

Clerk: June Gurry
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Thursday, 20 July 2023

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

COUNCIL - THURSDAY, 20 JULY 2023

I am now able to enclose, for consideration at the Thursday, 20 July 2023 meeting of the Council, the following reports that were unavailable when the agenda was printed.

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7.	Members' questions	(Pages 2 - 13)

Yours sincerely

June Gurry
Clerk

Agenda Item 7

Meeting of the Council, Thursday, 20 July 2023

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

Urgent Question from Councillor Steve Darling to the Leader of the Council (Councillor David Thomas)	Can Torbay Council make urgent representations regarding the closures of ticket offices at our local train stations in the Bay, including Paignton and Torquay? Paignton particularly has the higher than national average of ticket office sales compared to the national average. Ticket offices play a crucial role in helping people travel, particularly for older and more vulnerable customers who may prefer to use cash or struggle to use the self-service ticket machines. As a registered Blind person, I know that these changes will be very challenging, as it is easier to purchase tickets from a designated, visible ticket office for a number of people with disabilities. Ticket offices also act as a clear place to seek help from in a station. These proposals will be felt widely by others- for those living with a disability, and older or more vulnerable train users. These proposals are being put to an immediate consultation, which ends on 26th July, backed by this Conservative government. This latest move, a worrying step towards digital exclusion, is unacceptable. I believe that everyone should be able to access vital services in person, should they wish. As a Council, can we make the case directly with South Western Railway and GWR about why these changes could make rail travel more difficult for many of our residents in Torbay?
Councillor David Thomas	I have already sent a letter directly to the Secretary of State for Transport outlining our concerns over the proposals and next week officers on the Council's behalf will be completing the online consultation.
Question (1) from Councillor Johns to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	As grateful as I am that the public consultation for Oldway Mansion and Gardens got started in June although late, please can you tell us when the public will be able to hear the results of the consultation?
Councillor Chris Lewis	There were over 1800 responses to the consultation on Oldway, the Council is grateful to those who responded for sharing their views on the site. The project team is now compiling a report which will be shared with the Oldway Mansion and Grounds steering group and the project board in August. The results will be publicised following those meetings.
Question (2) from Councillor Barbara Lewis to the Cabinet Member for Place	What is the current situation with the viability and deliverable time scales with regards Crossways?

Services and Economic Growth (Councillor Chris Lewis)	
Councillor Chris Lewis	The cost of the Crossways project has increased significantly requiring the Council to review the options for delivery. The cost increases mean that the original project is not viable and the time scale originally expected cannot be met. I expect to see alternative options in the autumn when the options review has concluded.
Question (3) from Councillor Billings to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	What is the current situation with the viability and deliverable time scales with regards Pavilion?
Councillor Chris Lewis	The cost to restore the Pavilion has increased significantly requiring the Council to review the options for delivery. The Council continues to work with MDL who hold the lease on the Pavilion to explore the best way for the project to be delivered.
Question (4) from Councillor Brook to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	What is the current situation with the viability and deliverable time scales with regards Edginswell?
Councillor Chris Lewis	As with other projects the level of construction price inflation has seen the anticipated cost for delivery of Edginswell Station increase. Design work continues but the level of cost increase means it is not possible to set out delivery timescales for the project at this stage. The detailed design work is currently being carried out by Network Rail and their contractor which will result in an updated price and programme.
Question (5) from Councillor Jackie Thomas to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	What is the current situation with the viability and deliverable time scales with regards Oldway?
Councillor Chris Lewis	The resilience project currently underway has identified that there is a considerable cost to restore the building, currently anticipated at £15M, with a similar figure to allow for the building to be used. The resilience project is scheduled to conclude its work in October which will allow the Council to determine a way forward and how to make a start on securing the funding to allow these works to start.
Question (6) from Councillor Strang to the Cabinet Member for Place Services and	Since the election there have been a number of road markings refreshed across the bay, will there be more?

Economic Growth (Councillor Chris Lewis)	
Councillor Chris Lewis	The carriageway re-marking programme is planned to continue. Works commenced in June 2023 with re-marking works to Torquay Road (Preston Area), Paignton, Marine Parade, Paignton, Dartmouth Road (Big Tree are), Paignton and Clif Park Road, Paignton now completed. Works are now continuing in July 2023 with remarking works planned for Brixham Road (Churston Area), Shedden Hill/Belgrave Road Junction, Avenue Road, Torquay, Torquay Sea Diversion Route and Cockington village. Additional areas will be planned to continue through the year as resources and weather allows.
Question (7) from Councillor Joyce to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	Can we have an update of when the new hotel on the Terrace car park will be open?
Councillor Chris Lewis	Work continues on the site and Whitbread is fully informed of the programme. It is anticipated that the new hotel will be open operationally by the end of the first quarter of 2024.

<p>Question (8) from Councillor Fox to the Leader of the Council (Councillor David Thomas)</p>	<p>Torbay Local Plan Can the Leader of the Council update the Council on the programme for review of the Local Plan, including possible dates for Regulation 19 submission, Examination and Adoption? In this regard I believe that it would be useful for a Situation Update Report be prepared by Officers, addressing the following issues (and any others the Officers deem relevant):</p> <ul style="list-style-type: none"> • Latest updates on housing (and Housing) need. • Other land use needs, e.g. employment and community uses. • Town centres regeneration. • Infrastructure requirements. • Environment and sustainability considerations. • The possible need for additional consultation. • Updated programming to examination and adoption. • Resource considerations. • Viability considerations. <p>Would the Leader of the Council be prepared to request the same from Officers?</p>
<p>Councillor David Thomas</p>	<p>Officers are continuing to update the plan and improve the evidence base following consultation at the end of 2022. Over the coming months as that is completed and the O&S review on land supply takes place, the proposals in the plan will be considered. It is expected that the next consultation will be a further regulation 18 at this stage, ensuring the right options are considered. The Local Development Scheme will be updated in due course once the direction and next steps are more certain.</p>
<p>Question (9) from Councillor Law to Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>A representative from SWISCo advised that, on 19th January 2023, a representative of the TDA met with the Principal of Torquay Academy to agree the preliminary layout for a Zebra Crossing on Barton Road and detailed plans were drawn up on 28.03.23. As ward councillors we understood that work could possibly start as early as this Spring. Recently, yet another child has been injured on this road, yet there is still no sign of a safe crossing.</p> <p>Can you please reassure me that this Administration still plans to go ahead with a safe road crossing for Torquay Academy students? If so, when will work start?</p>
<p>Councillor Chris Lewis</p>	<p>The TDA are currently progressing this scheme and are currently looking to secure contractor resources. The TDA will look to commence implementation once a contractor is appointed.</p>
<p>Question (10) from Councillor Steve Darling to the Cabinet Member for Finance and Corporate Services (Councillor Tyerman)</p>	<p>According to the Bank of England, bill payers withdrew from bank and savings accounts at a record level in May. £4.6 billion more was paid out than paid into bank and building society accounts, which was the highest level seen since comparable records began 26 years ago. Furthermore, recent media reports show 12.8 million people are struggling to pay off debts. In light of these growing pressures on household budgets in the UK, how is the council planning to enhance its cost-of-living financial support to our communities in need in Torbay?</p>

Councillor Tyerman	<p>The 2023/24 revenue budget included a number of areas where the Council is continuing to support residents with the cost-of-living crisis throughout the current financial year. These include:</p> <ul style="list-style-type: none"> • Providing capacity to enable, and deliver, various central government grant initiatives such as the Household Support Scheme, Discretionary Housing Payments and Energy Bill Support Scheme; • £0.5m to support investment in the council's housing functions and staffing. • Providing £0.2m 'top up' to the government's Discretionary Housing Payments grant scheme; • £0.5m from reserves to provide a council tax bill reduction to working age council tax support scheme claimants. This allocation, combined with the national scheme, should see reductions of up to £100 on the council tax bills for working age claimants; • allocating funding to provide packages of support including a new exceptional circumstances fund, financial support for the mental health helpline and a thank you payment to fostering families.
Question (11) from Councillor Long to the Leader of the Council (Councillor David Thomas)	At the Cabinet meeting on 21st March 2023, a preferred bidder was appointed for the future development of homes at land located at Preston Down Road, Paignton. How has the Cabinet progressed this project?
Councillor David Thomas	Discussions are taking place with the preferred bidder to ensure that the site achieves the best outcomes for Torbay.
Question (12) from Councillor George Darling to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	Torbay has a £100,000 premier resort fund. Several St. Marychurch residents and businesses have raised issues within the ward that could benefit from this funding. Would the administration consider releasing these funds to enable enhancing of the causeway surface running from Oddicombe beach towards Babbacombe, and improve signage between the Babbacombe Downs and St. Marychurch Precinct.
Councillor Chris Lewis	£100,000 of additional funding allocated to the Premier Resort fund for 22/23 has been allocated to projects including the seafront illuminations project across Torquay, Brixham and Paignton, and a range of projects to enhance the main visitor areas and beaches across Torbay. I will ask officers to assess the affordability of what is proposed.
Question (13) from Councillor Mandy Darling to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)	The pedestrian footbridge at the bottom of Belgrave Road is much valued by residents. As part of enhancing our cultural offer in Torbay would the Cabinet consider renaming the bridge as the Christie Bridge and print the name of an Agatha Christie book on the frontage of each step to enhance our cultural offer in Torbay?
Councillor Chris Lewis	The Council is investigating ways to provide more visibility of Torbay's connection to Agatha Christie. This project is scheduled to run during

	<p>2024. This project will be run in consultation with the Agatha Christie Trust and family who would need to give permission for the Christie name to be used. Choosing sites to link with the Agatha Christie name or with the titles of her work will need to be considered carefully, and it is likely that the family would want to consider locations connected to her life in Torbay. The bridge itself does not have a connection to Christie's life in Torbay, there are other locations in the area that are more suited. These will be identified as part of the project. Costs of the rights to use Agatha Christie's name or those of her works would also need to be explored.</p>
<p>Question (14) from Councillor Harvey to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)</p>	<p>A recent survey we carried out in St. Marychurch has highlighted an increase in ASB and street crime, reported by both traders and residents, who feel that this is a consequence of Operation Loki having a dispersion effect on criminal activity to areas beyond the town centre focus of the initiative. What Op Loki has illustrated is that a regular, visible, police presence on the streets has a clear impact on crime reduction and feelings of public safety which is what the members of our communities want on a consistent basis. Do we know what actions are being taken by D&C police to deliver this?</p>
<p>Councillor Tranter</p>	<p>Devon and Cornwall Police are currently evaluating the impact from Op Loki, with a view of identifying lessons learned which will inform future decisions regarding deploying their resources. A copy of the report and recommendations have been requested upon completion of this evaluation.</p>
<p>Question (15) from Councillor Penny to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)</p>	<p>There has been an unprecedented influx of illegal encampments around the Paignton area from Churston, Splashdown, Velopark, Clennon Valley Leisure Centre, Paignton Green North, Whiterock and Churston again.</p> <p>Previously, the Council has spent time, effort and money to prevent encroachments.</p> <p>Some people have reported that damage was done to gain access to Paignton Green recently and disruption caused to those using the green and exchanges between members of the public and the travellers.</p> <p>Visitors will have gained a poor impression of our Bay at these prime locations.</p> <p>What urgent action is being taken to prevent a recurrence of illegal encampments on our prominent places and parks, and what future actions will be taken to increase the protection for these areas?</p>
<p>Councillor Tranter</p>	<p>A variety of protective measures have been undertaken across some key sites in Torbay, which in general has reduced numbers of incursions upon them, particularly Paignton Green. Recent experience at White Rock has shown how more extreme and determined measures are sometimes deployed to gain access which is challenging to thoroughly mitigate. Sites such as the velo park and Clennon Valley also have their own challenges due the nature of necessary access being required by South West Water to their work</p>

	<p>site between the leisure centre and velopark on a 24 hour basis. Following a recent joint workshop with Police, there will be a review of key sites and renewed assessments undertaken of what preventative measures may be possible at each site, this will inform what future measures may be taken in consideration of cost and resource availability.</p>
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Second Round

<p>Question (16) from Councillor Johns to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>My residents in Clifton with Maidenway are starting to get a bit concerned about the Torbay Road and Station Square project and the lack of progress since the change of direction in plans. Please can you confirm when the dead line is to use the £13.36 million Future High Streets Funding?</p>
<p>Councillor Chris Lewis</p>	<p>There will be a revised layout for the Torbay Road public realm scheme tested for the remainder of the summer and into the autumn. Station Square is very close to being ready to tender the works. Torbay's submission to Government set out that we would spend the funds by March 2024, this can be extended to March 2026 if agreed with Government.</p>
<p>Question (17) from Councillor Law to Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>The road junction of Avenue Road, Falkland Road, Chestnut Avenue, Walnut Road and The Kings Drive does not have a single safe pedestrian crossing. Some people using Torre Valley Car Park to access the Abbey, events on the Meadows and the seafront have reported to me that they feel unsafe to get to Torre Abbey gates.</p> <p>Indeed from my perspective the current wide layout of the junction seems to encourage drivers to take chances they wouldn't normally take at other junctions, making it even more perilous for pedestrians to cross. Nearby residents and people who use this crossing daily (both drivers and pedestrians) have reported to me that they worry that it is only a matter of time before one of the near misses results in a tragedy.</p> <p>The Partnership Administration had committed to look at this crossing as part of its wider highways and road safety campaign. Can this Administration give me assurance that they will look at pedestrian road safety at this junction as a matter of priority?</p>
<p>Councillor Chris Lewis</p>	<p>A study has been commissioned to look at options and potential traffic impacts for this junction, including the impacts of including pedestrian facilities. The results of the study will be considered as part of proposals to upgrade the traffic signals at this location.</p>

<p>Question (18) from Councillor Steve Darling to the Cabinet Member Children's Services (Councillor Bye)</p>	<p>I understand that a foster carer at a recent fostering forum put forward this question: young people in 6th form whose birthdays fall early in the school year, when they are 18 years old, may have to move into independent living as the carer/s may live in rented accommodation or have large mortgages and the staying put allowance won't cover it. Will the Council consider enhancing the staying put payments in such situations to help reach the financial cap in the interests of stability for our cared-for young people? Can the Cabinet Member please advise how he is progressing this proposal?</p>
<p>Councillor Bye</p>	<p>Local authorities provide 'staying put' type arrangements to any care leaver, this is a legal requirement (The Children and Families Act 2014 made amendments to the Children Act 1989). A duty was placed on local authorities to advise, assist and support both the young person and their former foster carers when they wish to stay living together after the 'former relevant child' reaches their 18th birthday. This is known as a 'staying put arrangement'. At this stage, the young person becomes an adult (and cannot continue to be supported as a cared for child) and the foster carer becomes a former foster carer. The Children's Partnership (2014) <i>Staying Put Good Practice</i> guide defines this further: 'it is the young person and their foster carer who make the joint decision to establish the arrangement. This is based on their commitment to each other and applies in the same way whether the foster carer is approved by a local authority or by an independent fostering provider'. A Staying Put arrangement is therefore governed by care experienced legislation, rather than fostering service regulations.</p> <p>The funding for Staying Put arrangements is received through a central government allocation, with the requirement for financial support enshrined through Section 23CZA(4) of the Children Act 1989. Payments for staying put arrangements are set at a level which take into account any contributions by the young person (for example housing benefit); this is standard practice nationally and reflects the change in legal status of the cared for child to the care experienced young adult, in line with their preparation for independence.</p> <p>In addition, this change opens up a realm of additional support for the young person, through the Local Offer as well as other education-related grants and benefits. An agreement is then reached between the care experienced young person and the former foster carer, sometimes known as a living together agreement, which includes a mutually-agreed position on the young person's contributions to their Staying Put arrangement. This is all in line with the Fostering Network and their position on Staying Put.</p> <p>It is recognised and appreciated that the foster carer in question is advocating for creative ways to support our young people. We have acknowledged that the language and terminology used as part of the transition process relating to Staying Put requires review, to ensure former foster carers do not feel disempowered or at odds with their fostering principles. However, it is a requirement that we work within the established legal framework and therefore we are not in a position to consider enhanced Staying Put payments at this time.</p>

<p>Question (19) from Councillor Fox to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>Since before the pandemic the Council have been consulting on the implementation of a 20 mph zone on and around Higher Fore Street, Barton. When is this project set to be implemented?</p>
<p>Councillor Chris Lewis</p>	<p>Works to implement this scheme commenced in July 2023</p>
<p>Question (20) from Councillor George Darling to the Cabinet Member for Finance and Corporate Services (Councillor Tyerman)</p>	<p>Torbay Council are undertaking a ‘Have your say’ survey with two Roadshow sessions set to be held in Torquay, Paignton and Brixham each and an online survey. Please can you advise what the costs of undertaking this survey and the associated roadshow, including the cost in officer hours of manning the stalls?</p>
<p>Councillor Tyerman</p>	<p>There are a total of seven Roadshow sessions.</p> <p>The costs associated with undertaking the residents’ satisfaction survey are as follows:</p> <p>Promotional materials £889 Printed surveys £187 Staffing costs of manning the stalls Circa £4700*</p> <p>A significant proportion of the costs for the promotional materials are for materials which can be reused at future engagement and consultation events.</p> <p>* This is an estimate as we do not have confirmation of which officers will attend the final event in Brixham or for how long.</p>
<p>Question (21) from Councillor Long to the Cabinet Member for Finance and Corporate Services (Councillor Tyerman)</p>	<p>What is the population of the three main towns in Torbay (Paignton, Brixham and Torquay), how many sessions of the ‘Your Say!’ Residents Survey took place in each town and where did each session take place?</p>
	<p>Based on the 2021 Census, the populations of the three main towns in Torbay are:</p> <p>Torquay: 69, 564 Paignton: 52,930 Brixham: 16,813</p> <p>There have been two sessions held in Torquay, both on Union Street. There have been three sessions held in Paignton – at Middle Green, Victoria Street and Devonshire Retail Park, Long Road.</p>

	<p>One session has already been held on Fore Street, Brixham with a final session scheduled to take place on 21 July.</p> <p>A scheduled session at St Marychurch was cancelled because of the weather warning for wind which was issued and the forecast for rain. Not only would the gazebos not be able to be used, but it was expected that the footfall would be diminished as well.</p> <p>In place of the St Marychurch event, a Roadshow at Devonshire Retail Park was undertaken. Whilst located in Paignton, it is a venue that attracts residents from across Torbay, in particularly those in the demographic groups that we are seeking to hear more from (not least those attending South Devon College).</p>
<p>Question (22) from Councillor Harvey to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)</p>	<p>It was hugely disappointing to find Torbay (in particular Paignton) overlooked in the recent announcement from the Office of the Police and Crime Commissioner of six new police enquiry desks being opened across the Devon & Cornwall force area - these were Ilfracombe, Honiton, Kingsbridge, Okehampton, Devonport & Looe. It therefore concerns me as to whether the current administration are strongly representing the need for investment of Devon & Cornwall police force resources across Torbay. Can the Cabinet Member provide any assurance of how they are raising such issues?</p>
<p>Councillor Tranter</p>	<p>This is something that we are currently working on. Council Members have had meetings with the police on a local level, senior level and have met with the Police and Crime Commissioner about this. We are confident that a solution will be found for Paignton and we endeavour to get this matter sorted as soon as possible.</p>

Third Round

<p>Question (23) from Councillor Law to Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>The Partnership Administration had identified 6 further locations for the creation of 20 mph School Zones and in February this year we were assured that we would get an update on the developed locations and estimated costs of the work.</p> <p>Clearly the summer holidays would have been the ideal time to undertake such work, however as yet none of the necessary public consultations have taken place.</p> <p>Can you please confirm that the 6 identified 20mph School Zones will still go ahead, and if they are to confirm when the public consultations will commence and when the work is programmed to actually take place?</p>
<p>Councillor Chris Lewis</p>	<p>A revised strategy for the implementation of 20mph zones will be developed in accordance with the recommended outcome of the Transport and Parking Working Party in February 2023.</p>
<p>Question (24) from Councillor Steve</p>	<p>A few weeks ago, I exchanged emails with SWISCo about a broken lock on a gate at the Windmill playing fields in Torquay off</p>

<p>Darling to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>of Higher Audley Avenue. When I reported this to the out of hours team on 4 June, I was advised that this would be emailed to officers so it would be dealt with on Monday morning even though I was calling the out of hours team as residents were concerned that the lock had been deliberately broken by travellers who intended to gain access to the site over the weekend. Can you please explain why Torbay Council have adopted this approach to what many would see as an urgent issue?</p>
<p>Councillor Chris Lewis</p>	<p>Ensuring the integrity of Torbay's open spaces is important. Regrettably the process of out of hours response did not raise this issue as urgent to the on-duty manager or highways inspector. The gate was damaged at some point leading up to the weekend and this was not reported. A chain and lock are now back in place and the entrance is regularly inspected. An amended process of out of hours response is now in place for the on-duty manager to respond and take action where possible if identified as urgent.</p>
<p>Question (25) from Councillor Fox to the Leader of the Council (Councillor David Thomas)</p>	<p>Torbay's residents continue to suffer from lower levels of bus services since the pandemic, when does the Torbay Bus Forum next meet?</p>
<p>Councillor David Thomas</p>	<p>There is no date yet for the first Bus Forum meeting. Following agreement of the Torbay Enhanced Bus Partnership in April, it will meet for the first time in the summer and following that arrangements will be made for both the Partnership and Forum to meet as set out in the Partnership documents.</p>
<p>Question (26) from Councillor George Darling to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>Residents have raised concerns about the poor condition of Haytor Park. Swings are broken, play-surfaces are potholed, and it has become a magnet for antisocial behaviour. The Park falls within the Plainmoor Community Investment Area and is therefore a priority for investment. What action is the Council taking to regenerate this space?</p>
<p>Councillor Chris Lewis</p>	<p>All of our play areas are inspected regularly to ensure they meet basic safety standards, and any severe safety issues are dealt with as a matter of priority. Officers are prioritising playground improvements within available revenue budgets dependant on the severity of the issues and the number of users of spaces. During the winter SWISCo will be carrying out a review of all play facilities to develop future options and programmes for refurbishment.</p>
<p>Question (27) from Councillor Long to the Cabinet Member for Place Services and Economic Growth (Councillor Chris Lewis)</p>	<p>How regularly are drains/gulleys on Torbay's road network checked by the Council?</p>
<p>Councillor Chris Lewis</p>	<p>Road gullies are cleaned on a rolling cyclical basis. Gullies in more vulnerable locations are cleaned at least once every 12 months and any reported blockages are attended to on a reactive basis.</p>

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