

Clerk: June Gurry
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Thursday, 08 December 2022

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

COUNCIL - THURSDAY, 8 DECEMBER 2022

I am now able to enclose, for consideration at the Thursday, 8 December 2022 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
7.	Members' questions	(Pages 2 - 6)

Yours sincerely

June Gurry
Clerk

Agenda Item 7

Meeting of the Council, Thursday, 8 December 2022

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) from Councillor Foster to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)	Can the Cabinet Member for Infrastructure, Environment and Culture please give me an update of the spending of the extra £600,000 (£570,000 plus £30,000) that was added into Torbay Council Highways Budget for 2022 – 2023, could he please list: 1) What works have already been started or completed between 1 April 2022 to date and the costs of these works? and 2) What works are programmed between now and 31 March 2023 and the anticipated costs of these works?
Councillor Morey	There have been works to the value of approximately £285,000 carried out so far in year, which has included works to improve signage including signage to support improved road safety, structural maintenance with carriageway surface dressing works, weed control measures, footway reconstruction, pothole prevention and traffic engineering works. There has been a consistent challenge in respect of contractor availability for some of the works, notably line marking, and the outstanding work is to be reviewed with the highways team to set out how the balance of the funding may be used taking into account maintenance and improvement needs.
Question (2) from Councillor Bye to the Cabinet Member for Finance (Councillor Cowell)	How much has Torbay Council's borrowing increased since May 2019 and how much is it likely to increase by May 2023?
Councillor Cowell	As at March 2019 external borrowing was £303m which had increased to £389m as of March 2022. No borrowing is expected to be undertaken before March 2023.
Question (3) from Councillor O'Dwyer to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)	Torbay Council declared a climate emergency almost 4 years ago. Since that declaration how many vehicles hired or owned by the Council or our wholly owned subsidiary companies have been fully electric vehicles or hybrids? In order to allow a comparison please also provide the number of owned or hired petrol and diesel vehicles. Further, since that declaration what percentage of our energy usage across Council owned offices and properties come from actual renewable sources and how much renewable energy production per annum does the authority generate across its estate?
Councillor Morey	We are nearing the completion of our Green Fleet Review (reviewing how to decarbonise SWISCo, TDA and Torbay Council fleets including what

	<p>vehicles to replace first, proposed pilots for 2023, costs, dates, charging infrastructure needed. We are ensuring this work builds on the recently approved fleet replacement programme and capital funding.</p> <p>We currently have 204 Diesel and 12 petrol vehicles across the fleets. We also have two electric vehicles - one van and one car. We are in the process of procuring electric cars to be used to replace some of our need to hire cars.</p> <p>The data for our energy usage is currently not available, however, we are working actively with our energy supplier and have recently employed a Contracts Officer who will have oversight of the Energy contract. This will allow us going forward to clearly identify renewables, energy usage and billing.</p>
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Second Round

<p>Question (4) from Councillor Foster to the Cabinet Member for Corporate and Community Services (Councillor Carter)</p>	<p>How many homes in Torbay are currently empty and have been empty for longer than 6 Months?</p>															
<p>Councillor Carter</p>	<p>As of 6 December 2022, Council Tax records show:</p> <table border="1" data-bbox="470 1064 1204 1467"> <thead> <tr> <th>Period</th> <th>Count</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Exempt</td> <td>750</td> <td>28%</td> </tr> <tr> <td>Under 6 months</td> <td>650</td> <td>24%</td> </tr> <tr> <td>Over 6 months</td> <td>1285</td> <td>48%</td> </tr> <tr> <td>Total</td> <td>2685</td> <td>100%</td> </tr> </tbody> </table> <p>Exemptions – Depending on the liable person’s circumstances an empty property may be exempt from paying Council Tax. Classifications include people in hospital or receiving care, unresolved ownership matters, usually following a death, as well as financial matters, such as bankruptcy.</p>	Period	Count	%	Exempt	750	28%	Under 6 months	650	24%	Over 6 months	1285	48%	Total	2685	100%
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<p>Question (5) from Councillor Bye to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</p>	<p>An elderly Wellswood resident was knocked down and hospitalised on Christmas Eve 2020 at the pedestrian crossing on Babbacombe Road by Wellswood Avenue, Torquay, and he now wants to ensure the crossing is made safe and at the very least requests that the white lines are refreshed.</p> <p>I made an enquiry to Highways in this respect on 1 August 2022, and it took 10 weeks for them to acknowledge. Why did it take this time to respond and when will the white lines get refreshed at this pedestrian crossing and at the crossing by Lisburne Square, Torquay which is also in a very poor state?</p>															

Councillor Morey	<p>SWISCo apologises for the delay in responding to this enquiry. This was due to a combination of a retirement and staff leave during the summer months. SWISCo accepts that the time taken was not acceptable in this case.</p> <p>With respect to the re-marking of the pedestrian crossings in Babbacombe Road, this is part of a much larger programme to improve the condition of road markings throughout Torbay and whilst SWISCo have made good progress during the current financial year, it needs to be recognised that there are still many locations which require maintenance works. SWISCo can confirm that a number of pedestrian crossings have been identified for marking works, including the locations raised by Councillor Bye, and they are currently looking to secure resources from specialist contractors.</p> <p>Unfortunately this type of work is extremely weather dependent and therefore contractor availability is likely to be limited in the coming weeks, however these works are due to be included within the next phase of re-marking works, once contractor resources become available to SWISCo.</p>
Question (6) from Councillor O'Dwyer to the Cabinet Member for Finance (Councillor Cowell)	<p>On 27 October 2022 the Council took a decision to fund the completion of the Harbour View Hotel and decided to create a Capital Contingency Fund. The revenue costs in future years of both of these decisions will be an 'average' of £600,000.</p> <p>How many years will the Capital Contingency Fund of an average of £600,000 need to be built into future years budget and what services will have to be cut to fund this and could the Cabinet Member for Finance reconsider whether there are any impacts to public health and socio-economic deprivation factors that weren't covered in the original report.</p>
Councillor Cowell	<p>The increased cost of borrowing will be a cost to the council's revenue budget over the longer term reducing over time, linked to the timing of higher annual rents from the assets supported by the borrowing.</p> <p>The cost will form part of the council's annual budget in future years which, along with other cost pressures, will have to be funded from a combination of budget savings and higher income levels. The implications of any budget reductions will be identified in any supporting impact assessment.</p> <p>Whilst Councillor O'Dwyer sets out that there will be a negative impact to public health and socio-economic deprivation as a result of the Council setting aside this money, there are positive impacts to the wider economy with an increase in jobs and additional visitor spend in our town centres, hospitality sectors and night-time economy.</p>

Third Round

Question (7) from Councillor Foster to the Climate Change Member Champion (Councillor Atiya-Alla)	Will the Climate Change Member Champion please say how many of the Torbay Climate Partnership meetings he has attended in the last 12 months?
Councillor Atiya-Alla	I have attended two meetings of the climate partnership in the past 12 months. I am committed to the climate partnership but as a working

	councillor it has not always been possible for me to attend the partnerships meetings due to them being held during the working day. However, I am in regular contact with officers from the climate change team and over the past 3.5 years I have regularly supported Councillor Morey in his Cabinet role on aspects of climate change and have attended meetings on his behalf. I have been and remain to be a committed Member Champion for climate change.
Question (8) from Councillor Bye to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)	The Council Car Park nearest to Kilmorie Flats by Meadfoot Beach, Torquay, has become a place in the evening and late at night for people racing cars to congregate, creating excessive noise, anti-social behaviour as well as being a danger to themselves and others, behaviour that has had a substantial impact on the quality of life for residents. When will a barrier at the entrance be re-instated?
Councillor Morey	I am aware of the issues being created by anti-social behaviour by a group of motorists who are using the car park and Meadfoot Sea Road to gather. The Council is reviewing options in respect of the Kilmorie car park which include restricting access or noting the cost of installing and operating a barrier on a daily basis, and seasonal closures.
Question (9) from Councillor O'Dwyer to the Cabinet Members for Infrastructure, Environment and Culture (Councillor Morey)	At the Council meeting on 13 October 2022, I asked a question regarding the number of enforcement notices issued and the number of planning enforcement orders and breach of conditions notices issued. Given the low numbers provided in the answer to this question, can the Cabinet Member for Infrastructure, Environment and Culture confirm that we are protecting local heritage and offering the services residents expect? In order to add context to your answer, please provide the number of open planning enforcement cases, how many are received each month and how many are being investigated and closed off each month?
Councillor Morey	The total number of open enforcement cases at present is 487, there are often more than 10 new cases per week being submitted to the Council. As an indication of the numbers being received the last 10 weeks of data are set out in Appendix 1. Cases that affect our Listed Buildings, TPO protected trees and local heritage are prioritised and officers are endeavouring to keep good communication levels up with complainants and Members alike. To further support the team an additional experienced Enforcement Officer, will be starting at the beginning of January to assist with reducing the number of open cases.

Appendix 1

	Week 39	Week 40	Week 41	Week 42	Week 43	Week 44	Week 45	Week 46	Week 47	Week 48
Enforcement cases registered	0	14	15	0	14	7	0	0	10	9
Enforcement cases closed	12	3	4	6	7	2	8	2	4	4
Enforcement notices issued	0	0	0	0	0	0	0	1	0	0