

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>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)</p>	<p>I note that an auction of Oldway Mansion has not been excluded from the options for the consultants reviewing the future of Oldway Mansions. As Elected Mayor can you personally exclude the public auction of Oldway Mansion as an option that you could never support?</p>
<p>Elected Mayor Oliver</p>	<p>Consultants have been appointed to undertake an Options Appraisal for the future use of the Oldway Mansion and its estate, which was requested by the Council's Working Party. The contract specification for the consultants work makes no reference to an auction, public or otherwise. However, the consultants brief does allow for freehold and/or leasehold disposal to be contemplated. As Elected Mayor I cannot personally exclude any option.</p>
<p>Question (2) by Councillor Darling (S) to the Chairman of the Development Management Committee (Councillor Kingscote)</p>	<p>I have been approach by members of the public concerned that in recent months the Development Management Committee has stopped recording meetings. Can you please assure me as the Chairman of Development Management Committee that you will instruct officers to reinstate the recording of these meetings?</p>
<p>Councillor Kingscote</p>	<p>I have been in discussions with Officers regarding the option to reinstate recording of these meetings following concerns raised by me. As you will be aware, the recording of Development Management Committees (DMC) was undertaken when the meetings were held at the Riviera International Conference Centre in a large room which required the need for PA equipment. Alongside this was an ability to record the meetings. The PA/recording was undertaken by a private company at a cost to the Council. Following a review it was identified that recording DMC meetings was not an efficient use of the Council's limited resources and also the meetings were relocated to Torquay Town Hall, following the Planning Peer Review to enable case officers to be readily available to attend and present their reports. If the Council wishes to reinstate recordings of Development Management Committee, members will need to make this a priority and identify the budget from other services within the Council's overall budget setting.</p>

Question (3) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)	The Council are currently instigating 20 MPH zones outside schools, and it is hoped that once the schools have been completed that other areas will also be considered also. What progress is being made on making roads outside schools 20 mph and when is this work likely to be completed?																																																
Councillor Excell	<p>The project to consider and implement 20 mph speed restrictions outside of schools is continuing and progress was reported to the Transport Working Party in October 2017.</p> <p>To date we have successfully implemented new arrangements at 24 school sites with a further 6 sites currently in the process of being implemented. This leaves 19 sites still to be considered, although 8 of these sites may not benefit from restrictions. It is likely therefore that there is a further 2 years work required to complete this project, subject to funding.</p>																																																
Question (4) by Councillor Sanders to the Executive Lead for Environment (Councillor Ellery)	<p>For the last financial year, please complete the table below for the top five organisations/landlords that provide or manage emergency accommodation payments.</p> <table><tr><th></th><th>Number of units managed</th><th>Total Payments / Housing Benefits</th><th>Total incentive payments</th><th>Sum of units * nights</th><th>Sum of person* nights</th><th>Average length of tenancy (days)</th></tr><tr><td>1</td><td></td><td>/</td><td></td><td></td><td></td><td></td></tr><tr><td>2</td><td></td><td>/</td><td></td><td></td><td></td><td></td></tr><tr><td>3</td><td></td><td>/</td><td></td><td></td><td></td><td></td></tr><tr><td>4</td><td></td><td>/</td><td></td><td></td><td></td><td></td></tr><tr><td>5</td><td></td><td>/</td><td></td><td></td><td></td><td></td></tr></table>								Number of units managed	Total Payments / Housing Benefits	Total incentive payments	Sum of units * nights	Sum of person* nights	Average length of tenancy (days)	1		/					2		/					3		/					4		/					5		/				
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Councillor Ellery	<p>The table provides a breakdown of the main sources of accommodation provided that is utilised by Housing Options to provide emergency and temporary accommodation.</p> <table><tr><th></th><th>Number of units managed</th><th>Total Payments / Housing Benefits</th><th>Total incentive payments</th><th>Sum of units * nights</th><th>Sum of person* nights</th><th>Average length of tenancy (days)</th></tr><tr><td>1</td><td>13</td><td>78,529.15</td><td>0</td><td>3791</td><td>223</td><td>31.59</td></tr><tr><td>2</td><td>10</td><td>65,641.25</td><td>0</td><td>3158</td><td>101</td><td>40.49</td></tr><tr><td>3</td><td>17</td><td>53,899</td><td>0</td><td>1722</td><td>74</td><td>32</td></tr><tr><td>4</td><td>7</td><td>49,728.38</td><td>0</td><td>2344</td><td>104</td><td>41.12</td></tr><tr><td>5</td><td>3</td><td>48,426.37</td><td>0</td><td>515</td><td>16</td><td>24</td></tr></table> <p>Please note the following definitions have been utilised: The sum of the unit nights = the total number of nights of accommodation provided at that facility. The sum of person nights = the number of different households in accommodation. Please note that some individuals may move from one property to another</p>								Number of units managed	Total Payments / Housing Benefits	Total incentive payments	Sum of units * nights	Sum of person* nights	Average length of tenancy (days)	1	13	78,529.15	0	3791	223	31.59	2	10	65,641.25	0	3158	101	40.49	3	17	53,899	0	1722	74	32	4	7	49,728.38	0	2344	104	41.12	5	3	48,426.37	0	515	16	24
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Question (5) by Councillor Doggett to the Executive Lead for Environment (Councillor Ellery)	In the last financial year how much was paid in housing benefits?						
Councillor Ellery	<p>2016/17 Housing Benefit Expenditure</p> <table border="1"> <tr> <td>Rent Allowance (private and social sector landlords)</td><td>£64,219,725</td></tr> <tr> <td>Non-Housing Revenue Account (homeless temporary accommodation)</td><td>£464,833</td></tr> <tr> <td>Total Payments</td><td>£64,684,558</td></tr> </table> <p>Expenditure The Department of Work and Pensions (DWP) fully funds Housing Benefit expenditure, through Housing Benefit subsidy payments.</p> <p>The Social Security Administration Act 1992 (sections 140A-140G) provides the legal framework for the payment of subsidies to authorities.</p>	Rent Allowance (private and social sector landlords)	£64,219,725	Non-Housing Revenue Account (homeless temporary accommodation)	£464,833	Total Payments	£64,684,558
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Question (6) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)	In last year's budget the Mayor recommended and it was agreed to end the post of a road safety officer on Torbay Council. In light of the recent fatality on Belgrave Road. Do you agree with me that the ending of this post was an error of judgement?						
Councillor Excell	It would not be appropriate to comment on the recent collision at Belgrave Road, until such times as we are fully aware of the facts. We continue to carry out analysis of road traffic collisions and report these results on an annual basis within our 'Casualty Reduction Report' and this, along with our annual site reviews, identifies the priority areas for road safety interventions, rather than specific incidents.						
Question (7) by Councillor Pentney to the Executive Lead for IT, Libraries and Waste (Councillor King)	I understand that in light of mounting concerns about fly tipping a Government minister has signalled to Councils to stop their waste and recycling centres charging for DIY domestic waste. What talks have taken place with TOR2 to review the current Council charges?						
Councillor King	<p>Torbay do not charge for any Household waste at the Recycling centre currently, but are the only authority in Devon who do not.</p> <p>The Litter Strategy published by Government on 10/4/17 states that a review of the HWRC guidance will be undertaken by WRAP and the outcome will be published at the end of 2017. This review has still not taken place so authorities that do make charges in most cases are still doing so.</p> <p>Devon found that the Fly Tipping rates did not noticeably increase following the introduction of charging, and Torbay Council has discussed the feasibility with TOR2 about making such charges, but held off taking it any further, whilst awaiting the guidance mentioned above. TOR2 cannot introduce this charge themselves it would need to be a council decision.</p>						

Second Round

Question (8) by Councillor Darling (S) to the Executive Lead for Planning (Councillor Mills)	I note that at the Policy Development Decision Group meeting held on 10 January 2018 that you stated that the Planning Enforcement Officer for Torbay had a work load of over 400 cases. Can you please let me know how many of these cases have been progressed in their management since the 1 January 2018?				
Councillor Mills	Due to staff illness, 24 cases have been progressed.				
Question (9) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)	The Council has a £65,000 pound capital sum for road safety and also the creation of 20mph zones. Please could you outline how this sum is being utilised?				
Councillor Excell	The capital sum has yet to be allocated to any approved schemes. Officers will be providing information to identify priorities later this year, which the Executive Lead will consider.				
Question (10) by Councillor Sanders to the Executive Lead for Environment (Councillor Ellery)	For the last financial year, please complete the table below for the top ten organisations/landlords that provide or manage ‘housing benefit’ rental accommodation.				
		Number of units managed /number of buildings	Total Housing Benefits Income	Total ‘incentive’ income	Average length of tenancy [weeks] for Housing Benefit tenants
	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				
	10				
Councillor Ellery		Number of units managed /number of buildings	Total Housing Benefits Income	Total ‘incentive’ income	Average length of tenancy [weeks] for Housing Benefit tenants
	1	2,130	£8,899,113.68	0	49 wks 6 days
	2	938	£3,755,677.34	0	49 wks 6 days
	3	281	£1,307,119.42	0	46 wks 3 days
	4	244	£1,007,906.90	0	36 wks 4 days
	5	136	£276,835.34	0	14 wks 5 days
	6	128	£558,168.43	0	49 wks 1 days
	7	124	£507,861.19	0	45 wks 2 days
	8	112	£563,131.25	0	46 wks 6 days
	9	107	£359,253.53	0	29 wks 2 days
	10	93	£457,741.25	0	50 wks 0 days
	Number of Units Calculated by counting the number of units where Housing Benefit is payment to the landlord or rental agency.				

	<p>It does not include unoccupied addresses (no HB in payment) or where Housing Benefit is paid to the tenant.</p> <p>Total Housing Benefit Income This is the total amount of Housing Benefit paid to the landlord or rental agency.</p> <p>*For reference an alternative “top ten” is shown on the following page, ranked by Housing Benefit income.</p> <p>Total “incentive” income No incentive payments are made, so this does not apply.</p> <p>Average Length of Tenancy Calculated by counting the number of days where Housing Benefit is awarded during 2016/17 financial year for each claim. Then, for each landlord or rental agency listed, adding the total number of days and dividing by the number of claims.</p> <p>It does not include periods where Housing Benefit is not awarded.</p>
Question (11) by Councillor Doggett to the Executive Lead for Environment (Councillor Ellery)	In the last financial year how much was paid in ‘incentive’ payments for landlords to accommodate the most vulnerable?
Councillor Ellery	<p>The local authority does not pay incentive payments to landlords to accommodate routine vulnerable clients. However, financial assistance with rent in advance to secure accommodation is available to tenants suffering hardship through Discretionary Housing Payments and the Crisis Support Fund. The Council operates a non-cash Deposit Bond Scheme for accommodation deposits.</p> <p>Discretionary Housing Payments can also provide assistance with rent arrears and ongoing rent shortfalls. Neither are incentives to landlords-they must be claimed by the tenant. Both offer the tenant the opportunity to sustain a tenancy which may otherwise be lost.</p>
Question (12) by Councillor Carter to the Executive Lead for Adults and Children (Councillor Parrott)	I understand that the department for Education has rejected the site to the SW of Paignton that the Council had proposed at the Full Council in August 2017 to tackle the shortage of school places in Torbay. Can you confirm what steps the Council is now taking to plug the gap in primary school places and whether the former Tower House site will be considered alongside other sites?
Councillor Parrott	<p>Thank you Councillor Carter for your question.</p> <p>The Council is continuing to work closely with the Department for Education and Schools Funding Agency in identifying a suitable site for a single form entry Primary School for Paignton. This includes the potential use of the former Tower House site which the Department for Education have now indicated a willingness to progress. In the interim, the Schools Admissions Team will continue to work with schools in Paignton and across Torbay to ensure that pupils requiring a school place are accommodated as quickly as possible and, so far as practicable, at a school of their choice. I would like to take the opportunity to thank our Headteachers, Principals and Governors for the positive and flexible manner in which they are responding to these requests.</p>

Third Round

<p>Question (13) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>During winter months a number of grass verges across Torbay are turned into unsightly mud baths. Can you advise what consideration has Torbay Council given to using community protection notices or Anti-Social Behaviour Orders to tackle this problem?</p>
<p>Councillor Excell</p>	<p>Each case would be assessed on its own merits, which would determine what course of action would be necessary under the specific circumstances. The Council could consider use of powers under the Anti-Social Behaviour, Crime and Policing Act 2014 which references Criminal Behaviour Orders, Community Protection Notices and Injunctions. Each of these may be a consideration but with own strengths and limitations. The Community Protection Notice may be the most appropriate tool under this legislation for such circumstances but only where behaviour is persistent and detrimental to the quality of life of those in the locality. Criminal Behaviour Orders require an application on the back of a prosecution of an offence so is not immediately available as an option, an injunction can be sought through the county court so long as the behaviour can be demonstrably shown to have caused harassment, alarm or distress to another person.</p> <p>Driving a vehicle on a footway is in itself an offence which may be a more specific way to target such offending behaviour before considering anti-social behaviour legislation as is geared specifically to misuse of vehicles. It may also be appropriate for the Council to consider whether physical barriers could 'design out' the problem.</p>
<p>Question (14) by Councillor Sanders to the Executive Lead for Adults and Children (Councillor Parrott)</p>	<p>What impact, if any, has the loss of beds at Paignton Hospital had on Adult Social care in Torbay?</p>
<p>Councillor Parrott</p>	<p>The council and the ICO and CCG have a strategy which supports people in their own home. The reduction of beds at Paignton is part of a programme of changes which sustains a model of care over the long term. Adults social care has the benefit of integration with the NHS and as judged by the DTOC figures the local system of supporting people to prevent the need for hospital admission and to support people after admission at home is still working well.</p> <p>We have one of the lowest rates of bed days used for people over 65 nationally despite having a very high number of older people in our demographic. We benchmark as having one of the lowest delayed transfers of care nationally with only 2 days of delays in November attributed to social care compared to the national average of more than 13 days. Out of 50 NHS organisations in the south of England we are one of the only ones to have not seen an increase in attendances to ED by people over 65. Compared to our comparator groups more people in Torbay say they have good social care related quality of life. We are seeing fewer people who are funded by social care over the age of 65 admitted to a care home as their permanent residence. All of this has helped to contribute to a 40million pound saving in our system this year, which is 10% of our shared risk fund. Of critical</p>

	importance is that our care Model is setting us on course for a sustainable future where services are more personalised, integrated around each of us and focused on what matters most.
Question (15) by Councillor Doggett to the Executive Lead for Environment (Councillor Ellery)	In the last financial year how much was paid in ‘emergency’ accommodation?
Councillor Ellery	The total cost of temporary accommodation was £667,741. The net cost after receiving housing benefit payments was £283528.