Minutes of the Overview and Scrutiny Board

11 November 2026

-: Present :-

Councillor Long (Chair)

Councillors Cowell, Fellows, Johns, Law, Spacagna (Vice-Chair), Stevens, Tolchard and Strang

(Also in attendance: Councillors Billings (virtually), Bye, Barbara Lewis (virtually), Chris Lewis, David Thomas, Jacqueline Thomas, Tranter (virtually) and Tyerman)

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35. Apologies

An apology for absence was received from Councillor Douglas-Dunbar. It was also reported that, in accordance with the wishes of the Conservative Group, the membership of the Board had been amended to include Councillor Strang in place of Councillor Bryant for this meeting only.

36. Minutes

The minutes of the meeting of the Board held on 14 October 2026 were confirmed as a correct record and signed by the Chair.

37. Declarations of Interest

No declarations of interest were made.

38. Performance Quarter 2

The Cabinet Member for Tourism, Events and Culture and Corporate Services, Councillor Jackie Thomas, introduced the submitted report which set out the Council's Quarter 2 performance against the Community and Corporate Plan priorities. Members were advised that 96.9% of projects and performance measures were either on track or completed and 57.5% of performance indicators were on or above target at the end of Quarter 2 and overall performance was stronger than the same period in the previous year.

The Board welcomed the improved access to the Power BI performance dashboards and noted that the detailed performance information available through the system enabled Members to review issues affecting their local communities. Members requested a reminder to be sent prior to future meetings with a link to the Power BI performance dashboards so that they can fully review the areas they were interested in prior to the meeting.

Members asked the following questions:

- Why were detailed performance reports no longer routinely provided to Members?
- How would members of the public access detailed performance information?
- What actions were being taken to improve planning enforcement performance and planning application validation times?

The following responses were received:

- Members were advised that detailed performance information remained available through Power BI and access issues that had affected Members for this Quarter had now been resolved and reasons for the lack of access was being investigated.
- Public access to live performance data was restricted for cyber security reasons, but completed reports would be published and further work was being carried out. It was anticipated that the live data would be available on the Council's website from April 2027.
- Planning performance had been affected by staffing absences, but Officers were pursuing greater automation, improving application quality and focusing on reducing the enforcement backlog. There were currently 531 open enforcement cases and 69 had been closed in the previous month.

Resolved (unanimously):

That the Overview and Scrutiny Board note the Performance Report 2026/27 - Quarter 2.

39. Budget Monitoring Quarter 2

The Cabinet Member for Housing and Finance, Councillor Tyerman, introduced the submitted report outlining the forecast revenue and capital position for 2026/27, which was currently an overspend of £1.94 million. Members were advised that significant work was continuing between Cabinet and the Senior Leadership Team to mitigate Service overspends, while higher interest rates had generated additional treasury management income, although not at a level sufficient to offset all budget pressures.

The Board undertook detailed scrutiny of the report and discussed the ongoing challenges associated with balancing the budget, including the potential future use of reserves. Members discussed pressures within the housing market arising from legislative and economic changes and their impact on homelessness and temporary accommodation.

Members asked the following questions:

- What reserve implications would arise if the budget could not be brought back into balance?
- Why had home to school transport costs increased significantly and what further mitigation measures were available?

- Why were there underspends in some Children's Services budgets and what impact would this have on service delivery?
- Why had the expected Safety Valve funding for the Dedicated Schools Grant support fallen short of expectations?
- Could future reports provide more detailed information on investment fund performance?
- Was SWISCo accelerating its programme of replacing diesel vehicles?
- Was the Dedicated Schools Grant overspend £5.8 million?
- Were children attending schools outside Torbay contributing to home to school transport pressures?
- What were the implications of the Wincanton tenancy arrangements?
- Could more information be provided on the financial sustainability plan in respect of Artificial Intelligence?
- What impact had the reprioritisation of regeneration funding from Station Square to Crossways had?
- Why had climate capital budget provision been removed and what was the position of the Nightingale Park solar farm project?
- What was the latest position regarding the Coroner's Service and associated costs?

The following responses were received:

- Reserves may need to be used to balance the 2026/27 Revenue Budget, but the Council was seeking to minimise this because of future pressures, particularly in Adult Social Care.
- Increased home to school transport costs were mainly driven by higher complexity of need rather than increased pupil numbers. Eligibility processes had been strengthened and alternative transport solutions were being explored.
- Some transport costs related to tribunal-directed placements outside the area, although reviews were taking place to identify alternative arrangements.
- Children's placement costs were being driven by growing demand and complexity. Work continued to increase kinship arrangements, special guardianship orders and local provision.
- Spending pressures in Child and Adolescent Mental Health Services (CAMHS) and support services partly reflected commissioning issues and contract changes, rather than a reduction in services.
- The Council had received less benefit than expected through Safety Valve arrangements and was exploring options to challenge this position.
- Investment property performance was monitored monthly and future reporting could provide additional detail.
- Electric fleet technology had previously presented limitations, but further assessment was underway using learning from other operators. A written response was requested on opportunities to accelerate SWISCo fleet replacement and the transition away from diesel vehicles.
- The Dedicated Schools Grant deficit stood at £5.8 million.
- The Wincanton tenancy ended when the tenant served notice during rent negotiations, although Officers were optimistic that a higher future rental income could be secured.

- Station Square remained a live option, but Crossways was currently being prioritised.
- Climate capital expenditure depended partly on external partner decisions, including NHS timescales for progressing the Nightingale Solar Farm. A written response would be provided regarding climate capital investment funding changes and project phasing.
- Devon County Council was now leading the Coroner's Service, and discussions continued on costs, service levels and improvement planning.

Members requested the following:

1. Details of the Collection Fund collection rate data and to consider this being included in future reports.

2. A more detailed breakdown of investment fund income and expenditure to be included in a future report.

3. A report to be brought to a future meeting on the financial sustainability plan for Artificial Intelligence.

Resolved (unanimously):

That the Overview and Scrutiny Board note the forecast revenue outturn position and the amendments made to the published 2026/27 Capital Investment Plan.

40. Torbay on the Move: Emerging Strategy for Active Lives, Stronger Communities and Better Health

The Cabinet Member for Tourism, Events and Culture and Corporate Services, Councillor Jackie Thomas, introduced the emerging Torbay on the Move Strategy for Active Lives, Stronger Communities and Better Health and explained that it sought to increase activity levels across Torbay through a place-based approach built around four key pillars: Active People, Active Places, Active Networks and Active Champions. The Strategy aimed to encourage more people to become active more often whilst supporting stronger communities and improved health outcomes.

Members asked questions in relation to the following:

- How would the Strategy support disabled people and wheelchair users to be more active?
- Would there be an action plan and directory of partners and activities?
- How would the "Born by the Sea. Built to Swim" initiative be delivered through schools and early years settings?
- Would the Strategy support investment in swimming and other sporting facilities?
- How would progress be monitored and measured?
- How would the governance arrangements for Torbay on the Move operate?
- Could greater emphasis be placed on sports clubs and sporting infrastructure?

The following responses were received:

- Accessibility would be considered through the universal approach, beach accessibility improvements and targeted support delivered through community groups and NHS partners.
- An action plan and supporting reference resources were expected to be developed.
- Delivery of swimming and activity initiatives would be supported through the Active Champions approach.
- The Strategy aimed to support organisations seeking external funding and encourage participation throughout life.
- Monitoring arrangements and outcome measures would form part of the next phase of development.

The Board welcomed the overall ambition of the Strategy and discussed the need to ensure that accessibility for disabled people and wheelchair users was fully reflected within the final document and associated actions. Members highlighted the importance of improving access to beaches and public spaces and ensuring that activity opportunities were available to all residents.

Resolved (unanimously):

1. that Cabinet be recommended:

    a. to support the proposed four pillars: Active People, Active Places, Active Networks and Active Champions;

    b. to support the priority audiences and proportionate universal approach;

    c. to support the proposed flagship project, “Born by the Sea. Built to Swim”;

    d. to support the outcomes associated with the four pillars and the approach to monitoring and evaluation;

    e. to support the governance and delivery arrangements;

    f. that the Overview and Scrutiny Board welcomes the development of an action plan and reference resources to help people identify organisations that will support this and where they can access services;

    g. that consideration be given to making more reference to general sporting infrastructure within the proposals; and

    h. to note the relationship with the separate Playing Pitch Strategy and proposed Built Facilities Strategy, and any further engagement or evidence required before Cabinet consideration; and

2. that the Overview and Scrutiny Board note that approval of the Strategy would not, by itself, commit the Council to new expenditure and that any future

commissioning, grant award, procurement or capital project would require the appropriate approvals.

41. Local Government Reorganisation Verbal Update

The Chief Executive, Anne-Marie Bond, and Leader of the Council, Councillor David Thomas, provided a verbal update on the progress of Local Government Reorganisation. Members were advised that the Government was reviewing submissions from authorities across the country and that a final decision was now expected by March 2027. The Council had written to the Minister confirming continued support for its original submission of Torbay remaining on existing boundaries and highlighting the implications for the Integrated Care Organisation and adult social care changes.

The Board was informed that the Government had reviewed the process and criteria used in considering proposals and had withdrawn decisions for all affected areas, including Devon, pending further evaluation. Members were advised that phased announcements were expected and that any "minded to" decision would be followed by a three-week period of engagement before a final determination was made.

The Board also noted the current indicative timetable, including elections for the new Shadow Unitary Authorities in May 2028 and vesting day on 1 April 2029. Further clarification was provided on electoral arrangements and governance controls during the transition period.

Members asked the following questions:

- Would elections for the new Shadow Unitary Authorities be based on existing or new Ward boundaries?
- Could the Government pause the reorganisation process again?

The following responses were received:

- Shadow Unitary Authority elections would be based on the Wards of the newly created Authorities.
- The Government could pause or amend the process again before final decisions were made.

Chair