go to the Torquay mobile site with photo ID so we shared this information. In addition to this the Torquay site was closed for 2 rest days over the weekend and operated shortened hours on a couple of days prior to this. There has also been a shortage of testing kits so all these factors may have impacted on where people were directed for tests by the national system. Unfortunately we have no local control over this. Importantly we have developed a locally co-ordinated system for testing by our acute hospitals in Devon so any health or care key worker including, care home and home care staff can be tested at |

Torbay hospital and test results will be much quicker than via the national booking system.

We are working to align the different testing options through conversations with Public Health England.

Question (8) by Councillor Howgate to the Cabinet Member for Adults and Public Health (Councillor Stockman)

The chief executive recently said that Torbay had limited supplies of government supplied PPE. Can you update us over the level of supply over the lockdown in Torbay and how close Torbay has been to running out of PPE.

Concillor Stockman

Whilst there has been a national shortage of PPE, which has affected Torbay like the rest of the country, Torbay Council is confident that we can supply to those who need PPE due to the following steps we are taking:

Safeguarding our supply of PPE falls into 2 key areas.

1. Procuring quality assured PPE from reliable sources.

We are working hard to ensure we have a reliable source of PPE that meets the necessary quality standards to protect our staff and partners. This includes working with local and regional partners such as the Local Resilience Forum (LRF), to access nationally pushed supplies, as well as procuring privately sourced stock. Where appropriate, we have also reached out to community and business partners and have been grateful for their support, in particular, in accessing plastic gloves, aprons and alcohol hand rub. We are also joint purchasing stock with the Torbay & South Devon Foundation Trust (TSDFT), as well as exploring opportunities with other Devon and Plymouth Councils to mitigate the risk of Torbay Council stock running out.

2. Ensuring rational and appropriate use of stocks.

PPE is distributed only when its use is recommended and there are processes in place to ensure access to our stock is based on need, in line with our guidance. Clear advice is also provided to ensure rational use once PPE is distributed. This includes advice about the safe use of a mask over a continued period (referred to as a session) as well as instructions for the cleaning (decontamination) or eye protection so it can be reused.

We have a daily PPE monitoring process in place, recording our stock levels, and we also submit daily returns to the LRF to highlight

| | stock levels and to provide intelligence on distribution to service providers. |
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| Question (9) by Councillor Dart to the Cabinet Member for Children's Services (Councillor Law) | National press, including channel 4 news, has highlighted a chaotic system around schools being able to obtain free school meal vouchers. Has Torbay been similarly affected and how are we supporting some of the most vulnerable families in Torbay. |
| Councillor Law | We did find the provision of Free Schools Meal through the National Eden Red Scheme challenging to deliver in the initial phases. To support us we engaged with Kevin Foster MP and consequently representations were made to the Education Secretary. In the past 14 days there has been a significant improvement in the response times for Eden Red and availability of vouchers. At this time the vouchers are now being received by families. |
| | The Local Authority was very proactive in raising our concerns to the Department for Education and have supported schools to mitigate against any unnecessary hardship caused to individual families. Through either school based provision or access to the Torbay Food Alliance parcels we have been able to support families to gain the necessary provisions they require. |
| | The Torbay Food Alliance has accepted Schools and Early Years providers as a referral agency and this has helped to ensure that direct approaches can be made for families. Schools have also acted as a conduit for the collection and delivery of parcels where required. |
| | Many schools have also supported families through the provision of food directly from their kitchens. |
| Question (10) by Councillor Mandy Darling to the Cabinet Member for Adults and Public Health (Councillor Stockman) | In my role as a Parkinson's coordinator at Torbay hospital we have been issuing hundreds of shielding letters to vulnerable people across South Devon. This has been encouraging them to register with the national shielding system. I have had dozens of people contacting me who have been thrown out of the registration system due to an error in the governments system. What problems has the shielding hub experienced with local residents experiencing the same problems. |

| Councillor Stockman | The Shield Hub has been dealing with the same issues raised in this question. This, and many other data related issues, have been escalated to the Ministry. The central government team have been keen to listen to Local Authorities, but progress has been slow in resolving the issues. The Shield Hub continues to deal with a lot of central data problems that mean our citizens hit barriers. The Hub has robust measures in place to help those who have issues with the central system so their needs can be met locally. This is a failsafe. The most relevant problem to this question may be a known issue that NHS Numbers are sometimes incorrectly stored in the central government system. When a citizen puts in their true NHS Number and this fails to match the one stored, they are kicked out. The Shield Hub does still get their data, even if they cannot register centrally, but there is a delay in receiving this, which varies widely. Once the Hub has the data they always call the citizen to provide support, usually on the day the data is received. |
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| Question (11) by Councillor Atiya- Alla to the Deputy Leader of the Council and Cabinet Member for Finance (Councillor Cowell) | Due to huge pressures on local government finance and despite MHCLG telling councils to spend what they have got through the crisis, what is the immediate risk to services that we provide? |
| Councillor Cowell | There is no immediate risk – the Council is continuing to provide the services it budgeted to provide including Children's and Adults Social Care. There are a small number of services which were impacted directly due to the COVID public health such as public toilets where the service has been temporarily reduced. |
| Question (12) by Councillor Dudley to the Deputy Leader of the Council and Cabinet Member for Finance (Councillor Cowell) | Has the HM treasury provided extra resources or appropriate recompense for administration of business support schemes. |
| Councillor Cowell | Not yet, but we are expecting "new burdens" funding from Minister of Housing, Communities and Local Government 'MHCLG' for this cost of managing all new grants. |

Question (13) by Councillor Doggett to the Cabinet Member for Adults and Public Health (Councillor Stockman) Has the HM treasury provided extra resources or appropriate recompense for PPE for council staff and those working in the care sector?

Councillor Stockman

The Council has passed £2 million pounds directly to the ICO (Integrated Care Organisation) to cover additional social care costs, including the need to reimburse providers for PPE expenditure. This is funded by the non-ring fenced COVID grant from central government, which included guidance requiring councils to support Adult Social Care providers with COVID related costs such as PPE and other challenges.

The Council is also directly supplying unpaid carers, and those selfemployed, with PPE.

Torbay will be allocated a further £2.7million for infection control, 75% will be given directly to care homes.

Second Round

| Question (14) by |
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| Councillor Foster to |
| the Cabinet |
| Member for |
| Infrastructure, |
| Environment and |
| Culture (Councillor |
| Morey) |

As Torbay residents start to get back to work, what measures does the council propose to enable more cycling to work, and how will the council consult with local residents on its proposals.

Councillor Morey

The Council is aware of the Government Guidance published 13th May about Safer Public Places. We are also aware and in conversation with the Department for Transport about the £250m Emergency Active Travel Fund announcement by the Secretary of State for Transport on 9th May. Officers have discussed potential immediate interventions in our high streets, sea fronts and around schools. These are being considered and those locations monitored before interventions are put in place.

The Local Transport Plan and Local Plan are adopted strategic policy documents which will help to shape our investment and both documents followed a process of public consultation and they make clear that Cycling and Walking are priorities.

There are several permanent schemes in the pipeline across Torbay, all of which have or will have an appropriate additional level of public consultation depending on the scale of the scheme. For instance a planning application will soon be validated for works in Clennon Valley, following the successful and informative public consultation that took place there. These will be available to all: pedestrians, cyclists, wheelchair users, mobility scooter users, and families with pushchairs and are expected to be funded predominantly through Section 106 planning contributions.

To support this we are working closely with the national lead organisation for sustainable transport, Sustrans. Officers have been engaged with them recently to redevelop the working relationship to ensure that appropriate, well designed and effective schemes are put in place.

Alongside that design work, we are developing a Local Cycling and Walking Infrastructure Plan (LCWIP) following Government guidance. This will use data to best inform strategic investment decisions around sustainable travel. It will be produced later this year and will need input from the community and other stakeholders to ensure its effectiveness. It will be a critical evidence base document and key consideration in the revised Local Transport Implementation Plan 2021-2026 that will be brought forward before April 2021. The Government have also announced that this summer, they will be updating the National Cycling and Walking Investment Strategy and we will of course ensure that our Local Plan review reflects that updated strategy too.

Question (15) by Councillor O'Dwyer to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)

What percentage are we still paying of the full Contract fee to TOR 2 currently and what full services are we still receiving.

Councillor Morey

TOR2 continue to be in receipt of the required contract fee(s) in line with Cabinet Office advice – Procurement Policy Note (PPN 02/20) – Supplier relief due to Covid-19.

Following the Government's COVID-19 announcement on March 24, TOR2 reported a resource level reduction due to vulnerable employees shielding and self-isolating. To protect employees carrying out the vital domestic waste services, the decision was taken, in line with Government guidance to close the HWRC to the public, only allowing access for TOR2 employees. By re-directed

| | resources and in liaison with Council officers, TOR2 were able to maintain essential services where guidance allowed. |
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| | On 11 May, bulky and garden waste pickups resumed and on 18 May the HWRC reopened. The Council continues to work closely with TOR2 taking account of the evolving guidance from the Government, Public Health England and HSE. |
| Question (16) by Councillor Howgate to the Cabinet Member for Adults and Public Health (Councillor Stockman) | Can the council confirm that no discharged hospital patients have been admitted into care homes without being tested for the virus first and receiving the all clear? |
| Councillor Stockman | Currently there is a policy that all patients going into care homes are swabbed for COVID. The swab results are recorded on the referral form into the Hospital Discharge Hub, so this would give assurance that the swabs are being completed. |
| | Patients aren't discharged until they are 14 days post COVID. |
| | The development and implementation of this policy was prioritised; but COVID was evident in the bay very early - prior to its implementation. It is perfectly possible therefore that people were inadvertently discharged from hospital into Torbay care homes from mid-March to mid-April without being tested. The potential post-discharge risks were managed through isolation and PPE protocols. |
| Question (17) by Councillor Dart to the Cabinet Member for Children's Services (Councillor Law) | Has the HM treasury provided extra resources or appropriate recompense for support for families undertaking home schooling? |
| Councillor Law | The Local Authority has not received extra resources to recompense families for undertaking home schooling. |
| | The schools within Torbay have been working with families to provide stimulating learning resources both on-line and through home learning resource packs. The home learning experience differs for each school and different age groups. We have worked hard with schools to understand the digital capacity of learners and have placed an order for IT equipment for children that are eligible. |

| Question (18) by Councillor Dudley to the Deputy Leader of the Council and Cabinet Member for Finance (Councillor Cowell) | Has the HM treasury provided extra resources or appropriate recompense for loss of income from planning fees, car parking charges and other usual income? |
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| Councillor Cowell | No specific funding has been received for this issue. However the Council has received £9.2m of additional grant for COVID financial pressures. This is a un ring fenced grant so can be applied to both additional COVID related cost pressures such as Adult Social Care and Housing as well as income shortfalls. Unfortunately, similar to other councils, the predicted financial losses exceed the level of funding announced to date. |
| Question (19) by Councillor Doggett to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long) | Investing in our town centres in even more important in light of the economic downturn. Can you please advise what advice you may have received about bringing forward and perhaps increasing the £15 Million future highstreets fund for Paignton. |
| Councillor Long | The Council submitted its draft business case to Government on 13 March. |
| | Members of the Council may recall previous feedback from Government officials sent a note of caution on the level of ambition we have locally and indicated that an ask for Paignton of around £10M would be realistic. We know though that the challenges we face and the desire from the community is such that we want to use Future High Streets Funding to bring about the transformation of Paignton town centre. I can advise members that the draft application we submitted has increased in value and is now requesting £18.8M for to support the transformation of Paignton town centre. |
| | A summary of that business case is on the Council and TDA web pages but the projects included in the bid are: |
| | Acquisition and redevelopment of Crossways; Acquisition of the Lidl lease and redevelopment of Victoria Centre, including a nursing home on Garfield Rd as Phase 1. |

- Conversion / Redevelopment of two substantial properties fronting Paignton Station Square.
- Paignton Station Square and Paignton Station improvements.
- Paignton Flood Defence Scheme.
- Torbay Road public space improvements.
- Reuse of Paignton Picture House

These form a coherent package of projects that, if delivered, will be transformational. The investment requested will:

- Deliver a land value uplift forecast at least £27 million
- Lever in direct co-funding of £63 million in project schemes, and £35 million of indirect match funding in other developments,

MHCLG provided a formal response to the draft business case at end April. Officers are now working through this response to ensure that the points made by MHCLG are addressed in the final business case. That final business case is expected to be submitted by the end of July with announcements expected pre-Xmas 2020. There is a risk that these deadlines will change, owing to Covid-19, so the Council will continue to press for a quick decision from Government.

Question (20) by Councillor Pentney to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long) The Torquay town deal fund is an opportunity of £25 Million to boost our town centre. Can you please explain how the council have been progressing this much needed investment in Torquay.

Councillor Long

Torquay is one of the 100 places that is eligible to bid for the Town Fund and the administration with its partners are determined to make the most of the opportunity.

We have formed a Town Deal Board which is being chaired by Vince Flower with Kevin Foster MP, as the vice chair. The Council is represented by me as portfolio holder and also at an officer level by the Director of Place. The Board also draws from a wide network with other members of the board including Torbay Together, Torquay Chamber of Commerce, Torbay CDT (as an interim while community rep identified), South Devon College, ERTBID, Stagecoach, Hi Tech cluster representative and the HotSW LEP. Other partners in health and libraries have also been consulted.

The Board has met on three occasions and has agreed that the town centre will be the focus of our investment plan in support of the

ambition we have for bringing about a repurposed, stronger and more resilient town centre.

I have met with developers to explain this opportunity and to explore how the Town Deal might accelerate delivery of the change that is needed. It is inevitable that the role of town centres will be very different in the future and we want to understand how this opportunity of investment from and partnership with government might attract additional investment from the private sector.

Covid-19 has had an impact on the timescales that we are working to both in terms of resource locally but more relevant has been the impact on national government with further guidance on the date of calls for the Investment Plan having been moved by Government as it deals with the response to the Coronavirus.

We are determined to be at the front of the queue and will be accelerating our work in this area to ensure that the community of Torquay get the outcome they deserve.

Third Round

Question (21) by Councillor O'Dwyer to the Deputy Leader of the Council and Cabinet Member for Finance (Councillor Cowell) The previous budgets agreed by this administration only in February were obviously irrelevant before their implementation. On top of retaining the Moratorium into this financial year on spending what other cost savings and services changes were proposed and made by the authority before this new financial year started, when it was clear there would be a significant impact to income and the costs of the authority.

Can you please provide the new budget assumptions for all of our services you have been working from, to all members to ensure knowledge of our financial stability and viability in the medium to longer term.

Councillor Cowell

The Council set is 2020/2021 budget in February this year and it was a robust budget. Clearly the subsequent financial impact of COVID on both expenditure and income could be significant and the Council is aware of the potential risk. At the moment there are many unknowns including the longer term impact of COVID on the Council and the level of Government grant support that will be received.

The Council is however taking a prudent approach. A moratorium has been established for 2020/2021 and services have been asked to identify additional savings. Expenditure on COVID related issues are controlled by the Council's Incident Management Team and losses in income closely monitored. In addition 2021/2022 budget planning has started which does assume an ongoing financial impact of COVID.

| The Council is in regular contact with MHCLG and is providing financial forecasts to MHCLG on a monthly basis. The clear ask to MHCLG is that a commitment is made now that the financial impact of COVID on Councils will be fully covered. |
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| Has the HM treasury provided extra resources or appropriate recompense for technical support for staff working from home, similar to the £10,000 allowance for MPs. |
| No specific funding received for this issue. However the Council has received £9.2m of additional grant for COVID financial pressures. This is a un ring fenced grant so can be applied to both additional COVID related cost pressures such as Adult Social Care and Housing as well as income shortfalls. Unfortunately, similar to other councils the predicted financial losses exceeds the level of funding announced to date. |
| With the government giving the green light to day trippers from potentially areas of higher infection of COVID-19, which is highly likely to increase infections in Torbay, how is the council planning to protect our vulnerable community from this potential infection. |
| The Council is working hard to ensure all the guidance around social distancing is adhered to in this next phase. The concerns around the impact of day trippers has been raised to local MPs and there is national awareness of this as a potential issue which will be monitored nationally. |
| We will also continue to protect the vulnerable through our work to support those Shielding and to proactively work with our Care homes. |
| We will work with colleagues at Public Health England on the Nationally driver Track and Trace initiative and have asked for better access to the data from national initiatives to help us understand any emerging issues. |
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The English Riviera BID Company are working very closely with Torbay Council, the TDA and VisitEngland to safely deliver the Government's Recovery Plan. Working collaboratively we will be taking small, responsible steps to make sure that residents and visitors feel safe. Communications by the ERBID Company have been thorough in order keep the sector well informed with myself included in all key communications.

Any business that is hoping to re- open on the earliest possible date of 4th July will have to adhere to strict government COVID Secure guidelines to protect our wider community.

Having already lost £200 million in turnover the economic importance of the Tourism & Hospitality Sector does need to considered to help avoid too many permanent business closures and loss of jobs.

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