

## **OVERVIEW AND SCRUTINY BOARD**

A meeting of **Overview and Scrutiny Board** will be held on

**Wednesday, 14 December 2016**

commencing at **3.00 pm**

The meeting will be held in the Rosetor Room, Riviera International Conference Centre, Torquay, TQ2 5LZ5LZ

### **Members of the Board**

Councillor Lewis (Chairman)

Councillor Barnby	Councillor Stocks
Councillor Bent	Councillor Tolchard
Councillor Bye	Councillor Tyerman
Councillor Stockman (Vice-Chair)	Councillor Doggett

### **Co-opted Members of the Board**

Penny Burnside, Diocese of Exeter

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**A prosperous and healthy Torbay**

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For information relating to this meeting or to request a copy in another format or language please contact:

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# OVERVIEW AND SCRUTINY BOARD AGENDA

## 1. Apologies

To receive apologies for absence, including notifications of any changes to the membership of the Board.

## 2. Declarations of Interest

- a) To receive declarations of non pecuniary interests in respect of items on this agenda

**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

## 3. Urgent Items

To consider any other items that the Chairman decides are urgent.

## 4. Bylaws Homeless People and Begging

(Pages 3 - 12)

The above decision was called in by Councillors Darling (S), Doggett, Carter, Stringer and Stocks on 30 November 2016.

The reasons for the call-in are attached together with the Record of Decision and the report which was considered at the Policy Development and Decision Group.

## 5. Potential Helipad and Light Rail System for Torbay

(Pages 13 - 18)

The above decision was called in by Councillors Lewis, Tyerman, Doggett, Tolchard, Barnby, Stockman, Darling (S), Thomas (D), Morey, Kingscote, Cunningham, Thomas (J) and Robson on 1 December 2016.

The reasons for the call-in are attached together with the Record of Decision and the report which was considered at the Policy Development and Decision Group.

# Agenda Item 4

## **Bylaws Homeless People and Begging and Traffic Regulation Orders Preventing Motor Homes Parking in Residential Areas**

### **Reasons for call-in**

The Mayor's decision is willfully blind to the advice within the officer report presented to the Policy Development and Decision Group.

Why was the report to the Policy Development and Decision Group focused solely on enforcement solutions to address the issue of people sleeping rough on the streets of Torquay and Paignton? Can the Mayor guarantee that he will give proper consideration to how support services could be developed alongside enforcement solutions as this was not explored fully at the meeting?

The Police eluded to "wrap around" services that Exeter City Council were developing at the same time as introducing Public Spaces Protection Orders. Why was this not explored at the meeting?

The Chairman of the PDDG gave the impression that other outside bodies beyond those sat at the table had been invited to the meeting. Which agencies had been invited to attend? If an advocate for the homeless had not been invited, why not?

Taking such a hard-line approach to homelessness and rough sleeping in Torbay after removing the Supporting People safety net is likely to result in damage to the reputation of Torbay.

The debate at the meeting did not have due regard to the principles of the Corporate Plan of using our reducing resources to best effect, reducing demand through prevention and innovation, and taking a joined up and integrated approach.

## **Record of Decision**

### **Bylaws Homeless People and Begging and Traffic Regulation Orders Preventing Motor Homes Parking in Residential Areas**

#### **Decision Taker**

Mayor on 23 November 2016

#### **Decision**

That the Assistant Director of Community and Customer Services be requested to commission a consultation exercise with the public, partners and the voluntary sector to assess opinion with regards to what further action the Council (and partners where appropriate) should take in response to the issues of:

- introducing bylaws or Public Spaces Protection Orders (PSPOs) to address the problem of rough sleeping on the seafront and town centres;
- providing support to, and safeguarding, individuals with a genuine rough sleeping / street homelessness need; and
- the use of motor homes as permanent accommodation in residential areas/public highways.

#### **Reason for the Decision**

To explore options to address the concerns of Members raised at the meeting.

#### **Implementation**

This decision will come into force and may be implemented on Tuesday, 6 December 2016 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The submitted report set out potential sanctions available to address concerns in connection with the increase in the number of rough sleepers, beggars, street drinking and people parking motor homes in residential areas (such as bylaws, Public Spaces Protection Orders (PSPOs) and Traffic Regulation Orders). Fran Hughes, Assistant Director of Community and Customer Services, Dave Parsons, Antisocial Behaviour Manager and Vicky Booty, Community Safety Partnership Lead Manager attended the meeting and presented the submitted report, provided an overview of the work already being undertaken by the Council and Safer Communities Partnership and responded to questions.

Chief Inspector Costin, Inspector Dawe and Sergeant Desborough attended the meeting and outlined the work and operations being carried out by the Police to address issues in connection with rough sleepers, beggars and antisocial behaviour and responded to questions. Inspector Dawe stated that the Police already had sufficient legal powers to deal with the issues raised under current legislation and that bylaws or PSPOs would not solve the problems of rough sleeping, begging and antisocial behaviour unless suitable wrap around support is available to assist the individuals to change their lifestyles.

Steve Bullman (from WBW Solicitors) and Karen Jemmett also made oral representations at the meeting.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 23 November 2016 and his decision is set out above.

**Alternative Options considered and rejected at the time of the decision**

Alternative options were discussed at the meeting and set out in the submitted report.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

28 November 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 28 November 2016

**Meeting:** Policy Development Group (Joint Operations Team)

**Date:** 23 November 2016

**Wards Affected:** Various

**Report Title:** Byelaws, Homeless People and Begging

**Is the decision a key decision?** No

**When does the decision need to be implemented?** as soon as possible

**Executive Lead Contact Details:** Councillor Robert Excell, Executive Lead for Community Services, (01803) 212377, [Robert.excell@torbay.gov.uk](mailto:Robert.excell@torbay.gov.uk)

**Supporting Officer Contact Details:** David Parsons, Anti-Social Behaviour and Vulnerability Manager, 01803 208037, [david.parsons@torbay.gcsx.gov.uk](mailto:david.parsons@torbay.gcsx.gov.uk)

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## **1. Proposal and Introduction**

- 1.1 Complaints regarding rough sleeping, street drinking and begging have increased throughout the summer period, particularly in relation to the harbourside and seafront location of Torquay. It has been proposed to assess the potential use of byelaws or a Public Spaces Protection Order (PSPO) to address these concerns.
- 1.2 Also to consider if the same legal powers may be applicable to reported issues regarding motor homes parked on the highway.

## **2. Reason for Proposal**

- 2.1 To assess if these are viable options to address increases in street based anti-social behaviour (ASB) and rough sleeping.

## **3. Recommendation(s) / Proposed Decision**

- 3.1 The best outcomes can be achieved by delivering a partnership approach building on the best practice work which has already commenced, which does not require a legislative change.
- 3.2 Regarding motor homes, there are sufficient controls in place to enforce the main area of concern. Further consideration of powers would be disproportionate to the levels of complaints that are handled within existing resources.

## **Appendices**

Appendix 1: Supporting Information and Impact Assessment

### **Background Documents**

None

## Supporting Information and Impact Assessment

Service / Policy:	Community Safety
Executive Lead:	Robert Excell
Director / Assistant Director:	Fran Hughes

Version:	1	Date:	4/11/2016	Author:	David Parsons
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### Section 1: Background Information

<b>1.</b>	<p><b>What is the proposal / issue?</b></p> <p>The Mayor has asked that the Council consider the use of legal powers to address people rough sleeping and or begging, most specifically in the harbourside / seafront area of Torquay. The powers under consideration are byelaws or a Public Spaces Protection Order (PSPO).</p> <p>There is a secondary issue that shall be mentioned in relation to the parking of motor homes on the highway.</p>
<b>2.</b>	<p><b>What is the current situation?</b></p> <ul style="list-style-type: none"> <li>• 102% rise in rough sleeping across England since 2010. In the South West there has been an 89% rise and a 41% increase since 2014/15. These increases appear to be a consequence of austerity and as such must be assumed to continue to rise.</li> <li>• Torbay has seen increase in rough sleeping and begging, mostly notably in Torquay and to a lesser degree in Paignton. The most frequently used areas are the harbourside / seafront area of Torquay.</li> <li>• Numbers of rough sleepers fluctuate at any given time and throughout different times of the year. An official count is soon to be undertaken.</li> <li>• Most beggars and street drinkers in Torbay are not rough sleepers, but give the impression of being homeless. This creates an impression that there are more rough sleepers in Torbay than there are and that rough sleepers behave anti-socially, this is inaccurate and the distinction important. The distinction must be clear when talking about rough sleeping or street based ASB. Some rough sleepers may act anti socially but this is not the norm.</li> <li>• Police and Council ASB Team receive very few complaints about the behaviour of rough sleepers – the majority of issues raised appear to be directly to the Mayoral Office. These often detail how the presence of beggars / rough sleepers / street drinkers is seen as an issue, rather than any specific behaviour. Sometimes specific behaviour is complained about, i.e. having been approached for money or witnessed drunken behaviour. Generally these are incidents of low risk.</li> <li>• There are seasonal trends in both the prevalence of rough sleeping and street based ASB (i.e. street drinking, begging), these trends crudely follow the changes in weather.</li> <li>• At present there is a decrease in street based activity following the summer</li> </ul>



	<p>season. It is anticipated that the colder winter months will see both reductions in rough sleeping and street based ASB.</p> <ul style="list-style-type: none"> <li>• The majority of rough sleepers and those associated with street based ASB are a transient population, often not staying for long in Torbay. There is also a more static cohort across both areas.</li> <li>• It is hard to support or challenge the behaviour of a transient population as they are not around for long. Neighbouring areas have similar issues.</li> <li>• The Council and Police both have significantly less capacity to resource such issues, either by way of providing supportive intervention or enforcement. Both are necessary as part of a robust strategy.</li> <li>• The harm being caused is primarily reputational and in relation to people's feelings of safety. There is little evidence to suggest that the public are in any way at risk of harm from rough sleepers or indeed perpetrators of street based ASB.</li> <li>• The Council currently does not commission any outreach or floating support provision. Leonard Stocks Centre has an outreach worker. The Council has a Town Centres Street Warden and no other means of pro-active engagement. Police and Council ASB and Vulnerability Team continue to work together closely through regular liaison and partnership Tasking meetings. Street based ASB is recognised as a priority but resources are limited.</li> </ul>
<p><b>3.</b></p>	<p><b>What options have been considered?</b></p> <p>This report considers the merits of using either byelaws or a PSPO to address rough sleeping and or street based ASB and any other alternative means.</p> <p>Byelaws and PSPOs can be introduced by a Local Authority following due process, to address specific areas of concern. As such they can be tailored to address identified issues and become enforceable. Both options are enforceable by way of financial penalty following prosecution or by issuance of a Fixed Penalty Notice. Both require consultation with the public to take place and necessary publicising of the Local Authority's intentions of introducing an order, but a byelaw must be approved by the Secretary of State. A PSPO is therefore considered a swifter and more flexible process as can be reviewed, amended and extended where necessary. Both offer similar outcomes but both rely on enforcement as the remedy. It is for this reason that this report will focus on the suitability of a PSPO rather than a byelaw as the process is more expedient, cheaper and the power itself allows greater proportionality of use in relation to making any necessary changes over its duration.</p> <p>Public Spaces Protection Order - relevant information:</p> <ul style="list-style-type: none"> <li>• Rough sleeping is not an offence, it is regarded as a housing need. Using a PSPO potentially criminalises persons for a housing need and being vulnerable.</li> <li>• An existing byelaw 'in respect of pleasure grounds' exists prohibiting the erecting of tents in many named parks across Torbay. This is utilised as and when necessary to do so. Penalty for failing to comply is a £20 fine following prosecution.</li> <li>• The majority of areas that have gone to public consultation of rough sleeping related PSPO restrictions have faced strong public reactions against such suggestions (see Hackney, Newport, Chester, Chelmsford, Maidstone, Exeter). Public opinion is therefore generally against prohibiting</li> </ul>

rough sleeping. These areas have since retracted or dropped any related conditions from PSPOs instigated.

- Dawlish have recently implemented a PSPO that restricted sleeping 'after the hours of dark' in a specific location. It has addressed the behaviour of a core few but otherwise raised expectations beyond what is deliverable. Advice from Dawlish experience is against similar use in Torbay.
- PSPOs only have a financial penalty (as a result of either a Fixed Penalty Notice or result of successful prosecution), which raises practical and ethical issues for use against persons with no money, which is the general situation of rough sleepers and those associated with street based ASB. A financial penalty for those with no money is not a deterrent. Taking prosecutions for breaches of a PSPO is a time consuming and resource intensive process for limited chance of effecting behavioural change, particularly against a transient and vulnerable population of individuals. It is also unlikely that the threshold to prosecute be met as per the Enforcement and Prosecution Policy. Courts currently have a 3-4 month listing time during which it could be assumed multiple other breaches are likely.
- Use of a PSPO to deter rough sleeping is a means of using enforcement to tackle the consequences of austerity, whereby support previously available to this vulnerable group has since been cut.
- Begging is an offence and street drinking restricted by an existing Designated Public Place Order (DPPO). Both are currently enforceable by the Police who have significantly reduced capacity to address such issues.
- Using PSPOs to address street based ASB (not rough sleeping) has attracted more support across Local Authority areas in England and Wales. Many have been used for restricting alcohol consumption in public and several have stipulated no begging.
- The current DPPO automatically becomes a PSPO in October 2017, by restricting alcohol consumption. This will mean authorised Council Officers will be able to enforce, not just Police.
- Utilising a PSPO raises expectations of it being a solution, as such must be properly resourced. There are insufficient resources within the Council or Police teams to enforce such an order.
- A PSPO would be at its most effective with compliance, relying on this as a strategy is unrealistic given that begging and street drinking are already prohibited by other means.
- Police report that sentencing for prosecutions for begging are typically a night in the cells, which consequently acts as no deterrent. Adding another means of prosecution is unlikely therefore to provide any further value in challenging behaviour.

Preferred strategy:

- Use reducing resources to best effect and ensure that our response is robust yet compassionate and appropriately considerate of risk and vulnerability.
- Council and Police teams to continue days of operational activity to target persistent offenders and seek to repeat Operation Falkirk.
- Council to utilise other ASB powers and use Community Protection Notices to tackle persistent beggars at and around the harbourside known to have accommodation.
- Utilise CCTV as a means to monitor begging activity and provide evidence for formal action
- Council's Vulnerability and Complex Needs Officer to work with Leonard Stocks Centre outreach worker and Town Centres Street Warden to

	<p>provide targeted intervention with a view to increase access to accommodation and services and reduce risk / vulnerability.</p> <ul style="list-style-type: none"> <li>• Continue to promote 'Killing With Kindness' campaign.</li> <li>• Coordinate supportive efforts with voluntary sector to address vulnerability of client group and provide alternative options of engagement.</li> <li>• This would enable management of fragile resources in consideration of other areas of service delivery and management of expectations.</li> <li>• Work with the Church-lead winter night shelter programmes to assist persons into accommodation or other relevant services.</li> </ul> <p><b>Actions in respect of motorhomes:</b></p> <ul style="list-style-type: none"> <li>• Across Torbay sporadic complaints are received regarding motorhomes being parked for such durations as to cause a nuisance to others. There is no evidence of areas particularly prone to such instances apart from a specific area in Brixham.</li> <li>• The highways department instigated a Traffic Management Order in response stipulating no motor homes to be parked overnight. This has alleviated the concerns within this area.</li> <li>• All other reports are dealt with as and when they arise within existing resources. Due to the absence of consistent issues within any specific locality there are no evidenced needs for the consideration of utilising any further legislative interventions. Compliance is typically achieved with co-operation, but could potentially be backed up by following the process around unauthorised encampments if necessary.</li> </ul>
<p><b>4.</b></p>	<p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</b></p> <p>Ambitions: Prosperous and Healthy Torbay</p> <p>Principles:</p> <ul style="list-style-type: none"> <li>• Use reducing resources to best effect</li> <li>• Reduce demand through prevention and innovation</li> <li>• Integrated and joined up approach</li> </ul> <p>Targeted actions:</p> <ul style="list-style-type: none"> <li>• Working towards a more prosperous Torbay</li> <li>• Ensuring Torbay remains an attractive and safe place to live and visit</li> <li>• Protecting and supporting vulnerable adults</li> </ul>
<p><b>5.</b></p>	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>N/A</p>
<p><b>6.</b></p>	<p><b>How will you propose to consult?</b></p> <p>N/A</p>

## Section 2: Implications and Impact Assessment

7.	<p><b>What are the financial and legal implications?</b></p> <ul style="list-style-type: none"><li>• Cost of running consultation</li><li>• Resource implications for Council officers enforcing Order, inclusive of frontline staff, managerial overview and legal support.</li><li>• FPNs unlikely to be paid, no revenue from enforcement</li><li>• A PSPO may be challenged in the High Court</li></ul>
8.	<p><b>What are the risks?</b></p> <p>The main risk of the continued ‘anti-social behaviour’ is of reputation to Torbay and potential impact on tourism. These are however, issues that are not unique to Torbay.</p> <p>The risks of implementing a PSPO in respect of rough sleeping is significant concerning reputation of the Council given the experiences of the majority of other areas that have proposed the same. There can be little doubt that such an act would generate negative publicity and mobilise significant support for rough sleepers amongst the many residents we know who care about them.</p> <p>A PSPO with regard to street based ASB is more likely to be agreeable to the general public but risks further reputational damage to the Council given the lack of resource available to enforce one. The same could be assumed for the use of byelaws.</p>
9.	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>No procurement or provision of services associated.</p>
10.	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The information contained in this report is based upon consideration of the use of PSPOs in other areas of England and Wales for similar behaviours, knowledge of our local profile of rough sleepers, beggars and street based ASB perpetrators, discussions with the Police, reviewing complaints received by the Council, understanding our available resources and what other powers exist to potentially consider.</p>
11.	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>No formal consultation has been undertaken, that is a legal requirement when proposing the use of a PSPO or byelaw.</p>

## **Potential Helipad and Light Rail System for Torbay**

### **Reasons for call-in**

No debate or questions were allowed at the meeting of the Policy Development and Decision Group on the proposal which was ultimately agreed by the Mayor.

What are the costs (in both financial and officer time terms) of the two consultations which the Assistant Director has been asked to undertake? Is there a budget for this work? What other work will not be undertaken to progress these consultations?

How much officer time is expected to be used in the further discussions between the Spatial Planning team and Devon Air Ambulance? What other work will not be undertaken to allow these discussions to take place?

Can you confirm that the informal working group comprising the Mayor and business leaders will not be supported by any Council or TDA officer?

## **Record of Decision**

### **Potential Helipad and Light Rail System for Torbay**

#### **Decision Taker**

Mayor on 23 November 2016

#### **Decision**

- (i) that the Assistant Director of Corporate and Business Services be requested to consult the private sector and businesses in the aviation sector for their views on the principle of establishing a helipad facility for Torbay and that this should give the opportunity for the private sector undertaking feasibility work and to put forward proposals;
- (ii) that an informal working group comprising the Mayor and business leaders be established to investigate the economic benefits to Torbay of having a helipad facility;
- (iii) that further discussions be held between the Spatial Planning Department and Devon Air Ambulance in respect of their needs for adequate facilities; and
- (iv) that due to the economic growth in Brixham in the fishing and tourism industry there is a need to improve transport links in and out of Brixham and the surrounding area to cope with this growth and the Assistant Director of Corporate and Business Services be requested to consult with the fishing industry, Brixham Town Council, rail user groups and existing rail owners to establish, in principle, if the formation of a light railway system will benefit the long term economic prospects of Brixham and the surrounding area.

#### **Reason for the Decision**

To enable further exploration of options for a potential helipad and light rail system for Brixham.

#### **Implementation**

This decision will come into force and may be implemented on Tuesday, 6 December 2016 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The submitted report provided an update in respect of two Mayoral pledges, namely a helipad for Torbay and a light rail system to Brixham. The Council does not have any funding to progress either of these projects and the report proposed that no further work be undertaken by the Council on feasibility studies but that the private sector could undertake feasibility work themselves and put forward their own proposals in the future for a helipad or light rail system to Brixham.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) made on 23 November 2016 and his decision is set out above.

#### **Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report and were discussed at the meeting.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

28 November 2016

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: 28 November 2016

**Meeting:** Policy Development and Decision Group (Joint Operations Team)

**Date:** 23 November 2016

**Wards Affected:** All

**Report Title:** Potential Helipad and Light Rail system for Torbay

**Is the decision a key decision?** No

**When does the decision need to be implemented?**

**Executive Lead Contact Details:** Mark King, Executive Lead for Planning, Transport and Housing, 07873 254117, [mark.king@torbay.gov.uk](mailto:mark.king@torbay.gov.uk)

**Supporting Officer Contact Details:** Adam Luscombe, Team Leader Strategy and Project Delivery, Spatial Planning, 01803 207693, [adam.luscombe@torbay.gov.uk](mailto:adam.luscombe@torbay.gov.uk)

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## 1. Proposal and Introduction

- 1.1 This reports seeks to summarise the current position of two Mayoral pledges, namely a Helipad for Torbay and a Light Rail System to Brixham.
- 1.2 Discussions about the potential for a **Helipad** in Torbay started in March 2014. These initial discussions involved the Mayor, officers, and Captain Ian Payne, Flight Operations Director, Devon Air Ambulance. There was a clear desire, by Devon Air Ambulance, for a night time landing facility.
- 1.3 In August 2015, the Mayor's Executive Group asked officers to assess operations for a more formal landing site and potentially a scheduled service. A decision taken by the Mayor on 14 December 2015 to allocate £10,000 towards a feasibility study. This decision was called in and a report was prepared for the Overview and Scrutiny Board on 6 January 2016. At that meeting the Board welcomed the Mayor's decision to rescind his previous decision in relation to funding a feasibility study for a helipad in Torbay. However, the Board could not find any evidence that the allocation of £10,000 to fund such a feasibility study would have been in accordance with the Budget and Policy Framework.
- 1.4 Initial scoping work, on a commercial helipad, was undertaken in November 2014. Whilst this work was in no way exhaustive, it did identify Gallows Gate as a potential location.



- 1.5 Previously the cost of constructing a helipad has been estimated at £100,000 but that is prior to any level of feasibility study being carried out.
- 1.6 It was later suggested that a commercial helicopter service could operate between Torbay, Exeter, Plymouth and London. Whilst this may have gained support from the local businesses and the Local Enterprise Partnership, it was difficult to understand where funding could come from.
- 1.7 The work initiated by spatial planning officers and the Torbay Development Agency (TDA) was not sufficiently detailed in order to make a decision or judgement as to the need or appropriate location for such development.
- 1.8 Currently informal landing sites exist on Walls Hill and Daddyhole Plain. The emergency services also have a landing site at Torbay Hospital as well using a nearby playing pitch for larger aircraft.
- 1.9 No work has been carried out on a business case or to better understand the need, and neither is there a detailed understanding of the suitability of any location.
- 1.10 Neither the provision of a site, or the service, is included within the Devon and Torbay Local Transport Plan Strategy (2011-2026). However, the opportunity was consulted on (at Gallows Gate) as part of the Local Transport Implementation Plan (2016-2021) process. It received very little public support. The adopted version of the Plan does however illustrate some schemes which could be delivered, and this includes "Projects which support Mayoral manifesto commitments".
- 1.11 The Economic Strategy and Local Plan do not specifically set out the need or requirements for a Helipad in Torbay; however it could be determined against existing policies in the Local Plan.
- 1.12 Officers do not have the expertise, resource or capacity to undertake a feasibility study for a Helipad. An estimated cost to complete this is £10,000. This could look at possible locations and construction costs.
- 1.13 The other proposal is for a **Light Rail System** to Brixham.
- 1.14 It is understood that some initial discussions have taken place with the Dartmouth Steam Railway Company but that there was no officer involvement in those discussions.
- 1.15 The proposal is not included in the Local Plan, but any such proposal could be supported by certain existing policies. It was not explicitly included because there are doubts over deliverability within the plan period and that the levels of growth in Brixham would not have supported the need. There are also constraints in the area, particularly landscape designations of national importance.
- 1.16 There is also not reference made in either the Local Transport Plan Strategy or Economic Strategy. However, as with the Helipad, there is the potential to consider the opportunity through the Local Transport Implementation Plan.

- 1.17 Officers do not have the expertise, resource or capacity to undertake a feasibility study for a Light Rail system. An estimated cost to complete this is £30,000. This could look at possible routes and construction costs. This is based on similar work that has been carried out elsewhere.
- 1.18 Major transport funding for Transport is either directed through the Local Enterprise Partnership or direct from a Government competition. The LEP funding is in high demand locally and it is unlikely, depending on the scale, that such a level of resource would be available for this work. Any Government allocation would face competition from very significant, and often nationally important, proposals.
- 1.19 The issues to be considered are the start and end points, the route, the standard of the track facility, other opportunities, and the need would have to be demonstrated.
- 1.20 Alternative options may be more appropriate and cost effective. This could see National Rail services extended beyond Paignton with connections at Churston, or a bus-way scheme which greatly reduced the time to travel by bus. Either alternative solution would also need further work and assessment.
- 1.21 Whilst a capital cost of works at the stage is unknown, it is likely to be very significant. Similar schemes have only been successful where there is a very high demand and often the service would still require an ongoing subsidy.

## **2. Reason for Proposal**

- 2.1 A decision needs to be taken on whether to continue feasibility work on both or either of the schemes and to agree how any such work will be funded.

## **3. Recommendation(s) / Proposed Decision**

- 3.1 It is recommended that, given the level of financial cost necessary and the unlikely prospects of finding suitable capital funding for delivery, no further work is undertaken on a feasibility studies.
- 3.2 This should not rule out the opportunity for the private sector to undertake feasibility work and to put forward a proposal themselves.
- 3.3 Resources may allow for further discussions between the Spatial Planning and Devon Air Ambulance in respect of their needs for adequate facilities.
- 3.4 A reduced level of financial resource may be appropriate when considering alternative options instead of light rail.

## **Background Documents**

<http://www.torbay.gov.uk/DemocraticServices/ieListDocuments.aspx?CId=218&MId=6754&Ver=4>

Overview and Scrutiny Board Minutes

Record of Mayoral Decision

Overview and Scrutiny Board Briefing Note