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Date: Thursday, 31 January 2019

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Dear Member

COUNCIL - THURSDAY, 31 JANUARY 2019

I am now able to enclose, for consideration at the Thursday, 31 January 2019 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
7.	Members' questions	(Pages 243 - 249)

Yours sincerely

June Gurry
Clerk

Agenda Item 7

Meeting of the Council, Thursday, 31 January 2019

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>Urgent Question (accepted by the Chairman 30.1.19) by Councillor Mandy Darling to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Residents continue to be concerned about the lack of toilet facilities in Torquay town centre. The community had been promised new facilities for the run up to Christmas and then, a further promise, that the facilities would be ready by early February. With little sign of work progressing can you please advise me how we are holding the contractors to account and identify the date we are working towards for completion of these facilities. This situation is exacerbated by Torbay Council's decision not to repair the toilets at Torquay Library.</p>
<p>Councillor Excell</p>	<p>The groundworks for the new build is nearing completion, once the unit has been installed the access ramp for the all-ability facility requires construction. The new modular building is scheduled to be delivered overnight 3rd/4th February. This requires a temporary road closure and booking road space caused further delays.</p> <p>Connections to the various utilities is estimated to be scheduled for week beginning 11th February.</p> <p>The delay has not been with Torbay Councils contractor but with the many utility companies (Western Power, South West Water and BT), the requirement to move services, relocating Telephone boxes and the illuminated street signs. Utility companies will only schedule works for connections once they see the new building is in place.</p> <p>The estimated operational/open date is the end of February 2019. The project team have been and are always keeping the public informed with regular updates. This new facility represents over £150,000 of investment into the town centre and once completed will have new technologies installed to provide a fit for purpose safe environment for its users.</p>

<p>Question (1) by Councillor Sanders to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</p>	<p>Can you publish the staff absentee/sickness rates November to October by each department for each of the past three years?</p>
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<p>Elected Mayor Oliver</p>	<p>Sickness absence is recorded on a Directorate level.</p> <table border="1" data-bbox="395 143 1500 331"> <thead> <tr> <th colspan="13">Whole Council 2018</th> </tr> <tr> <th>Measure</th> <th>Jan</th> <th>Feb</th> <th>Mar</th> <th>Apr</th> <th>May</th> <th>Jun</th> <th>Jul</th> <th>Aug</th> <th>Sep</th> <th>Oct</th> <th>Nov</th> <th>Dec</th> </tr> </thead> <tbody> <tr> <td>Working days lost %</td> <td>5.28</td> <td>5.29</td> <td>3.84</td> <td>4.73</td> <td>4.63</td> <td>4.24</td> <td>4.95</td> <td>5.19</td> <td>4.62</td> <td>5.58</td> <td>5.8</td> <td>4.44</td> </tr> </tbody> </table> <table border="1" data-bbox="395 376 1500 698"> <thead> <tr> <th colspan="13">Working days lost by directorate %</th> </tr> <tr> <th></th> <th>Jan</th> <th>Feb</th> <th>Mar</th> <th>Apr</th> <th>May</th> <th>Jun</th> <th>Jul</th> <th>Aug</th> <th>Sep</th> <th>Oct</th> <th>Nov</th> <th>Dec</th> </tr> </thead> <tbody> <tr> <td>Children's Services</td> <td>6.56</td> <td>6.65</td> <td>4.64</td> <td>6.37</td> <td>6.87</td> <td>5.25</td> <td>7.19</td> <td>7.81</td> <td>5.7</td> <td>6.78</td> <td>7.68</td> <td>5.41</td> </tr> <tr> <td>Adults Services and Housing</td> <td>0.75</td> <td>8.83</td> <td>0</td> <td>3.04</td> <td>4.09</td> <td>5.54</td> <td>4.43</td> <td>0.6</td> <td>3.4</td> <td>6.3</td> <td>8.3</td> <td>3.38</td> </tr> <tr> <td>Public Health</td> <td>0.98</td> <td>1.44</td> <td>0</td> <td>0</td> <td>0</td> <td>2.81</td> <td>0</td> <td>3.79</td> <td>6.38</td> <td>1.38</td> <td>1.26</td> <td>0</td> </tr> <tr> <td>Corporate Services</td> <td>4.85</td> <td>4.22</td> <td>3.71</td> <td>3.84</td> <td>3.3</td> <td>3.5</td> <td>3.57</td> <td>3.77</td> <td>3.93</td> <td>4.88</td> <td>4.56</td> <td>4.03</td> </tr> </tbody> </table>	Whole Council 2018													Measure	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Working days lost %	5.28	5.29	3.84	4.73	4.63	4.24	4.95	5.19	4.62	5.58	5.8	4.44	Working days lost by directorate %														Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Children's Services	6.56	6.65	4.64	6.37	6.87	5.25	7.19	7.81	5.7	6.78	7.68	5.41	Adults Services and Housing	0.75	8.83	0	3.04	4.09	5.54	4.43	0.6	3.4	6.3	8.3	3.38	Public Health	0.98	1.44	0	0	0	2.81	0	3.79	6.38	1.38	1.26	0	Corporate Services	4.85	4.22	3.71	3.84	3.3	3.5	3.57	3.77	3.93	4.88	4.56	4.03
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<p>Question (2) by Councillor Long to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>Of the residential developments in Torbay that attracted the Council's 30% affordable housing policy, what percentage of the resulting developments were affordable? What percentage of the affordable properties were social rented properties?</p>																																																																																																																					
<p>Councillor Mills</p>	<p>For clarity the percentage of onsite affordable housing achieved has varied from site to site, as the Local Plan requirements actually provide a range of targets dependant on the scale and location of development. The percentage required by the local plan specifically for on-site provision ranges from 15 to 30%. The percentages achieved is also linked to viability. Of the larger sites 11 planning permissions have been assessed in relation to the current percentages policy. 3 of these will provide 30%, 2 will provide 20% and 5 will provide 0% due to viability (and 1 site will provide 0% due to earlier phases providing affordable housing). These will provide a total of 153 affordable dwellings of which 44 are identified for Social rent i.e. circa 29%.</p>																																																																																																																					
<p>Question (3) by Councillor Thomas (D) to the Deputy Mayor and Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>Once again, regrettably we have been experiencing difficulties with recycling collection across the Bay. I am informed that this is due to more cardboard being placed outside for collection than is normal.</p> <p>This should not be a surprise at this time of year. Unlike Easter when the date moves around Christmas Day does not move – it is always 25th December. So it really should not come as a surprise that additional cardboard is presented for recycling after such a holiday when many gifts are given with 90% of them being packed in some form of cardboard.</p> <p>Rather than just shout about this issue and place this question for the Executive lead to answer, I took the time and effort to observe Tor2 operatives on Tuesday 15th Feb to see first-hand what the issues are and to discuss possible ways forward.</p> <p>What has the executive lead with responsibility for waste done personally to help resolve this issue? Has he been out to see the problem first hand? Has he brought forward any suggestions or input into finding solutions to this problem?</p>																																																																																																																					

	<p>This problem is a replica of the Summer issue and therefore what lessons have been learned, or not as the case may be, but more importantly what re-assurances can he give this Council that this matter will be resolved once and for all?</p>
<p>Councillor Mills</p>	<p>As the Executive Lead for Planning and Waste I have remained in frequent contact with Council officers regarding this issue as they worked closely with our contractor, TOR2, to resolve the backlog of missed collections. I was made aware of the extent of the problem on a regular basis and given updates on the action being taken. The Waste and Recycling team were obliged to apply the relevant performance deductions to TOR2 as per the terms of the contract with our joint venture partner. It was extremely disappointing that our contractor fell behind with waste collections over the holiday period and in the early weeks of the new year. It is quite clear that contract penalty deductions alone are not going to improve performance. The Executive are therefore giving their full support to the work being undertaken by officers to identify the ongoing waste collection methodology, along with the associated need to invest in new refuse and recycling vehicles. A report will be presented to Council in February, with clear recommendations, that should allow investment in new vehicles to provide greater efficiency and more resilience to our waste collection service.</p>
<p>Question (4) by Councillor Tyerman to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Residents in Torbay, particularly those living in the Roselands area, have been very tolerant of the disruption caused by the road widening scheme along the western corridor over the last 18 months but I understand their anger when, now, at certain times of the day there are long queues on all routes out of Roselands and along roads in the surrounding area.</p> <p>Changes to the road layout at the Brixham Rd/Yalberton Rd junction have created a very significant worsening of traffic flow in the area between Tweenaway and the junction at White Rock and consequential congestion through Roselands Drive and on Dartmouth Road as traffic tries to find a way around the area hit by major delays.</p> <p>I, together with a number of other Paignton Councillors, have recently received many phone calls and emails. Our residents simply feel that enough is enough. I have been told this situation will only need to be endured for another 8 weeks but residents feel that this is totally unacceptable and I can't disagree with them over this matter.</p> <p>Have you explored, with officers, options for minimising disruption both in terms of its severity and duration and what assessment has been carried out on the impact on local residents, local businesses, schools and visitors to Torbay. Can you explain why different options have been rejected and what mitigating actions have been taken to minimise the impacts that have been so evident since the road junction layout has been changed.</p>
<p>Councillor Excell</p>	<p>The highway improvement works to Brixham Road, Paignton have moved on to another important phase in the construction programme and this has required a change to the traffic management arrangements.</p> <p>The additional problem to overcome at the present time is the installation of some major drainage infrastructure in the vicinity of the Yalberton Road Junction involving the placement of some large concrete box culvert sections in deep trenches. This has placed an additional restriction to the already tight</p>

	<p>working space, taking into account the need to provide for and to adequately protect the public and the site operatives.</p> <p>During this operation, the traffic signals to the junction will not be able to accommodate a dedicated right turn into the junction, which is the reason for any additional delays to traffic using this route.</p> <p>Unfortunately, full access needs to be maintained for this junction at all times, as there are a number of businesses near this site including a major supermarket, which require access for customers, staff and deliveries. We had programmed this change to avoid the busier pre-Christmas period, however, it is accepted that the current phasing of the lights is proving a problem at peak times. Once this phase of works is completed, the junction should be able to return to its pre-Christmas arrangement, however this is expected to last until mid-March. In the meantime engineers will monitor the signal timings to ascertain whether there are any changes that could improve the situation.</p> <p>Once this scheme moves into its final construction phase in the forthcoming Spring, more road space will become available, which will provide more traffic management options as the scheme moves forward. At the present time however we apologise for the disruption being experienced whilst delivering this major infrastructure improvement to the Bay and we thank everyone in the surrounding area for their patience and co-operation during this particularly challenging phase of the project.</p>
<p>Question (5) by Councillor Lewis (B) to the Executive Lead for Tourism, Culture and Harbours (Councillor Amil)</p>	<p>Before Christmas the slipway on Paignton Seafront was severely damaged. I have had a number of residents and organisations in touch with me to find out when it will be repaired. Can the Executive Lead please inform me when the repairs will take place.</p>
<p>Councillor Amil</p>	<p>Given the Council's current and ongoing financial position it is important that all potential expenditure is reviewed to ensure that the authority takes a prudent rather than a reactionary response. It may or may not be appropriate to repair this slipway and officers are currently exploring the various options with the local sports clubs that make use of the facility. Barriers have been installed at the top of the slipway to try to ensure public safety. I am aware that this asset is particularly important to the Paignton Sailing Club and the Rowing Club, as it allows them to host large events. Equally I am aware that these events bring economic benefit to our local community. Consequently we very much welcome the input from the community and have already held discussions with Paignton Sailing Club and Paignton Rowing Club. We are exploring a collaborative approach with the clubs that might identify alternative funding sources to provide a way forward. In any event it is highly unlikely that this slipway will be repaired in time for the 2019 events season.</p>
<p>Question (6) by Councillor O'Dwyer to the Deputy Mayor and Executive Lead for Planning and</p>	<p>When in Market Street in Torquay recently I was appalled at the accumulation of both domestic and builders rubbish. A local resident tells me that they have contacted the Council and was referred to Tor2. The resident has complained that contacting Tor2 has not appeared to do anything tangible to resolving the problem.</p> <p>One of the Council's Corporate Plan objectives is to make Torbay a safe</p>

Waste (Councillor Mills)	and pleasant place to live but the situation in Market Street and indeed other areas around the Town Centre with similar problems does not sit well with this objective. Can you please tell me what you are doing to address this situation and when we will see an improvement.
Councillor Mills	Any accumulation of domestic and/or builders rubbish can and is addressed through the Council's contract with TOR2. It is difficult to comment on why TOR2 did not respond directly to this particular incident. However, Councillors and residents can raise issues regarding littering on the streets through the Council's complaints tracking system. Such complaints will be brought to the attention of Council officers, via this system, and in this way they can quickly instruct TOR2 to collect the offending material. Unfortunately, on this occasion, officers were not made aware of the issue until this Council question was raised.

Second Round

Question (7) by Councillor Sanders to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)	Can you publish the staff turnover rates November to October by each department for each of the past three years?																																																																														
Elected Mayor Oliver	<p>Data in this respect is captured at a whole Council level rather than at a Directorate level.</p> <table border="1" data-bbox="338 1451 1517 1877"> <thead> <tr> <th colspan="13">Core Council Staffing Levels</th> </tr> <tr> <th>Measure</th> <th>Jan</th> <th>Feb</th> <th>Mar</th> <th>Apr</th> <th>May</th> <th>Jun</th> <th>Jul</th> <th>Aug</th> <th>Sep</th> <th>Oct</th> <th>Nov</th> <th>Dec</th> </tr> </thead> <tbody> <tr> <td>Headcount at month end</td> <td>968</td> <td>973</td> <td>968</td> <td>969</td> <td>967</td> <td>973</td> <td>975</td> <td>970</td> <td>980</td> <td>974</td> <td>969</td> <td>965</td> </tr> <tr> <td>FTE at month end</td> <td>775.95</td> <td>778.82</td> <td>772.07</td> <td>775.55</td> <td>774.17</td> <td>778.64</td> <td>778.03</td> <td>775.09</td> <td>784.39</td> <td>780</td> <td>777.76</td> <td>777.13</td> </tr> <tr> <td>Turnover - Starters</td> <td>16</td> <td>9</td> <td>8</td> <td>13</td> <td>14</td> <td>17</td> <td>15</td> <td>11</td> <td>28</td> <td>17</td> <td>13</td> <td>7</td> </tr> <tr> <td>Turnover - Leavers</td> <td>6</td> <td>4</td> <td>12</td> <td>9</td> <td>11</td> <td>11</td> <td>16</td> <td>19</td> <td>24</td> <td>15</td> <td>12</td> <td>19</td> </tr> </tbody> </table>	Core Council Staffing Levels													Measure	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Headcount at month end	968	973	968	969	967	973	975	970	980	974	969	965	FTE at month end	775.95	778.82	772.07	775.55	774.17	778.64	778.03	775.09	784.39	780	777.76	777.13	Turnover - Starters	16	9	8	13	14	17	15	11	28	17	13	7	Turnover - Leavers	6	4	12	9	11	11	16	19	24	15	12	19
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Question (8) by Councillor Long to the Executive Lead for Adults (Councillor Parrott)	<p>Healthwatch England produced a report in October 2018 entitled, "What's it like to be a carer". This report was based on interviews with 5447 carers from 27 local authorities in England, including Torbay. Key findings from the report include:</p> <ul style="list-style-type: none"> Carers not being aware of their entitlement to an assessment or access to information and advice from their local authority; 																																																																														

	<ul style="list-style-type: none"> • *Carers having to wait 57 days on average for services once they request support; and • Many local authorities not knowing how many Carers there are in their area and very few local authorities knew how long Carers had been waiting for services. <p>What lessons have Torbay Council learnt from this report, and what actions are being taken as a result?</p>
Councillor Parrott	<p>Identifying Carers and encouraging them to access information and support is a challenge for all authorities. This is partly due to Carers not identifying themselves as 'Carers' but seeing themselves as 'just' family members, or as not doing enough to be classed as a Carer. This is exacerbated by the public, the media, and Health and Social Care professionals continuing to call domiciliary care staff 'carers' and further confusing the message.</p> <p>Torbay, however, has a long history of supporting Carers, and recognises the importance of having information in a variety of formats and in a variety of locations. We have always been statistically above average in how easy Carers find it to find information about services (National Carers Survey: 14-15 75% against England average of 66%, 16-17 74% against England average of 64, and 72% in 18-19 comparators not released). Information and advice is one of the five priorities in our Carers Strategy. We also have rigorous data collection and comparatively good rates of Carer engagement with services – 26% of adult Carers are on our Carers Register (4,483/17000) and 40% of Carers are registered as such with their GP (6,752/17000). Most areas are unable to collate this, but with our unique links with GP practices, we have this as a specific target for improvement year-on-year.</p> <p>A particular gap in this is support to Parent Carers, where Parent Carers Needs Assessments need to improve as undertaken by Children's Services (which they have to be as they legally must include the assessment with the child). Carers Services is attempting to minimise some of the impact of this by offering them Health and Wellbeing Checks with their GP CSW or with Carers Aid Torbay, and have just started offering emotional support to Carers of children aged 16+ in transition.</p> <p>Our systems do not regularly report on the length of time awaiting Carers assessment, but we do audit this. At the last audit, 73% were assessed within 14 days, and all but two were assessed within 28 days. Given that most of the GP CSWs only work one day a week at each practice, this is a significant achievement. 48% of Carers were very happy with the amount of time that they had to wait and 31% were happy. Only one person was very unhappy. Despite being comparatively good, we are not complacent and set ourselves stretch targets year-on-year in order to ensure that we are improving wherever possible.</p>

Third Round

<p>Question (9) by Councillor Long to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic</p>	<p>I understand that Torbay Council are considering purchasing recycling and refuse collection vehicles for Tor 2 to lease. Has the Council considered purchasing new buses for community groups such as the Torbay Community Development Trust to use on non-commercial bus routes?</p>
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Regeneration and Transformation (Elected Mayor Oliver)	
Elected Mayor Oliver	Consideration was given to purchasing new buses but this would have required borrowing and no revenue budget was available to support such a commitment, other than fare income, which would have been unreliable. However, funding was requested by the Torbay Community Development Trust to operate some non-commercial bus services and funding was subsequently granted. Their business plan was based on the purchase of second hand buses rather than new vehicles. The funding agreement with the Torbay Community Development Trust was on the clear understanding that they were to own and maintain the vehicles.