

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.

<p><b>Question (1) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>Fly tipping has been collecting over the summer at the rear of St Martin's Court, (accessed by Corfe Crescent), Hele, Torquay. This rubbish is a health hazard, encourages rats and is a danger to children playing in the area. It is also unsightly and encourages further fly tipping.</b></p> <p><b>Over many months the local community have been trying to ascertain a way forward to getting this area cleared but with little effect. Westward Housing say that it is not their land, Sanctuary refute responsibility and the Council have confirmed that the land behind St martin's Court is not in their ownership or responsibility.</b></p> <p><b>The local community in the area are extremely concerned and unhappy about this situation but the Council seems to be unwilling to establish a way forward. This situation cannot go on. It is only a matter of time before a child is injured or we have rats entering properties.</b></p> <p><b>Please can this Council provide a way forward in order to resolve this situation and clear this festering eyesore?</b></p>
<p>Councillor Excell</p>	<p>The garages behind St Martins Court are privately owned by nine houses in the vicinity. This also includes the land in front of the garages. Community Safety have made enquiries and been unable to ascertain who is responsible for the fly-tipping. As the waste is spread across the entire area we have therefore hand-delivered letters to the owners of the garage area asking them to take steps to tidy the area and remove the fly-tipped waste.</p> <p>If no action is taken by the owners of the land we will consider serving enforcement notices requiring this waste to be removed. If works are undertaken in default then any costs involved will be recovered from the individual households responsible.</p>
<p><b>Question (2) by Councillor Darling (S) to the Executive Lead for Planning, Transport and Housing (Councillor King)</b></p>	<p><b>I understand that Torbay Council instructed the TDA to object to all 99 Local Green spaces designations in the Torquay Neighbourhood Plan and chose not to object to any local green spaces designations in the Paignton or Brixham neighbourhood plan, during their consultation period. Can you explain why Torbay Council is determined on turning Torquay into a concrete jungle but respects the views of the communities of Brixham and Paignton?</b></p>
<p>Councillor King</p>	<p>The response to the consultation on the Torquay Neighbourhood Plan from the TDA, on behalf of the Council, is consistent with the Council's adopted Asset Management Strategy. Although there were objections made to a number of proposed Local Green Spaces in both the Brixham Peninsula and Paignton Neighbourhood Plans, the Council accepts there has been some inconsistency between those earlier responses and the most recent response submitted to the Torquay Neighbourhood Forum. However, this latest response correctly reflects the position of the Council's Asset Management Strategy. The proposed neighbourhood plans will be published for a period of at least 6 weeks prior to Examination. The Council will have an opportunity to</p>

	further respond to each of the plans. In many instances, the proposed Local Green Spaces within the neighbourhood plans already benefit from various protective designations afforded to them through the Torbay Local Plan.
<b>Question (3) by Councillor Doggett to the Executive Lead for Community Services (Councillor Excell)</b>	<b>The reversal of the decision to allow Paignton Rugby Clubs under 10s and 9s teams to play on Torbay Park, Paignton brings this Council into disrepute. Can you explain why permission was granted and then withdrawn for this activity?</b>
Councillor Excell	Torbay Council has agreed for Paignton Rugby Club's Under 10s to use Torbay Park on a short term basis in accordance with the current agreement for training purposes until a more permanent solution is in place. We are extremely keen to work with all stakeholders to find a permanent solution that meets the needs of the club and the community and will be progressing this as quickly as possible.
<b>Question (4) by Councillor Sanders to the Executive Lead for Community Services (Councillor Excell)</b>	<b>How banning organised rugby football on Torbay Park for children meets the aims and aspirations of the Torbay Local Plan and other Council policies in relation to a) promoting people to adopt active lifestyles, 2) encouraging young people to engage in sport, c) reducing the risk of diabetes and its comorbidities, d) reducing crime and vandalism.</b>
Councillor Excell	Paignton Rugby Football Club have a short term agreement to use Torbay Park on a Sunday morning for their U10's Rugby Fixtures as part of their ongoing rugby programme. A meeting is being arranged in respect of finding a long term solution for them. The use of this park is one element of engagement in sport and in particular rugby. There are a number of physical activity programmes that are delivered across Torbay that encourage young people to engage in both sport and physical activity in accordance with the Council's policies. Our newest 'rugby' programme will be working in partnership with Exeter Chiefs and Torquay United Community Sport Trust to deliver 'Project Rugby' in both Torquay and Paignton at our Street Games sessions. These 12 week programmes aim to encourage young people aged between 12-20 into the game of rugby.
<b>Question (5) by Councillor Stringer to Executive Lead for Community Services (Councillor Excell)</b>	<b>Over the past 12 months how often have our Civil Enforcement Officers conducted parking enforcement outside the three schools on Moor Lane?</b>
Councillor Excell	There have been 9 visits in total. Since the restriction changed when visiting the area Civil Enforcement Officers have reported compliance is good.

## Second Round

<b>Question (6) by Councillor Darling (S) to the Executive Lead for Planning, Transport and Housing (Councillor King)</b>	<b>At our July Full Council meeting Torbay Council agreed to establish a Housing Rental Company. In light of this decision can you advise me what staffing provision you have made for this in the current financial year and plan to make next financial year?</b>
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Councillor King	The Housing Company is developing its business plan using existing staff and will contract as needed staff and expertise using TDA and other suppliers. An additional housing officer will join us in December (fully funded) to boost capacity.
<b>Question (7) by Councillor Sanders to the Mayor and Executive Lead for Finance, Regeneration and Corporate Services (Mayor Oliver)</b>	<b>Who will decide the fate of the Monastery in the Clifton with Maidenway Ward when Anode surrenders its lease?</b>
Mayor Oliver	The current occupiers, Anode will be surrendering the property back to the Council shortly. The TDA, as agent for the Council will assess the condition of the property and will seek to re-market the asset under a leasehold arrangement as soon as possible thereafter. The TDA will seek informal bids for the property, which will be assessed on rental level and proposed use. The outcome of the tender process will be presented to the Head of Business Services and or the Mayor for a decision depending upon the level of offers received and where these sit under Scheme of Delegation.

### Third Round

<b>Question (8) by Councillor Sanders to the Executive Lead for Community Services (Councillor Excell)</b>	<b>Can the Executive Lead for Community Services list the arboricultural justifications for the proposed removal of trees from Victoria Street and Torbay Road in Paignton.</b>
Councillor Excell	The health of the trees is under review and their condition, and the damage the root systems of the trees is currently causing to the path, road and drainage systems is considerable. Inspections are being carried out to assess the economic retention over the wider amenity value of the trees. Currently the trees do not pose any health and safety issue and are not being removed.
<b>Question (9) by Councillor Darling (S) to the Executive Lead for Planning, Transport and Housing (Councillor King)</b>	<b>In light of the failure of TOR2 to develop a specific business case to improve our recycling levels. Does the Executive Lead for Planning, Transport and Housing feel that TOR2 have now breached the terms of their contract and we should seek to terminate said contract?</b>
Councillor King	Tor2 are not in breach of contract, they are undertaking the service they specified, and even though it is not as successful as assumed, the performance deductions with regard to low recycling rates are being implemented as per the contract. The officers and TOR2 are currently reviewing the collection system to see if a different methodology would give better performance as well as budget savings.