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Dear Member

COUNCIL - WEDNESDAY, 28 APRIL 2021

I am now able to enclose, for consideration at the Wednesday, 28 April 2021 meeting of the Council, the following reports that were unavailable when the agenda was printed.

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Yours sincerely

Lisa Antrobus
Clerk

Agenda Item 8

Meeting of the Council, Wednesday, 28 April 2021

Questions Under Standing Order A12

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.

First Round

Question (1) by Councillor O'Dwyer to the Deputy Leader of the Council and Cabinet Member for Finance (Councillor Cowell)	What was the underspend for the last financial year in the end, projected or actual based on latest up to date information?
Councillor Cowell	At this stage our finance team are still working though the 20/21 transactions. Currently it is too premature to issue a figure. OSB and Cabinet will receive the outturn report in June 2021.
Question (2) by Councillor C Lewis to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	<p>At the Cabinet meeting on the 23rd March the future of the Pavilion was on the Agenda with a recommendation that £75,000 be spent on the joint appointment of a specialist consultant to survey the Pavilion. The money to be taken out of the Economic Development Budget (EDB).</p> <p>Three Conservative Councillors asked for confirmation that the £75,000 would be taken out of the EDB budget, and if so what would be cut from the budget.</p> <p>The Portfolio holder stated twice that the above amount was being taken from the Town Deal Funding (TDF). The Leader of the Council confirmed that the Portfolio holder had stated the money was coming from the TDF and that was good enough for him.</p> <p>The exact wording of the exchange at the Cabinet meeting can be heard on the Zoom recording.</p> <p>Will the Portfolio Holder please apologise to the three Councillors for the confusion and confirm that the £75,000 will be coming from the Economic Development Budget as per the Cabinet decision.</p> <p>If the above is correct can the Portfolio holder please inform the Council what will be cut from the EDB budget to accommodate the £75,000.</p>

<p>Councillor Long</p>	<p>The funding to support the survey work is being allocated from the £250,000 that has been included in the 2021/22 budget to support the development of the Torquay Town Deal and Paignton Future High Street Fund programmes, as a part of the overarching Economic Development Budget.</p> <p>The recommendation to Cabinet states “Agree that £75,000 from Economic Development Budget be allocated.” The additional funding proposed in the budget is supporting the economic development of Torbay and as such the recommendation as worded in the report stands and there will be nothing cut from the wider economic development work to allow this project to proceed.</p>
<p>Question (3) by Councillor Atiya-Alla to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>In recent years Torbay Council built a jetty for the purpose of landing mussels at Brixham. Can you please advise me around the volume of landings of mussels since its construction and any impact that Brexit may have had on these landings and any reduction on income of what this may had to the harbour authority.</p>
<p>Councillor Morey</p>	<p>The shellfish jetty was built in 2019 at a cost of approximately £2.5m (jointly funded by Harbour Authority prudential borrowing and a grant from the European Maritime and Fishing Fund (EMFF)), for the purposes of supporting the Bay’s growing aquaculture industry which at time of building aspired to land up to 100 tonnes a day.</p> <p>While shellfish landings have grown, recent events (Covid and Brexit) have greatly reduced demand for shellfish, and as a result the Offshore Mussel Farm have reduced their operations. Consequently the income received by the harbour has reduced, In 2020/21 this was approx. £7.5k lower than 2019/20.</p>
<p>Question (4) by Councillor Bye to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>Last year I was told “a solution will be found” to the problem of overnight parking & encampment at the Ilsham Marine Drive & by Meadfoot Beach. A van, which appears to be lived in, has been in situ in a lay-by by Meadfoot Beach for three weeks at least, obscuring one of the few litter bins & the cause of much annoyance to residents. When will a solution be found please?</p>

<p>Councillor Morey</p>	<p>In relation to off-street car parks at this location, the Council clearly states that overnight camping and parking is not allowed and action will be taken to enforce this when reported.</p> <p>In relation to on-highway ‘lay-by’ locations, signage is in place to discourage this activity however there are no traffic restrictions so this cannot be enforced by the Council’s Civil Enforcement Officers. Unfortunately restrictions can only be introduced and enforcement action taken where parking causes traffic or road safety problems. Where there is evidence that an activity affects local environmental amenity enforcement action can be considered.</p> <p>The Parking Services team are currently investigating options for off-road locations where overnight camping and parking might be catered for and properly managed.</p> <p>The specific issues with camper vans that have been identified at Meadfoot and Ilsham Marine Drive were discussed at the Transport and Parking Working Party at its meetings on 12th November 2020 and 1st March 2021, where it was agreed with members that a ‘Bay wide approach needed to be considered and agreed, rather than dealing with the issue on an area by area basis’. Unfortunately I cannot provide Councillor Bye with an answer as to when a solution can be found but I can reassure him that we are trying to identify some solutions.</p>
<p>Question (5) by Councillor Foster to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>Would the Cabinet Member please give an update on the trial of the new Dual Bins on Princess Gardens, how many dual bins are in the trial and what the cost is and also will he confirm that this trial has been funded from the money given by the Government for the Towns Deal Project.</p>
<p>Councillor Morey</p>	<p>The bins were installed and funded in March as part of the Town Deal project, 15 at Princess Gardens and 3 at Upton Park.</p> <p>The total cost for the bins was £11,503.</p>
<p>Question (6) by Councillor Jackie Thomas to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>I have been asked by many residents on when they can expect a green waste Collection. Cllr Mike Morey attended a Radio interview on Rivera FM on the 14th April 2020 which was a year ago and had confirmed to the listeners that the scheme was going to be rolled out as soon as possible. Can you please advise me when this will be available?</p>
<p>Councillor Morey</p>	<p>This project is part of the Waste Strategy Action Plan and has been delayed because Government have had to suspend their national waste consultation process due to the COVID 19 pandemic. SWISCo will in the next few months formulate a Business case to introduce a Green Waste collection service as soon as is practically possible.</p>

<p>Question (7) by Councillor David Thomas to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)</p>	<p>Events on Paignton green have played a huge part of our summer offer and help to make Paignton the place it is in the summer. Ordinarily any business on or near the green is keen to have events, because footfall increases and in pure economic terms this means the business has a greater chance to make some money. However this is not the case with SWISCo. Whenever an event takes place on the green, the organisers of such events are told to provide their own toilets and that the toilets on the green are not for people attending events – even though each customer would be paying their 30p to use the facilities. Furthermore, if an agreement can be made with SWISCo, a charge of approximately £200 for an evening is charged to the event organiser on top of the 30p entrance fee.</p> <p>Why does simple economics not feature in any business case with these facilities and why would SWISCo actively discourage people to use a facility that they had provided and as a result turn away what could be a sizeable income?</p>
<p>Councillor Long</p>	<p>On 7th December 2017 the Council agreed that a contract be awarded to Healthmatic, which would include the implementation of a full investment plan for the Council’s Public Toilets. The contract states:- ‘The Contractor shall provide an additional toilet cleaning, opening, and closing attendance service during special events. The Contractor shall be required to clean certain toilets, to open and close toilets at times other than those normally specified and at some locations attend toilets affected by the Special Event as advised by the Supervising Officer. Payment for this additional service shall be at the appropriate rate detailed within the tender submission.’</p> <p>All events are advised that the hire and use of the event space must be treated as a blank space. Our event paperwork states that appropriate toilet provision is required depending on size and scale of events (we use Purple Book guidelines to advise) and we are clear that the toilets operated by Healthmatic cannot be relied upon to cover this requirement. Clearly the capacity of our Public Toilets cannot be assumed to be able to cater for events, especially events that attract larger numbers.</p> <p>The facilities are designed for general use of our parks, open spaces, and beaches opening times and size of facilities is design for that use, they cannot cope with the increase level of demand from organized events.</p>

Second Round

<p>Question (8) by Councillor David Thomas to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>In a recent article in the Times newspaper (15 April 2021), it stated that grants have been provided to Councils for extra litter bins. Firstly, how much did Torbay Council receive and can you please provide a spreadsheet showing where the monies have been spent and how much may still be available?</p>
<p>Councillor Morey</p>	<p>The maximum amount available was £25k, but Torbay Council was unable to apply as it did not meet the criteria, which required a ‘Litter Strategy’ to be in place. Unfortunately, the application timescale was too tight to write such a strategy, which is not dis-similar to a number of other Devon authorities. If the Council had a Litter Strategy, some grant funding for extra litter bins might have been helpful but the associated and ongoing revenue costs of emptying such bins would also need to have been considered and secured.</p>
<p>Question (9) by Councillor Bye to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>In view of Council Leader Steve Darling’s recent comments advising more will be done to make residents feel safe when will the lights get fixed in Torwood Gardens so residents feel safe walking through there in the evening?</p> <p>I was advised by the Director of Place in November funding had been identified but despite several representations this work has not been completed.</p>
<p>Councillor Morey</p>	<p>A repair was carried out to one of the lights on Wednesday 21st April. The second light has a cable fault and this has been referred to Western Power for action.</p> <p>Although the instruction was issued several months ago, the contractor had a backlog of work. Officers did visit the site and were reassured by the background ambient lighting that was available in Torwood Gardens.</p>
<p>Question (10) by Councillor O’Dwyer to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)</p>	<p>What is the budget for the new Independent Chairperson of the Strategic Housing Board post per annum or per meeting and how many meetings is it planned there will be in a year?</p>

<p>Councillor Long</p>	<p>The Independent Chairperson will receive a daily rate of £600. The first year this will be for 12 days and thereafter it will be 10 days per annum.</p> <p>The Strategic Housing Board meets quarterly and the meetings have been scheduled for March, June, September and December 2021.</p>
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Third Round

<p>Question (11) by Councillor Bye to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)</p>	<p>How has Torbay's share of the Government's £56million Welcome Back Fund to "help boost the look & feel of high streets & seaside towns" been spent & what consultation with the community has taken place?</p>
<p>Councillor Long</p>	<p>The Welcome Back Fund (WBF) was launched after the March Budget and became live on 16th April 2021. WBF builds on and replaces the previous Reopening High Streets Safely Fund, launched June 2020. Existing eligible activity included:</p> <ul style="list-style-type: none"> • Support to develop an action plan for how the local authority may begin to safely reopen their local economies. We understand Government will require a new plan for the Welcome Back Fund and this will be developed over the coming weeks. • Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely. • Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely. • Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely. <p>In addition to the four existing eligible activity strands, two additional activity strands have been introduced:</p> <ul style="list-style-type: none"> • Support to promote a safe public environment for a local area's visitor economy (including beautification activities such as graffiti removal and improvement of green spaces and provision of outdoor seating areas). • Support local authorities to develop plans for responding to the medium-term impact of Covid-19 including trialling new ideas particularly where these relate to the High Street. <p>Key stakeholders including ERTBID, Torbay Business Forum and the Chambers of Commerce are being consulted on how best to use the</p>

	<p>fund. The results of this will result in a draft action plan that will need to be approved with the funder to ensure eligibility – it is important to note that non-eligible expenditure cannot be claimed back making it critical that we work with the funder to gain their agreement. Common themes and ideas are already emerging and key priorities for most areas include deep-cleaning, beautification of visitor hotspots and improved signage for visitors, all aligning to Torbay’s ‘Premier Resort’ ambition.</p> <p>Although eligible spend criteria has been relaxed, the fund is still subject to ERDF procurement regulations, and all activity undertaken must be additional work, be considered temporary and respond to Covid-19 in the short to medium term.</p>
<p>Question (12) by Councillor O’Dwyer to the Deputy Leader of the Council and Cabinet Member for Finance (Councillor Cowell)</p>	<p>Noting the multiple contract awards of over £20 million for agency staffing published on our contracts register. Can you provide up to date figures for total actual agency costs for ourselves and our wholly owned subsidiaries for the last year by month.</p>
<p>Councillor Cowell</p>	<p>For the financial year 2020-21</p> <ol style="list-style-type: none"> 1) Total spend on Agency staff for TEDC and all subsidiaries £29k. 2) Total spend on Agency for SWISCo. was £1.1m (since July 2020) As part of managing the costs of agency staff efforts to convert Agency staff in “Temp to Perm” initiatives developed since the Council has had oversight of SWISCo have now seen monthly spend on Agency staff in February & March reduce by 60-70% compared to December 2020 as a result of their implementation. 3) Total Spend on Agency staff for Torbay Council was £4.8m. £4m of this is within Children’s Services. Despite this, Children’s Services remain on track to underspend (as was reported at Quarter 3) due to the ongoing work to manage the historic cost pressures within Children’s Services.

Agency Spend	TEDC and its subsidiaries
Month	£'000
Apr-20	5
May-20	3
Jun-20	3
Jul-20	8
Aug-20	2
Sep-20	1
Oct-20	0
Nov-20	-
Dec-20	-
Jan-21	-
Feb-21	1
Mar-21	5
Total	29

SWISCo
£'000
147
153
194
160
131
162
93
60
48
1,148

Torbay Council		
Children's	Other	Total
£'000	£'000	£'000
189	23	212
355	39	394
300	23	323
297	45	342
206	35	241
268	31	299
225	63	288
412	38	450
375	73	448
286	82	368
489	122	611
669	191	860
4,071	765	4,836

Note 1: all figures are rounded to the nearest £1,000.

Note 2: For Torbay council the spend for March 2021 is disproportionately higher than the monthly trend due to this being the final month of the financial year. Agency staff is often billed in arrears and as a result there is often a perceived 'spike' in spend which is simply as a result of the need for timely invoicing to ensure payments relating to the 2020/21 financial year are received and paid in period 12 (March 2021).