

Minutes of the Overview and Scrutiny Board

5 November 2025

-: Present :-

Councillor Long (Chair)

Councillors Cowell, Douglas-Dunbar, Foster, Fox, Johns, Spacagna (Vice-Chair),
Stevens, Tolchard and Bryant

(Also in attendance: Councillors Brook, Bye, Carter, David Thomas, Jacqueline Thomas
and Tyerman)

32. Apologies

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Board had been amended to include Councillor Bryant, in place of Councillor Fellows.

33. Declarations of Interest

No declarations of interest were made.

34. Budget Monitoring - Revenue and Capital Quarter 2 2025/2026

The Board considered the submitted report which provided a high-level summary of the Council's Revenue and Capital Budgets for the 2025/2026 Financial Year. The forecasts were based on information at the end of Quarter 2 and showed a predicted overspend of £1.223m, by the end of the year, which was an increase of £238k on the position projected at Quarter 1, and mainly due to children's placements and legal services staffing. There was a revised forecast of the Capital Investment Plan of £101.756m for the period up to 2027/28 with £79.730m planned spend for 2025/26.

Members raised the following questions:

- What action was being taken by Officers within Children's Services to address the ongoing overspends in Children's Services?
- Was it the intention for the current children who were in care placements with the highest costs to be placed within the proposed children's home to be created in Torbay?
- What were the reasons for the increased costs arising for several children placements? Was it due to complexity of the individual's care needs or was it the cost of the individual placements?

- When a child reaches the age of 18 and requires ongoing assistance with accommodation and care needs, what budget would these costs be allocated from?
- Has the Council identified any locations within Torbay for the proposed children's homes?
- Was the process easy to relocate children when allocated a care placement to a new location?
- What action was being taken to address the ongoing overspends in Legal Services?

The following responses were received:

- Torbay Council was currently reviewing the option to introduce a children's home within Torbay. Conversations were being held with the relevant organisations to identify how quickly buildings could be registered to ensure that the homes were suitable for children to be placed with the most complex needs.
- The individual needs of each child would need to be reviewed to ensure that the relevant placement could provide the needs of the individual child.
- Due to children's needs being increasingly complex and changing, these factors affect what provider could be used to manage each child's needs. If Torbay Council does introduce children's homes within Torbay, the homes would be managed by Torbay Council employed staff who would be trained to manage various complex and changing needs of the children and young people.
- When a care-experienced young person reaches the age of 18 and if they required continued care and support, then the cost of this support would be allocated from Children's Services budget and the cost of accommodation would be allocated from within the Adult Services budget. If the young person, was not care-experienced, then the total cost would be allocated from the Adult Services budget.
- Torbay Council Officers have identified a potential location for a children's home which was being investigated. Further locations have been identified by a local provider who may progress these locations through Planning to be used as additional children's homes.
- The Director of Children's Services explained that Officers always review the needs of those children under the care of Torbay Council who were in placements located within children's homes out of Torbay, to identify if they could be transferred to a foster care environment, ensuring the importance of the individual child's needs and if the location would be correct for them.
- The level of overspend in Legal Services had reduced from the amount reported at the end of Quarter 1. The issue of recruitment into the available positions within Legal Services was an ongoing issue. Agency staff were continuing to be used to temporary fill the roles to ensure continuity of the service.

Resolved (unanimously)

That the Overview and Scrutiny Board note the forecasted revenue outturn position and amendments made to the published 2025/26 Capital Investment Plan.

35. Performance Report 2025/26 – Quarter 2

The Board scrutinised the submitted Performance Report for Quarter 2 2025/2026 which provided an overview of the performance of the Council working towards the ambitions and priorities within the Community and Corporate Plan and the Council Business Plan. 132 performance indicators had been identified and 32 projects.

The Board considered the submitted report which provided an update on the Council's Planning Enforcement Service, response to the 2024 Audit outcomes and an update on the lessons learned from a recent Ombudsman case.

Members raised the following questions:

- Could clarification be provided regarding the report slippage in the commencement of the review of Torbay play parks detailed on page 13 of the Performance Report?
- Why had Members not been consulted on the Plan for Neighbourhoods prior to publication which included details of costings allocated against playparks located within Torbay that Members were unaware of?
- If the increased costings within the Oldway budget detailed on page 17 included the removal of the West Tower?
- What actions were being taken by the Council to resolve the slippages detailed on page 21 regarding care-experienced children not in employment?
- With more Enforcement Planning Officers now employed, when could Members expect to see an increase in the number of Enforcement cases being completed, in line with the Performance Indicator target?

The following responses were provided:

- The Team who was tasked to complete the review of Torbay play parks had to be redirected to complete other urgent tasks which had resulted in the delay of the review commencing.
- The Director of Pride in Place advised that there was a process required to be completed prior to submission for a bid within the Plan for Neighbourhoods. A written response to be provided by the Director of Pride in Place to provide further information on this issue to Members.
- The Board was advised that there had been challenges experienced within the allocated budget for the Oldway resilience scheme due to increased costs for additional security for the mansion and the grounds due to repeated incursions into the grounds and mansion. Officer conversations were being held with Heritage England and National Lottery Heritage Fund (NLHF) to identify further funding opportunities. The budget did include the costs for the West Tower removal.
- There was currently work being completed funded until March 2026 through the UK Shared Prosperity Fund to support young people returning to work. It was unknown at present if there would be a replacement method of funding available in 2026. The Board noted that the target detailed within the Performance Report was above the national target due to focus on driving

Torbay young care-experienced residents into new employment and that the reached target was higher than that achieved by neighbouring authorities.

- The Service Manager for Development Management advised that it was impossible to provide a timeline as to an increase in enforcement cases being completed. The Service would be going out to advert soon for a Case Manager post, however the process to complete enforcement cases takes time to ensure the all the required action was completed for each case.

Resolved:

1. that the Director of Corporate Services be recommended to work with colleagues across the Council to improve communications with Members to ensure that all Members are kept up to date on proposals on schemes for their relevant Wards, prior to being published in various reports and policies;
2. that the Chief Executive be requested to consider asking the Local Government Association to carry out a peer review into the Planning Service;
3. that the Overview and Scrutiny Board note the Quarter 2 Performance Report for 2025/2026; and
4. that the Overview and Scrutiny Board note the report on Planning Enforcement and the achievements of the Team over the last 12 months.

36. Paignton Town Centre Place Vision

The Leader of the Council – Councillor David Thomas and the Director of Regeneration – David Carter outlined the submitted report on the Paignton Town Centre Place Vision document which aimed to attract external investment into Paignton and responded to questions.

Members raised the following questions:

- Paignton Harbour was a working Harbour and Members would like confirmation that there was no intention to increase the number of residential properties into the area which may not be affordable at rent;
- How would the Paignton Town Centre Vision align with Torbay Local Plan and whether the plan was pushing urban densification?
- What discussions had been held with Paignton Harbour users regarding potential redevelopment?
- Where would parking spaces be provided to replace the parking spaces being removed at Victoria Square Car Park and Crossways?

The following responses were provided:

- A proposal for a water sports hub based at Paignton Harbour had been received by the Council and if a decision was made to progress, a level of private investment would be required to help the proposal be completed.
- Conversations had been held with the Principal Policy and Project Planner regarding Paignton Town Centre Place Vision and the Local Plan. The Council was aware that the cost of redeveloping brownfield sites was more expensive

and there had been changes to permitted development rights allowing for properties to be redeveloped upwards but this type of development would not be suitable within Torbay.

- The proposal that had been received for redevelopment at Paignton Harbour provided information for consolidation of clubs to be based within the empty crab factory located on the Harbourside. The factory is owned by Torbay Council, and should the proposal develop further, a lease would need to be granted by Torbay Council for the site.
- The Director of Regeneration advised that when the building works begin at Crossways in 2026, Victoria Square car park site would become a temporary surface car park. The Victoria Square car park site would not be released for redevelopment until parking facilities had been replaced elsewhere.

Resolved (unanimously)

That the Cabinet be recommended:

1. to approve the use of the Paignton Town Centre Place Vision document to steer both the delivery of current regeneration sites and the development of future proposals for the sites and areas of public realm identified by the vision as suggested priorities; and
2. that the document is updated as and when is necessary by presenting the revised document and evidence base to Cabinet.

37. Local Government Reorganisation in Devon

The Board received the submitted report of the task-and-finish group alongside the feedback that had been received during the Council's engagement exercise from residents and stakeholders on the potential options for local government reorganisation in Devon.

Members debated the recommendation in the submitted report and considered that Local Government Reorganisation was one of the most critical issues currently facing Torbay, described as a "once-in-a-generation" opportunity for change. It was noted that the outcome of these deliberations would have implications not only for Torbay but also for neighbouring authorities.

There was strong consensus that Torbay must remain central to any future governance arrangements for the Bay.

Concerns were raised regarding the use of the term "population target," which had previously caused some unease. However, it was acknowledged that the Government's position had evolved, with a greater openness to considering successful unitary authorities. Torbay was highlighted as one such authority, with recent improvements in Children's Services now rated as "Good," and a unique model of Adult Services delivered in partnership with the Integrated Care Organisation (ICO).

It was emphasised that any changes to Torbay's boundaries could place the ICO agreement at considerable risk. Additional concerns were expressed about the

designation of urban growth centres and the financial viability of services in areas such as Exeter, particularly in relation to the costs of adult and children's services.

Members stressed the importance of considering the needs and interests of residents in both Torbay and neighbouring authorities throughout this process.

Resolved:

That the Overview and Scrutiny Board note the work of and give thanks to the Local Government Reorganisation Task and Finish Group. As a result of continued emerging information, from Neighbouring Authorities, the Overview and Scrutiny Board will not make a recommendation and therefore allow Cabinet to make a full recommendation to Council.

Chair
