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Dear Member

OVERVIEW AND SCRUTINY BOARD - WEDNESDAY, 4 SEPTEMBER 2024

I am now able to enclose, for consideration at the Wednesday, 4 September 2024 meeting of the Overview and Scrutiny Board, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	A Greener Way for our Bay Framework and Action Plan Update Response to 7CC Representation	(Pages 3 - 12)

Yours sincerely

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**Agenda item 5: A Greener way for the bay framework and action plan –
response to representation (shown highlighted yellow)**

Averting a potentially catastrophic regional planning crisis

Dear Councillors,

'Seven Concerned Citizens' are aware that your board is being presented with a report on an update on the Greener Way for our Bay Framework and Action Plan (GWFOB FAP), **for review and recommendations** to the Place Leadership Board seeking to endorse this plan in September.

In relation to this we draw to your attention significant strategic overview and scrutiny concerns pertaining to:

- (1) the GWFOB FAP proposals
- (2) the public consultation findings
- (3) the presented board report

A. SUMMARY OF OUR CONCERNS

Firstly, we highly commend the courage and initiative of Torbay Council Officers to engage with, invite and include 'dissenting' perspectives into the public consultation process. As a group who hold dissent opinions, we acknowledge the challenges and aim to offer positive, pragmatic and valuable contribution.

1. GWFOB FAP proposals: In January 2024 *'Seven Concerned Citizens'* were invited to review and comment on the GWFOB FAP proposals. We compiled a 25 page report accompanied by a 13 minute explanatory video which articulates seven significant concerns regarding the proposals. These can be found on our website on the 'consult' page.

www.sevenconcernedcitizens.co.uk/consult

Our conclusions found that the proposals are **fundamentally flawed and strategically unsound**. We highlighted serious flaws in the strategic planning and value management approaches as well as institutional bias, advisory gaps and misleading propaganda. Left untreated these issues pose significant threats of harm to the interests of citizens of this region from flawed strategy development, advisory & governance failures and unexamined consequences.

To be clear: There appears to be a complete tier of strategic process, formulation and rigour absent within and informing the proposals. Such a tier would typically be found in modern strategic management practices associated with complex S.T.E.M. (Science, Technical, Engineering & Mathematics) organisations where contrasting / conflicting world or technical views can be included and incorporated positively to create balanced & integrated strategy and outcomes.

- Firstly, we thank this Group of Citizens for their continued participation and responses to date.
- We really do try to listen to all views. This process began with community 'Climate Conversations. We have done 2 consultations, during the most recent we directly engaged nearly 2000 people and also received 606 responses to the consultation survey. Across all of the A Greener Way For Our Bay Framework and Action Plan (FAP) consultation surveys, there were 295 positive responses, 109 negative, and 202 long responses. We do not feel the work is bias as we feel the science is clear and that there is scientific consensus. For example, The Intergovernmental Panel on Climate Change (IPCC) has provided unequivocal evidence that human activities are the dominant cause of global warming since the mid-20th century. This conclusion is supported by rigorous research and an overwhelming consensus in the scientific community. A summary is available [here](#). For more information visit the MET office website [here](#).
- The responses received from 7CC's states that the science is clear: there is no crisis and that there is no consensus. A 2021 study concluded that over 99% of scientific papers agree on the human cause of climate change. You can read it [here](#). This does not exclude the possibility that many may disagree. It is acknowledged that the planet has gone through warming and cooling cycles in the past. It is also acknowledged that CO2 is vital for life. Net Zero aims to reduce the amount of CO2 emitted by human activity to pre-industrial levels so that natural checks and balances (such as photosynthesis) can maintain our vital earth systems.
- We have also taken advice from University of Exeter and actions from partners.
- Regarding harm to citizens, we have carried out an enhanced economic, social, equalities and environmental impact assessment. However, if the

council is delivering the action (not all actions are to be delivered by the Council) then we have processes and procedures in place to ensure we develop robust business cases including costs and benefits and procurement strategies. Therefore, we feel we have a robust system in place to ensure that no project causes harm. If there was a risk of harm actions would obviously not proceed. From the perspective of the science, as we understand it, failing to act would be negligent.

- As the TCP and Council believe there is scientific consensus on the human causes of climate change and as our Government is committed to tackling climate change and because we have spent two years carrying out two public consultations the TCP feel that we have listened to the public and that the Action Plan does serve the interests of most local people.
- A significant budget and additional resources would also be required to carry out much of what the 7CCs propose as rectification actions (see separate report). The cost effectiveness of this would need to be determined if it was decided that we should carry out their rectification actions.

This is not the case in regard to the GWFOB FAP and if left unchecked the implications and unintended consequences are far reaching and potentially catastrophic.

2. Public consultation findings: The public consultation reports 18% (109 respondents) undertaking the 'disagree survey' noting that other negative responses were present in the 'agree surveys'.

This percentage may be a **highly significant indicator** of a rapidly emerging trend approaching a 'systemic tipping point' as more concerned citizens are perhaps scrutinising the net zero policies and outcomes. People may be becoming increasingly aware of the resulting adverse impacts, hardships and potentially underlying / obscured social re-construction agendas, whilst questioning the benefits and validity of such policies and plans.

For this number of dissenting voices to come forward in a public consultation that typically does not target, engage or has access to such population segments may be worthy of **enhanced scrutiny**. An inquiry beyond the bias of dissenting opinions being categorised and dismissed as 'deniers' or 'climate change is a hoax' believers. **Such a bias appears to be evident in the consultation survey design** and, if so, may be at risk of distorting the analysis and findings being reported.

- A review would be up to O&S Board to deem necessary. However, there were 295 positive responses, 109 negative, and 202 long responses. Some responses in the agree survey did include negative comments. Similarly, some of the responses in the disagree survey were positive. Some responses in the long survey also included negative comments. When all surveys were looked at together, about 31% were raising concerns in responses to the open questions (*“Finally, please use this space to tell us any additional thoughts you have on the Green Way for our Bay”*) – the most common concerns were
 - 1) that they doubted that Council/Gov could/would deliver it
 - 2) That climate change was a natural process
 - 3) That not enough action being taken.
 However, the combined survey results also showed between a 74% - 79% support for the 10 key actions within the Framework and Action Plan. Showing that the actions proposed are supported.

During the consultation process, we were very careful to ensure we contacted as wide a group as possible.

3. The presented board report makes no mention of the serious strategic concerns raised by ‘*Seven Concerned Citizens*’ and offers no measures to address these concerns. **Why?**

- There is mention of the 7CCs response in appendix 3 of Item 5, Consultation Results. This is a summary report only. There is a detailed report summarising all responses (anonymised for data protection) and detailing the TCP’s response and further actions that have been taken forward where deemed appropriate. This will be on the Greener Way for our Bay website for Place leadership Board. We have tried to treat all responses the same to date.
- However, to try and alleviate some of the 7 citizens’ concerns we have:
- Amended the title of the document in a bid to try and alleviate concerns about the title climate emergency being alarmist
- In light of concerns about speed, affordability/costs and speed of transition, the 2030 carbon neutral target has been amended to now be in line with national targets. This is to avoid any additional costs that could be incurred by moving faster than central government and without their financial support.
- In light of concerns about transparency, the GWFOB FAP includes more on the TCP’s role and how the Framework and Action Plan will be monitored.

- Concerns about limitation on movement and freedoms, especially concerns about 15 minute neighbourhoods were clarified publicly. There are a range of actions in this plan that are about improving and offering a range of low emission ways to travel. It is not restricting the freedom to travel about Torbay. A full statement is available here [Clarification on climate flyers and meeting - Torbay Council](#) The actions in the latest plan are about improving choice for residents.
- We appreciate this does not fully cover all concerns raised by the Group. As a council we need to be mindful of all residents' concerns and as the results show, other members of the public hold alternative opinions.

Changes not made

- The response received states that the science is clear: there is no crisis and that there is no consensus. In addition to the above responses (IPCC and many others) a 2021 study concluded that over 99% of scientific papers agree on the human cause of climate change. You can read it [here](#). This does not exclude the possibility that many disagree. It is acknowledged that the planet has gone through warming and cooling cycles in the past. It is also acknowledged that CO2 is vital for life. Net Zero aims to reduce the amount of CO2 emitted by human activity to pre-industrial levels so that natural checks and balances (such as photosynthesis) can maintain our vital earth systems. The TCP and Council believe there is scientific consensus: our Government is committed to tackling climate change; we have spent 2 years carrying out two public consultations and enhanced impact assessments have been carried out. Therefore, the Council and TCP feel that they have listened to the public and the Action Plan does serve the interests of most local people.
- Strategic advice on how to take action locally has been sought from Exeter University and is in line with the government, Devon Climate Emergency and a range of local partners. Given international evidence and agreements, national government targets, the local climate declaration and Torbay's continued commitment to tackle climate change and create a sustainable future (as outlined in the Torbay Council Community and Corporate Plan) the TCP and Council will continue to take action locally.
- The TCP have held two consultations on plans to tackle climate change between 2022 – 2024. This has given Torbay the opportunity to feed in comments, including opposing views. As outlined above, some effort has been made to consider all voices and amendments have been made throughout this process.
- The Council believe that their planning systems are fit for Purpose. However, to understand local impacts, an enhanced Economic, Social, Equalities and Environmental Impact Assessment has been undertaken to understand impacts of the 30 prioritised actions proposed to be delivered over the next 3 years. All specific capital projects that are delivered by the Council will

undergo a rigorous approval process in line with the Government's Green Book assessment principles and all will develop a business case under the Five Case Model. The **Green Book** is used to assess policy, business cases and impact assessments. Most economic infrastructure proposals are analysed using a business case under the **Five Case Model**. This model examines the scope, planning and benefit and cost justification for a project or programme from the outset. Should the business not stack up and not have benefits then it will not proceed.

Furthermore, the report identifies '**corporation related risks**' associated with strategic opportunity, financial and reputation from not endorsing and supporting the Torbay Climate Partnership (TCP) Framework and Action Plan. Specifically naming failure to reach net zero targets, failure to acquire 'green' funding and reputational damage.

However, there is no mention of '**citizens related risks**' such as the adverse effects from the GWFOB FAP proposals on the regional people, business and society if the targets are pursued. There are also considerable adverse reputational risk considerations for Torbay Council to be endorsing, promoting and playing a lead role in the TCP driving the net zero programme and targets. Especially if public perceptions increasingly see through the veneer of 'greenwashing' propaganda and awaken beyond a tipping point of accepting the main-stream narrative concerning net zero and climate emergency.

Item 5 relates to Overview and Scrutiny Board providing steer on the GWFOB FAP and feeding comments into Place Leadership Board. It focuses on the need for a coordinated plan and the risks of not having one. It does not cover individual risks of all actions in GWFOB FAP. However, a high-level economic, social, equalities and environmental impact assessment has been undertaken on the 30 priority actions. This will be available on the website for the Place Leadership Board. A summary of the equalities impact was included in the report for item 5. From the perspective of the science, as we understand it, failure to act on climate change confers significant citizen related risk.

In addition, section 8 of the board report highlights the risk of '*directing currently limited resources to less beneficial actions*' and how impact assessments identify no major adverse impacts from the proposals. These perhaps require **enhanced scrutiny** as the institutional capability to adequately discern and undertake such reviews has been shown to be highly problematic and deeply concerning. (*reference:*

Seven Concerned Citizens notice of rectification and accompanying report issued to Torbay Council Chief Executive & Devon Audit Partnership in September 2023: Part B Section 2 (pages 7 to 12) available on our website on the 'Torbay' page).

A review would be up to O&S to deem necessary. A budget and additional resources would be required.

Are 'corporation' and 'citizen' related agendas, risks and interests being considered and presented to your board in a transparent, balanced and equal manner?

A review would be up to O&S to deem necessary. To understand local impacts for Torbay, an enhanced Economic, Social, Equalities and Environmental Impact Assessment has been undertaken to understand impacts of the 30 prioritised actions proposed to be delivered over the next 3 years. We can share the impact assessment for a review if deemed required.

It appears from this report that they are not.

Item 2.2 of the board report - '**There are no other options to consider**', together with the issues mentioned above are all **symptoms** of the bypassing of a strategic tier of process which '*Seven Concerned Citizens*' are highlighting to the Council Executive its Auditors and Advisors.

B. Seven Concerned Citizens suggestions:

In-order to assist the 'Overview and Scrutiny Board' in your review and recommendations we draw your attention to:

1. a **20 minute video produced at the request of some councillors** to explain the rectification notices served by '*Seven Concerned Citizens*' on three primary Councils (including Torbay) highlighting current needs for enhanced:

1. levels of scrutiny
2. integration of polarized technical / scientific views
3. strategic planning rigour

2. a **13 minute video and accompanying report reviewing the GWFOB FAP**

These can be accessed through the link above and the **consult page of our website**.

Please note that we have recently delivered the 20 minute presentation in a meeting attended by over 100 members of the public and councillors. A programme of such talks is being prepared for the South West region.

We offer this presentation to your Board and Officers which can be arranged very quickly to serve your September timescales and inform your reviews and recommendations.

C. Potential benefits & outcomes

Recognising the challenges associated with including and eliciting value contribution from dissident opinion, perspectives and groups, we applaud and seek to support the efforts of Torbay Council in this endeavour.

Our suggestions and offer to present to your Board and Officers may contribute to a strategically more balanced, rigorous and integrated approach. An approach that does not present an unacknowledged and unassessed risk, threat and harm to the citizens of this region. Furthermore, in service to the wellbeing of the citizens of our region this may positively inform the leadership and influence Torbay Council contributes to the TCP and GWFOB FAB.

Please be reminded that institutionally and across the region there appears to be a major tier of strategy making missing. This has been previously identified to the Executive Board of Torbay Council through a 'rectification notice' underpinned by a series of freedom of information inquiries. These notices with accompanying report and explanatory videos can be found on our website on the 'Torbay' page.

Left untreated, the implications and unintended consequences of this are far reaching and strategically significant.

By addressing this issue in an informed and open manner the best outcomes for both the council 'corporation' and 'citizens' interests may be better balanced and managed. Our suggestions serve to enable and support this outcome.

Please advise, if it is necessary to present this information as a letter, or in person, to the Overview and Scrutiny Board so that its' contents can be included and recorded formally in the minutes of the meeting on 4th September, or does this email suffice ?

We welcome your response.

Yours sincerely,

Seven Concerned Citizens

www.sevenconcernedcitizens.co.uk

Update following Overview and Scrutiny Board 4 September 2024

The Board received the above representation and draft response from Officers prior to the meeting. They did not feel that there was a need for formal presentation at the Board as this was a Partnership document which the Board was acting as a consultee to give their feedback. They were aware that many representations had been made and considered as part of the development of the document and a summary of the responses would be provided to the Place Leadership Board when they are asked to sign off the document on behalf of Partners. The Board was satisfied with the actions taken regarding the consultation and engagement with the document by the Torbay Climate Partnership, supported by Torbay Council, and did not feel that any further action was required from an Overview and Scrutiny perspective.

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