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Wednesday, 12 September 2018

## Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 20 September 2018** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Parrock'.

Steve Parrock  
Chief Executive

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

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**A prosperous and healthy Torbay**

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For information relating to this meeting or to request a copy in another format or language please contact:

**June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
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# Meeting of the Council Agenda

1. **Opening of meeting**
2. **Apologies for absence**
3. **Minutes** (Pages 5 - 26)  
To confirm as a correct record the minutes of the meeting of the Council held on 19 July 2018.
4. **Declarations of interests**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Communications**  
To receive any communications or announcements from the Chairman, the Mayor, the Overview and Scrutiny Co-ordinator or the Chief Executive.
6. **Public question time - withdraw charges for registered charities** (Page 27)  
To hear and respond to any written questions or statements from members of the public which have been submitted in accordance with Standing Order A24 as attached.
7. **Petition - Traffic Calming Devices along Eden Park Road and outside Eden Park Primary School** (Page 28)  
To receive a petition and oral representations from the public in accordance with Standing Order A12 as attached.

- 8. Members' questions** (Pages 29 - 30)  
To respond to the submitted questions asked under Standing Order A13.
- 9. Notice of motions**  
To consider the attached motions, notice of which has been given in accordance with Standing Order A14 by the members indicated:
- (a) Brexit Negotiations (Mayoral Decision) (Page 31)
- (b) Clinical Commissioning Group - Overview and Scrutiny (Overview and Scrutiny Decision) (Page 32)
- 10. Transformation project : The future development of the RICC site**  
To consider the submitted report on the above and any recommendations from the Overview and Scrutiny Board.
- 11. Transformation Project - Future of ICT Services** (Pages 33 - 35)  
To consider the submitted report on the above.  
  
(Note: this report contains exempt appendices which have been circulated separately.)
- 12. Elected Mayor's Response to Objection to Investment and Regeneration Fund Strategy**  
To consider the submitted report on the Elected Mayor's response to the Council's objection to the current Investment and Regeneration Fund Strategy and the recommendations of the Investment and Regeneration Committee.
- 13. Delivery and implementation of the Housing Strategy**  
To consider the submitted report on a review of the Housing Strategy and use of the Housing Company.
- 14. Local Government Reorganisation Options**  
To consider the submitted report from the Chief Executive on future options for local government reorganisation.
- 15. Budget Monitoring 2018/2019 Quarter 1** (Pages 36 - 57)  
To consider the submitted report on the revenue and capital budgets for 2018/2019 and any recommendations from the Overview and Scrutiny Board.
- 16. Urgent Council Decision Taken by the Chief Executive** (Pages 58 - 59)  
To note the submitted report on an urgent Council decision taken by the Chief Executive.
- 17. Exclusion of the Press and Public**  
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in Part

3 of Schedule 12A of the Local Government Act 1972 (as amended)) is likely to be disclosed.

**18. Proposal for TDA Pension Scheme**

To consider the submitted exempt report on a proposed change to the Pension Fund for TDA.

**Note**

An audio recording of this meeting will normally be available at [www.torbay.gov.uk](http://www.torbay.gov.uk) within 48 hours.



## **Minutes of the Council (Council decisions shown in bold text)**

**19 July 2018**

**-: Present :-**

**Chairman of the Council (Councillor Doggett) (In the Chair)  
Vice-Chairwoman of the Council (Councillor Barnby)**

The Elected Mayor of Torbay (Mayor Oliver)

Councillors Amil, Bent, Brooks, Bye, Carter, Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, Morey, O'Dwyer, Parrott, Pentney, Sanders, Stockman, Stocks, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard and Tyerman

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### **52 Opening of meeting**

The meeting was opened with a prayer.

### **53 Apologies for absence**

Apologies for absence were received from Councillors Morris, Robson and Winfield.

### **54 Minutes**

The Minutes of the meeting of the Council held on 21 June 2018 were confirmed as a correct record and signed by the Chairman.

### **55 Declarations of interests**

No interests were declared.

### **56 Communications**

The Chairman updated members on recent civic events he had attended with his Escort, including:

- a) the morning service at Southfield Avenue Methodist Church on Sunday 15 July 2018, to celebrate 200 years of Christian Worship in that area. The Chairman advised members the Church was the oldest non-conformist place of worship in Paignton; and

- b) greeting the South West in Bloom Judges to St. Marychurch to assess the area's efforts on 17 July 2018. The Chairman congratulated the volunteers on their enthusiasm and what they had achieved.

On behalf the Elected Mayor, the Executive Lead for Adults and Children was proud to announce that the Council, had become part the national White Ribbon campaign, to end men's violence against women and girls. Councillor Parrott reported that, by obtaining White Ribbon Accreditation, Torbay Council was included in the national campaign, which included arranging local events to promote the campaign and encourage men and boys to make a stand against violence towards women and girls. Councillor Parrott added that Torbay Council was the first organisation in the South West to receive the accreditation and there would be other organisations in the South West also gaining the accreditation. The Executive Lead of Adults and Children then formally presented the White Ribbon plaque to the Chairman.

## **57 Members' questions**

Members received a paper detailing questions, as set out at Appendix 1 to these minutes, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Elected Mayor Oliver and Councillors Excell, Kingscote, Mills, Parrott and Stockman.

The Chairman advised that question 8 had been withdrawn by Councillor Pentney.

Supplementary questions were put and answered by Councillors Excell, Mills, Parrott and Stockman, arising from their responses to the questions in respect of questions 2, 4, 5, 6, 7, 10, 11, 12, 14, 15 and 16.

## **58 Notice of Motion - B&Q Building, Torre, Torquay (Mayoral Decision)**

Members considered a motion in relation to the former B & Q building in Torre, Torquay, notice of which was given in accordance with Standing Order A14.

Councillor Darling (M) proposed and Councillor Pentney seconded the motion, as set out below:

this Council notes that the former B & Q building in Torre, Torquay, has remained empty for approximately eight years. We note with disappointment that the Conservative Elected Mayor has failed to act to deal with this blot on the landscape in Torquay. Therefore we instruct the Executive Head of Assets and Business Services to develop an options appraisal to deal with this matter urgently. As the recently approved planning permission has not been enacted the options appraisal should include compulsory purchase.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the motion to the Head of Paid Service to determine whether this was a priority for officers' resources.

**59 Notice of Motion - Policy Framework Objection to current Investment and Regeneration Strategy (Council Decision)**

Members considered a motion in relation to an objection to the current Investment and Regeneration Strategy, notice of which was given in accordance with Standing Order A14. In accordance with Standing Order A14.3(b), the motion was dealt with by this meeting.

Councillor Tyerman proposed and Councillor Thomas (D) seconded the motion, which was agreed by the Council as set out below:

**that the Council formally objects to the current Investment and Regeneration Strategy on the basis that:**

- a) it does not adequately or appropriately reflect the Council's objectives;**
- b) it does not specify the means for bringing forward regeneration projects (including those which were contained within the Town Centre Regeneration programme) nor does it set out the requirements for delivery of the same; and**
- c) Council believes that it needs to be amended to better reflect the objectives and operation of the fund in contributing to meeting the Council's need for raising income, for supporting economic growth in Torbay and achieving the outcomes of the Corporate Plan.**

**In accordance with the Constitution at F4.9, the Council therefore requires the Elected Mayor to consider this objection by 30 July 2018 either:**

- a) submit a revision of the Investment and Regeneration Strategy with the reasons for any amendments to the Council for its consideration; or**
- b) inform the Council of any disagreement that the Executive has with any of the Council's objections and the Executive's reasons for any such disagreement.**

**60 Notice of Motion - Felling of Trees by Network Rail (Development Management Committee Decision)**

Members considered a motion in relation to National Rail removing trees alongside rail lines, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Carter seconded the motion, as follows:

Torbay Council notes concerns expressed in the national media about Network Rail cutting down trees alongside their rail lines, and that local

authorities across the Country have placed preservation orders on trees by rail tracks to stop them being felled unnecessarily.

In particular, this Council further notes from 'Devon Live' that Teignbridge District Council has stopped Network Rail felling trees on Network Rail land in the Teignbridge area, by placing a preservation orders on the trees and engaging in discussions with Network Rail on this issue to find a way forward.

Torbay Council calls on the Chief Executive to ensure that preservation orders are placed on trees that are on Network Rail land in the Torbay local authority area (whilst ensuring that the trees are appropriately managed to ensure that they do not affect the rail line), and to engage with Network Rail on this issue to avoid the unnecessary felling of trees.

In accordance with Standing Order A14.3(a), the motion stood referred to the Development Management Committee.

#### **61 Notice of Motion - Speeding on Great Hill Road (Mayoral Decision)**

Members considered a motion in relation to speeding vehicles along Great Hill Road (plus ancillary roads) and Barton Hill Road, Torquay, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Darling (S) seconded the motion as set out below:

Torbay Council notes the concerns of residents of Great Hill Road (and roads off) and Barton Hill Road about the increase in speeding vehicles. The increase in speeding appears to have followed the introduction of the new bypass which has led to fewer vehicles travelling both ways and using the St. Marychurch Road to Newton Abbot, and the reduction in traffic has led to drivers being tempted to go faster.

Residents have advised councillors of a number of accidents happening on Great Hill Road and Barton Hill Road (including cars ending up upside down), but these accidents apparently do not feature on the official Police statistics because no fatalities were involved, which perhaps means Council officials do not have a true picture of the problem.

This Council further notes the continued use of the St. Marychurch Road to Newton Abbot (both ways) by vehicles that are too large for this route, such as coaches, whose drivers ignore the signs not to use that route.

It is also understood that there had been plans by Torbay Council to make the St Marychurch Road more unattractive to drivers in Devon wanting to commute to Newton Abbot following the bypass being brought into use, but that this does not seem to have come to fruition.



Residents are frustrated because Torbay Council asks them to direct their concerns to Devon County Council.

Torbay Council resolves that the Chief Executive arranges a meeting between the Highways Departments of Torbay Council and involving the Councillors for Watcombe and appropriate councillors and officers from Devon County Council so that a proposal can be brought forward to the Torbay Council meeting in November, outlining actions to reduce the speeding in this area and stop the use of the St Marychurch Road by large vehicles.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the matter to the Executive Head of Business Services to review and respond.

**62 Notice of Motion - Grit Bin on Southern Close, Torquay (Mayoral Decision)**

Members considered a motion in relation to the provision of grit bins in Torbay, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Darling (S) seconded the motion as set out below:

This Council notes that in recent years grit bins have been removed from several roads in Torbay, including Southern Close in Torquay. At a Councillors briefing following the 'beast from the east' bad weather, the impression was given that requests for grit bins to be returned to areas where they had been taken away would be looked on sympathetically by the Council.

Residents of Southern Close have requested the return of a grit bin, not only in response to the recent bad weather, but also because they get a lot of frost even in normal winters due to being higher up, so the grit bin would be used every winter.

Residents have advised that they would be willing to be responsible for the grit bin, eg holding a key for it etc.

This Council requests that the Chief Executive of the Council ensure that a grit bin is returned to Southern Close as a matter of urgency.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the matter to the Chief Executive to review and respond.

**63 Notice of Motion - Oddicombe Cliff Road, Torquay (Mayoral Decision)**

Members considered a motion in relation to parking on Oddicombe Cliff Road, Torquay, notice of which was given in accordance with Standing Order A14.

Councillor Darling (S) proposed and Councillor Darling (M) seconded the motion as set out below:

This Council notes the following freedom of information request in respect of Oddicombe Cliff Road.

'This Bank Holiday Monday afternoon there was a lot of irresponsible parking on this stretch of road from Babbacombe Downs to the beach. Pedestrian footways were blocked by cars and vehicles had to drive on the pavement to gain access to the beach. As you know there is signage stating no parking beyond this point March to September.

1. Are these restrictions enforceable?

No. I believe these signs relate to the area which is not highway.

2. If yes, how many tickets have been issued at this location in the last 12 months?

N/A

3. What is the planned parking enforcement regime over this summer?

As advised above, parking restrictions are not in place to enable parking enforcement. If enforcement was to occur there will need to be a restriction. Also consideration as to how the beach land can be enforced. Colleagues in the Highways Team will be able to advise on the process to ensure this area of highway down to the beach can be enforced. I am aware this will require the writing of a traffic regulation order and consideration as to the signage and/or lines. The area which is classed as beach land can only be managed by locking the area to restrict access to vehicles.'

This Council understands that last summer on at least two occasions emergency medical staff had to use the cliff railway to gain access to a patient at Oddicombe Beach due to the road being blocked by inappropriately parked vehicles.

In light of the above this Council instructs the Executive Head of Assets and Business Services to review the parking regulations on the public highway leading to Oddicombe Beach and consult with Oddicombe Beach users/stakeholders regarding the introduction of enforceable parking regulations in the interests of public safety.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the matter to the Executive Head of Business Services to review and respond.

**64 Proposal to Vary Parking Charges**

The Council considered the submitted report on a proposal to introduce parking tariffs that would apply all year round, which would replace the different charges for summer and winter. It was noted the proposed year round parking would ensure consistent charges and remove the costs of re-programming parking machines and changing tariff signage.

Councillor Excell proposed and Councillor Mills seconded a motion as set out below:

- (i) that the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report; and
- (ii) that the parking charges set out in Appendix 1 to the submitted report be implemented on the 1 and 2 November 2018 or as otherwise indicated by the new Traffic Regulation Order.

During the debate Councillor Carter proposed and Councillor Darling (M) seconded an amendment to the motion as follows:

- (i) that the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report, subject to the introduction for town centres on-street parking of a 50p charge for one hour parking with no return, with the overall new charges being remodelled to accommodate this so not to impact on the Council's overall budget; and
- (ii) that the parking charges set out in Appendix 1 to the submitted report, subject to the introduction for town centres on-street parking of a 50p charge for one hour parking with no return with the remodelling outlined in (i) above, be implemented on the 1<sup>st</sup> and 2<sup>nd</sup> of November 2018 or as otherwise indicated by the new Traffic Regulation Order.

The amendment was put to the vote and declared lost.

Councillor Excell's and Councillor Mills' original motion was then considered by the Council which was agreed, as set out below:

- (i) that the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report; and**

- (ii) **that the parking charges set out in Appendix 1 to the submitted report be implemented on the 1 and 2 November 2018 or as otherwise indicated by the new Traffic Regulation Order.**

#### **65 Adult Social Care - Local Account**

Members considered the submitted report which set out the achievements for local people in relation to adult social care and outlined the level of performance for the last financial year, together with commitment to service delivery. The report also detailed the multi-agency approach to adult safeguarding.

Councillor Parrott proposed and Councillor Bent seconded a motion, which was agreed by the Council as set out below:

**that the Local Account set out in Appendix 1 to the submitted report be approved and that the multi agency safeguarding annual report set out in Appendix 2 to the submitted report be approved.**

#### **66 Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee**

Members considered the submitted report on proposals for joint scrutiny arrangements to monitor decision-making and achievements of the Local Enterprise Partnership (LEP), arising from advice in the Mary Ney report 'Review of Local Enterprise Partnership and Governance Transparency'.

Councillor Lewis proposed and Councillor Darling (S) seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) **that the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) be approved and the Terms of Reference and Operating Procedures, as outlined in Appendix 1 to the submitted report, be endorsed, reflecting the new joint arrangements and Delegation of the Overview and Strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix 1);**
- (ii) **that it be agreed that Devon County Council becomes the host Authority to support the new Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee, which will operate under the Standing Orders of Devon County Council; and**
- (iii) **that Torbay Council's appointments to the Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee be made by the Overview and Scrutiny Board.**

**67 Disposal of land at St Kilda's for affordable housing delivery and update on housing delivery**

Further to the Council's decision on 21 June 2018, members received the submitted report on an update and indicative timeline on the delivery of affordable homes in Torbay. The report also set out proposals to transfer land and buildings at St Kilda's former residential care home to a Council owned subsidiary or wholly owned company at nil value to provide affordable homes and meet the objectives of the Housing Strategy.

A Conservative amendment was circulated prior to the meeting, which was accepted by the Elected Mayor and incorporated in his motion.

Elected Mayor Oliver proposed and Councillor Stocks seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the Chief Executive, in consultation with the Elected Mayor and Group Leaders, be instructed to deliver the affordable housing schemes at Redwell Lane, Totnes Road and St Kilda's as a matter of urgency, in such a manner as will lead to a cost effective and rapid delivery of the schemes. That the Chief Executive shall ensure that written updates as to progress are provided to each meeting of the Housing Committee and that an update is provided to Council at its meeting on 5 December 2018. If necessary, to ensure rapid delivery of the schemes, this to include the engagement of external resources, the costs of which to be met from the CSR Reserve, to a maximum of £20,000;**
- (ii) that, if the Chief Executive determines in (i), that the schemes, whether individually or collectively shall be delivered through a Council owned subsidiary, then:**
  - (a) subject to (b) below, the land at St Kilda's, shown edged red on the plan attached at Appendix 1 to the submitted report, and land at Redwell Lane and Totnes Road (as shown edged red on the plans attached to the Conservative amendment) be disposed of at Nil value to a Council owned subsidiary or company wholly owned by Torbay Council under the Local Government Act 1972: General Disposal Consent Order 2003, in return for nomination rights; and**
  - (b) that the Council enter into a satisfactory grant and nomination agreement with a Council owned subsidiary or company wholly owned by Torbay Council detailing what is to be provided on the land and the Council's nomination rights for 100% of the affordable properties on the site in perpetuity and to delegate authority to the Chief Executive**

**in consultation with the Executive Lead for Housing to agree the detailed terms of this agreement;**

- (iii) that, if the Chief Executive determines in (i) above that the schemes shall be delivered by the Council, then the value of the St Kilda's land will be included in the scheme at NIL value and the land at Totnes Road and Redwell Lane shall not then be transferred to a wholly owned company, but shall be included in the schemes at NIL value; and**
- (iv) that the Chief Executive undertakes a fundamental review of the delivery and implementation of the Housing Strategy, including the use of the Housing Company as part of that delivery, and report the outcome of the same to Council at its meeting on 20 September 2018.**

**68 Composition and Constitution of Executive and Delegation of Executive Functions**

The Council received and noted the submitted report in respect of changes made by the Elected Mayor to his Executive.

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Chairman

# Minute Item 57

Meeting of the Council, Thursday, 19 July 2018

## 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.

<b>Question (1) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b>	<b>Can you please advise me of the numbers of vacancies in the planning department on a monthly basis over the last four years</b>																																										
Elected Mayor Oliver	<p>Based on records held by Human Resources from October 2014 to July 2018 of posts given approval to recruit to. The list includes fixed term, permanent, agency:</p> <table><tbody><tr><td>Oct-14</td><td>2</td></tr><tr><td>Nov-14</td><td>2</td></tr><tr><td>Dec-14</td><td>1</td></tr><tr><td>Jan-15</td><td>1</td></tr><tr><td>Feb-15</td><td>1</td></tr><tr><td>Mar-15</td><td>5</td></tr><tr><td>Dec-15</td><td>2</td></tr><tr><td>Jun-16</td><td>1</td></tr><tr><td>Dec-16</td><td>1</td></tr><tr><td>Jan-17</td><td>1</td></tr><tr><td>Feb-17</td><td>1</td></tr><tr><td>May-17</td><td>1</td></tr><tr><td>Jul-17</td><td>1</td></tr><tr><td>Aug-17</td><td>2</td></tr><tr><td>Nov-17</td><td>2</td></tr><tr><td>Dec-17</td><td>1</td></tr><tr><td>Mar-18</td><td>1</td></tr><tr><td>Apr-18</td><td>5</td></tr><tr><td>May-18</td><td>1</td></tr><tr><td>Jun-18</td><td>1</td></tr><tr><td>Jul-18</td><td>1</td></tr></tbody></table>	Oct-14	2	Nov-14	2	Dec-14	1	Jan-15	1	Feb-15	1	Mar-15	5	Dec-15	2	Jun-16	1	Dec-16	1	Jan-17	1	Feb-17	1	May-17	1	Jul-17	1	Aug-17	2	Nov-17	2	Dec-17	1	Mar-18	1	Apr-18	5	May-18	1	Jun-18	1	Jul-18	1
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<p><b>Question (2) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>Can you please advise me of the average processing time of major and minor planning applications in Torbay on a monthly basis over the last four years?</b></p>
<p>Councillor Mills</p>	<p>Please see attached spreadsheet.</p>
<p><b>Question (3) by Councillor Darling (M) to the Executive Lead for Adults and Children Services (Councillor Parrott)</b></p>	<p><b>Children that receive free school meals due to low family income, significantly underperform compared to other children in Torbay schools. Within the Council plans and strategies to tackle this problem, can you advise me what S.M.A.R.T targets have been set?</b></p>
<p>Councillor Parrott</p>	<p>In the diverse educational landscape of academy, maintained and independent provision the local authority works to maximise its position of influence, including raising the profile of vulnerable groups.</p> <p>Torbay's Strategy for Achieving Educational Excellence Everywhere: Vision and Priorities 2016 to 2020 was adopted by Members and the Local Education system in 2016 and is the key document and driver for influencing the sector. The document whilst focusing on raising attainment for all pupils also has a specific focus on raising attainment for vulnerable groups which would include children in receipt of free school meals due to low family income.</p> <p>The strategy agreed by council has four main approaches to raising educational standards</p> <ol style="list-style-type: none"> <li>1. Ensuring every child has a place to be educated</li> <li>2. Ensuring the needs of vulnerable pupils are met</li> <li>3. Act as champions for all parents and families</li> <li>4. Act as a champion for high standards.</li> </ol> <p>The Local Authority cannot deliver this strategy without the enthusiasm and commitment of local schools, system leaders, regional partners and accountable bodies. For this reason the strategy set out a SMART action to create a Local Education Board.</p> <p>The Local Education Board has met to review intelligence across each key stage from early years to key stage 5, this included performance information for vulnerable groups (including FSM). Through this analysis we have identified individual schools that require additional support to improve outcomes for vulnerable pupils, we have identified subject specific areas that require additional attention and ensured these have been included in our Teaching Schools professional development offer and we have also used the intelligence to successfully draw down additional funds from the Strategic Schools Improvement Fund (DfE) to complete work in identified schools to close the attainment gap in both Mathematics and Phonics.</p> <p>All of these pieces of work are subject to action planning and monitoring by</p>



	<p>the relevant governance frameworks including the individual schools in receipt of the support.</p> <p>In addition to this, the Torbay Education Safeguarding Group have been undertaking work with Head Teachers, Public Health, Health Commissioners and Children's Social Care to create a shared awareness and definition of vulnerabilities across all agencies to strengthen our collective response. This will result in an agreed strategy that will be subject to consultation and council adoption in October 2018.</p>
<p><b>Question (4) by Councillor Lewis I to the Council's Representative on the Police and Crime Panel (Councillor Excell)</b></p>	<p><b>It has been announced that Devon &amp; Cornwall Police are considering merging with Dorset Police and are consulting on the proposal. Presumably this merger is designed to lead to an improvement in the operations of both forces with the ambition that this will increase the ability of the combined force to tackle crime rates and better serve our community.</b></p> <p><b>Could you please give your personal perspective on what the implications of such a merger would be on the style and standard of Policing in Torbay.</b></p>
<p>Councillor Excell</p>	<p>The Police and OPPC have been consulting with the local authority on the proposed merger. It is hoped that it provides opportunities for both the Police, but also the residents of Torbay.</p> <p>The size of the Police force proposed would hopefully also realise some additional economy of scale that could be reinvested into front line policing.</p> <p>It is felt that it would provide an opportunity for the demands of policing in Torbay and wider Devon and Cornwall to be recognised at a national level. As such, it will also afford the opportunity to effectively lobby for the appropriate level of resourcing to meet the challenges experienced over such a diverse geographical area. This is important, if not more so than here in Torbay.</p>
<p><b>Question (5) by Councillor Barnby to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>In the past few weeks I have been contacted by several residents in my ward to say that recycling boxes have not been collected for 2, 3 or even 4 weeks.</b></p> <p><b>Therefore will you please supply me with an accurate list detailing all dates on which recycling collection have taken place for the months of May and June in the following locations.</b></p> <p><b>Clennon Heights Brantwood Drive Goodstone Way Lancaster Drive The Saddle Cliff Park Road York Road</b></p>
<p>Councillor Mills</p>	<p>We can only go on the data provided and the only week we are aware that most of these roads were missed was week beginning 4/6/18. Since that date</p>

	<p>most of these roads have had some delays but have been collected within a few days. Where this time has exceeded 2 working days then this will provide evidence of a deduction which will have been applied in full of £1,100 per day.</p>
<p><b>Question (6) by Councillor Thomas (D) to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>Further to the answer you supplied in Council last month regarding recycling penalties I made further enquiries. I learned that the fine is capped at £1100 pounds and that such a fine applies if 25 bins are missed. This means that the fine is no greater if 1000 bins are missed than if only 25 are missed. I have also learned that a grace period of 3 days is allowed before a missed bin is recorded for the purpose of providing statistics and triggering penalties. This definition of a missed collection is not in accord with what my residents would deem to be a missed collection and can hide the fact that the service is not operating smoothly.</b></p> <p><b>Being cognitive of resources I do not wish further officer time to be spent on this question. All I am asking today is “was the portfolio holder aware of these key relevant facts when he presented his answer last month”.</b></p>
<p>Councillor Mills</p>	<p>No</p>
<p><b>Question (7) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>Starpitten Lane West in Torquay has perhaps the worst example of grass verges that have been ploughed up due to vehicles parking on them. The situation has become so bad that it is impacting on the ability of vulnerable people living in the sheltered housing units on that road to get about. This situation would not be accepted if it was on the seafront. Will the Executive Lead meet myself and Councillor Darling (S) as Ward Councillors on site to see the reality of the situation and to discuss actions that the Council could take to resolve this matter?</b></p>
<p>Councillor Excell</p>	<p>Damage to grass verges caused by parked cars is a problem in many areas and this is worsened during periods of wet weather. The verges in Starpitten Lane West have been inspected and the level of undulation of the ground is below intervention levels for repair at the present time. The area will continue to be inspected as part of the authority’s routine inspections and the condition will be monitored.</p> <p>It should however be noted that grass verges are not considered as areas of highway that are necessarily suitable for pedestrian or vehicular usage and the maintenance intervention levels reflect this. Any proposals to provide additional maintenance of these verges or measures to protect them from vehicles would have to be considered along with other highway maintenance priorities and available budget provision.</p>
<p><b>Question (8) by Councillor Pentney to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic</b></p>	<p><b>Storm Emma resulted in approximately £650,000 worth of damage across Torbay, to date Torbay Council has not received any funds from the Bellwin Scheme. What representations have you made to the minister demanding Torbay receives such money?</b></p>

<b>Regeneration and Transformation Elected Mayor Oliver)</b>	
	At the request of Councillor Pentney this question has been withdrawn.

**Second Round**

<b>Question (9) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b>	<b>Can you please advise me of numbers and cost of agency workers used by the Planning Department, on a monthly basis over the last four years?</b>
Elected Mayor Oliver	<p>Prior to 2018 the planning department had not had any agency workers during the last four years. In April of 2018, the Council recruited 2 Planning Officers and 1 Senior Planning Officer via agencies to cover vacancies in the team. The breakdown by month is as follows:</p> <p><b>April</b>          1x Senior Planner 2x Planning Officers          Approximate Cost: £16,686</p> <p><b>May</b>          1x Senior Planner 2x Planning Officers          Approximate Cost: £27,810</p> <p><b>June</b>          1x Senior Planner 2x Planning Officers          Approximate Cost: £22,248</p> <p><b>July (to date)</b>          1x Team Leader (Development Management) 1x Planning Officer 1x Historic Environment Officer (P/T) 2x Service Support Technicians          Approximate Cost: £11,452</p>

<p><b>Question (10) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>How many planning enforcement cases are lodged with the planning department and how many have been progressed in the last 28 days?</b></p>
<p>Councillor Mills</p>	<p>On 13 July 2018, 285 planning enforcement cases were pending consideration.</p> <p>Between 15 June 2018 and 12 July 2018, 59 planning enforcement cases were closed. No planning enforcement notices were served.</p>
<p><b>Question (11) by Councillor Long to the Executive Lead for Adults and Children (Councillor Parrott)</b></p>	<p><b>The Healthwatch Torbay Feedback Report 2017/18 for Health and Social Care reveals concerns about ‘safety of care treatment’ about social care in Torbay, and also identifies concerns about safety and staffing levels in residential care.</b></p> <p><b>How are Torbay Council working to resolve these negative themes identified by Healthwatch?</b></p>
<p>Councillor Parrott</p>	<p>Torbay Council works closely with its NHS partners, Healthwatch Torbay, the Care Quality Commission (CQC) and providers themselves to maintain and improve standards within health and social care, including care homes, home care agencies and other settings. Through partnership arrangements, such as the <b>Torbay Safeguarding Adults Board</b>, we contribute to the wellbeing of our community by working collaboratively to prevent abuse and neglect where possible and assuring ourselves that safeguarding practice is continuously improving and enhancing the quality of life of people whose health and care needs we support.</p> <p>The <b>CQC</b> are the independent regulator of health and social care in England. They monitor, inspect and regulate services that provide health and social care, including care homes (residential and nursing) and home care agencies.</p> <p>The latest CQC data (July 2018) that relates to 107 regulated social care organisations in Torbay, shows a positive position with, 5 (<b>5%</b>) of providers rated as ‘<b>outstanding</b>’, 83 (<b>78%</b>) ‘<b>good</b>’, 17 (16%) ‘requires improvement’ and only 2 (2%) are ‘inadequate’.</p> <p>Healthwatch England (a sub-committee of the CQC) is a national independent champion for consumers and users of health and social care in England. At a local level <b>Healthwatch Torbay</b>, support both the council, NHS partners and other service providers to improve services for the people who use them. As part of their work they periodically produce a number of reports, highlighting good practice and also sharing concerns from service users, with commissioners and providers.</p> <p>The ‘Healthwatch Torbay: Feedback Report for Health &amp; Social Care in Torbay, March – March 17/18’ provides, “...a summary of the annual intelligence collected from families, patients and service users collected by Healthwatch Torbay.” 658 reviews (positive and negative) were received on the following services: GPs (235), community based (162), hospitals (130), residential care (46), social care (29), dentists (24), pharmacies (18), and</p>

opticians (8). Of the 658 reviews, 220 concerns/issues were expressed, and of these 66 were serious complaints.

These numbers need to be put in context i.e. the resident population of Torbay is over 130,000 and every year the providers noted above will be meeting the health and care needs of thousands of people. Nonetheless, where appropriate, Healthwatch Torbay share these concerns/issues and complaints with commissioners and providers, to assist with improvements in health and care.

Of the 29 reviews of social care, 31% were positive and 10% were negative. Positive themes included general experience and quality & effectiveness, while negative themes covered safety of care/treatment, staff attitude and communication.

Of the 46 reviews of residential care, 83% were positive and 11% were negative. Positive themes included treatment and care, quality & effectiveness and staff attitude, while negative themes covered staffing levels and safety.

Torbay Council and its NHS partners work with Healthwatch Torbay to address any concerns, issues and complaints that are raised, sometimes involving the local Care Quality Commission (CQC) lead inspectors. Complaints and/or concerns are also referred to providers, and where appropriate Safeguarding processes are implemented. We actively support providers to address issues around quality, safety, etc. but sometimes have to make decisions to cease the commissioning of services with some providers, where the ongoing safety of residents cannot be guaranteed.

Healthwatch Torbay's **Enter & View** Team of volunteers are authorised representatives who visit care services to observe and assess their quality, from the community perspective. They plan to visit 10 care homes during 12 months, to benchmark the quality of services. This will be shared with the provider, public, commissioners, CQC and others. After all the visits have been completed, they will hold a meeting with the 10 care homes that took part, to review what is working well, sharing the successes with commissioners and the public, while also reviewing areas that require improvement across all the homes that took part.

In undertaking this work Healthwatch Torbay work closely with NHS colleagues in the **Quality Assurance and Improvement Team (QAiT)**. The QAiT team offers advice and support to care homes providers, to meet the quality standards and requirements of regulators and promote best practice. They regularly visit care homes as part of their work, as do other NHS staff.

Torbay Council has also commissioned work to explore 'What Does Good Care Look Like?' in Torbay's residential care homes and to develop a **Residents Charter of Rights**. This project has involved the council working with Healthwatch Torbay, care homes and their residents to develop the 10 principles that make up the Charter. A launch event was held on the 20th June 2018, to provide an opportunity for care homes across the bay to sign up to the Charter.

	<p>A new <b>leadership programme</b> aims to build on the successes of the Care Charter project by bringing creative practitioners together with care home staff to deliver enjoyable and inspirational creative professional leadership development. In turn, this will enable teams within care homes to work together and create more vibrant and person-centred homes. Good, confident leaders see the importance in developing employees; they encourage staff to perform well, are open to views and treat people as individuals whilst being excellent role models.</p> <p>Ultimately, the long term aim is to increase the number of homes rated 'good' and 'outstanding' by CQC. Alongside this, we want to empower all care home managers to have greater confidence in their judgement to assess risks and reduce the number of unnecessary admissions to hospital.</p> <p>An event was held during December 2017 to bring together all the key players in the local home (<b>domiciliary</b>) <b>care market</b> to consider immediate actions that could be taken to ensure that people in Torbay were kept safe and cared-for during the winter of 2017/18, and to produce ways of working for the future. The areas of focus were: Better care for clients; Better care of staff; and Better capacity for all.</p> <p>A follow up meeting was held in May 2018 and continued to focus on how the domiciliary care services in Torbay can be even better, reviewing progress since the last meeting and considering further short, medium and long-term developments. All agreed to continue with this method of working and the next event is booked to be held in early October 2018.</p> <p>Torbay Council and its NHS partners continues to work with providers to maintain and improve service quality. We are part of the <b>Proud to Care South West</b> partnership of 16 local authorities and Health Education England, working together at a regional level to raise the profile of a career in care and health. Part of this project involves looking for people to become care and support workers, with the right values and keen to learn, to help develop the health and care workforce in both Torbay and the wider South West.</p> <p>We support the <b>Torbay and South Devon Care Managers Network</b> and through their regular forums help care providers to improve their services. The Care Managers Network exists to bring care providers together so they can access current information, advice and support in reference to health and social care e.g. staff training, recruitment, etc. Providers share advice, hints and tips with each other to improve their service and learn about new initiatives and important information directly from commissioners, NHS partners, Skills for Care, the CQC, etc.</p>
<p><b>Question (12) by Councillor Darling (M) to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>I understand some local authorities set planning departments a target for the level of New Homes Bonus to be achieved. Why has Torbay chosen not to do this?</b></p>

Councillor Mills	New Homes Bonus Grant is calculated on a number of factors, including the number of new homes and the number of new affordable homes in a 12 month period. However it is not appropriate to set financial targets for this grant to a planning team as a Council's planning team should assess all applications fairly based on planning policies.
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### Third Round

<b>Question (13) by Councillor Carter to the Chairman of the Development Management Committee (Councillor Kingscote)</b>	<b>When was the last time that three Development Management meetings were cancelled in succession apart from 2018?</b>
Councillor Kingscote	As far as I am aware there has been no known instances of 3 consecutive meetings being cancelled in the last 10 years. But I would like to emphasise 388 applications have been determined by officers during the months of May, June and July.  The Planning Officers continue to process applications and approximately 90% of applications are approved by officers under delegated powers.
<b>Question (14) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</b>	<b>Can you please advise me of the average length of time to respond to correspondence in the planning department on a monthly basis over the last 4 years?</b>
Councillor Mills	This data is not captured for general correspondence. The department aims to deal with most correspondence within 10 working days.
<b>Question (15) by Councillor Long to the Executive Lead for Health and Wellbeing (Councillor Stockman)</b>	<b>Two negative themes identified by the Healthwatch Torbay Feedback Report 2017/18 for General Practice (GP) Services in Torbay were for 'booking appointments' and 'appointment waiting times'. How are Torbay Council working with Health and GP Partners in the Bay to improve the appointment booking process for local residents?</b>
Councillor Stockman	Within the realms of our close partnership working with the CCG we have sought clarification and assurance of this issue and can report the following:  While patient satisfaction with accessing GP appointments remains higher than the national average we have locally seen a decline in recent periods in these satisfaction rates as is typical across the country. There are though a number of active initiatives either underway or planned across Torbay which we hope will reverse this trend. These are as follows:  <ul style="list-style-type: none"> <li>From 1<sup>st</sup> October there will be an expansion of GP hours to ensure that every patient within the South Devon and Torbay area has the opportunity to access a GP appointment in both evenings and at weekends. This additional capacity will be available 365 days a year</li> </ul>

	<p>and will be in addition to the out of hours GP service provided by Devon Doctors on Call.</p> <ul style="list-style-type: none"> <li>• 25 of the 29 GP Practices now have an online consultation service, meaning patients can raise many issues with their surgery without needing to book a face to face appointment, and are able to do so at a time that suits them. This means that many matters previously addressed within a physical consultation can now be dealt with from the comfort of a patients home without the inconvenience of travelling to the GP surgery, though of course face to face remains available where clinically appropriate.</li> <li>• During 2018/19 the CCG want to work with local patients and GP surgeries to try and further reduce the rate of patients booking appointments but then not attending them. This is of course a largely avoidable loss of precious GP capacity.</li> <li>• For periods of peak demand such as Christmas and Easter, the CCG have invested in additional GP capacity to ensure we are better able to meet patient needs, with greatest focus on those who are most vulnerable. Therefore this has tended to be focussed on delivering additional in hours visiting capacity as well as providing increased proactive input into care and residential homes.</li> </ul>
<p><b>Question (16) by Councillor Darling (M) to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>What targets have been set by the Local Authority for reducing those on the housing waiting list by building new homes?</b></p>
<p>Councillor Mills</p>	<p>Whilst the Local Authority has a number of targets around the number of homes to be delivered there aren't targets specific to this question or specific targets pertaining to the waiting list. The Council's affordable housing policy H2 lays out the specifics around the percentage required on all new sites and depending on the site locations (Greenfield or Brownfield) larger sites can provide up to 30% affordable housing. Developers would be asked to provide an even split of social rent, affordable rent and shared ownership.</p> <p>There are currently over 1,000 households on the Devon Home Choice waiting list for social or affordable rented properties and over 600 currently waiting for a shared ownership property in Torbay. Anyone can apply to Devon Home Choice but their current housing situation will determine their banding and in turn their wait time for suitable accommodation. The total number of applicants on the waiting list can increase and decrease and this is purely down to the fact that people's circumstances change, applicants may come off the list due to being housed or their current housing situation changing and new people will register for these same reasons.</p> <p>It should be noted that because of the above factors there is not a direct correlation between the number of people on the waiting list and the number/type of homes built. Developments can take a number of years to build and the need on the housing register at the time a planning application is submitted can be different to that at the time the development completes.</p>



There could be a real need for 3 bed properties at the start of the process but by the end there could be a higher need of 2 bed units and this is why we ask developers to provide a mix of bedroom numbers proportionate to the mix as a whole.

What is positive is that over the next few years we have a number of larger sites that are due to complete (details of which are in the table below) and include sites such as Yannon’s Farm, White Rock and Alfriston Road with others in the pipeline such as Yalberton Road and Inglewood, all of these will be providing larger numbers of affordable housing which will in turn help to reduce the waiting list figures and provide much needed affordable housing with a mix of bedroom numbers (including larger family homes), tenures (shared ownership, social rent, affordable rent) and wheelchair adapted units.

<b>Sites</b>	<b>Remaining Affordable Housing units expected to complete within next 3 years*</b>
Primrose Hill	13
White Rock	45
Yannons Farm	9
Alfriston Road	24
Wall Park	4
<b>Planning achieved but not yet started</b>	
Hollacombe	43
Devonshire Park	51
<b>Sites awaiting planning permission</b>	<b>Affordable Housing Units</b>
Yalberton Rd	58
Collaton St Mary (Taylor Wimpey)	29
Inglewood	120
Luscombe Lane	14

(\*Please note some units have already completed on these sites so the figures provide under the sites section above are not the total Affordable Housing figure. Also to clarify that whilst there is an expectation that they will complete over the next 3 years these are subject to the speed of the developers.)

## Response to Question 2

### Minor planning applications (average days to decide)

2014	
Jul	88
Aug	58
Sep	70
Oct	110
Nov	179
Dec	57

2015	
Jan	65
Feb	88
Mar	65
Apr	73
May	61
Jun	90
Jul	75
Aug	60
Sep	57
Oct	90
Nov	68
Dec	52

2016	
Jan	75
Feb	87
Mar	62
Apr	98
May	86
Jun	77
Jul	68
Aug	63
Sep	67
Oct	116
Nov	83
Dec	85

2017	
Jan	88
Feb	75
Mar	94
Apr	204
May	88
Jun	82
Jul	102
Aug	89
Sep	78
Oct	78
Nov	93
Dec	85

2018	
Jan	101
Feb	107
Mar	88
Apr	146
May	116
Jun	116

### Major planning applications (average days to decide)

2014	
Jul	556
Aug	652
Sep	None
Oct	168
Nov	62
Dec	None

2015	
Jan	253
Feb	93
Mar	167
Apr	131
May	70
Jun	254
Jul	117
Aug	257
Sep	197
Oct	238
Nov	172
Dec	163

2016	
Jan	112
Feb	106
Mar	529
Apr	145
May	127
Jun	398
Jul	232
Aug	127
Sep	None
Oct	None
Nov	219
Dec	137

2017	
Jan	228
Feb	258
Mar	225
Apr	276
May	351
Jun	238
Jul	None
Aug	337
Sep	109
Oct	277
Nov	418
Dec	181

2018	
Jan	561
Feb	159
Mar	None
Apr	241
May	706
Jun	388

# Agenda Item 6

Meeting of the Council, Thursday, 20 September 2018

Public Question Under Standing Order A24

<p><b>Question from Mr Colhoun to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b></p>	<p><b>I am requesting that Torbay Council consider immediately withdrawing all charges for all registered charities to use public open space in Torbay. It is grossly unfair and immoral for Torbay Council to ask for a fee to be paid by charities who are trying to help people in difficult situations. Charges made to charities can often account for a sizeable reduction in the amount they raise. The council should instead look to commercial organisations to raise income in respect of exhibitions, markets and fairs etc. I am the Chairman of the Torquay Branch of the Royal Air Forces Association and my request is supported by the Torbay Branch of the Royal Naval Association as well as the Torquay and Paignton Branches of the Royal British Legion. I confirm I have their permission to be included in my request.</b></p>
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## Meeting of the Council, Thursday, 20 September 2018

### **Petition – Traffic Calming Devices along Eden Park Road and outside Eden Park Primary School**

We, the residents of Eden Park, Brixham, TQ5 9, petition the town council to install traffic calming devices along Eden Park Road and outside Eden Park Primary School.

There is insufficient control measures for the amount of school traffic, drivers who constantly exceed the speed limit and careless parking which causes blind spots to other drivers, not only during the school drop off and pick up times, but after school times as well. There has been a major increase in near misses which could have potentially injured or killed pedestrians & damaged private and council property.

We demand that the Town Council fully fund the installation of traffic calming devices such as speed humps and double yellow lines to reduce speed and to stop dangerous parking in what is classed as a very congested area during the school drop off and pick up times and further more, that the school is to accommodate drop off and pick up within their own school grounds to ensure a safe environment for all.

Petition Organisers – Mr Mark Hewitt

Approximately 102 signatures

# Agenda Item 8

Meeting of the Council, Thursday, 20 September 2018

## 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.

<b>Question (1) by Councillor Sanders to the Executive Lead for Children and Housing (Councillor Stocks)</b>	<b>How many meetings of the South West Councils' Children's Services Portfolio Holders Group have been held in the past three years and how many have you attended?</b>
<b>Question (2) by Councillor Carter to the Executive Lead for Community Services (Councillor Excell)</b>	<b>In previous years the Paignton seafront road has been closed to traffic and parking from May to September, and in those years the green was not invaded by travellers. However this year, as part of the seafront was open during the summer season, we have had at least three encampments by travellers, the latest one appearing to cause the local residents to retaliate by also parking on the green for free. Can you tell me why the seafront has been partially open, and if this is a good idea given the events that have happened and health and safety issues, also what permanent action is in place to stop any reoccurrences of encampments in future on the seafront.</b>
<b>Question (3) by Councillor Darling (M) to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</b>	<b>With the development of the Pavilion in limbo, are you confident that MDL Ltd are maintaining the building in accordance with the terms of the lease?</b>
<b>Question (4) by Councillor Darling (S) to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</b>	<b>I understand that the developers have up to six months to respond to the legal proceedings that found the planning decision in respect of the Pavilion deficient. What encouragement is the Council bringing to bear on the developer to either provide the relevant method statement or come up with alternative proposals to develop this sadly neglected Torquay treasure?</b>

## Second Round

<b>Question (5) by Councillor Sanders to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</b>	<b>Why was no substitute sent to attend in his place at either of the two South West Councils' meetings this year that he has missed.</b>
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<p><b>Question (6) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>At a community meeting held on 3<sup>rd</sup> September 2018 you informed those present that Torbay Council received monies for re-settling former prisoners in Torbay. Can you please explain this?</b></p>
<p><b>Question (7) by Councillor Darling (S) to the Executive Lead for Adults (Councillor Parrott)</b></p>	<p><b>I understand that almost 1,000 older people a day are needlessly admitted to hospital amid social care crisis. A pensioner is readmitted to their local hospital every 90 seconds, with emergency admissions to hospital more than doubling in the last 13 years, according to new research by Age UK. The report also said the rate of avoidable admissions had increased by 63 per cent since 2003, citing that pensioners living alone are at greatest risk and that the care system fails to help an ageing population. Cllr Ian Hudspeth, Chairman of the LGA's Community Wellbeing Board, said: "With people living longer, increases in costs and decreases in funding, the system is at breaking point and is ramping up pressures on unpaid carers who are the backbone of the care system'. With Torbay's higher than average numbers of older people what assurance can you give around how Torbay Council are managing this crisis?</b></p>

### Third Round

<p><b>Question (8) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>Over recent months I have noted increasing anger from constituents over the failure of adequate resourcing of the Police in Torquay Town Centre. Earlier this summer, at a meeting with the Overview and Scrutiny board, the Conservative Police and Crime commissioner for Devon &amp; Cornwall and Chief Constable gave the clear impression that after an 80% decrease in PCSOs in Torquay local residents could expect an increase in numbers. When will this happen?</b></p>
<p><b>Question (9) by Councillor Darling (S) to the Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Mayor Oliver)</b></p>	<p><b>On the 1<sup>st</sup> of August 2018, due to the severe financial pressure that the Council faces, Torbay Council introduced a moratorium on non-essential spending for all parts of the Local Authority. Since then what meetings have you held with the two MPs who represent Torbay to put pressure on the Government to adequately fund the Council?</b></p>

<b>Executive Notice of Motion</b>
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**Council Meeting**

**20 September 2018**

**Brexit Negotiations**

This Council notes the decision of the people of Torbay by a majority to support leaving the European Union and requests the Chief Executive of Torbay Council write to our Members of Parliament calling upon them to support the major democratic decision of the people of Torbay and that they support proposals that reflect that view in all negotiations nationally by the Government with the European Union.

Proposer: Councillor Ellery

Seconder: Councillor Haddock

## Liberal Democrat Group Notice of Motion

### Council Meeting

20 September 2018

#### Clinical Commissioning Group – Overview and Scrutiny

Torbay Council notes that the Governing Bodies of the Clinical Commissioning Groups in Devon have submitted an 'expression of interest' to merge.

This council further notes that the following concerns have been raised at meetings of the Overview and Scrutiny Board:

- The lack of any positive outcomes in terms of improved services for local residents;
- The lack of clarity on how a new merged body would be accountable to local people;
- Concerns about Torbay's influence in a larger body being watered down;
- Concerns that this decision could be made behind closed doors without public consultation; and
- Questions over whether funds currently earmarked for Torbay might be subsumed into a wider body.

It is understood that similar issues have been raised at meetings of Devon County Council's Overview and Scrutiny Board.

This Council understands that this issue will be discussed at a meeting of Torbay's Overview and Scrutiny Board in October, and recommends that a written report is presented from the local Clinical Commissioning Group responding to the above concerns at that meeting.

Proposer: Councillor Long

Seconder: Councillor Darling (S)





**Meeting: Full Council**

**Date: 20 September 2018**

**Wards Affected: All**

**Report Title: Transformation Project - Future of ICT Services**

**Is the decision a key decision? Yes**

**When does the decision need to be implemented? Immediately**

**Executive Lead Contact Details: Councillor Richard Haddock**

**Supporting Officer Contact Details: Bob Clark Executive Head of Customer Services**  
01803 207420, [bob.clark@torbay.gov.uk](mailto:bob.clark@torbay.gov.uk)

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## **1. Proposal and Introduction**

- 1.1 This report is presented to Council to consider a proposal on the future delivery and ownership of Torbay Councils ICT Services department.
- 1.2 Torbay Councils Information Communication Technology (ICT) department is a central support service providing ICT business systems and software support and development to the Council, Members, the Integrated Care Organisation and other joint working agencies.

## **2. Reason for Proposal**

- 2.1 As a result of the austerity measures faced by the Council the ICT budget has been reduced over the last 7 years whilst demand on the ICT support service has increased, resulting in the service becoming unsustainable, both in respect of IT infrastructure and staffing. As such there is a real and present risk of service failure.
- 2.2 Accordingly the Council has had to review the options for the delivery of its ICT department to ensure it provides the most resilient, efficient and cost-effective service.
- 2.3 A wide range of options were initially considered by officers, these options were shortlisted to 4 so that a business case evaluating these options could be developed. The options included in the business case are:

**Option 1. Do Nothing/Remain as is.**

**Option 2.** Internal provision – transform the service with a commitment to a sufficient level of additional and ongoing investment (short term option to cover the organisation’s transition).

**Option 3.** Contracting out the entire ICT service with SCOMIS - an ICT Trading unit within Devon County Council.

**Option 4.** Contracting out the entire ICT service and becoming a shareholder of DELT a private Company providing ICT support services to Plymouth CC and the North Devon CCG.

2.4 The option being recommended by officers is ‘Option 4’ – contracting out the ICT service to DELT Shared Services LTD – this is due to the benefits to the Council as follows: (for more details please see the business case at Appendix Two):

- Sustainability and resilience of ICT through the provision of the service via a larger organisation,
- Providing a greater ability to support transformational change while maintaining ‘business as usual’ ICT activity
- The option for Torbay Council to become a shareholder and generate income via DELT’s successful commercial operating model,
- The current alignment with some of our back office services with Plymouth City Council. (i.e. Children’s Services),
- Improved training and career progression opportunities for staff,
- Organisational staff culture, drive, ambition and enthusiasm,
- A breadth and depth of skills across both Unitary and District ICT systems,
- The opportunity to move other Torbay Council services into DELT in the future if desired e.g. Print/Post Services (DELTA are not solely an ICT provider).

2.5 As stated above the ICT service is currently unsustainable and therefore to prevent service failure an additional level of investment is now necessary.

2.6 Council are therefore being asked to make a decision over which option they wish to pursue.

### **3. Recommendation(s) / Proposed Decision**

3.1 That the Chief Executive be given delegated authority to purchase shares in DELT Shared Services LTD subject to the relevant due diligence taking place.

3.2 That the Chief Executive be given delegated authority to enter into a 10 year contract with DELT Shared Services LTD for the provision of ICT services to the Council, in accordance with the terms set out in exempt Appendix 2 to the submitted report.

3.3 That in order to fund the costs of the contract with DELT Shared Services LTD the Council approves the ICT budget (currently £2.2m) from 2019 onwards to £2.5m (representing an increase to the current budget of £0.3m) – this covers the Core Fee to DELT Shared Services LTD and the Council client side costs.

- 3.4 That Council delegate to the Chief Finance Officer the authority to identify the source of funding for the £200k transition costs for DELT Shared Services LTD from earmarked reserves.

### **Appendices**

Appendix 1: Supporting Information and Impact Assessment (Exempt)

Appendix 2: Business Case (including options appraisal) (Exempt)

Appendix 3: Financial Analysis (Exempt)

### **Background Documents**

None



**Meeting** Council

**Date:** 20<sup>th</sup> September 2018

**Wards Affected:** All Wards

**Report Title:** Budget Monitoring 2018/19 – Quarter 1

**Is the decision a key decision?** No

**When does the decision need to be implemented?** n/a

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## 1. Purpose and Introduction

- 1.1 This report provides a **high level** budget summary of the Council's revenue and capital income and expenditure for the financial year 2018/19.
- 1.2 As at the end of quarter one 2018/19 the Council's **Revenue** budget is predicting an over spend of £2.9m for the financial year, primarily as a result of demand pressures resulting in expenditure pressures in children's social care. This level of overspend is a real cause for concern and in the absence of any compensating savings in other services the Council has to identify options to fund the over spend.
- 1.3 Consequently the Council's Senior Leadership Team have already put in place arrangements for a moratorium on all spend that is not urgent or required to meet statutory duties. The Chief Finance Officer has arranged additional processes to monitor and challenge orders and contracts placed by the Council. The Chief Finance Officer has also allocated the entirety of the uncommitted balance on the CSR Reserve in order to contribute to meeting the in-year overspend.
- 1.3 The **Capital** Plan budget totals £216 m for the 4 year programme, with £86 m currently scheduled to be spent in 2018/19, including £45m on Investment Fund acquisitions, £2.6m on the Western Corridor and £12m on various Regeneration projects. The Capital Plan requires £1.0 million from (new) capital receipts and capital contributions over the life of the Plan.
- 1.4 Appendix 2 is an expanded narrative of the **capital schemes** expected to incur expenditure in 2018/19 with a specific update for each project. This aims to provide members with greater oversight of the progress on capital projects rather than a focus exclusively on financial issues.

## 2. Recommendation (s) / Proposed Decision

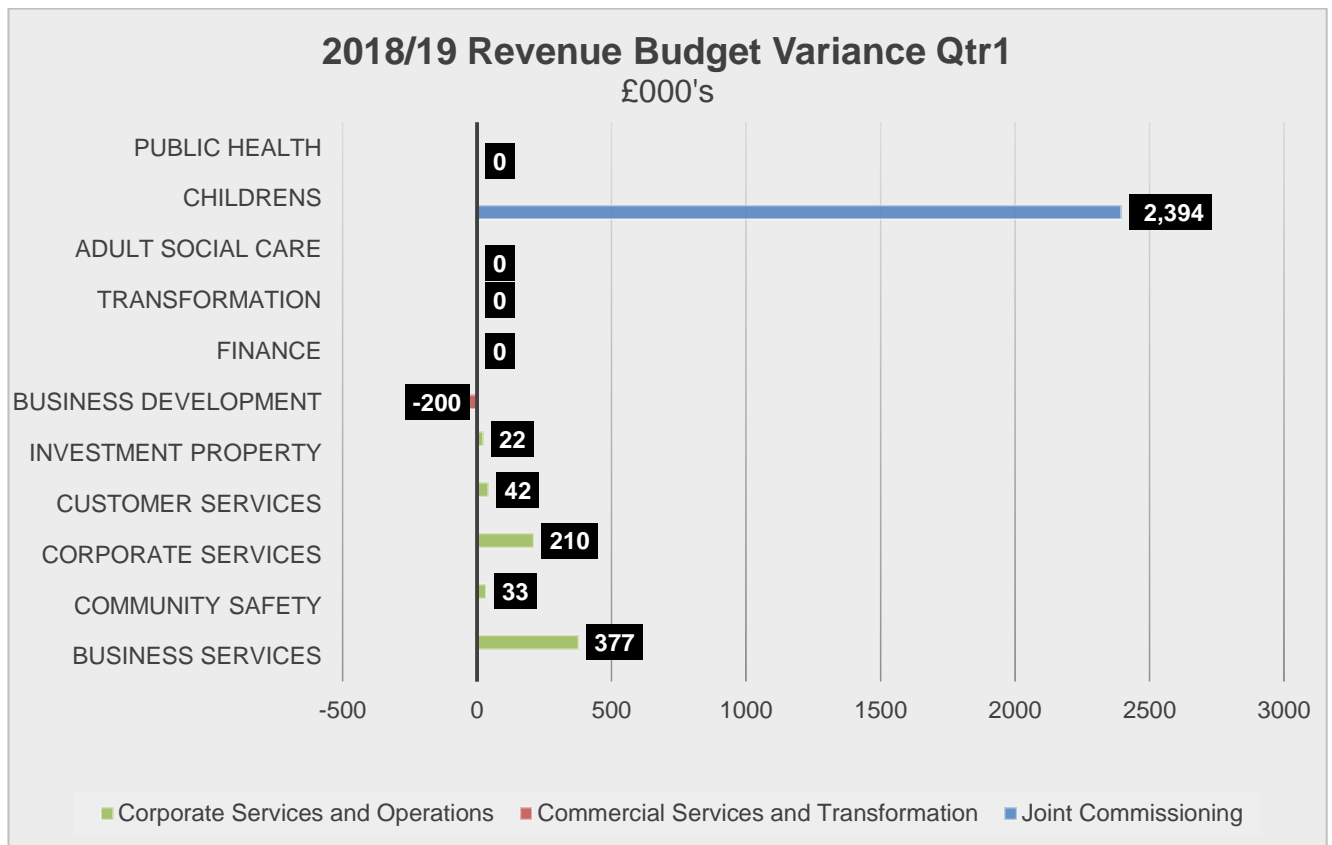
2.1 Overview and Scrutiny Board: That the Board considers the current position and make any comments and/or recommendations to the Council.

## 3. Reason for Recommendation/ Proposed Decision

3.1 Council: That the Council reviews and noted the Monitoring Report.

## 4. 2018/19 Revenue Budget Summary Position

4.1 As at Quarter 1 the Council's revenue budget is predicting an over spend for 2018/19 of £2.9m, primarily as a result of issues in Children's Services, offset in part by under spends in other services. The budgets are presented in line with the Council management structure that was applicable from November 2017, however since some appointments were not made a revised management structure will take effect from the 1<sup>st</sup> August 2018. A bar chart summarising the projected budget variance by service for 2018/19 is as follows:



### Children's Social Care

4.2 The 2018/19 budget for Children's social care was increased by £3m, a 10% increase on the 2017/18 budget to reflect the levels of spend, in particular on looked after children.

4.3 In the past six months the service has experienced a further 20% increase in looked after children numbers. In December 2017 the number of Looked After Children was

293 which had increased to 358 by the end of June 2018. Anecdotally other Councils in the south west and nationally are also experiencing a rise in numbers, but not at the percentage increase Torbay is currently experiencing.

- 4.4 A recent article by the County Councils Network outlines a national overspend in 2017/18 in children's social care of £816m, a 10% variation to budget. Since 2011 the number of vulnerable children in county areas taken into care increased by 35%. In a similar period Torbay's spend on children's social care increased significantly more than the national position.
- 4.5 It is clear that the current position of increasing demand for social care combined with ongoing reductions in core funding is not sustainable. It is important that the Council ensures that its voice is heard to ensure that future funding for local government recognises these increased and unavoidable costs.
- 4.6 Partly as a result of the increased national demand for children's social care there is an ongoing challenge to attract and retain experienced social care staff. As a result at the end of June 2018 the service was employing 50 agency staff which creates an additional financial pressure upon the service.

#### Higher Needs Block – Special Education Needs

- 4.7 As previously reported the schools' higher needs block in the Dedicated Schools Grant has been under financial pressure as a result of an increasing level of referrals from schools for higher needs support for children resulting in a forecast over spend in 2018/19 of £2m. The Council does not receive any funding for schools therefore the over spend will remain in the DSG to be funded in future years and is not a cost the Council will fund.
- 4.8 The overspend in previous years has resulted in a "negative" DSG reserve of £1m. The 2018/19 projected overspend will increase that to a cumulative deficit of £3m. This overspend has been "made good" by DSG funding in future years.
- 4.9 The Council will continue to work directly with schools to jointly work on a solution to this issue. A Higher Needs Recovery group including schools representatives was established earlier this year and is due to report back to Schools Forum in October 2018 with options to reduce spend and/or fund the overspend from school budgets. The Council, with the Schools Forum, will have to set a balanced budget for 2019/20.
- 4.10 Anecdotally other Councils in the south west and nationally are also experiencing a rise in numbers, however there is no indication of any additional funding from central government to meet the higher levels of demand and cost.

#### Investment Property

- 4.11 In the first quarter of 2018/19 the Council completed the purchase of an investment property that had exchanged in March 2018 for a total of £12m. Subsequently in August the Council completed the purchase of another investment property for £10m including costs. The costs of the borrowing required for the purchases are to be funded from future rental streams.

## Adult Social Care

- 4.12 2018/19 is the fourth year in the five year risk share agreement for adult social care whereby the Council makes a fixed payment to the Integrated Care Organisation. The Integrated Care Organisation itself has a challenging savings target for 18/19 and is currently forecasting that there is a risk that their (NHS set) control target will not be achieved by the end of the financial year. As a result there is likely to be an ongoing discussion with the Council and the CCG about the application of the Council's 2018/19 allocation of Improved Better Care Fund. Council, CCG and ICO are also considering a further 5 year risk share based on future strategy for health and care. A Memorandum of Understanding for consideration will come to PDG in October 18 and a proposed set of future financial commitments to council in March 19.

## NNDR

- 4.13 The Council is part of the Devon Wide 100% NNDR retention Pilot in 2018/19. This Pilot is for one year only and MHCLG have invited bids from areas to participate in a 75% NNDR retention scheme in 2019/20. A 75% scheme reduces the overall gain for areas by half compared to that of a 100% scheme. It is expected that the number of Pilot areas for 2019/20 will be limited and a higher number of bids are expected.
- 4.14 The initial monitoring of the 2018/19 position of all the Devon Councils in the Pilot is positive with a higher level of gain forecast for the Pilot. However it is early in the financial year and NNDR income can be volatile. It is likely that Torbay will include a higher than budgeted gain in 2018/19 when the quarter two position is forecast.
- 4.15 Detailed Position- The budget position for each service is shown in the table below:

Service	2018/19 Budget			Forecast Full Year Variance
	Expenditure £000s	Income £000's	Net £000's	
Adult Social Care	52,021	(11,099)	40,922	0
Children's Services	81,798	(49,886)	31,912	2,394
Public Health	10,097	(722)	9,375	0
<b>Joint Commissioning</b>	143,916	(61,707)	82,209	<b>2,394</b>
Business Development	11,360	(2,390)	8,970	(200)
Financial Services	20,658	(20,056)	602	0
Transformation	793	(329)	464	<b>0</b>

<b>Commercial Services and Transformation</b>	32,811	(22,775)	10,036	<b>(200)</b>
Business Services	29,902	(17,631)	12,271	377
Community Services	4,082	(1,432)	2,650	33
Corporate Services	6,214	(1,744)	4,470	210
Customer Services	66,890	(63,468)	3,422	42
Investment Properties	4,945	(7,997)	(3,052)	22
<b>Corporate Services and Operations</b>	112,033	(92,272)	19,761	<b>684</b>
<b>Gross Revenue Budget</b>	288,760	(176,754)	112,006	<b>2,878</b>
Sources of Funding	397	(112,403)	(112,006)	0
<b>Net Revenue Budget</b>	289,157	(289,157)	0	<b>2,878</b>

A narrative of the position in each service area is as follows:

<b>Service</b>	<b>Variance to Budget £m</b>	<b>Main Variances in 2018/19</b>
Adult Social Care	0	Fixed payment agreed with ICO for 2018/19
Children's Services	2.4	As detailed earlier
Public Health	0	Ring fenced budget
Commercial Services and Transformation	(0.2)	Expected savings in concessionary fares and lower than budgeted waste tonnages.
Corporate Services and Operations	0.7	Projected over spend in planning, governance, human resources, legal services, investment properties (income target on pre 2017 investment properties not being met).  Income shortfall in printing offset in part by salary savings in exchequer and benefits.  Income budgets projected not to be fully achieved in land charges, resort services, licensing, events and sport pitches.
Sources of Funding	0	
<b>Total</b>	<b>2.9</b>	Projected over spend



## 5 Action to Mitigate Overspend

- 5.1 A projected overspend of £2.9m for the year based on the first quarter is a real cause for concern. The estimated “unallocated” balance on the Comprehensive Spending Review Reserve is £1.7m which is insufficient to fund the projected overspend. In order to protect what remains of the CSR Reserve the Chief Finance Officer has allocated it to contribute to meeting the in-year overspend.
- 5.2 The Chief Finance Officer has discussed the position with the Elected Mayor and his Executive Leads and the Senior Leadership Team and as a result a moratorium on all spend that is not urgent or required to meet statutory duties has been initiated with a target saving in excess of £1m to be achieved in the year.
- 5.3 The Chief Finance Officer has arranged additional processes and control around the monitoring and authorisation of orders, reviews of new procurement activity and reviews of any new suppliers requested by services.
- 5.4 The Chief Finance Officer with the support of the Senior Leadership Team is also:
- a) Reviewing earmarked reserves to both; apply reserves to spend in 18/19 where possible and transfer any “surplus” earmarked reserves to the CSR reserve.
  - b) Reviewing the Capital Plan to “return” any revenue funding allocated to as yet unspent capital projects.
  - c) Reviewing corporate expenditure to consider whether any expenditure can be transferred to future years.
  - d) Reviewing the Capital Plan to consider the “pausing” of capital projects, including schemes using prudential borrowing that are funded from the Council’s revenue budget.
- 5.5 All the above are short term or “one off” measures to support the current position. The implications of the 2018/19 forecast on both the 2019/20 budget and reserve levels will be included in the Elected Mayor’s budget proposals to be issued in early November 2018.
- 5.6 The impact of the actions taken/proposals will be included in future monitoring reports.
- 5.7 A number of the current projected overspends, (children, planning, legal services, human resources) are linked to challenges in staff recruitment resulting in agency staff being employed at a higher cost. In all these services the managers are trying to recruit permanent staff as soon as possible.

### Risks & Sensitivity

- 5.8 The predictions for the full year outturn in this report are based on three months of financial information and will be subject to changes in assumptions, demand and the impact of the action taken in year to mitigate the projected overspend.
- 5.9 There are a number of financial risks facing the Council. Key risks are shown below:

Risk	Impact	Mitigation
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Achievement of approved savings for 2018/19	Medium	18/19 Budget monitoring and "saving tracker" monitored by senior staff.
Achievement of Children's Services cost reduction plan	High	Regular monitoring of performance and recovery plan.
Identification, and achievement, of £14.7m of savings for 2019/20 to 2021/22 per Medium Term Resource Plan March 2018	High	Transformation Team set up to coordinate the implementation of potential transformation savings.  Senior Leadership Team and Mayor's Executive Group considering options for future years.  Mayor's 2019/20 budget proposals to be issued in early November 2018.
Unable to recruit staff and need to use agency staff.	High	Children's Services have experienced difficulties for several years. This issue is now appearing in other services.
Pressure achieving income targets in some services	Low	A number of services are not meeting their income targets (which increase by 3% each year).
Additional demand for services particularly in children's social care	High	18/19 Budget monitoring, use of service performance data and recovery plan.
Investment Property Income changes	Low	Regular review of income and tenant negotiation

## 6. Balance Sheet issues

### Borrowing

- 6.1 In quarter one the Council borrowed a further £5m, primarily to fund investment property acquisitions. Total borrowing as at 30<sup>th</sup> June 2018 was £272m. A further £5m was borrowed in July 2018. Borrowing is below the approved Operational and Authorised limits for the year.

### Council Subsidiary Companies

- 6.2 The Council has interests in a number of companies. The financial performance for 2017/18 of these companies is included in the Council's statement of accounts (link below).

<http://www.torbay.gov.uk/council/finance/statement-of-accounts/>

- 6.3 All of these companies form part of the Council's group boundary, therefore Members should be aware of the assets and liabilities of these companies.

### Debtor – Write offs

6.4 The total value of debtor write offs in the first quarter of 2018/19 was:

Service	Number of records written off	Value of write offs £000's	Number over £5,000
Council Tax	970	287	1
NDR	29	123	7
Housing Benefit	72	42	2

## 7 Capital Plan Summary Position

7.1 The Capital Plan Budget has been updated for any further revision to both projects and timing, resulting in the latest revision attached at Appendix 1. The Plan now totals £216.4m over the 4 year period of which £85.8 m relates to 2018/19 and £99.5m relates to 2019/20.

7.2 The movements in the estimate of expenditure in 2018/19 on the Capital Plan between the last monitoring report at February 2018 of £138.2m and the current approved budget for 2018/19 of £116.9m are shown below. Please note the format of this table shows schemes ordered by Council's Targeted Actions, as is Appendix 1.

Scheme	Variation in 2018/19	Change £m	Reason
<b>Estimate as at Q3 2017/18</b>		<b>138.2</b>	Capital Plan Update – 2017/18 Quarter 3 (Report 8th Feb 2018)
<b>Budget changes since last report (Q3 2017/18)</b>			
Scheme budgets brought forward from 2017/18 and year-end adjustments.	Budget moved to 2018/19	14.6	For details see 2017/18 Capital Outturn report (Council 21 June 2018)
		<b>152.8</b>	
<b>Protecting Children</b>			
Brookfield Site	New Scheme	1.5	Develop and improve site of Brunel Academy (formerly Torbay School)
Capital repairs & maintenance 18/19	Additional resources	0.4	New grant allocation
Devolved Formula Capital	New grant allocation	0.1	2018/19 ring fenced grant allocation
Healthy Pupils and additional Special Needs	New grant allocations	0.1	Govt grant allocations
Medical Tuition Service relocation	New project	0.6	Council (April 2018) approved relocation of service to Parkfield

	Phasing of budget	(0.4)	Part budget to 2019/20
New Paignton Primary School	Additional funding	0.1	Transfer budget from Torbay School Relocation
Torbay School Relocation	Budget transfer	(0.1)	Part reallocated to New Paignton Primary School. Part reallocated to Brookfield Site development Transfer to future years
	Reduced budget to fund other scheme	(1.5)	
	Rephase budget	(1.0)	
		<b>(0.2)</b>	
<b>More Prosperous Torbay</b>			
Claylands Redevelopment	Budget moved to 19/20	(4.3)	Latest review of estimated expenditure
Edginswell Business Park	Budget moved to 19/20	(6.5)	Project delayed by pending negotiations.
Investment Fund	Increase budget	0.2	Landlord contribution funded from Earmarked Reserve Rephased to future years based on profile of purchases
	Budget moved to future years	(35.4)	
Oxen Cove Shellfish Facility	Budget moved to 2019/20	(0.4)	Project pending funding application
Town Centre Regeneration	Budget moved to future years	(6.0)	Expenditure likely to be incurred from next year.
Transport – Highway Structural Maintenance	Additional budget	0.2	Indicative 18/19 Incentive element allocation Additional Pothole Action Fund
		0.2	
Transport – Integrated Transport Schemes	Budget moved to 19/20	(0.2)	Part budgets moved to future years
Transport – Torquay Gateway	Part of Budget moved to Western Corridor and budget moved to 19/20	(1.7)	Main parts of scheme temporarily on hold
Transport – Western Corridor	Latest budget review	(0.7)	Transfer budget to reflect latest estimates
Upton Place	Budget moved to 2019/20	(10.2)	Project delayed.
		<b>(64.8)</b>	
<b>Attractive and Safe place</b>			
Brixham Breakwater	New Scheme	1.8	Major repairs funded from Essential Repair budget & External Grant funding
		2.1	
Beacon Quay Decking	New Scheme	0.1	Funded from surplus resources on Princess Pier
Princess Pier – Structural repair	Transfer part budget	(0.1)	Transfer surplus funds to Beacon Quay decking
Public Toilets modernisation (Inn on the Quay)	Additional budget	0.1	Funding for Inn on the Quay toilet block
Torre Abbey Phase 3	New Scheme	1.1	Council (14 May 2018) approved Torbay contribution.

	Budget moved to 19/20	(1.0)	Transfer to 2019/20
		4.1	
<b>Protect and Support Vulnerable Adults</b>			
Adult Social Care	Budget allocation	0.7	Part of DFG 2018/19 grant allocation
Affordable Housing	Increase budget	0.2	Budget increased by Right To Buy receipts 2017/18
	Budget moved to 19/20	(0.2)	Transfer to future years
Housing Company	Budget moved to future years	(5.0)	Budget moved to future years
Empty Homes & Private Sector	Budget moved to future years	(0.6)	No plans for funding
Disabled Facilities Grants	Budget allocation	1.0	Part of DFG 2018/19 grant allocation
		(3.9)	
<b>Corporate Support</b>			
Essential capital repairs	Budget reallocation	(1.7)	Budget transferred to part fund Bxm Breakwater repairs.
	Budget moved to 19/20	0.1	Budget from 2019/20
General Contingency	Budget moved to 2019/20	(0.6)	Contingency unlikely to be required this year
		<b>(2.2)</b>	
<b>Estimate – Quarter One 2018/19</b>		<b>85.8</b>	

## 8 Updates to Capital Plan:

There are a number of variations to budgets on various schemes as detailed below.

### 7.1 Protecting Children

7.2 Brookfield Site – proposals to improve and develop this site for the Brunel Academy (formerly Torbay School) have been approved by PDDG and the Elected Mayor. The necessary works will be funded with £1.5m budget transfer from Torbay School Relocation.

7.3 Capital Repairs and Maintenance (Condition funding) – the 2018/19 allocation of School Condition grant of £0.418m.

7.4 Devolved Formula Capital grant allocation for 2018/19 of £0.079m is a ring fenced grant and has been added to the Capital Plan.

7.5 Healthy Pupils and Special Needs provision – the Government have provided additional grant allocations for these areas, £0.039m and £0.116m respectively, which will be allocated to schools depending on need.

7.6 Basic Need Grant - a new allocation of £0.729m for year 2020/21 has been announced and has been added to the Children's Capital Plan.

7.7 Medical Tuition Service relocation – In April 2018, Council approved a project to relocate the Medical Tuition Service (formerly EOTAS) to Parkfield utilising

unallocated resources and up to £0.6m of borrowing. The expenditure is likely to spread over two years. At present in the Capital Plan the funding of this project has been assumed to be prudential borrowing but this is likely to be swapped for unallocated resources within Children's services as they are identified.

- 7.8 New Paignton Primary School – The new Paignton Primary school will be a Free School developed and funded directly by the Education and Skills Funding Agency. A site has been identified in central Paignton and the Council will contribute £0.6m to enable the site acquisition. The original budget approval for a site acquisition was £0.5m so an additional £0.1m has been transferred from the Torbay School relocation project (which is currently on hold). This was approved by Council at its 22 February 2018 meeting.
- 7.9 Roselands Primary extension - Torbay has been given approval and funding from DfE to open a new primary school in Paignton (see para 4.20 above). The new school was supposed to open in Sept 2018 but the DfE have recently confirmed that it won't open now until Sept 2020. As a result two other primary schools in Paignton have been asked to take extra pupils for two years to accommodate growing numbers. One of the schools (Roselands Primary) will need an extra classroom at an estimated budget cost of £0.36m. It is proposed that the resources to fund this work are taken from the existing Children's Services allocations for future years.
- 7.10 Torbay School Relocation - £0.1m of this project's budget has been transferred to provide additional funds to enable the site acquisition for a new Free School in Paignton. In the meantime the existing site of Torbay School including the Brookfield site, will be improved and developed – see above, and £1.5m budget is transferred to facilitate that scheme.
- 7.11 **More Prosperous Torbay**
- 7.12 Claylands Redevelopment – Planning application has been submitted and the contract is currently out to tender with a projected start in November 2018 subject to an agreement with the prospective tenant.
- 7.13 Edginswell Business Park – negotiations for the acquisition of the site have stalled awaiting response from the owners, it is now considered unlikely that the project will progress further until 2019/20 so £6.5m of budget has been moved.
- 7.14 Innovation Centre Phase 3 - Electronics & Photonics Innovation Centre – work commenced on site in March 2018 and a bid for additional European funding has been submitted.
- 7.15 Investment Fund – As part of the rent review process at Wren Park the Council it is proposed to make a landlord's contribution of £0.2m towards improvement of the fabric of the building. This cost will be funded from capital reserves established from the surplus on investment properties in previous years.
- 7.16 Investment and Regeneration Committee (July 2018) have also approved the Harbour View hotel development (scheme cost £10.9m) and £9.9m budget has been moved to future years in line with estimated expenditure projections and will be subject to an agreement with the prospective tenant. In addition based on the current estimated profile of purchases a further £25.5m has been moved to 2019/20.

- 7.17 Land Release Fund – The Government has awarded funding to progress development of three sites in the Paignton area – Victoria Square, Collaton St. Mary and Preston Down Road. The funding is to be enable the release of the land for housing by 2020 or earlier. The total grant of £3.976m will be paid over two years 2018/19 and 2019/20. Some of the costs will be for revenue purposes so are being charged to revenue initially. Any expenditure that is of a capital nature will subsequently be transferred to capital and the Capital Plan will be adjusted accordingly.
- 7.18 Oxen Cove Shellfish Facility – the £0.4m initial budget for the design and preparation of this scheme has been moved to 2019/20 as the project is on hold pending a funding application to the Marine Management Organisation (MMO).
- 7.19 South Devon Highway – Whilst final settlement has been agreed with the main contractor, a number of matters are still to be finalised including Part 1 Compensation claims. As such the final position cannot yet be accurately assessed, although the latest information from Devon CC (the 'lead Authority') suggests that Torbay's total contribution may be higher than the remaining budget, which could require additional borrowing. No change has yet been made to the scheme budget until the outcome of some of the outstanding issues is clearer.
- 7.20 Town Centre Regeneration – background work continues to develop scheme options and the Harbour View Hotel / Terrace Car Park development now forms part of the Investment Fund activities. No other major work expenditure is expected this financial year so the budget has been moved to 2019/20.
- 7.21 Transport Integrated Transport Schemes – broad proposals for this budget have been approved by Council and Business cases for specific projects await decisions. It is expected that £0.2 m of the budget will not be used this year so has been moved to future years.
- 7.22 Transport Structural Maintenance – The Government have given indicative grant allocations from their Incentive Fund of £0.246m for 2018/19 and additional Pothole money of £0.163m.
- 7.23 Transport – Torquay Gateway. As part of a funding review and options for Western Corridor, £0.95m budget has been transferred as noted above, however this obviously reduces the scope of the Gateway scheme which is largely on hold at present so most of the remaining budget has been transferred to future years.
- 7.24 Transport – Western Corridor and Tweenaway Cross. There is ongoing pressure on these budgets both from the construction costs and related compensation claims. The LEP has agreed to divert £0.95m funds from the Torquay Gateway scheme to support Western Corridor. A proportion of the budget has been rephased to reflect latest expenditure predictions.
- 7.25 Upton Place, Lyminster Road Student Accommodation – This £14.2m scheme is now in doubt following a change in the prospective tenant's interest in the proposed development. The budget has been moved to next year whilst options are reviewed.
- 7.26 **Attractive and Safe Place**
- 8.27. Brixham Breakwater Improvements – Council on 14 May 2018 has previously approved this major repair scheme in which funding from Marine Management

Organisation of £2m was anticipated along with £0.1m from Environment Agency, with remaining funds of £1.753m coming from the Essential Capital repairs budget. The MMO has now confirmed a grant 'in principle' of £2m for the scheme, from the European Maritime and Fisheries Fund. The scheme has been "tendered" and is awaiting confirmation of the required license from the MMO.

- 8.28 Flood alleviation schemes – following Environment Agency confirmation of grant funding at Cockington £0.218m and Monksbridge £0.362m, these schemes have been added to the Capital Plan. Some Council funding will be required and so far the remaining £0.055m balance of earmarked resources for Flood Defence Schemes has been applied and it is anticipated that potential savings on existing flood and protection schemes will provide the additional support needed for these projects.
- 8.29 Public Toilets - Inn on the Quay – plans are progressing to provide new facilities following removal of previous public toilet block (under the contract with Healthmatic). Estimated costs are being gathered to inform funding requirements. Capital resources of £0.137m have been provided by Whitbread (Premier Inn) which will be applied towards the replacement toilet block. This effectively increases the resources available for the Public Toilets modernisation programme to £1.17m.
- 8.30 Torre Abbey Phase 3 – Council on 14 May 2018 approved borrowing of £1.15m to support further renovation works at Torre Abbey. A grant bid application of £4.5m has been submitted to the Heritage Lottery Fund which, if successful will enable further restoration work and improve facilities. If successful it is likely that £1m of Torbay's contribution will be required in 2019/20 so the budget has been phased to reflect this.
- 8.31 Torquay Harbour Beacon Quay Decking – a budget of £0.08m has been diverted from Princess Pier Structural repairs to enable the urgent replacement of decking along Beacon Quay.
- 8.32 Parkwood loan re Torbay Leisure Centre – a £1.7m loan to Parkwood to enable improvements at the Centre to help generate additional revenue is being drawn down. The final tranche of the loan has now been requested.
- 8.33 Haldon/Princess Piers Structural repair – Significant elements of these works have been undertaken and some funds have been made available to enable urgent Beacon Quay Decking replacement. Other proposed works are being considered taking account of their relative priorities.

### **Attractive and Safe Place**

- 8.34 Disabled Facilities Grants and Adult Social Care – Government has announced the 2018/19 allocation of £1.738m. £1m will be allocated to Disabled Facilities Grants with the remaining £0.738m to Adult Social Care under the Better Care Fund. Expenditure on Disabled facilities Grants in 17/18 was under £1m and in addition to the new £1m 18/19 allocation, £0.3m of prior year underspends has been carried forward. In 2017/18, 168 disabled facility grants were completed with an additional 51 applications being progressed and works started on site. The Home Improvement Agency service, currently being provided by Aster Living, will be brought back in house from October 2018, as notice was given on the contract by the provider. This provides a revenue saving to the local authority of £60,000 per annum and it is intended to re-procure a range of equipment and home assistance contracts in 2020/21 as part of our overarching strategy in adults and children.
- 8.35 Affordable Housing – in line with the Council's approved Capital Strategy, the budget to support affordable housing schemes has been increased by £0.191 m to reflect the 2017/18 Right to Buy Claw back receipt received from Sanctuary Housing Association



under the terms of the Council's original housing stock transfer agreement with (the then) Riviera Housing Trust. These funds have been added to the budget in future years. In addition £0.1 m of the affordable housing budget has been made available to support the Housing Company's developments of Affordable Housing and a further £0.08 m (Section 106) is to be used for associated revenue costs.

- 8.36 Housing Company – Linked to the development of a viable business case for the company based on the parameters set by Council the budget has been moved to future years. Council are considering 3 sites allocated by Council in view of the moratorium on spend at September council.
- 8.37 Empty Homes and Private Sector Renewal – Site acquisition to improve quality and supply of temporary accommodation for vulnerable families is in progress. Officer view there is not a viable scheme to bring empty homes back into use as a way of improving supply due to the level of resource required and the reasons for why properties are empty in Torbay. The reason in the main is not through abandonment or significant disrepair but through a reluctance to sale.

### **Corporate Support**

- 8.38 Essential Capital Repairs – this £3m budget was provided to enable urgent works to Council assets including Infrastructure. Part of the budget (£0.375m) was previously allocated to Freshwater Cliff stabilisation and now £1.753m has been allocated to Brixham Breakwater works (as above)

## **9 Receipts & Funding**

- 9.1 The funding identified for the latest Capital Plan budget is shown in Annex 1. This is based on the latest prediction of capital resources available to fund the budgeted expenditure over the next 4 years. A summary of the funding of the Capital Plan is shown in the Table below:

	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2020/21</b>	<b>Totals @ Q1 18/19</b>
Funding	£m	£m	£m	£m	£m
Unsupported Borrowing	59	88	28	0	175
Grants	22	8	3	0	33

Contributions	1	0	0	0	1
Revenue	0	1	0	0	1
Reserves	1	1	0	0	2
Capital Receipts	3	1	0	0	4
<b>Total</b>	<b>86</b>	<b>99</b>	<b>31</b>	<b>0</b>	<b>216</b>

## 10. Grants

10.1 The Council has been notified of the following capital grant allocations:

### Department for Education –

Basic Need (2020/21)	£0.729m
Condition Funding (2018/19)	£0.418m
Special Needs Provision (2018/19)	£0.116m
Healthy Pupils capital fund (2018/19)	£0.039m

In addition the 2018/19 Devolved Formula Capital grant of £0.079m is ring fenced for schools and has been added to the Capital Plan.

The Healthy Pupils and the additional Special Needs allocations have been allocated to make capital investments within Children’s Services. Whilst these grants are not ring fenced there are strict criteria and conditions over their use and the allocations are assigned to Children’s Services accordingly.

### Department for Transport –

2018/19 Highways Maintenance Incentive Fund £0.246m (indicative amount), following an efficiency and performance self-assessment submission from the Council, along with the latest allocation of £0.163m for pothole repairs.

### Department of Health –

2018/19 Disabled Facilities Grants allocation £1.738m, this is higher than last year’s allocation (£1.631m) and includes the value of the (former) Adult Social Care capital grant. The Council will need to determine how this funding is to be used, but are recommended to allocate £1.0m to DFGs with the remaining £0.738m to be held for allocation under the terms of the Better Care Fund.

### Marine Management Organisation –

Grant of £2 million, from European Maritime and Fisheries Fund, approved ‘in principle’ for Brixham Breakwater structural repairs. This grant is scheme specific and has been allocated to the project.

### Ministry for Housing, Communities and Local Government –

Land Release Fund - allocation of £3.976m for three specific sites within Torbay. The sites are at Victoria Square, Paignton; Collaton St Mary and Preston Down Road,

Paignton. It is likely much of the expenditure will be for revenue costs so the grant allocation has not been shown in the Capital Plan at this stage. This may need to be revised if some of the work is deemed to be capital in nature.

## **11. Capital Receipts**

- 11.1 The approved Plan relies upon the generation of a total of £3.5 million capital receipts from asset sales by the end of 2019/20. The Council has received £2.8m at 1 April 2018, but little more by the end of June 2018, although a capital receipt is expected in September from the sale of a surplus asset. Some of the funds held (£0.3m) were earmarked for supporting the work of the transformation team, leaving a target of £1m still to be achieved. Any use of capital receipts to fund revenue transformation costs as allowed by Government (see para 5.8 below) in 2018/19 (estimate £0.4m) and future years will increase the target.
- 11.2 Council has approved the disposal of a number of sites at nil value for affordable housing, latest St Kilda's in Brixham. Whilst this is a valid decision and helps to meet the Council's Housing Strategy outcomes, such decisions are against the approved Capital Strategy and makes the achievement of the capital receipts harder to achieve.

## **12. Capital Contributions – S106 & Community Infrastructure Levy**

- 12.1 No Section106 capital contributions have so far been received in 2018/19.
- 12.2 The Council's Community Infrastructure Levy (CIL) scheme came into effect from 1 June 2017. The main capital project identified for funding from CIL receipts is the South Devon Highway. No CIL funds have yet been received in 2018/19.

### **Appendices:**

Appendix 1 - Capital Plan expenditure and funding summary – Quarter One 2018/19

Appendix 2 – Capital Plan Project update – Quarter 1 2018/19

CAPITAL PLAN - QUARTER 1 2018/19 - EXPENDITURE

Appendix 1

		Revised 4-year Plan June 2018								
		Cost Centre	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2018/19 Qtr 1	Total 2018/19 Revised	2019/20	2020/21	2021/22	Total for Plan Period
			£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>PB = Approved Prudential Borrowing schemes</b>										
<b>Protecting children and giving them the best start in life</b>										
	Brookfield House Site	YEC10	2,050	497	27	1,553				1,553
	Capital Repairs & Maintenance 2014/15 (incl. Furzeham)	YEE39	752	743		9				9
	Capital Repairs & Maintenance 2016/17 and 2017/18	YEE41	323		74	323				323
	Capital Repairs & Maintenance 2018/19	YEE42	418		16	418				418
	Cockington Primary expansion	YEA24	3,147	3,142	2	5				5
	Devolved Formula Capital	YEE10			7	156				156
	Early Years - Ellacombe Academy Nursery	YEA41	748	275	462	473				473
	Early Years - White Rock Primary Nursery	YEA40	420	406	2	14				14
	Education Review Projects	YET01				230	559	729		1,518
	Healthy Pupils Capital Fund	YEE50	39			39				39
	Medical Tuition Service - relocation	YEC13	600			200	400			600
	New Paignton Primary school	YEA39	609	7		602				602
	Secondary School places	YEB22	2,357	937	1,150	1,420				1,420
	Special Provision Fund (SEND)	YEC12	616		76	282	167	167		616
	Torbay School Relocation	YEC11	1,200	182		18	500	500		1,018
	Youth Modular Projects	YEF11	409	372		37				37
			<b>20,249</b>	<b>6,561</b>	<b>1,816</b>	<b>5,779</b>	<b>1,626</b>	<b>1,396</b>	<b>0</b>	<b>8,801</b>
<b>Working towards a more prosperous Torbay</b>										
<b>PB</b>	Claylands Redevelopment	YNA12	10,400	185	423	1,529	7,310	1,376		10,215
	DfT Better Bus Areas	YJC02	1,183	1,095		88				88
<b>PB</b>	Edginswell Business Park	YNA14	6,620	25	27	95	6,500			6,595
<b>PB</b>	Employment Space, Torbay Business Park	YNA13	6,644	5,011	1,604	1,633				1,633
<b>PB</b>	Innovation Centre Ph 3 (EPIC)	YNA05	7,749	777	6,380	6,295	677			6,972
<b>PB</b>	Investment Fund	YAB42/44	200,200	119,744	11,213	45,000	31,573	3,883		80,456
	Land Release Fund projects	YNA30-32	0	0		0	0			0
	Old Toll House, Torquay	YCE26	150	9	1	141				141
<b>PB</b>	Oxen Cove Landing Jetty	YMB05	1,966	119	182	1,847				1,847
	Oxen Cove Shellfish processing facility -design work	YMB06	400	0	60	0	400			400
<b>PB</b>	South Devon Highway - Council contribution	YJC07	20,224	17,694	90	2,123	407			2,530
<b>PB</b>	TEDC Capital Loans/Grant	YNA11 / 06	2,690	1,965		725				725
<b>PB</b>	Town Centre Regeneration Programme	YNA20-23	25,000			0	15,000	10,000		25,000
	Transport Highways Structural Maintenance	YJA01/YJB01			(199)	1,555	1,174	1,174		3,903

CAPITAL PLAN - QUARTER 1 2018/19 - EXPENDITURE

Appendix 1

		Revised 4-year Plan June 2018								
		Cost Centre	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2018/19 Qtr 1	Total 2018/19 Revised	2019/20	2020/21	2021/22	Total for Plan Period
			£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>PB = Approved Prudential Borrowing schemes</b>										
	Transport Integrated Transport Schemes	YJC01/YJD01			553	900	750	662		2,312
	Transport - Torquay Gateway Road Improvements	YJC18	2,925	1,050	18	61	1,764	50		1,875
	Transport - Torquay Town Centre Access	YJC17	625	414	5	211				211
	Transport - Tweenaway Junction	YJC06	4,899	4,899	7	0				0
	Transport - Western Corridor	YJC14	10,644	7,324	2,267	2,600	670	50		3,320
<b>PB</b>	Upton Place, Lymington Road (Student Accom - Town Hall Car Park)	YNA15	14,200			0	14,200			14,200
			316,519	160,311	22,631	64,803	80,425	17,195	0	162,423
<b>Ensuring Torbay remains an attractive and safe place to live and visit</b>										
	Babbacombe Beach Road	YJE02	70	0		70				70
	Brixham Harbour - Breakwater	YMB04	3,853	0		3,853				3,853
	Brixham Harbour - Fendering	YMB07	75	6	6	69				69
<b>PB</b>	CCTV equipment	YBD02	385	0	120	335	50			385
	Clennon Valley Sport Improvements	YCE28	70	2	0	68				68
	Flood Alleviation - Cockington	YKA30	328	6		322				322
	Flood Alleviation - Monksbridge	YKA31	412	10		402				402
	Flood Defence schemes (with Env Agency)	YKA17/20/21/	631	630		1				1
<b>PB</b>	Freshwater Cliffs Stabilisation	YKA27	375	330	40	45				45
	Haldon Pier - Structural repair Phase I&2	YMA04	3,064	3,045		19				19
	Hollicombe Cliffs Rock Armour	YKA26	1,543	1,330	(18)	213				213
<b>PB</b>	Paignton Harbour Light Redevelopment	YMC01	600	0		600				600
<b>PB</b>	Parkwood Loan re Torbay Leisure Centre	YCE29	1,701	515	538	1,186				1,186
	Princess Gardens Fountain	YCE30	122	117	52	5				5
	Princess Pier - Structural repair (with Env Agency)	YMA04	1,664	85	643	1,579				1,579
<b>PB</b>	Public Toilets Modernisation Programme	YKA29	1,170		73	770	400			1,170
	Torbay Leisure Centre - structural repairs	YCE21	544	541		3				3
	Torre Abbey Renovation - Phase 2	YCB04	5,010	4,992		18				18
	Torre Abbey Renovation - Phase 3 (Torbay Council commitment)	YCB06	1,150			150	1,000			1,150
	Torre Valley North Enhancements	YCE25	127	40		87				87
	Torquay Harbour - Beacon Quay Decking	YMA11	80			80				80
			22,974	11,649	1,454	9,875	1,450	0	0	11,325
<b>Protecting and supporting vulnerable adults</b>										
	Adult Social Care	YQD10			42	780				780

CAPITAL PLAN - QUARTER 1 2018/19 - EXPENDITURE

Appendix 1

		Revised 4-year Plan June 2018								
		Cost Centre	Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Actuals & Commitments 2018/19 Qtr 1	Total 2018/19 Revised	2019/20	2020/21	2021/22	Total for Plan Period
			£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>PB = Approved Prudential Borrowing schemes</b>										
	Affordable Housing	YTB05	2,883	1		1,497	1,385			2,882
<b>PB</b>	Housing Rental Company - Loan	YTB52				0	12,500	12,500		25,000
	Housing Rental Company - Aff Hsg Developments	YTB53	100		4	100				100
	Sanctuary HA - Hayes Road Pgn	YTB31	250	250		0				0
	Disabled Facilities Grants	YQA01			131	1,338				1,338
	Empty Homes Scheme	YTB51	500	43		0	457			457
	Private Sector Renewal	YTA01				0	113			113
			<b>3,733</b>	<b>294</b>	<b>177</b>	<b>3,715</b>	<b>14,455</b>	<b>12,500</b>	<b>0</b>	<b>30,670</b>
<b>Corporate Support</b>										
<b>PB</b>	Corporate IT Developments	YAA12	1,035	417	127	618				618
<b>PB</b>	Council Fleet Vehicles	YLA01	463	333		130				130
<b>PB</b>	Essential Capital repair works	YBB03	872	0		0	872			872
	Enhancement of Development sites	YAB32	327	125	122	202				202
	Flexible Use of Capital Receipts (NB. Not Capital expenditure)		600	300		300				300
	Office Rationalisation Project - Electric House refurbishment	YAB38	700	326	302	374				374
	Payroll Project	YAA11	370	358	10	12				12
	General Capital Contingency	YBB01	631	0		0	631			631
			<b>4,998</b>	<b>1,859</b>	<b>561</b>	<b>1,636</b>	<b>1,503</b>	<b>0</b>	<b>0</b>	<b>3,139</b>
<b>TOTALS</b>				<b>180,674</b>	<b>26,639</b>	<b>85,808</b>	<b>99,459</b>	<b>31,091</b>	<b>0</b>	<b>216,358</b>
<b>CAPITAL PLAN - QUARTER 1 2017/18 - FUNDING</b>										
	Unsupported Borrowing					59,292	88,152	27,739		175,183
	Grants					21,929	7,989	3,286		33,204
	Contributions					694	460			1,154
	Revenue					0	657	203		860
	Reserves					1,149	1,276	(137)		2,288
	Capital Receipts					2,744	925			3,669
	<b>Total</b>					<b>85,808</b>	<b>99,459</b>	<b>31,091</b>	<b>0</b>	<b>216,358</b>

Capital Plan Projects		Project status report
<b>PB</b> = Approved Prudential Borrowing schemes		18/19 budget so comment required
<b>Protecting children and giving them the best start in life</b>		
Brookfield House Site		Development of Brookfield site for Brunel Academy to start on site September 2018. Completion early 2019. On-going feasibility work on new vocational block. Expected to start on site 2019.
Capital Repairs & Maintenance 2014/15 (incl. Furzeham)		Programme complete. Small retention held.
Capital Repairs & Maintenance 2016/17 & 2017/18		On-going repairs & maintenance programme.
Capital Repairs & Maintenance 2018/19		New R&M programme agreed. Projects to start Summer 2018.
Cockington Primary expansion		Project complete. Minor on-going latent defects being resolved.
Devolved Formula Capital		Devolved funding held on behalf of schools.
Early Years - Ellacombe Academy Nursery		Project on site due to complete end of August 2018.
Early Years - White Rock Primary Nursery		Project complete Jan 2018. Minor on-going defects being resolved.
Education Review Projects		Basic Need allocations for future expansion schemes. Additional primary places required until new primary open and secondary numbers also increasing across all 3 towns. Feasibility work underway to identify schemes for investment.
Healthy Pupils Capital Fund		Schools invited to bid for funding to target health projects. Works to start Summer 2018.
Medical Tuition Service relocation		Design work underway. Consultation event planned for September 2018. Planning decision expected December 2018 with start on site early 2019. Completion expected August 2019.
New Paignton Primary school		Site secured. Awaiting invoice from ESFA for Torbay Council's £600,000 contribution to the capital costs of the free school.
Secondary School places		Project on site due to complete end of August 2018.
Special Provision Fund		SEND Capital Plan now published on local offer website. Consultation complete and programme of works being developed.
Torbay School Relocation		Council have agreed to ringfence £1m towards future improvements/development/relocation of Burton Academy. LA working with Catch 22 to consider options. Further report to Council expected end of 2018.
Youth Modular Projects		Small budget held for Yout Service. Possible works at MyPlace related to YEC13.
<b>Working towards a more prosperous Torbay</b>		
<b>PB</b> Claylands Redevelopment		Planning submitted. Tenders due Sep'18. Anticipated start on site Nov'18.
DfT Better Bus Areas		Main project plans complete.
<b>PB</b> Edginswell Business Park		Legal advice obtained to derisk transaction. Proposal submitted to Hawkins Trust for relaxation of food restriction. Awaiting response.
<b>PB</b> Employment Space		Scheme progressing well with tenant due to take occupation in the summer
<b>PB</b> Investment Fund		Six sites acquired so far, with two others at 'exchanged contracts' stage. Others opportunities being considered.
Land Release Fund projects		Schemes at 3 locations to enable land to be released for future housing developments - budget and costs now in revenue
<b>PB</b> NGP - Torbay Innovation Centre Ph 3 (EPIC)		Construction works commenced on site 05/03/2018. Ground works have been completed, along with the erection of the steel frame and installation of the floors and roof. The building is due to be weather tight by November 2018. There are currently no major delays or risks to the project. An application for additional ERDF funding has been made and we awaiting the outcome. The final conditions are in the process of being discharged for the Grant Funding Application for the LEP Growth Deal 2 monies.

Capital Plan Projects		Project status report
<b>PB</b>	= <i>Approved Prudential Borrowing schemes</i>	18/19 budget so comment required
	Old Toll House, Torquay	The original scheme has been overtaken by an Investment Fund project which will invest in the redevelopment and a pre-let agreement with a prospective tenant is in place.
<b>PB</b>	Oxen Cove Landing Jetty	Dependent upon MMO funding; if forthcoming will commence Sept 18
	Oxen Cove Shellfish processing facility -design work	In abeyance but may be revived if MMO funding is forthcoming.
<b>PB</b>	South Devon Highway - Council contribution	Main construction complete but costs still to be incurred as and when invoiced by Devon CC (lead authority)
<b>PB</b>	TEDC Capital Loans/Grant	Funds available to draw on as required by TEDC to finance capital schemes
<b>PB</b>	Town Centre Regeneration Programme	Spend likely to increase in 2019/20 if regeneration projects such as Victoria Centre and Brixham Town Centre Car park proceed as expected
	Transport Integrated Transport Schemes	Fleet Street completed. Business cases submitted for Network Resilience works and awaiting decision.
	Transport Structural Maintenance	Works commencing during Summer 2018 and expected to be completed on target
	Transport - Torquay Gateway Road Improvements	Widening of Newton Road, subject to land agreement with Network Rail.
	Transport - Torquay Town Centre Access	Works complete subject to safety audit
	Transport - Tweenaway Junction	Compensation claims being settled
	Transport - Western Corridor	Churscombe Cross to Spruce Way complete, Yalberton Junction commenced January 2018, Windy Corner due to commence Autumn 2018.
<b>PB</b>	Upton Place, Lymington Road (Student Accommodation - Town Hall Car Park)	Project delayed by lack of operator/occupier interest. No progress expected until future years.
<b>Ensuring Torbay remains an attractive and safe place to live and visit</b>		
	Babbacombe Beach Road	Awaiting further development proposals.
	Brixham Harbour - Breakwater structural repairs	Expected start date: 15 Aug; Forecast end date: 1 Mar 19
	Brixham Harbour - Fendering	Forecast start date July 18
<b>PB</b>	CCTV equipment	Project underway, but final design for Torquay (Phase 1) being held up by a number of third party issues, Resulting in a six week delay to start date, though not seen as a significant problem. These are all actively being explored but rely on third parties to complete. Listed Building Consent needed for Town Hall, which hadn't been anticipated, though application made. Permission to use two car parks, again in hand but both are leased. And finally power supply for four Torquay Cameras due to loss of BT street cabinets again wasn't anticipated. Report going to Project Board
	Clennon Valley Sport Improvements	Project currently under review with Project team.
	Flood Alleviation - Cockington	Detailed design works currently being undertaken. Scheme will be out to tender shortly with the successful contractor likely to start on site in October 2018 with all works being completed by end of March 2019
	Flood Alleviation - Monksbridge	Detailed design works currently being undertaken. Scheme will be out to tender shortly with the successful contractor likely to start on site in September 2018 with all works being completed by end of March 2019.
	Flood Defence schemes (with Env Agency)	Used towards Council's contribution towards capital schemes at Cockington and Monksbridge which secured Env Agency grant in aid funding in 2017/18.
<b>PB</b>	Freshwater Cliffs Stabilisation	All works completed .
	Haldon Pier - Structural repair Phase 1&2	Main works are complete.
	Hollicombe Cliffs Rock Armour	All works completed on site, currently in 12 month maintenance period.
<b>PB</b>	Paignton Harbour Light Redevelopment	Proposals for redevelopment are progressing although works are now unlikely to commence until next financial year.



Capital Plan Projects		Project status report
<b>PB</b>	= <i>Approved Prudential Borrowing schemes</i>	18/19 budget so comment required
<b>PB</b>	Parkwood Loan re Torbay Leisure Centre	All on target. Budget being drawn down in stage payments as work is completed.
	Princess Gardens Fountain	Project near completion, over budget but additional funds (Section 106) to be agreed to be transferred into project.
	Princess Pier - Structural repair (with Env Agency)	Pier widening complete and other elements in progress. Remaining proposals and options to be finalised.
<b>PB</b>	Public Toilets Modernisation Programme	Refurbishment of several toilet blocks has commenced and a clear project plan is in place. We would not anticipate any change in the set budget although we are having some issues with the time taken to obtain planning consent.
	Torbay Leisure Centre - structural repairs	Scheme complete. Small residual budget. Awaiting update.
	Torre Abbey Renovation - Phase 2	An outstanding matter is still to be finalised and agreed.
	Torre Abbey Renovation - Phase 3 (Torbay Contribution)	HLF application bid submitted with results expected Sept 18.
	Torre Valley North Enhancements	Project to be started winter 2018/19
	Torquay Harbour - Beacon Quay decking	Project under way. Scheduled to complete by end July 18
<b>Protecting and supporting vulnerable adults</b>		
	Adult Social Care	Project(s) still to be identified
	Affordable Housing	Funds likely to be utilised for affordable housing schemes as identified by Housing Company
<b>PB</b>	Housing Rental Company - Loan	Finance approved to help establish Housing Company
	Housing Rental Company - Affordable Housing development	
	Sanctuary HA - Hayes Road Pgn	Torbay contribution to affordable housing scheme. Development completed.
	Disabled Facilities Grants	Statutory provision of financial assistance for adaptations to private residences enabling independence for recipients
	Empty Homes Scheme	Funds likely to be utilised for affordable housing schemes as identified by Housing Company
	Private Sector Renewal	Residual funds from former Improvement Grants budget
<b>Corporate Support</b>		
<b>PB</b>	Corporate IT Developments	Continuing improvements of the ICT infrastructure (ie end of life core infrastructure equipment replacements) and replacement of out of date PC's
<b>PB</b>	Council Fleet Vehicles	Balance of funding available for acquisition of Council's fleet vehicles as required
<b>PB</b>	Essential Capital repair works	Budget provided to cover emergency / urgent repairs to Council properties
	Enhancement of Development sites	Relatively moderate expenditure to enhance value of potential sites.
	Flexible Use of Capital Receipts	Government has introduced flexibility to allow use on transformative projects which produce ongoing savings
	Office Rationalisation Project - Electric House refurbishment	Works to update office accommodation are largely complete. Some residual costs to pay.
	Payroll Project	Project largely completed. Remaining consultancy and implementation costs expected this year.
	General Capital Contingency	Contingency for unforeseen emergencies or funding shortfalls

**Officer Scheme of Delegation  
Urgent decisions taken by the Chief Executive**

**Paragraph 1.19 of Schedule 6 to Part 3 (Responsibility of Functions) of the Council's Constitution**

**Report to the Meeting of the Council to be held on 20 September 2018**

The Officer Scheme of Delegation states that the Chief Executive may take an urgent decision in relation to an council function (in consultation with the relevant member) if he/she considers it to be in the best interests of the Council or the inhabitants of the Borough and where he/she does not consider it reasonably practicable to convene a meeting of the Council.

A report detailing the action taken in accordance with the Officer Scheme of Delegation must be submitted to the Council. The table below sets out the details of the action taken:

Matter for decision	Decision taken by	Decision and Alternative Options Considered	Reasons for urgency	Date of decision
Appropriation of Land at 10 Old Mill Road, Torquay	Chief Executive	<p><b>Decision:</b></p> <p>(i) that the Council uses Section 122 of the Local Government Act 1972 to appropriate the former Cockington Primary School site at Old Mill Road, Chelston, Torquay for planning purposes as it is no longer required for the purpose for which it is currently held; and</p> <p>(ii) that subject to (i) above the Council uses its powers under Section 203 of the Housing and Planning Act 2016 and allows works which are in breach of easements and other private rights (subject to payment of compensation) where there is planning permission for the development.</p>	Any delay likely to be caused by convening a meeting of the Council would prejudice the Council's and/or the public's interests.	13 August 2018

Matter for decision	Decision taken by	Decision and Alternative Options Considered	Reasons for urgency	Date of decision
		<p><b>Alternative Options Considered:</b></p> <p>Alternative options were set out in the exempt briefing note.</p>		

**Steve Parrock**  
**Chief Executive**

**10 September 2018**