

Monday, 6 July 2020

CABINET

A meeting of **Cabinet** will be held on

Tuesday, 14 July 2020

commencing at **5.30 pm**

The meeting will be held remotely via Zoom (the links to the meeting are set out below)

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Meeting ID: 825 2776 4068 Password: 753875

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Meeting ID: 825 2776 4068 Password: 753875

Members of the Committee

Councillor Steve Darling (Chairman)

Councillor Long

Councillor Stockman

Councillor Morey

Councillor Law

Councillor Carter

Councillor Cowell

A prosperous and healthy Torbay

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Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

CABINET AGENDA

1. Apologies

To receive apologies for absence.

2. Disclosure of Interests

- (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. Communications

To receive any communications or announcements from the Leader of the Council.

4. Urgent Items

To consider any other items the Chairman decides are urgent.

5. Matters for Consideration

6. Budget Monitoring 2020/21 - Period Two

To consider a report that provides a high level budget summary of the Council's forecasted revenue position for the financial year 2020/21.

(To Follow)

7. Future High Streets Funding for Paignton Town Centre

To consider a report that seeks support for the submission, to the Ministry for Housing, Communities and Local Government (MHCLG), of a Future High Streets Business Case for funding to start the process of transforming Paignton Town Centre.

(Pages 5 - 67)

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|-----|---|-------------------|
| 8. | Torquay Town Deal To consider a report on the above. | (To Follow) |
| 9. | Covid-19 Economic Recovery Plan - Update To receive a verbal update on the above. | (Verbal Report) |
| 10. | Schools' Capital Programme 2020/21 To consider a report that seeks approval to implement the Schools' Capital Programme using capital allocations received from the Department of Education (DfE). | (Pages 68 - 90) |
| 11. | Fostering Annual Report To note a report that sets out the Fostering Services Annual Report which details the activities undertaken within the service over the last 12 months (April 2019 – March 2020). | (Pages 91 - 102) |
| 12. | Draft Heritage Strategy for Consultation To consider the submitted report on the proposed Heritage Strategy for consultation. | (Pages 103 - 155) |
| 13. | Local Development Scheme To consider a report on the above. | (To Follow) |
| 14. | Amendment to boundaries of Occombe Farm Local Nature Reserve To consider a report on the above. | (To Follow) |

Instructions for the Press and Public for joining the meeting

If you are using an iPad you will need to install Zoom which can be found in the App Store. You do not need to register for an account just install the software. You only need to install the software once. For other devices you should just be taken direct to the meeting.

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Upon entry you will be muted and your video switched off so that only the meeting participants can be seen. When you join the meeting the Host will unmute your microphone, ask you to confirm your name and update your name as either public or press. Select gallery view if you want see all the participants.

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your telephone number to either public or press.

Meeting Etiquette - things to consider when attending a virtual meeting

- Background – the meeting is public and people will be able to see what is behind you therefore consider what you will have on display behind you.
- Camera angle – sit front on, upright with the device in front of you.
- Who else is in the room – make sure you are in a position where nobody will enter the camera shot who doesn't want to appear in the public meeting.
- Background noise – try where possible to minimise background noise.
- Aim to join the meeting 15 minutes before it is due to start.

Meeting: Cabinet

Date: 14 July 2020

Wards Affected: Paignton wards

Report Title: Future High Streets Funding for Paignton Town Centre

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Cabinet Member Contact Details: Councillor Swithin Long, Cabinet Member for Housing, Regeneration & Tourism

Supporting Officer Contact Details: Pat Steward, Town Centre Regeneration Programme Director, pat.steward@tda.uk.net, 01803 208918 and Kevin Mowat, Director of Place, kevin.mowat@torbay.gov.uk, 01803 208433

1. Purpose of Report

- 1.1 This report seeks the support of Cabinet for the submission, to the Ministry for Housing, Communities and Local Government (MHCLG), of a Future High Streets Business Case for funding to start the process of transforming Paignton Town Centre.
- 1.2 The Business Case, which is required to meet HM Treasury Green Book standards and other Government Guidance on Future High Streets Funding, requests investment by Government of £18.8M in a programme of regeneration that includes seven significant and 'game changing' projects in Paignton Town Centre. The Draft Final Business Case, submitted in March 2020, is included for information as Appendix 1 of this report and remains as work in progress prior to submission. Members should note that the content of this document has changed and will continue to change, in line with the content of this report, prior to submission before end July 2020.
- 1.3 The Business Case sets out the challenges in Torbay generally and Paignton specifically. It demonstrates how the proposed programme of work, as a whole, responds to those challenges to deliver sustainable and beneficial outcomes for Paignton Town Centre, including the attraction of further investment.
- 1.4 The business case illustrates, with clarity and certainty (due to investor / developer engagement over the last two months), what could be delivered within the programme. This is important to the success of the business case, but it does not fix or to commit the Council to exactly what will be delivered. That level of certainty, about exactly what will be delivered, will be determined after a funding decision and is subject to level of funding, technical design work, investor / developer requirements, planning applications etc.

- 1.5 The Business Case includes prioritisation of projects and the Council's 'in principle' agreement to use its prudential borrowing ability to support the delivery of two key projects. This is in accordance with the Council's Transformation Strategy for Torbay's Town Centres and is evidently linked to receipt of Future High Streets Funding. In accordance with Council procedures, business cases for borrowing to deliver any project would need to be fully considered by Cabinet / Council before that project can proceed.

2. Reason for Proposal

- 2.1 The Cabinet is asked to support submission of the Business Case, the prioritisation of projects and the 'in principle' willingness for the Council to invest in key projects, to show the Council's continued commitment to regeneration of Paignton Town Centre, especially given the actual and potential impacts of COVID-19, and to ensure the Business Case can be submitted to MHCLG by the deadline of end July.

3. Recommendation(s) / Proposed Decision

- 3.1 It is recommended that Cabinet supports
- I. The submission of a Final Business Case and to delegate the decision, on exact content of the submission, to the Head of Finance, and
 - II. The Council's investment, in principle, in two key projects included in the Business Case, as set out in para 4.2 of the supporting information, and
 - III. The prioritisation of projects, as set out in paragraph 2.16 of the supporting information, to be used in the event that the full amount of funding requested is not available.

Appendices

Appendix 1: Draft Final Business Case for Future High Streets Funding for Paignton Town Centre (to be considered under Part 2)

Appendix 2: List of appendices to be submitted with the Future High Streets Business Case.

Appendix 3: Future High Streets Funding Priority Projects (to be considered under Part 2)

Appendix 4: Packages of Projects & BCRs

Background Documents

Economic Strategy Appendix – Transformation Strategy for Torbay's Town Centres: <https://www.torbay.gov.uk/media/10450/transformation-project-town-centre-regeneration.pdf>

Torbay's Local Plan: <https://www.torbay.gov.uk/media/6836/lp-2012to2030.pdf>

Paignton Neighbourhood Plan: <https://www.torbay.gov.uk/media/12972/paignton-neighbourhood-plan.pdf>

Paignton Town Centre Masterplan:

<https://www.torbay.gov.uk/media/6895/ptcmasterplan.pdf>

Summary of Draft Business Case for Future High Streets Funding (March 2020):

<https://www.investintorbay.com/wp-content/uploads/2020/03/Summary-of-FHSF-Draft-Full-Business-Case.pdf>

MHCLG Guidance on Future High Streets Funding:

<https://www.gov.uk/government/collections/future-high-streets-fund>

Supporting Information:

1. Background:

- 1.1 The Future High Streets Fund (FHSF) is a £1Bn fund managed by MHCLG. Only 100 places have access to the fund, including Paignton. Each place can bid for funding of up to £25M. MHCLG guidance indicates that each place should aim for no more than £10M. This appears to be to prevent the fund being over-subscribed.
- 1.2 The FHSF is a capital only fund. No revenue projects can be included, but revenue costs associated with a capital project can be included. The objectives of FHSF are:
- Investment in physical infrastructure
 - Improvements to transport access, traffic flow and circulation in the area
 - Acquisition and assembly of land including to support new housing, workspaces and public realm
 - Supporting change of use including (where appropriate) housing delivery and densification
- 1.3 The bidding process is now in its final (5th) stage. Previous stages were Expression of Interest; advice on the rough order of magnitude of the Council's bid; an initial business case; and a draft business case. There has been dialogue with the MHCLG case officer, for Torbay, throughout that process.
- 1.4 The draft business case was required to be submitted in March 2020, to allow for assessment and feedback by MHCLG. Feedback was provided in late April. It was predominantly general feedback (to all 100 places), but also contained some specific advice for Torbay, namely that the business case should better link the challenges with proposed solutions. At no point has the feedback from MHCLG, formal and informal, suggested that the Council's request for funding (£18.8M) is too high. The MHCLG guidance and feedback highlights the following key points:
- Demonstrate the significant challenges in Paignton, including C-19, and the links to solutions being proposed;
 - Show a benefit to cost ratio (BCR) of at least 2:1 if possible;
 - Demonstrate significant Land Value Uplift (LVU) as a result of Government investment in the identified projects;
 - Be clear about the additional investment (sometimes referred to as co-funding) that FHSF will incentivise, including investment by the Council
 - Demonstrate that the programme (and individual projects) is deliverable, not least by showing investor / developer interest, market need / demand, viability and key partner support. Deliverability – incl. investor interest; pace
 - There is a need to package up projects and to indicate the Council's priorities.
- 1.5 It is vitally important, to secure FHSF, to show a good degree of clarity and certainty about the nature and deliverability of projects. The masterplan for Paignton Town

Centre provides a basis for that, alongside the Neighbourhood and Local Plans. The Council's Transformation Strategy for Torbay's Town Centres, approved by Council in April 2017, provides even greater clarity and certainty. It advises that the first phase of regeneration (i.e. the projects included in the FHSF business case) will seek to build market confidence, to generate further investment and development funds now sought. It further advises that "Torbay Council...will lead and enable delivery of a number of projects to show confidence in its own town centre regeneration programme and to build confidence in investors and developers." This can be interpreted as in principle support for prudential borrowing to enable delivery. Indeed, it led to the establishment of a £25M Town Centre Regeneration Fund.

- 1.6 The Transformation Strategy provides clear advice on specific projects. For Victoria Centre, for example, it sets out that various options are being considered, including:
- Comprehensive redevelopment, including demolition of existing car parks and construction of up to 200 apartments;
 - The Council will seek to acquire land and will review leases etc to unlock the site;
 - The Council will, as a first preference, seek to direct deliver development on the site;
 - The Council will continue toestablish market interest in comprehensive or partial redevelopment; and
 - If there is market interest....the Council will seek a development partnership arrangement.
- 1.7 The Transformation Strategy has, as such, guided the preparation of the business case for Future High Streets Funding. This has allowed the business case to demonstrate the 'art of the probable', rather than the less convincing 'art of the possible'. The business case illustrates, with clarity and certainty (due to investor / developer engagement since April 2020), what could be delivered within the programme. This is important to the success of the business case, but it does not fix or commit the Council to exactly what will be delivered. That level of certainty, about exactly what will be delivered, will be determined after a funding decision and is subject to level of funding, technical design work, investor / developer requirements, planning applications etc.
- 1.8 Also important to the success of the business case is the benefit to cost ratio (BCR) of projects, packages of projects and the programme as a whole. MHCLG is looking for packages of projects and the overall programme to achieve a target 2:1 ratio, showing that for every £1 invested (by Government) there is at least £2 of benefit. The Green Book appraisal process and MHCLG Guidance requires reporting of Core BCR and Adjusted BCR. Core BCR is regarded as being the most accurate and robust. Adjusted BCR allows the inclusion of slightly less robust data. The Council's business case also includes a third measure of BCR, adding in local economic benefits such as jobs – which cannot be included in the core or adjusted BCRs. MHCLG does not need to consider this third measure, although the Green Book is being revised and is likely to include measurement of these local benefits, but officers believe it to be useful to the business case.

- 1.9 The three sets of BCRs for packages of projects and the overall programme are set out in Appendix 4. This shows that:
- The programme as a whole achieves a minimum of 3.43:1 and maximum of 4.89:1.
 - The infrastructure package generally scores well, at a minimum of 7.25:1, but this is largely due to the very high BCR of the Flood Defence Scheme (which also ensures the programme as a whole stays above 2:1)
 - The residential package doesn't score as well as hoped, largely due to the amount of public funding that each major project requires (due to viability).
 - Some projects perform poorly, such as Paignton Picture House with a BCR of less than 1:1. Such BCR scores are usual for projects of this nature.
 - The BCR for just Future High Streets Funding (i.e. just Government investment) is 5.4:1.
- 1.10 Land Value Uplift, as a result of delivering the projects and programme, is also a key focus for MHCLG. Investment in Paignton town centre, as set out in the business case, will result in property value increases and will, as such, encourage investment. The business case shows that delivery of the programme of projects will result in a very positive overall land value uplift of over £26.5M.
- 1.11 The full and final business case must be submitted by end of July. An Autumn 2020 / pre-Xmas announcement about funding is anticipated. Future High Streets Funding must be spent within 4 years (by 31 March 2024), although project delivery may take more than four years. Consequently, the business case for FHSF investment in Paignton shows a programme of work starting in October 2020. MHCLG has confirmed that this approach, to FHSF spend profiling, is appropriate.

2. Alternative Options and Priorities:

- 2.1 The Council considered, prior to submission of an EoI for Future High Streets Funding, the performance of each of its town centres – Torquay, Paignton and Brixham. Paignton was selected for Future High Streets funding for six clear reasons:
- a) It is least resilient and least likely to secure investment by private sector;
 - b) It has greater socio-economic challenges than Torquay or Brixham;
 - c) It is less diverse and has a greater reliance on retail than the other two towns;
 - d) It has retail market challenges and performs well below its status as the 4th biggest town in Devon;
 - e) Paignton town centre has the greatest potential for transformation;
 - f) Its cultural assets have a critical part to play in the regeneration of Paignton town centre.
- 2.2 A masterplan – 'Paignton Refresh' – was produced in 2015, following significant resident and business engagement. Paignton Refresh included a large number of

projects. These projects were then tested by consultants Montagu Evans, in 2016, with investors, developers and by the Council against four key criteria:

- a. Are they the sorts of projects that would attract private sector investment?
- b. Can the projects be delivered, at pace?
- c. Are they transformational?
- d. If on Council owned land, will the project have a positive financial outcome?

This allowed projects to be viability tested and prioritised.

2.3 That process resulted in a number of projects being excluded from the Council's Transformation Strategy for Torbay's Town Centres (April 2017) including:

- Victoria Park Wetland Area;
- Highways Rethink - significant changes to traffic flows around the town;
- Town Square redevelopment, now occupied by Sports Direct and Poundland
- Seafront redevelopment, including relocation of Vue Cinema
- Improvements to Winner Street and Palace Avenue, as the historic and cultural 'quarter' of Paignton town centre.

2.4 Consequently, the Transformation Strategy for Torbay's Town Centres contains the following projects for Paignton town centre and, as such, defines the Council's town centre regeneration activities to date:

- South Quay, Paignton Harbour
- Civic Hub, including repositioning of Paignton Bus Station and associated commercial development
- Victoria Centre
- Crossways
- Public Space improvements to Paignton Station Square and the western end of Victoria Street.

2.5 Paignton Neighbourhood Plan includes a range of town centre proposals. The Council considered whether these proposals, if not already included in its town centre regeneration programme, should be added. Some schemes not included in the Council's regeneration programme, such as residential space above commercial on the high street and improvements to Torbay Road, are considered as important, transformational and deliverable. Other schemes were not included in the programme as they were not considered to be critical to successful town centre regeneration. These included:

- Seafront improvements, including Paignton Pier and Vue Cinema
- Victoria Park improvements
- Queens Park improvements
- Improvements to Winner Street and Palace Avenue

2.6 The Future High Streets Funding guidance led to a further refinement and reduction of town centre regeneration schemes. A number of projects, from the Council's Transformation Strategy, are not now included in the business case, including South Quay, Paignton Harbour, as this is too distant from the core of the town centre.

- 2.7 Additionally, following an inception meeting with MHCLG, a number of other schemes that were included in the Expression of Interest have been omitted from the business case, namely:
- Business Support for Digital Marketing – as this is primarily a revenue funded project.
 - Torbay Road Gateway sites – the project would not meet deliverability requirements.
- 2.8 Furthermore, given the guidance from MHCLG about the need for every Council to restrict their request of Future High Streets funding to £5M - £10M, the following schemes have been moved from the business case for the Preferred Option to the larger or Do More option:
- Paignton Bus Station enhancement and commercial space.
 - Health & Wellbeing Hub, Paignton Library.
 - Public space improvements, western end of Victoria Street.
- 2.9 A ‘do nothing’ option has been considered. This option simply perpetuates and worsens the current position. Paignton town centre is failing, but is capable of success with targeted, timely intervention. That recovery is very unlikely to occur if the first intervention is not via public investment through Future High Streets Funding. The lack of Future High Streets Funding will result in a continuation of Paignton’s downward spiral, falling further behind other places and it will continue to be a significant cost to the public purse.
- 2.10 The impact of ‘do nothing’ option would be:
- A further deterioration in the key economic and social indicators including: the lowest GVA per head, potential for further increases in crime, a growing elderly population, fewer younger people and continuing poor health in adults and children. Current spend on tackling deprivation and ill health in Torbay is around £2.5m per day through six public sector organisations, which will increase under a ‘do nothing’ option.
 - Further decline of the high street. A continuation of the current trend of increasing retail vacancy rates could increase the number of empty shops from 18.6% to 22.6% in the next five years.
 - The quality of the built environment will deteriorate, further suppressing rental and capital values and eroding viability. Current forecasts show construction cost inflation (23%) outpacing residential price growth (14%) over next five years. The ‘do nothing’ approach risks the stagnation of house prices further widening this viability gap.
- 2.11 A ‘do less’ option has been considered. This option would deliver the top 5 priority projects (see also para 2.16), requiring between £12M - £13M of Future High Streets Funding. This level of investment, given the position Paignton is in at present, would ensure delivery of some key projects and boost to Paignton town centre but is much less likely to deliver the longer term regeneration required, the positive, broader impacts and is less likely to secure significant and sustainable co-funding or regeneration.

- 2.12 A 'do more' option has been considered. The package of 15 integrated projects, as included in the Council's Expression of Interest, has been costed at £88.5 million, including optimism bias and inflation, requiring £22.6 million of FHSF funds. Collectively they would punch above the sum of their individual weight in terms of delivering successful and transformational town centre regeneration. As such, the 'do more' delivery scenario would result in successful and transformational town centre regeneration, with delivery of all the projects included in the Expression of Interest and some of those that the Council has, necessarily, needed to exclude. It would provide huge confidence in and momentum of town regeneration in Paignton. This would raise land values, trigger further and more rapid investment and ensure delivery, at pace, of new homes, jobs and other benefits.
- 2.13 It follows that the Business Case sets out the 'preferred option'. It includes only those projects that the Council considers to be absolutely essential to start the successful and sustainable transformation of Paignton Town Centre, and catalyse ongoing development. It includes the minimum intervention (outlined in the 'do less' case) and adds Phase 1 (Garfield Rd) of Victoria Centre; reuse of Paignton Picture House and improvements to Torbay Road to better connect the sea front with the town centre, uplifting land values and ensuring increased footfall / spend.
- 2.14 The preferred option has been informed by further advice from MHCLG, following submission of the Draft Business Case in March 2020.
- 2.15 MHCLG prefers that the Council indicates its priorities for FHSF. This will assist MHCLG in making funding decisions, should the amount requested (£18.8M) not be available. Members should note that, as set out in the options analysis above, the programme of investment included in the business case provides the Council's preferred option which, as a whole, delivers the transformation and outcomes required for Paignton Town Centre. There is an inherent risk, in indicating priorities aka a 'do less' option), of a 'less than essential' funding award. However, the Council does not want MHCLG to determine priorities itself, if the full funding amount is unavailable.
- 2.15.1 The prioritisation of projects, with the full justification set out in detail in Appendix 3, takes account of the need to meet MHCLG requirements, such as BCR and Land Value Uplift, but also to secure funding for those projects that the Council could not fund without FHSF. That approach reflects the Council's 'do less' option, namely the delivery of the top 5 projects listed below, and would require Future High Streets Funding investment of £12M - £13M.
1. **Victoria Centre (Phase 2):** A substantial, upfront investment is required to unlock comprehensive redevelopment. The proposed redevelopment, given its scale and composition, is considered to be the most transformational project for Paignton.
 2. **Flood Defence Scheme:** This is essential for protection, from flooding, of the town centre and will increase investment in the town centre.

3. **Paignton Station Square and Paignton Station improvements:** These improvements will transform, and greatly improve the experience of, Paignton Town Centre. They will increase land values and support walking, cycling and use of public transport.
 4. **Crossways:** A comprehensive redevelopment scheme is moving forwards. This is an iconic and transformational project for Paignton town centre, but it may be possible to fund it from a range of different funding sources, including prudential borrowing.
 5. **Diversification:** Diversification of the town centre, especially the delivery of more homes in the short term, is vital to transformation of the town centre. It will generate footfall, spend, a better night time economy, improve safety and reduce crime. Without FHSF the conversion / redevelopment of buildings fronting onto Paignton Station Square will not happen or would be significantly delayed.
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6. **Paignton Picture House:** It is acknowledged that the improvement of the cultural offer in Paignton Town Centre is important to its success as a visitor destination.
7. **Torbay Road Improvements:** There is a need to better connect the town centre with the sea front, increasing footfall and spend along Torbay Road.
8. **Victoria Centre (Phase 1, Garfield Rd):** The reconfiguration of a development layout, showing the potential to provide an 85 bed nursing home and 30 apartments, could make this development more viable as a free-standing project. The unlocking of the site has already been supported by £900,000 of Land Release Funding from MHCLG.

3. **Contribution to delivery of Council's priorities:**

3.1 This Council's ambition is:

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

3.2 The proposals in this report will support:

- thriving people, by providing homes and jobs, cultural opportunities and improved health;
- thriving economy, by diversifying the town centre, improving land values, attracting further investment, improving the offer to visitors, creating job opportunities and commercial space;

- tackling climate change, by providing a flood defence scheme to prevent flooding from sea level rise and storm surges, providing more shade / shelter as part of public realm improvements, and by ensuring new residential development meets Local Plan policy requirements (as a minimum) for energy efficiency, build quality etc.
- Council fit for the future, by increasing revenue in form of business rates and Council tax, by increasing income from the development of Council owned assets.
- the Council's responsibilities as corporate parents, by ensuring the provision of good quality accommodation for young families, by improving safety and reducing crime, by increasing amenity space and its quality, by encouraging active travel
- tackling poverty, deprivation and vulnerability, through provision of new job opportunities, improved health, affordable housing and construction contracts that provide opportunities for long term unemployed, people living in disadvantage and apprenticeships.
- people with learning disabilities, by providing more job opportunities, a more legible and accessible town centre, housing options.

4. Financial Implications:

- 4.1 The majority of projects within the investment programme, as set out in the business case, do not require financial support from the Council – they are 100% funded by FHSF or from co-funding from elsewhere (other grants, property owners etc).
- 4.2 There are two projects that are likely to require the use of the Council's prudential borrowing ability, to complement funding from FHSF.
- A. Crossways. The Council has, at its meeting in September 2019 (<https://www.torbay.gov.uk/DemocraticServices/documents/s81795/Crossway%20CPO%20Council%20Report%20Final.pdf>) already agreed the principle of prudential borrowing to support the acquisition and redevelopment of Crossways. The detail of prudential borrowing was not agreed at that meeting. Such detail will only be known when the costs of acquisition and redevelopment, alongside the income provided by the development / tenants, are known. A financial appraisal for the emerging scheme for Crossways estimates that between £20.9M and £27.56M of prudential borrowing may be required for the project, for a total project cost estimated at £38M. Members should note that this is still work in progress.
- B. Victoria Centre. The comprehensive redevelopment of Victoria Centre (Phases 1 & 2) requires the purchase of the Lidl lease, significant demolition and could include an 85 bed nursing home, around 160 new homes and substantial improvements to public space. The total project cost is estimated at £65M, with an estimated prudential borrowing requirement of £39.9M - £51.9M.
- 4.3 The larger figures quoted above include a necessary allowance for 'optimism bias'. This is a requirement of the Green Book Appraisal process and is, in essence, an estimate of contingency required for each project. It assumes that there will be an over-optimistic assumption about cost and timeframes for projects, and builds in cost and time over-runs. The level of contingency needed is assumed to be higher at the beginning of a project. This level of contingency will reduce over time as certainty increases about each project.

4.4 The FHSF business case does not commit the Council to that level of prudential borrowing, just to the principle of prudential borrowing to enable projects to be delivered. This is in line with the Council's Transformation Strategy for Torbay's Town Centres and is evidently linked to receipt of Future High Streets Funding. In accordance with Council procedures, business cases for borrowing to deliver any project would need to be fully considered by Cabinet / Council before that project can proceed.

4.5 The Council could chose a development partnership or Joint Venture route to delivery of larger projects, which could also reduce the need to use prudential borrowing.

5. Legal Implications:

5.1 There are no legal implications as a result of submitting the business case for FHSF.

6. Consultation:

6.1 Members will be aware of the significant amount of community and business involvement and engagement in the Local Plan, Neighbourhood Plan and Paignton town centre masterplan. These strategies and plans form the basis of the business case for FHSF.

6.2 Members will also be aware of the Transformation Strategy for Torbay's Town Centres, which captures the key elements of the strategies and plans (as above) and sets out a delivery strategy for town centre regeneration. It too provides the basis of the business case for FHSF.

6.3 Officers are also aware, as Members will be, of the requirement from residents, businesses and their representative organisations to get on with delivery. The business case, if successful, will allow the Council to deliver at greater pace.

6.4 There is ongoing dialogue with community and business representatives, and other interested parties, prior to submission of the Expression of Interest for FHSF. The TDA has, for example, met with community leaders (from the Chamber of Commerce, Community Partnership and Neighbourhood Forum) on a quarterly basis for approximately two years. That has resulted in a very strong and diverse level of support for FHSF for Paignton town centre from the following organisations and individuals:

| Public sector partners | Private sector partners | 3 rd / Voluntary sector / representative organisations |
|--|---|---|
| The Heart of the South West LEP | South Devon College | Torbay Together |
| South Devon & Torbay Health Care Trust | Stagecoach | Torbay Business Forum |
| Healthwatch Torbay | Great Western Railways | Federation of Small Businesses |
| English Riviera BID Company | Bettesworths, on behalf of property owners in Victoria Street and Torbay Road | Paignton Town Centre Community Partnership |
| Torbay Culture | Network Rail | Paignton Neighbourhood Forum |
| TDA | | Paignton Chamber of Commerce |
| Dr Sarah Wollaston MP | | Paignton Picture House Trust |
| Kevin Foster MP | | Torbay Road Traders Association |
| Anne-Marie Morris MP | | Torbay Community Partnerships |

6.5 There have been recent meetings, about the FHSF business case, with the Paignton & District Chamber of Commerce and with Torbay Together. Both organisations have expressed unanimous support.

6.6 There is an ongoing series of meetings and briefings, including with community leaders on 9 July

7. Risks:

7.1 The main programme risks and their mitigation are considered below. A detailed risk register for each of the projects will be submitted with the business case.

A. Risk: Reduction in FHSF amount

Mitigation: A smaller option has been considered in this Business Case and the Council has indicated its priorities for receipt of FHSF. This generates reasonable value-for-money but does not meet all of the objectives of the FHSF

B. Risk: Delay in provision of FHSF funding

Mitigation: Torbay Council will cover any short-term cash flow issues, if there is a delay to the draw-down of FHSF funding, but only if it is known (by confirmation in writing) that such funding will be forthcoming.

C. Risk: Reduction or loss of match funding

Mitigation: All match funding has been legally secured or will be legally secured before the draw-down of FHSF funding. Options to mitigate any loss of funding include scaling down schemes (whilst ensuring that they meet the objectives of the FHSF); seeking match-funding from other sources; or prudential borrowing by

Torbay Council to invest in regeneration projects, where income from those projects will cover borrowing costs.

D. Risk: Increase in scheme costs

Mitigation: All construction schemes will be awarded through contracts that pass all reasonable risks to the construction contractor. Torbay Council has the option of prudential borrowing to invest in schemes, where income from those projects will cover borrowing costs.. Schemes which do not cover their own costs could be redesigned to meet the budget constraint.

E. Risk: Delay in spend

Mitigation: Torbay Council will seek to award all construction contracts as soon as possible, with all prices fixed as far as possible. Torbay Council will cover any short-term borrowing costs if there is a delay to spend and draw-down of FHSF funding, subject to the provisions. Torbay Council has the option of prudential borrowing to invest in schemes that will generate a return. Schemes which do not generate a return could be redesigned to meet the budget constraint.

F. Risk: Torbay Council is unable to appoint a contractor, contractor is delayed, or contractor fails

Mitigation: Torbay Council has extensive experience of appointing and managing construction contracts. The Council has access to contractor panels, so can appoint quickly and replace any contractors quickly if needed

G. Risk: Torbay Council, or an appointed development partner, is unable to secure planning permission – on time or at all

Mitigation: A strong and supportive planning policy framework is already in place. A planning policy review is underway and will be completed by December 2020. It is likely to be even more supportive of town centre regeneration. Torbay Council will ensure appointed designers, consultants and contractors work closely with the Local Planning Authority.

7.2 There are significant risks to Paignton town centre, and to Torbay as a whole, if FHSF is not forthcoming. These are set out in the 'do nothing' option (para 2.10) above.

7.3 Officers do not consider there are any risks associated with Cabinet's support for submission of the business case.

8. Public Services Value (Social Value) Act 2012

8.1 The Council will follow all necessary procurement processes and rules in securing development partners and construction contractors, and in the administration of grant funding, necessary to deliver the programme of investment.

Equality Impacts

| 15. | Identify the potential positive and negative impacts on specific groups | | | |
|-----|---|--|--------------------------------------|---|
| | | Positive Impact | Negative Impact & Mitigating Actions | Neutral Impact |
| | Older or younger people | Yes, provision of addition residential accommodation in a very accessible town centre | | |
| | People with caring Responsibilities | Yes, provision of a nursing home | | |
| | People with a disability | Yes, improved public space, better legibility and more opportunities for employment / homes | | |
| | Women or men | Yes, increased safety in public spaces as a result on public space improvements and more people living / visiting the town centre. | | |
| | People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> | | | There is no discrimination in impacts of delivering the programme of investment in Paignton town centre |
| | Religion or belief (including lack of belief) | | | There is no discrimination in impacts of delivering the programme of investment in Paignton town centre |
| | People who are lesbian, gay or bisexual | | | There is no discrimination in impacts of delivering the programme of investment in Paignton town centre |
| | People who are transgendered | | | There is no discrimination in impacts of delivering the |

| | | | |
|---|---|---|---|
| | | | programme of investment in Paignton town centre |
| People who are in a marriage or civil partnership | | | There is no discrimination in impacts of delivering the programme of investment in Paignton town centre |
| Women who are pregnant / on maternity leave | Yes, increased public space and amenity space; increased space for socialising and improved safety. | | |
| Socio-economic impacts (Including impact on child poverty issues and deprivation) | As set out in the report – significant socio-economic impacts | | |
| Public Health impacts (How will your proposal impact on the general health of the population of Torbay) | The programme encourages active travel, provided more amenity / green space, provides more shade, shelter and seating space, provides a modern nursing home for people with specific health needs, and will provide mental health benefits by providing additional homes and job opportunities. | | |
| 16. | Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above) | The programme of FHSF investment will, if successful, have wider beneficial impacts in helping to ensure Torbay is a better place to invest, live, work, visit. | |
| 17. | Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above) | The programme of FHSF will help reduce the significant costs to the public purse (estimated at £2.5M per day) in Torbay. | |

Document is Restricted

Appendix 2: List of Appendices

1. **Image of Paignton FHSF Area and Project Locations**
2. **Infographics:** Challenges; Projects and Investment impacts
3. Logic Model
4. **Summary Table:** Projects, CBR, LVU, impacts and funding – including cumulative impacts
5. **Project packages and priorities**
6. **Covid-19:** Impacts and commentary, including MHCLG additional questions
7. Headline Project Risks and Mitigation
8. Headline Intervention Time Line, incl FHSF spend time lines
9. Vox Pops – video
10. Letters of Support

Projects Information

11. **Paignton Flood Defence Scheme**
 - a) FHSF Project Costs & Benefits
 - b) Exec Summary, Flood Defence business case
 - c) Flood Defence Virtual Flooding video
 - d) Flood Defence visuals / images
 - e) Image of Morecombe Sea Wall
12. **Paignton Station Square and Paignton Station Improvements**
 - a) FHSF Project Costs & Benefits
 - b) Paignton Station Square – Virtual fly-through
 - c) Paignton Station Square / Station – Before / After Images
 - d) Paignton Station Square – Executive RIBA 3 Report
 - e) (Draft) BAPA
13. **Diversification of Victoria Street & Torbay Road**
 - a) FHSF Project Costs & Benefits
 - b) Examples of Property Conversions – locations / images
 - c) Illustrations of the impact of investment in Victoria St and Torbay Rd
14. **Paignton Picture House**
 - a) FHSF Project Costs & Benefits
 - b) Images and Proposals

Paignton Town Centre Future High Streets Fund Business Case

Appendix 2: List of Appendices

15. Victoria Centre Redevelopment

- a) FHSF Project Costs & Benefits
- b) Images and Proposals

16. Crossways

- a) FHSF Project Costs & Benefits
- b) Images and Proposals

17. Torbay Road Public Space Improvements

- a) FHSF Project Costs & Benefits
- b) Images and Proposals

Question: do we include the development appraisals that we have, in each of the project information packs, noting how inconsistent they are? Or do we add commentary to the revised FHSF Project Costs and Benefits documents to the extent that we have received financial information / appraisals that has been checked by JLL/HJA and worked into a consistent format for this submission.

Supporting Information

- 18. Transformation Strategy (April 2017) for Torbay's Town Centres
- 19. Extract from Torbay Council's Transformation Strategy for Torbay's Town Centres (April 2017) – Paignton town centre
- 20. Prism Report: Demographics & Demand (if complete in time)
- 21. JLL Market Analysis
- 22. JLL Land Value Uplift (subject to sensitivities re; funding gaps), including wider town centre uplift
- 23. Paignton Tourism Summary 2017
- 24. Paignton's Retail catchment areas 2013 & 2018 (CACI 2019),
- 25. Paignton Town Centre – existing uses
- 26. Wider town centre boundary
- 27. Primary and secondary retail areas
- 28. Trips via Paignton Railway Station
- 29. CACI retail assessment 2018
- 30. CACI retail spend by acorn group profile
- 31. Extract from Joint Strategic Needs Assessment
- 32. Crime Statistics in Paignton
- 33. Healthy High Streets Assessment for Paignton Town Centre
- 34. Paignton Town Centre: A1 retail decline
- 35. Comparative vacancy rates
- 36. Paignton Town Centre: Options Assessment & Evaluation Process – this needs to be refreshed in light of prioritization and reduced diversification project
- 37. Paignton WebTAG Analysis
- 38. Project Governance Organogram
- 39. Deadline Project Risk Registers
- 40. Deadline Intervention Time line
- 41. Paignton Neighbourhood Plan

Paignton Town Centre Future High Streets Fund Business Case

Appendix 2: List of Appendices

- 42. Paignton Refresh
- 43. Joint Strategic Needs Assessment Torbay 2018-2020

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Appendix 4: Packages of Projects

Objectives

1.1 Objectives supported by this programme:

- Investment in physical infrastructure
- Improvements to transport access, traffic flow and circulation in the area
- Acquisition and assembly of land including to support new housing, workspaces and public realm
- Supporting change of use including (where appropriate) housing delivery and densification

1.2 Other objectives

- Supporting adaptation of the high street in response to changing technology

Packages

1.3 The Paignton bid comprises three packages of projects that meet four of the objectives of the FHSF¹.

1.4 Package one: Investment in physical infrastructure and improvements to traffic flow:

- Improvement to the public realm in Station Square and station improvements, in the hub of the town centre
- Improvements to public realm in Torbay Road, linking the town centre and the sea front
- Flood defences to protect the town centre

1.5 Package two: A subset of the investment in infrastructure is the delivery of cultural facilities to help to renew and reshape the town centre:

- Renovation of the Paignton Picture House

1.6 Package three: Acquisition and assembly of land and change of use to enable housing delivery and densification:

- Acquisition and delivery of new residential development on the Crossways site
- Land assembly and delivery of new development on the Victoria Centre site
- Diversification of premises above shops to residential

Packages and BCR

N.b. These figures need to be updated when further data is available

Core BCR

| | PV benefits (core) | PV costs | BCR | NPV |
|---|--------------------|------------|-----|-----|
| Package 1: Residential development | | | | |
| Crossways | £7,600,000 | £9,000,000 | | |

¹ MHCLG (2019) FHSF Business Case Guidance

| | | | | |
|--|--------------------|--------------------|-------------|---------------------|
| Victoria Centre (2: part project only) | £7,100,000 | £4,100,000 | | |
| Diversification to Residential | £2,800,000 | £1,500,000 | | |
| | £17,400,000 | £14,600,000 | 1.20 | £2,900,000 |
| Package 2: Infrastructure | | | | |
| Station Square | £1,600,000 | £2,300,000 | | |
| Torbay Rd public realm | £1,600,000 | £4,200,000 | | |
| Flood Defences (all) | £67,600,000 | £3,300,000 | | |
| | £70,800,000 | £9,800,000 | 7.25 | £61,000,000 |
| Package 3: Culture | | | | |
| Paignton Picture House | £200,000 | £1,400,000 | | |
| | £200,000 | £1,400,000 | 0.12 | £(1,300,000) |
| OVERALL | £88,400,000 | £25,800,000 | 3.43 | £62,600,000 |

Adjusted BCR

| | PV benefits (adjusted) | PV costs | BCR | NPV |
|---|------------------------|--------------------|-------------|---------------------|
| Package 1: Residential development | | | | |
| Crossways | £9,400,000 | £9,000,000 | | |
| Victoria Centre (2: part project only) | £8,900,000 | £4,100,000 | | |
| Diversification to Residential (30% contribution) | £4,500,000 | £1,500,000 | | |
| | £22,700,000 | £14,600,000 | 1.56 | £8,200,000 |
| Package 2: Infrastructure | | | | |
| Station Square | £4,200,000 | £2,300,000 | | |
| Torbay Rd public realm | £4,000,000 | £4,200,000 | | |
| Flood Defences (all) | £67,600,000 | £3,300,000 | | |
| | £75,900,000 | £9,800,000 | 7.77 | £66,100,000 |
| Package 3: Culture | | | | |
| Paignton Picture House | £200,000 | £1,400,000 | | |
| | £200,000 | £1,400,000 | 0.12 | £(1,300,000) |
| OVERALL | £98,800,000 | £25,800,000 | 3.83 | £73,000,000 |

Adjusted BCR including local economic impact

| | PV benefits (adjusted + local economic impact) | PV costs | BCR | NPV |
|---|--|------------|-----|-----|
| Package 1: Residential development | | | | |
| Crossways | £15,500,000 | £9,000,000 | | |
| Victoria Centre (2: part project only) | £25,400,000 | £4,100,000 | | |

| | | | | |
|--|---------------------|--------------------|-------------|---------------------|
| Diversification to Residential (30% contribution) | £6,700,000 | £1,500,000 | | |
| | £47,500,000 | £14,600,000 | 3.26 | £33,000,000 |
| Package 2: Infrastructure | | | | |
| Station Square | £4,700,000 | £2,300,000 | | |
| Torbay Rd public realm | £4,600,000 | £ 4,200,000 | | |
| Flood Defences (all) | £68,300,000 | £ 3,300,000 | | |
| | £77,600,000 | £9,800,000 | 7.94 | £67,800,000 |
| Package 3: Culture | | | | |
| Paignton Picture House | £1,000,000 | £1,400,000 | | |
| | £1,000,000 | £1,400,000 | 0.67 | £(500,000) |
| OVERALL | £126,100,000 | £25,800,000 | 4.89 | £100,300,000 |



Meeting: Council

Date: 16th July 2020

Wards Affected: All

Report Title: Schools' Capital Programme 2020/21

Is the decision a key decision? Yes

When does the decision need to be implemented? Work on the acquisition of the new school site would commence immediately following the decision. The projects in Appendix 1 would also start immediately to maximise the school summer holiday period.

Executive Lead Contact Details: Councillor Law, Cabinet Member for Children's Services, cordelia.law@torbay.gov.uk

Supporting Officer Contact Details: Rachael Williams, Assistant Director, Education, Learning and Skills, 01803 208743 rachael.williams@torbay.gov.uk

1. Proposal and Introduction

1.1. Children's Services are seeking approval to implement its Schools' Capital Programme using capital allocations received from the Department of Education (DfE). The projects proposed are set out in Appendix 1. The investment will ensure there are sufficient school places to meet demand and will provide much needed improvements across the school estate.

1.2. The total capital funding allocated to Torbay Schools is just over £9m:

- Basic Need Allocation 2021/22 £8.6m
- Schools Condition Allocation 2020/21 £417,886

The amount of funding available means that the Council can take this opportunity to make a significant improvement to the school estate during these challenging times. The projects outlined will have a significant impact on the teaching and learning environment for a large number of pupils across all sectors.

1.3 In addition to the projects outlined in Appendix 1, this report also seeks Council's approval to progress a compulsory purchase order ("CPO") to compulsorily acquire land for a new primary school in Paignton. The land subject to the proposed compulsory purchase order is land at Wilkins Drive, Paignton shown edged in red on the plan attached at Appendix 2 (the "Land").

2. Reason for Proposal and associated financial commitments

2.1. The Children's Services Capital Programme prioritises investment in Torbay Schools to ensure the LA can fulfil its statutory duty to provide all children and young people in Torbay access to high quality education provision.

- 2.2. The funding from the DfE is allocated to the Council specifically for investment in schools and if not utilised for that purpose would be at risk of claw back by the Department.
- 2.3. The Schools' Capital Programme has been developed in accordance with the funding allocations awarded, this means the Council will not need to commit any of its own resources towards the implementation of the projects specifically identified in Appendix 1 or the acquisition of the new school site.
- 2.4. To ensure there are sufficient primary school places in Paignton, Officers are supporting an application to the DfE for a second free school. Following initial conditional approval for the school by the DfE, there have been delays in progress because the site originally proposed for the school is subject to a planning appeal and there are significant risks in terms of timescale and deliverability. As a result, Officers have identified an alternative site for the new primary school and are trying to acquire the site through negotiations. This has not yet been agreed and may require a compulsory purchase in order to secure the site.

3. The Council's Powers of Compulsory Acquisition

- 3.1 The Council has approached the land owners of the main site and the southern land with a view to acquiring the Land by private treaty. The Council will continue to approach the land owners of the main site and the southern land (coloured blue on the plan) following members resolution to proceed with CPO(s). However, it may be that negotiations are unsuccessful and if this is the case the Council would use its powers of compulsory purchase to acquire the Land. Consequently this report seeks authorisation for the Council to make any Compulsory Purchase Order(s) which would allow the acquisition of the Land and any other land required for the new school site by the Council. Following the making of the CPO, confirmation would be sought from the Secretary of State who will seek representations on whether the CPO should be confirmed and may hold an inquiry before making its decision. The Secretary of State's consideration will include considering whether there is a compelling case in the public interest for acquisition of the land and that the policy and legal tests for obtaining a CPO have been met.
- 3.2 The Council has compulsory purchase powers within the Education Act 1996 to acquire land for educational purposes. These are considered to be the most appropriate powers in this case and are considered in this report.
- 3.3 Government Guidance on Compulsory purchase process and the Crichel Down Rules is also relevant and advises that, when making a CPO under section 530 of the Education Act 1996, the Council should have regard to any statutory requirements from the Department for Education. Again, these are dealt with in the body of this report.
- 3.4 Provision of a new primary school will ensure that the Council can continue to meet its statutory duty to provide all children and young people in Torbay access to high quality education. Without being able to utilise compulsory purchase powers this may not be possible.
- 3.5 The site is currently allocated for employment uses but pre-application discussions have been undertaken with the Council's Strategic Planning Department which have indicated that support would be given for the proposed use of the site as a primary school. Officers are in discussions with the DfE and the Local Planning Authority

regarding the submission of an outline planning application.

3.6 Funding for acquisition of the Land for the primary school is proposed to be met using the Basic Need Grant 2021/22. This includes any costs incurred in respect of making and implementing a CPO(s). The costs of construction of the school will be funded by DfE up to a level which is considered sufficient by DfE to construct a 2 form entry primary school with nursery. Once the Land is acquired it will be transferred to DfE at nil value.

3.7 Compensation will be payable to any landowner or rights holder whose interests are compulsorily acquired. Compensation will be assessed on the basis of the Compensation Code which essentially applies an open market valuation but which disregards any increase or decrease resulting solely from the Council's scheme underlying the CPO(s). The Council has received internal valuation advice on the likely value of the Land if acquired by compulsory purchase and will continue to do so as part of any compulsory or voluntary acquisition. The Council have the funds available to meet any compensation claims.

4. Recommendation(s) / Proposed Decision

4.1 That the Council agrees the list of projects and funding allocations as set out in Appendix 1.

4.2.1 That delegated authority be given to the Chief Executive to continue negotiations with the landowner(s) and any other person with an interest to acquire by agreement the Land and any other land, interests or rights subsequently identified as being required in consultation with the Cabinet Member for Children's Services and Section 151 Officer on any Heads of Terms.

4.2.2 That, having taken into account previous negotiations to acquire the Land, the making of any CPO(s) pursuant to the Education Act 1996, or any other appropriate power, for the Land and any other land, interests or rights subsequently required to deliver the primary school. The Chief Executive be given delegated authority to give effect to this decision, including;

- (i) the taking of all necessary steps required to secure the making of the CPO(s) and for the subsequent confirmation and implementation of the CPO(s) including the publication and service of all notices, statement of reasons and presentation of the Council's case at public inquiry, if necessary, to secure confirmation of the CPO(s) by the Secretary of State;
- (ii) to carry out any surveys on the Land or any other land required and enter as may be required in order to deliver the proposed development by CPO(s) which the Council is authorised to carry out either by consent of the relevant landowner or under section 172 to 179 of the Housing and Planning Act 2016;
- (iii) to enter into agreement(s) with any person or body to secure the withdrawal of objections to the CPO(s) and/or to negotiate and agree terms for the acquisition by agreement of any land, interests or rights as may be required for the new primary school; and

- (iv) to pay all necessary compensation either as agreed or as determined by the Upper Tribunal (Lands Chamber) in relation to the acquisition of land and other interests or for the overriding or acquisition of rights.

4.2.3 That Council delegate to the Chief Finance Officer the approval of the expenditure of monies from the Children’s Services Capital Programme Basic Need Funding required to cover the acquisition of the Land and any land, interests or rights as may be required for the scheme, either by agreement or by CPO.

4.2.4 That once the Land, and any other land required, has been acquired either by negotiation or via a CPO(s) Council approve the disposal of the land required for the new primary school to the Department of Education at Nil Value as the required contribution to the development of a two form of entry primary school. The DfE will in turn provide the capital to build the school through the Free School Programme. The land would be leased from the DfE to the Academy Trust running the new free school.

Appendices

Appendix 1: Schools’ Capital Programme 2020/21

Appendix 2: Plan showing land at Wilkins Drive (the Land)

Appendix 3: Plan showing proposed primary school layout on land at Wilkins Drive

Background Documents

School Place Planning Statements available on Torbay Council website:

<https://www.torbay.gov.uk/schools-and-learning/information-for-schools/capital-planning/>

Report Clearance

| Report clearance: | This report has been reviewed and approved by: | Date: |
|--------------------------------------|---|--------------|
| Chief Executive | Steve Parrock | |
| Monitoring Officer | Anne-Marie Bond | |
| Chief Finance Officer | Martin Phillips | |
| Relevant Director/Assistant Director | Rachael Williams | |

Section 1: Background Information

1. What is the proposal / issue?

The first part of the proposal is for Officers to use the Capital Allocations received by the LA to be spent in accordance with Children's Services Capital Programme.

The total capital funding awarded is just over £9m and includes:

- Basic Need Allocation £8.6m
- Repairs & Maintenance Funding £417,886

The second part of the proposal is the acquisition of a site for a new primary school in Paignton. Torbay has seen an increase in primary aged pupils over the last 8 years, particularly in Paignton. This has resulted in several school expansions and two bids to the DfE for funding to open new primary schools in the town through the free schools programme. The first free school has been fully approved and is in development with the expected opening in September 2021.

The second free school application (Windmill Academy) has received conditional approval dependent on future housing growth in the area. If there is continued development over the next 3 to 5 years then approval would be granted for the second free school and the DfE would provide capital to build the free school. The contribution required from the Council to secure this inward investment is the land needed for the school. This is a standard requirement for LAs that have new schools funded through the free schools programme.

As part of its strategic planning for new school places in Paignton, Officers have sought Section 106 contributions from developers and have been trying to secure a school site for several years. The proposed development at Inglewood, Paignton has a school site identified as part of a developers contribution and this site was named in the second free school application. However, this development has not been approved despite the planning application being submitted some time ago. Officers have, therefore, approached the DfE asking for them to consider an alternative site for the free school. The DfE have confirmed that they will consider an alternative site for the school and have visited the Wilkins Drive site which is the alternative site being proposed. The Council had previously received a report on this site and agreed it was appropriate for a primary school, however at that time the DfE considered this site to be in the wrong part of Paignton for the St Michael's Free School. An alternative site for St Michael's has now been secured at the old Tower House School site.

Over the last 5 years, the Council and the DfE's own consultants, LocatEd, have invested significant time and resource in trying to identify a possible site for a new school in Paignton. Over 20 different sites have been considered and rejected due to issues and concerns with either size, access, drainage, planning restrictions, location, etc. There are no easy, quick win alternative sites of sufficient size that could be acquired within the necessary timeframe in the Paignton area. [The DfE have indicated that if a site is not identified within the next 12 months and secured within a two year period then it is possible that the approval for the second free school will be withdrawn with no guarantee that Torbay would be successful in securing approval from future free school waves.

The site at Wilkins Drive has been identified as the most appropriate site. It is anticipated that it can also be delivered in the required timescales.

Although primary numbers in Torbay are stabilising, there is still a need for a new primary school in the Western part of Paignton to meet the demand arising from recently completed, on site and approved housing developments. Since 2012, 650 homes have been built on the Western Corridor of Paignton. Another 500 houses are currently under construction and another 170 are expected to be given planning approval within the next 2 months. There is no primary school within this new community.

In addition, there are a further 900 houses proposed for the Western corridor that do not yet have planning approval. All of these developments are in the Western corridor separated from the rest of Paignton by the Brixham Road and Totnes Road. These are main roads that act as a distinct boundary/barrier for parents. There are no primary schools within the Western corridor where all of these housing developments are happening. This equates to nearly 2100 new dwellings (mainly 2/3 bedroom houses) without a primary school to serve them.

For this reason alone there is a strategic need for a primary school to serve this new community. If you add in the number of houses completed/being built/still to be built, it is critical that a new primary school is delivered within this location.

In planning terms, the Wilkins Drive site is proposed for development as part of the "Future Growth Area" (Local Plan Policies SS2.4 and SDP3.4). It has planning permission for employment use as part of a wider mixed use scheme (P/2014/0983). Although a school is not a class B1 employment use, it would provide significant jobs and would be regarded as a suitable use for the site.

Planning permission has not yet been secured for the school but Torbay Council's Strategic Planning Department supports the need for a new primary school in the area of Wilkins Drive as it would provide important infrastructure for numerous large developments that have either already been approved and built or are proposed within the Local Plan in the medium to long term. With regard to this particular site at Wilkins Drive, pre-application officer advice from the Council as Local Planning Authority is that the land off Wilkins Drive, adjacent to the "Aldi" Local Centre, remains the most suitable site for a primary school serving the new development on the West of Paignton. Most importantly, the site is very close to the community it would serve and there are opportunities to encourage walking and cycling/scootering to school as well as shared trips with the local centre. There are planning and transport policies that support this position. Notably National Planning Policy Framework paragraph 94 states that 'it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted".

The Torbay Local Plan (A landscape for success 2012 to 2030) also supports this position, notably that a school would support employment through policies SS1, SS4 and SS5 refer. Also Policy SS11.4 would "promote social inclusion, and seek to

eliminate exclusion based on education'. Plan Policy SC3 "Education, Skills and Local Labour", states that "The Local Plan will support the improvement and provision of new educational facilities to meet identified needs in Torbay. This includes both the expansion of existing schools to meet identified short to medium term needs, and construction of new schools to address longer term requirements associated with the delivery of new homes". Further Policy SC5 considers Child Poverty and seeks to reduce child poverty, including through SC5.5 supporting investment in existing schools and contribution to improved equality of access to high quality education provision for all, including early years provision.

To ensure that the site at Wilkins Drive is of sufficient size and is suitable for the new primary school, Officers have commissioned some high level feasibility drawings to show how the school would fit on to the site. This plan is attached as Appendix 3. Although the site at 3.5 acres is slightly smaller than the DfE recommended area for a school of this size (3.9 acres), this is not an unusual scenario as a large proportion of primary schools in Paignton are located on sites smaller than the recommended area. There are design solutions to enable a 2FE primary school to be delivered on this site. The Plan at Appendix 3 indicates that the site could comfortably accommodate the size of buildings required and provision of a multi-use games area would increase the usability of the outdoor space.

Officers are in discussions with the DfE and the local planning department regarding the submission of an outline planning application

2. What is the current situation?

As shown above, the Council's capital funding consists of Basic Need funding and the Schools' Condition Allocation. These grants come from central government and are allocated for the following purposes:

Basic Need 2021/22 – This funding is awarded on a needs basis following the submission of data by the LA on its current and projected pupil numbers. The DfE compares this data to the available capacity and where there is a shortfall provides funding to address this. Following last year's data submission, the DfE recognised that Torbay is short of capacity, mainly in the secondary sector, and awarded an allocation of £8.6m. This funding is specifically for providing school places and for addressing the shortfall shown by the data.

Schools Condition Allocation 2020/21 – This is capital investment awarded by central government for repairs and maintenance works. Investment is prioritised to ensure that every child has a good quality school place in buildings which are safe, fit for purpose and well maintained.

A paper outlining Schools' Capital Programme, how it has been developed, the projects identified and how they are to be funded from the available resources is attached as **Appendix 1**.

The key factor in identifying these priorities has been the LA's statutory duty to provide sufficient, high quality school places for all the children and young people in Torbay. As a result three of the highest priority projects for the LA relate to the provision of additional school places.

In 2018, Members approved the expansion of Paignton Academy to address the secondary shortfall in Paignton. This expansion is underway and is the first call on

funding in the Schools' Capital Programme. Please see Appendix 1 for a full description of the funding requirements for this scheme.

The second priority is for the LA to address the shortfall in secondary capacity in Torquay. Officers have brokered an agreement with St Cuthbert Manx to admit 60 pupils above their planned admission number (PAN) of 195 in September 2021. This is in return for capital investment to provide additional and improved facilities. Further detail is included in Appendix 1.

The third priority is the expansion of Mayfield Special School. This is the only special school in Torbay for children and young people with severe and profound learning difficulties. Demand for this type of provision is rising and the school is already oversubscribed with numbers expected to increase for the next two academy years. The proposal is to future proof the school and expand its capacity so that it can meet current demand and further demand expected from 2021.

In addition to these three major schemes there are various other funding allocations required to support schemes that have incurred additional costs as a result of the COVID 19 pandemic. Further details are included in Appendix 1.

The cost of the projects outlined in Appendix 1 is less than the Basic Need 2021/22 allocation.

The table below shows a summary of the funding allocations required to implement the Schools Capital Programme 2020/21.

The remaining funds will be used to secure the acquisition of the Land for the new primary school and any additional projects that would be based on Children's Services priorities for providing school places and maintaining the school estate. Officers are asking that the allocation of the remaining funding is agreed in consultation with the Chief Executive, Lead Member for Children's Services and the Head of Finance using delegated powers.

Basic Need 2021/22 Allocation = £8,609,731

| Project (in priority order) | Amount | Description |
|---|----------|---|
| Paignton Academy Expansion Maths Block | £960,000 | Reimbursement of borrowing against future allocations agreed to fund project. |
| Paignton Academy Expansion Classroom Adaptations | £35,000 | Additional work required to mitigate against delays caused by COVID 19 |
| Paignton Academy Expansion Contractual Costs | £50,000 | Additional contractual costs as a result of COVID 19 delays |
| Brunel Academy Vocational Block | £50,000 | Additional contractual costs as a result of COVID 19 delays |
| Burton Academy Extension | £25,000 | Additional contractual costs as a result of COVID 19 delays |

| | | |
|---|-------------------|--|
| St Cuthbert Mayne Expansion | £3,600,000 | New project to provide additional secondary school places in Torquay |
| Mayfield Special School Expansion | £1,500,000 | New project to provide additional special school places |
| Sixth Day Provision – Temporary Solution | £250,000 | A temporary solution is required as a result of growing numbers at Mayfield and the delays at Burton resulting in a delay to the availability of the Polsham Centre. |
| SUB-TOTAL | £6,470,000 | |

3. What options have been considered?

If the Council does not implement the recommendations then the implications for maintaining the status quo would be as follows:

- The Council would not be able to fulfil its statutory obligation to provide sufficient school places
- The Council would not be able to effectively manage demand and could face unknown costs arising from legal challenge, increased transport costs or out of area placements
- The inherent risks arising from not maintaining the school estate – school closures or harm to those attending
- The funding would be clawed back by the DfE if not spent on providing school places or maintaining school buildings
- Mayfield is the only PMLD special school in Torbay; if it has insufficient capacity then pupils will need to be placed out of area which is disruptive to those individuals and costly for the LA.

In respect of the CPO the Council has considered the following alternative options to compulsorily acquiring the Order Land:

(a) *Do nothing*

While this option means that the Council incurs no cost and no financial liabilities it will also mean that the Council is unable to meet its statutory duties without the Council taking action.

(b) *Negotiations for voluntary acquisition*

Some negotiations have occurred with the owners of the main school site but these have not progressed because that owner could not deliver the southern land (coloured blue on the plan), which is in a separate ownership. The Council has not, to date, entered into direct negotiations with the owner of the southern land (Cavanna Homes) but intends to do so following members resolution to proceed with CPO.

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| | <p>(c) <i>Not exercising the CPO</i></p> <p>The option of not exercising the CPO if it is confirmed is also being considered. If agreement is reached with the landowners such that all the necessary rights to deliver the school are secured before it is necessary to exercise the CPO then the decision can be taken not to exercise it. Progression of the CPO in parallel with negotiation provides the option to use powers should they be required, the Council retains the ability not to implement any part of a CPO. The situation where a CPO is obtained but not needed as agreement is ultimately reached is considered a positive outcome in the compulsory purchase guidance.</p> |
| 4. | <p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</p> <p>The proposal supports the Council's ambitions to create a prosperous and healthy Torbay. An identified Targeted Action of the plan is for the Council to protect all children and ensure they are given the best possible start in life. Ensuring that there are sufficient, high quality school places in the area is crucial to improving the outcomes of young people and giving them this best start in life.</p> |
| 5. | <p>How does this proposal contribute towards the Council's responsibilities as corporate parents?</p> <p>Whilst the Council's responsibilities as corporate parents is already safeguarded through the admissions policy and the prioritisation of children looked after in the admissions process; this proposal will ensure that there sufficient places on offer and that schools continue to provide high quality and safe learning environments.</p> |
| 6. | <p>How does this proposal tackle deprivation?</p> <p>This proposal tackles deprivation and inequality by ensuring every child has a place in a local school giving them the best possible opportunity to achieve and succeed.</p> <p>In addition it is well recognised that educational attainment can play a significant part in improving the opportunities available to and the aspirations of an individual.</p> |
| 7. | <p>How does this proposal tackle inequalities?</p> <p>This proposal tackles inequality by ensuring that every child has the opportunity to access a high quality school place within their local area.</p> |
| 8. | <p>How does the proposal impact on people with learning disabilities?</p> <p>Part of the proposed Capital Programme is to ensure Mayfield Special School has sufficient accommodation to meet the needs of its current roll and future numbers based on data from the SEN Team. This is the only special school in Torbay offering places for children with severe and profound learning difficulties. The school is rated good by Ofsted and is already oversubscribed. To increase the provision will directly benefit pupils with learning difficulties.</p> |
| 9. | <p>Who will be affected by this proposal and who do you need to consult with?</p> |

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| | <p>Parents, children and young people in Torbay who will benefit from the provision of sufficient, high quality school places in the area and capital investment in the school estate to create safe and conducive learning environments.</p> <p>Other key stakeholders affected are School Staff and Governors/Trustees, the Department of Education and the Regional Schools Commissioner. Officers have also consulted with the relevant Diocesan Authorities and neighbouring LAs.</p> <p>Those with an interest in any land to be acquired to provide a new primary school will be consulted as part of the CPO process.</p> |
| 10. | <p>How will you propose to consult?</p> <ul style="list-style-type: none"> • Meetings and ongoing dialogue with the key stakeholders identified above and those with an interest in any land needed for a new primary school • School to carry out their own consultation with parents, students and staff • Planning consultation, as and when appropriate • CPO consultation requirements including contact with stakeholders, publication of notices etc. |

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| <p>Section 2: Implications and Impact Assessment</p> | |
| 11. | <p>What are the financial and legal implications?</p> <p>The DfE has recognised the pressures facing the LA on school places and has awarded the Council £8.6m to address the projected shortfall.</p> <p>This funding is specifically allocated to enable the LA to fulfil its statutory obligation to provide sufficient high quality school places for children in the local area; failure to do so would be in breach of that duty and the allocations may have to be repaid or future allocations would be reduced as a result.</p> <p>This £8.6m is sufficient to cover the schemes outlined in the Schools' Capital Programme. Therefore there is no call on Council resources.</p> <p>The proposed projects would potentially lead to revenue savings for the Council by reducing expensive out of area special school placements and any possible additional transport costs if pupils are placed out of area.</p> <p>The DfE's Schools' Condition Allocation is allocated to address priority repair works at maintained schools.</p> <p>The LA as a responsible body, corporate parent and service provider, has a duty to protect the wellbeing and health & safety of the pupils, staff and others attending school sites and consequently has a duty to ensure the buildings are maintained to a reasonable condition.</p> <p>There are also potentially revenue savings for the schools through the replacement or repair of elements which are life expired or are inefficient. Any recouped</p> |

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| | <p>resources can then be used by the school for investment in other priorities such as learning resources.</p> <p>In respect of the CPO(s) funding for acquisition of the Land for the primary school is set out above. This includes any costs incurred in respect of making and implementing a CPO(s). The costs of construction of the school will be covered by DfE which is considered sufficient by DfE to construct a 2 form entry primary school with nursery. Once the Land is acquired the land required for the primary school will be transferred to DfE at nil value.</p> <p>The proposal would authorise the making of a Compulsory Purchase Order which seeks to authorise the acquisition of property against the wishes of the owners. Following the making of the order, confirmation would be sought from the Secretary of State who will seek representations on whether the order should be confirmed and may hold an inquiry before making their decision. The Secretary of State's consideration will include considering whether the Council has established that all of the legal tests for obtaining an Order have been met.</p> <p>Section 530 of the Education Act 1996 enables the Secretary of State to authorise the Council to compulsorily purchase any land (whether within or outside their area) which is required for the purposes of any school or institution which is, or is to be, maintained by them or which they have power to assist, or is otherwise required for the purposes of their functions under this Act or is required for the purposes of an Academy (whether established or to be established). This, coupled with the general powers of acquisition under the compulsory purchase legislation including the Acquisition of Land Act 1981, are the most appropriate powers in this case.</p> <p>Government Guidance on Compulsory purchase process and the Crichel Down Rules is also relevant and advises that, when making a CPO under section 530 of the Education Act 1996, the Council have had regard to any requirements from the DfE and is not aware of any other impediments to the delivery of the school on the Land.</p> <p>If the Order is confirmed and the Council decides to exercise the powers granted then compensation will be payable to any landowner or right holder whose rights are compulsorily acquired. Compensation will be assessed as the value of land to the owner, and any increase or decrease in value attributable solely to the development of the Order Land for the scheme underlying the CPO must be discounted.</p> <p>The compensation liabilities will be borne by the Council.</p> |
| <p>12.</p> | <p>What are the risks?</p> <ul style="list-style-type: none"> • If the Council is unable to provide sufficient school places then it would be in breach its statutory school place planning duty and could also incur unnecessary additional expense through transport costs and out of area placements. • If the school estate is not managed effectively then there is a risk of injury or harm to an individual with the LA being liable. • If condition issues are not addressed in a timely manner it could result in an escalation of the issue with possibly increasing costs. |

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| | <ul style="list-style-type: none"> • If condition issues are not addressed they could potentially force the full or partial closure of a school. • CPO risks <ul style="list-style-type: none"> ➤ A key risk is the failure to acquire the Land in a timely manner, which would jeopardise the funding available to deliver the new primary school. This risk will be mitigated through progressing the compulsory acquisition. ➤ It is likely that the CPO(s) will be made in advance of planning permission being obtained for the new primary school. Paragraph 15 of the CPO Guidance states that the acquiring authority will need to demonstrate that there are “no obvious reasons why it might be withheld”. It will be mitigated by the Council putting forward a compelling case for the CPO in advance of obtaining planning permission, and by demonstrating that, when applied for, there is no reason why planning permission for the primary school will not be granted. It can be noted in this regard that the view of Council’s planning department has been sought and the preliminary views received is that there is no in-principle reason why planning permission would not be granted. ➤ The preparation of a CPO(s) and related documents is a technical and complex area, carrying a risk of challenge. However, the Council has retained experienced and expert external legal advice on this and will continue to do so. ➤ In considering whether to make the CPO(s) the Human Rights Act 1998 applies. The relevant rights that have been considered and are set out below. ➤ There is a risk that owners and occupiers will seek sums in excess of the estimates for the costs of land acquisition. |
| <p>13.</p> | <p>Public Services Value (Social Value) Act 2012</p> <p>All works procured in connection with the new accommodation will be procured in line with the Public services Value Act 2012.</p> |
| <p>14.</p> | <p>What evidence / data / research have you gathered in relation to this proposal?</p> <ul style="list-style-type: none"> • Latest Admissions data, Special Educational Needs data, housing completion data and the most recent projections have been used to identify what capacity is needed in the area over the next 5 years and to identify where the shortfalls are expected. • Condition reports commissioned by Children’s Services have been used to identify and prioritise projects to be funded by the Schools Condition Allocation. • Officers have used DfE guidance and recommendations for school buildings when developing proposals to create optimum learning environments. <p>Human Right Considerations</p> <p>The Human Rights Act 1998 (“HRA 1998”) incorporated into domestic law the European Convention on Human Rights (the “Convention”). Under the HRA 1998, it</p> |

is unlawful for a public body such as the Council to act in contravention of the Convention.

In resolving to make a CPO(s) of the Land, the Council has considered the rights of the owners of the Land, in particular:

- (a) Article 1 of the First Protocol, which provides that every person is entitled to peaceful enjoyment of their possessions, and that no one should be deprived of his possession except in the public interest and subject to the law; and
- (b) Article 6 of the First Protocol which protects the right to a fair hearing by a tribunal in the determination of civil rights and obligations.
- (c) Article 14 of the First Protocol which provides for the rights in the Convention to be enjoyed without discrimination on any ground such as sex, race, colour, language, religion political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The Council must be conscious of the need to strike a balance between the rights of the individual and the interests of the public.

It is considered that there is a compelling case in the public interest for the acquisition of the Land which outweighs the Convention rights and that the use of compulsory purchase is proportionate. This conclusion is based on the significant benefits generated by the scheme, which include but are not limited to the following:

- The Council would not be able to fulfil its statutory obligation to provide sufficient school places
- The Council would not be able to effectively manage demand and could face unknown costs arising from legal challenge, increased transport costs or out of area placements
- The Council would not be able to provide all children and young people in Torbay access to high quality education.

In this case it should be noted that the land which the Council is intending to acquire is currently unoccupied and, therefore, acquisition would not result in displacement of any occupier from the land nor relocation of any existing use being necessary.

EQUALITY ACT 2010 AND PUBLIC SECTOR EQUALITY DUTY

The Equality Act 2010 requires the promotion of understanding of the importance of equality and diversity, and the encouragement of good practice in relation thereto. In the promotion of the CPO(s), the Council has been mindful of the need to properly discharge its obligations under the provisions of this legislation. An assessment under the Equality Act 2010 has been carried out in connection with the proposed CPO(s) and is attached below.

15. What are key findings from the consultation you have carried out?

Not applicable.

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| 16. | Amendments to Proposal / Mitigating Actions Not applicable. |
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Equality Impacts

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|-----|---|---|---|-----------------------|
| 17. | Identify the potential positive and negative impacts on specific groups | | | |
| | | Positive Impact | Negative Impact & Mitigating Actions | Neutral Impact |
| | Older or younger people | Sufficient school capacity to meet local demand. School places provided within a reasonable distance from home location will have a positive impact on the local children who will not have to travel longer distances to school. Optimum learning environment in line with DfE recommendations. Safe learning environments. | | |
| | People with caring Responsibilities | Sufficient school capacity to meet local demand. School places provided within a reasonable distance from home location will have a positive impact on the local children who will not have to travel longer distances to school. Optimum learning environment in line with DfE recommendations. Safe learning environments. | | |
| | People with a disability | New provision will be DDA compliant &, wherever possible, look to address existing issues on the site. Increased specialist provision in the area. | | |

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|-----------|---|---|--|------------------------|
| | Women or men | | | No differential impact |
| | People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> | | | No differential impact |
| | Religion or belief (including lack of belief) | | | No differential impact |
| | People who are lesbian, gay or bisexual | | | No differential impact |
| | People who are transgendered | | | No differential impact |
| | People who are in a marriage or civil partnership | | | No differential impact |
| | Women who are pregnant / on maternity leave | | | No differential impact |
| | Socio-economic impacts (Including impact on child poverty issues and deprivation) | Ensuring all children have the best possible opportunity to thrive and succeed. Ensuring best outcomes for all children. | | |
| | Public Health impacts (How will your proposal impact on the general health of the population of Torbay) | | | No differential impact |
| 16 | Cumulative Impacts – Council wide | Insufficient school places to meet demand will mean the Council would be in breach of its statutory duty and will not be meeting its Corporate Priority to give every child the best possible start in life. Out of area placements and increased transport costs will place more pressure on Council's budgets. | | |
| 17 | Cumulative Impacts – Other public services | None | | |

APPENDIX 1

SCHOOLS CAPITAL PROGRAMME 2020/21

The following funding allocations have been confirmed by the Department for Education for investment in Torbay schools:

BASIC NEED 2021/22 - Torbay has been allocated £8,609,731 for the provision of new school places (all schools)

SCHOOLS CONDITION ALLOCATION 2020/21 - £417,887 for Repairs & Maintenance (maintained schools only)

The Schools Capital Programme already includes some projects that will require additional funding from the BASIC NEED 2021/22 allocation. There are also new priorities for investment that are identified and explained in this report.

PROJECTS ALREADY IN CHILDREN'S CAPITAL PROGRAMME

Paignton Academy Expansion - New Maths Block

In 2018, Torbay Council approved a budget of £1.8m to support the expansion of Paignton Academy. The project approved was to fund up to 300 additional secondary school places to meet growing demand. At that time, Children's Services only had £800,000 left in its Capital Programme from Basic Need funding. To ensure that the project proceeded and could be delivered in time to meet the peak in demand from September 2020, Council agreed to fund the balance by "borrowing" from expected future Basic Need allocations.

In April 2020, the DfE confirmed a Basic Need allocation for Torbay of £8.6m. The majority of this funding is in recognition of the growing demand for secondary places across the Bay.

This is a generous allocation that will enable the LA to implement a number of expansion projects to ensure Torbay has sufficient school places. The first call on this funding is the amount borrowed to ensure that the Paignton Academy Expansion could proceed in a timely manner. The amount of the borrowing to top up the Paignton Academy project was £960,000.

In addition to repaying the borrowing element of this project, the delays resulting from COVID 19 are likely to result in an increase in capital cost. The contractor MIDAS Construction encountered significant problems with workforce and suppliers and had to suspend work from 7th April to 11th May. This five week delay will have two impacts. The first is that the building will not be ready for 1st September 2020 as planned and as a result, a contingency plan will have to be implemented to ensure that there is sufficient teaching space available for pupils in September. This will involve the alteration of a common room space in to two teaching spaces. The work can be completed as a variation to the existing contract and MIDAS have confirmed that they can complete this work by the start of the Autumn Term. The cost of the alterations is £35,000. The second impact of delays is additional contractual costs through extension of time requests and/or variations to the design as a result of unavailability of supplies and products. This cost is not yet known but is expected to be in the region of £25,000 to £50,000. It is recommended that an additional allowance is made of £50,000 to cover these unknown costs.

Brunel Academy Vocational Block

The Council have approved funding for various improvements to the site at Brunel Academy, including a new entrance and Multi-use games area. This was phase 1 of improvements and was completed over a year ago. Phase 2 of improvements is a new Vocational Block which was due for completion in the Summer ready for the start of the new academic year in September 2020. As a result of COVID 19, the contractor Mercury had to cease all works on site for several weeks. Although they are back on site there has been a delay to the completion date and additional costs as a result of the delays and also shortages of some products. The additional costs are expected to

be approximately £50,000. As a result, the LA is proposing to set aside a contingency from the capital allocations to cover any further costs over and above the existing budget. If this is not required then the amount will be reinstated to the Children's Capital Plan to be used on other priorities.

Burton Academy Extension

As with Brunel Academy, the Council have previously approved funding for various improvements to the site at Burton Academy, including an extension to provide additional accommodation to enable them to amalgamate from two sites on to one. Although the tender process had been completed, the contract had not been awarded prior to the start of the COVID-19 pandemic. In consultation with the Council's Procurement department, the decision was taken early on not to award the contract until the situation stabilised.

As contractors are now actively returning to site, Officers have sought legal advice regarding awarding the contract at Burton. It has been agreed to proceed with awarding the project on the understanding that the risks associated with COVID 19 are managed in a collaborative way between the contractor and the LA. There may be additional costs due to delays or a shortage of certain products however the contractor has not sought to change and increase the tender cost submitted several months ago. Although this is a good starting point for the project, it is likely that there will be additional costs incurred at some stage. Officers are therefore recommending an additional provisional sum of £25,000 to be managed outside of the contract to cover any additional costs that may arise. The costs will only be agreed in negotiation between the LA and the contractor when it can be evidenced that the costs are solely COVID 19 related.

There has also been a small additional cost incurred for the legal advice around COVID 19 risks. This cost can be managed within the existing contingency.

A further impact will be that the Academy were due to vacate the Polsham Centre in the Autumn once the extension was complete. However, they are now unlikely to vacate the building until the end of the next academic year. Children's Services had plans for using this building for other purposes but this has been delayed. As a result, a temporary solution will be required in lieu of the Polsham Centre availability. This is set out in more detail under the Mayfield School proposals identified below.

NEW PROJECTS

St Cuthbert Mayne School

In response to an increase in demand for secondary school places in Torquay, St Cuthbert Mayne have agreed to take a bulge of an extra 60 pupils from September 2021. These places will ensure the LA is able to meet its statutory duty and manage school places during a period of short-term growth.

This agreement is subject to the LA providing capital funding to improve and increase the accommodation at the school. A feasibility study has been undertaken and a preferred solution has been identified and agreed between the LA and the school. The project would provide the school with the following:

- 4 additional classrooms
- A new entrance and access to the main Reception which will enhance the appearance and approach in to the school and will also improve security
- A new SEN block to provide specialist support for vulnerable pupils
- Refurbished technology spaces, improving and modernising existing poor condition workshops
- A larger and improved dining space
- Enhanced kitchen and servery facilities
- Improved access and links between blocks and external spaces
- Demolition of poor condition modular classroom block

This investment will not only provide extra space for the additional pupils, it will significantly improve facilities across the school which will improve the teaching and learning experience for pupils and should result in an increase in parental and pupil choice for places at the school.

The feasibility work has been reviewed by a quantity surveyor and the estimated cost is £3.6m. This may vary slightly depending on the tender returns. At this stage it is not known whether the COVID 19 pandemic will have an impact on tender costs. Therefore, the estimate includes an additional project contingency outside of the contract contingency to ensure that the cost of the scheme can be fully met.

Expansion at Mayfield

Over the past few years, at the request of the LA, Mayfield Special School has increased the number of places available and the school currently has 172 pupils on roll in a building that was originally designed for 150 pupils. The demand for places is expected to continue to rise over the next few years. As a result, there is a requirement for capital investment to provide additional accommodation for both existing pupils and future demand. As Mayfield is a school for pupils with severe and profound learning difficulties, the accommodation requirements have a high space and equipment specification. Early feasibility work has identified an indicative cost of £1.5m to provide the extra facilities required.

Windmill Hill Academy Free School

The DfE have given conditional approval for a second free school in Paignton (Windmill Academy). The approval is dependent on future housing growth in the area. If there is continued development over the next 3 to 5 years then approval would be granted for the second free school and the DfE would provide capital to build the free school. The only contribution required from the Council to secure this inward investment is the actual site for the school. This is a standard requirement for LAs that have new schools funded through the free schools programme.

As part of its strategic planning for new school places in Paignton, Officers have sought Section 106 contributions from developers and have been trying to secure a school site for several years. The proposed development at Inglewood, Paignton has a school site identified as the developers contribution and this site was named in the second free school application. As this development has not been approved despite the planning application being submitted some time ago, Officers have approached the DfE asking for them to consider an alternative site for the free school. The DfE have confirmed that they will consider an alternative site for the school and have visited the Wilkins Drive site which is the alternative site being proposed. This site has been previously considered for the first free school St Michael's Primary School but was considered to be in the wrong part of Paignton. An alternative site for that school has now been secured at the old Tower House School site. Over the last 5 years, the Council and the DfE's own consultants LocatEd have invested significant time and resource in trying to identify a possible site for a new school in Paignton. A number of sites have been considered and rejected due to issues and concerns with either size, access, drainage, planning restrictions, location, etc. There are no easy, quick win alternative sites of sufficient size that could be acquired within the necessary timeframe in the Paignton area. As a result, it is necessary and essential that the Council acquire the site at Wilkins Drive in order to secure the inward capital investment from the free schools programme. The DfE have indicated that if a site is not identified within the next 12 months and secured within the next 24 months then it is likely that the approval for the second free school will be withdrawn. There is no guarantee that Torbay would be successful in securing approval from future free school waves.

Torbay Council's Strategic Planning Department supports the need for a new primary school in the area of Wilkins Drive as it would provide important infrastructure for numerous large developments that have either already been approved and built or are proposed within the Local Plan in the medium to long term.

To ensure that the site at Wilkins Drive is of sufficient size and is suitable for the new primary school, Officers have commissioned some high level feasibility drawings to show how the school would fit on to the site. This plan is attached as Appendix 3. Although the site at 3.5 ha is slightly smaller than the DfE recommended area for a school of this size (3.9ha), this is not an unusual scenario as a large proportion of primary schools in Paignton are located on sites smaller than the recommended area. There are design solutions to enable a 2FE primary school to be delivered on this site. The Plan at Appendix 3 indicates that the site could comfortably accommodate the size of buildings required and provision of a multi-use games area would increase the usability of the outdoor space.

Although primary numbers in Torbay are stabilising, there is still a need for a new primary school in the Western part of Paignton to meet the demand arising from recently completed, on site and approved housing developments. Since 2012, 650 homes have been built on the Western Corridor of Paignton. Another 500 houses

are currently under construction and another 170 are expected to be given planning approval within the next 2 months. There is no primary school within this new community.

In addition, there are a further 900 houses proposed for the Western corridor that do not yet have planning approval. All of these developments are in the Western corridor separated from the rest of Paignton by the Brixham Road and Totnes Road. These are main roads that act as a distinct boundary/barrier for parents. There are NO primary schools within the Western corridor where all of these housing developments are happening. This equates to nearly 2100 new dwellings (mainly 2/3 bedroom houses) without a primary school to serve them.

For this reason alone there is a strategic need for a primary school to serve this new community. Add in the number of houses completed/being built/still to be built, there is a clear need for a new primary school within this location.

Officers are seeking Council approval for funding from the Children’s Services Basic Need fund to negotiate the acquisition of the Wilkins Drive site and if negotiations are unsuccessful then approval to commence with compulsory purchase (CPO). See main report for more detail on the CPO requirements.

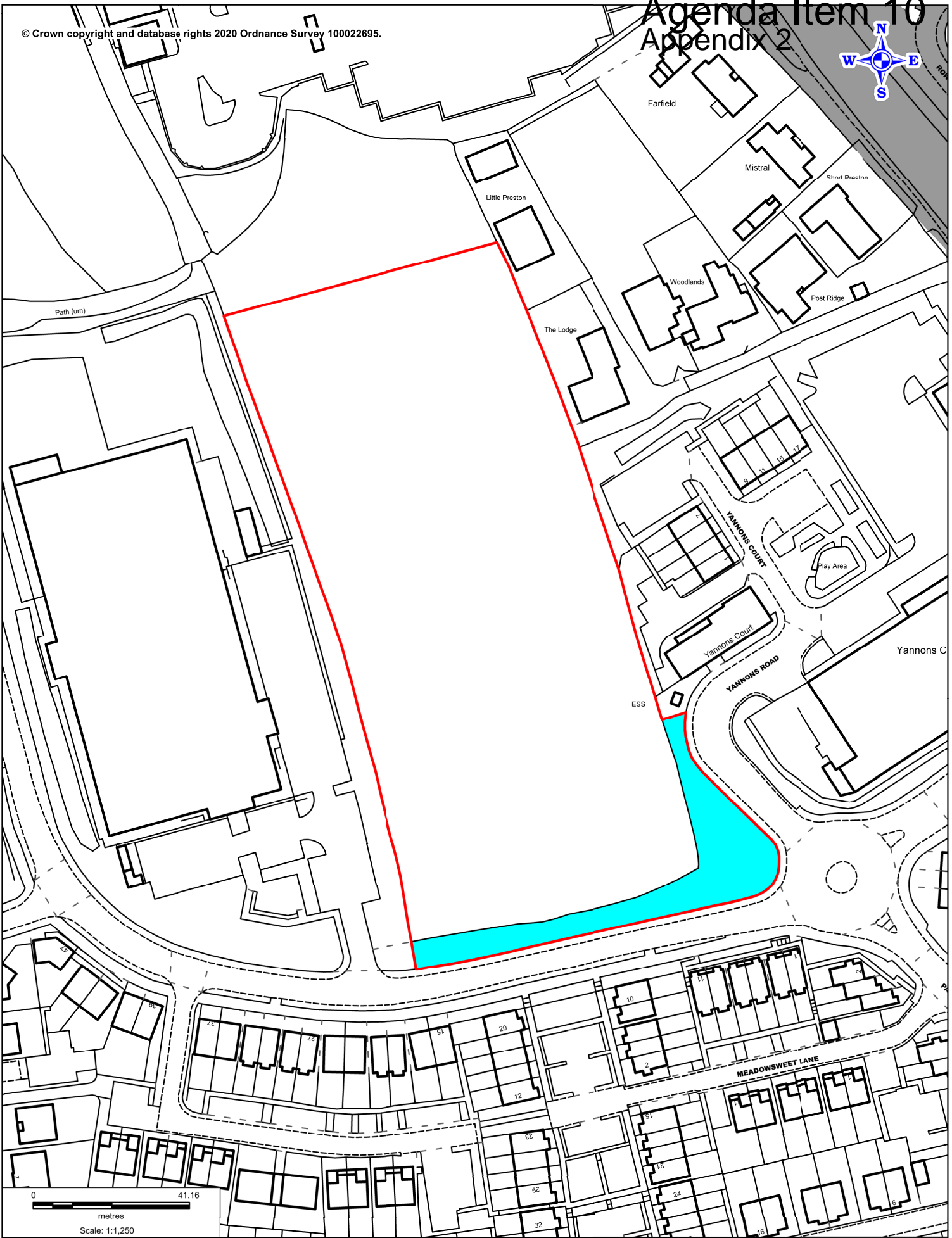
REQUESTED FUNDING ALLOCATIONS FROM THE BASIC NEED 2021/22 ALLOCATION

Basic Need 2021/22 Allocation = £8,609,731

| Project (in priority order) | Amount | Description |
|---|-------------------|--|
| Paignton Academy Expansion Maths Block | £960,000 | Reimbursement of borrowing against future allocations agreed to fund project. |
| Paignton Academy Expansion Classroom Adaptations | £35,000 | Additional work required to mitigate against delays caused by COVID 19 |
| Paignton Academy Expansion Contractual Costs | £50,000 | Additional contractual costs as a result of COVID 19 delays |
| Brunel Academy Vocational Block | £50,000 | Additional contractual costs as a result of COVID 19 delays |
| Burton Academy Extension | £25,000 | Additional contractual costs as a result of COVID 19 delays |
| St Cuthbert Mayne Expansion | £3,600,000 | New project to provide additional secondary school places in Torquay |
| Mayfield Special School Expansion | £1,500,000 | New project to provide additional special school places |
| Sixth Day Provision – Temporary Solution | £250,000 | A temporary solution is required as a result of growing numbers at Mayfield and the delays at Burton resulting in a delay to the availability of the Polsham Centre. |
| SUB-TOTAL | £6,470,000 | |

LA REPAIRS & MAINTENANCE PROGRAMME 2020/21

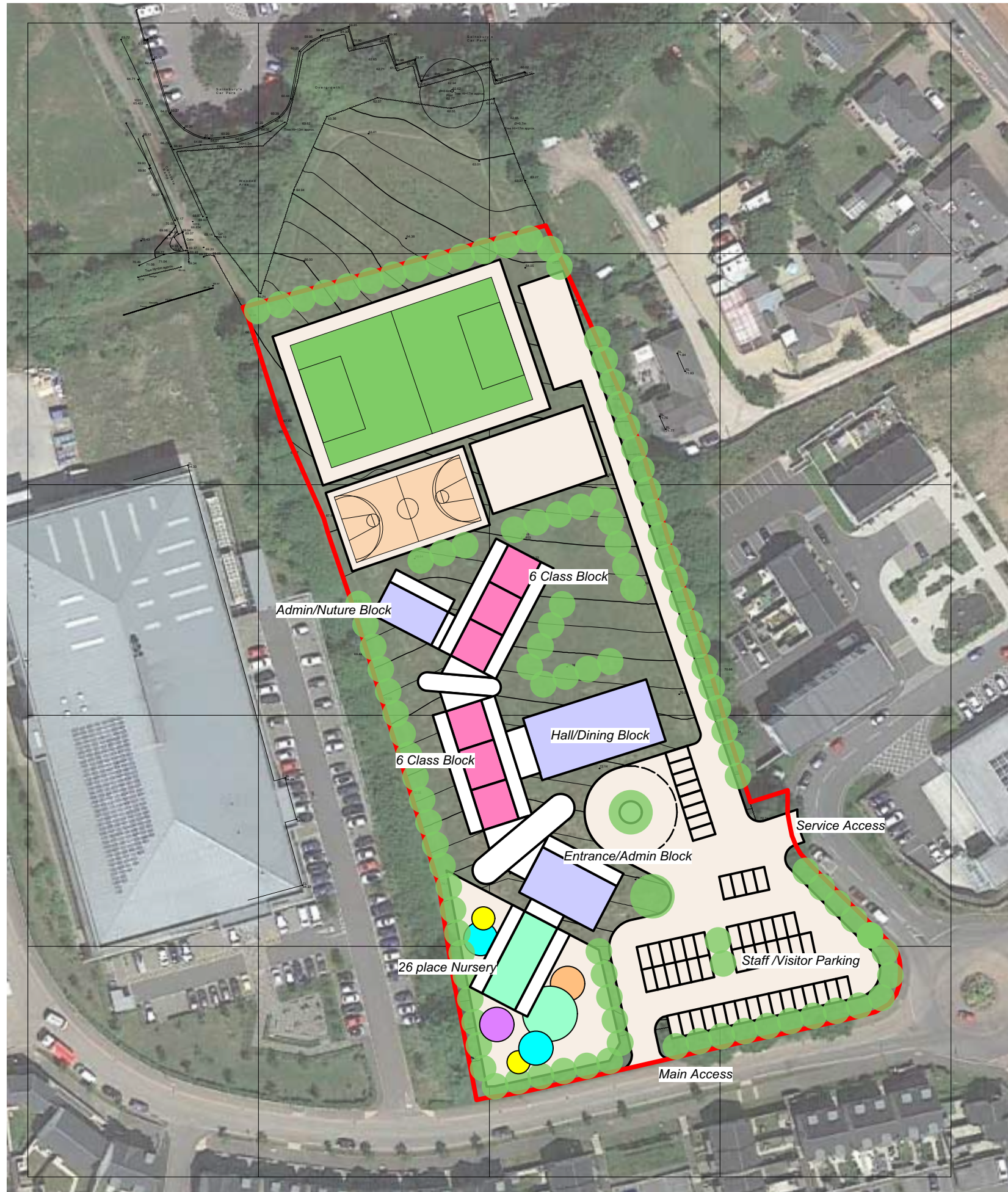
The DfE have confirmed the LA’s 2020/21 allocation for Schools’ Condition Works. Officers have compiled a list of priorities for investment that will be managed in two phases. Larger projects will be undertaken during the summer holidays or programmed to fit in with school holidays. To support this work and to assist with the prioritisation of work in phase two and over the next four years, the LA has commissioned condition surveys for its remaining maintained schools.



EM Plan No: EM3506
Date: 1st June 2020
Title: Land at Wilkins Drive, Paignton.

LR Title No: DN450424 & DN168569
Scale: 1:1250
Area: 14,255 m²



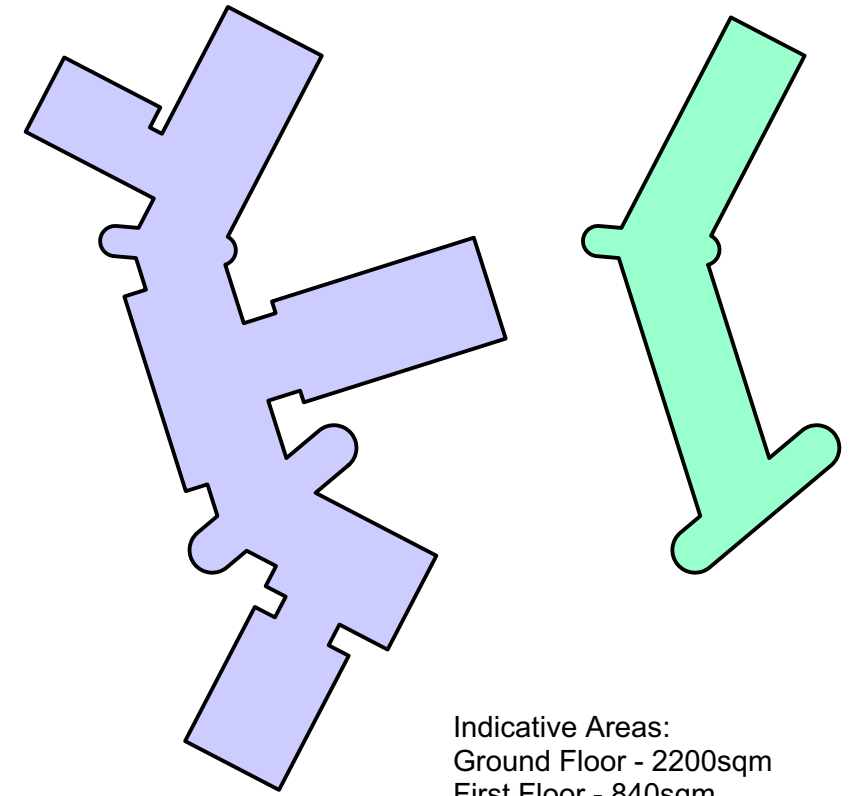


SKETCH SITE LAYOUT

100 metres



scale 1:1000



Indicative Areas:
Ground Floor - 2200sqm
First Floor - 840sqm

| Rev. | Date | Details | Initials |
|---|------|-----------|----------|
| Revisions | | | |
| TDA TOR HILL HOUSE TORQUAY, TQ2 5QW TEL: 01803 207948 enquiries@tda.uk.net www.tda.uk.net | | | |
| | | | |
| drawing title | | date | |
| FEASIBILITY STUDY & SITE OPTION APPRAISAL | | June 2020 | |
| project | | scale | |
| Yannons Trade Park, Wilkins Drive, Paignton. | | 1:1000 | |
| drawing | | size | |
| PROPOSED SKETCH SITE LAYOUT | | A3 | |
| drawing no. | | drawn | |
| 3855.SK.03 | | JLC | |
| rev. | | | |

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Meeting: Cabinet

Date: 4th July 2020

Wards Affected: All wards in Torbay

Report Title: Fostering Annual Report

Is the decision a key decision? No

When does the decision need to be implemented? N/A

Cabinet Member Contact Details: Councillor Cordelia Law, Cabinet Member for Children's Cordelia.law@torbay.gov.uk

Director/Assistant Director Contact Details: Nancy Meehan – Director of Children's Services Nancy.meehan@torbay.gov.uk

1. Purpose of Report

- 1.1 This report has been prepared to provide members with a copy of the 'Fostering Services Annual Report' which details the activities undertaken within the service over the last 12 months (April 2019 – March 2020).
- 1.2 The Fostering Report summarises the performance of the Torbay Fostering Service during 2019/20 and also provides an update on the roles and functions of the Fostering Service, including the introduction of a specific Special Guardianship support service set up in 2019.
- 1.3 The Fostering Report also provides an update on the continuing progress being made by Torbay towards having a well-developed and targeted variety of community support arrangements and high quality placements within and around Torbay and sets out the plans for future service development.

2. Reason for Proposal

- 2.1. The Annual Report for the Fostering Service sets out the work completed over the last year and establishes the work which should be undertaken in the coming year.
-

3. Recommendation(s) / Proposed Decision

- 3.1 That members note the attached Fostering Services Annual Report

Appendices

Fostering Services Annual Report 2019/2020

Fostering Services Annual Report 2019/20



Executive summary

The Council revised the sufficiency strategy in October 2019. At that stage the number of placements of children 20 miles or more away from their home was 136 or 39.3% of the looked after population in Torbay. Overall, 174 children (49%) are placed outside of the authority's boundaries. The latest comparator figures show national averages to be at 13% for children placed 20 or more miles away and 12.3% of children are placed outside of the local authority boundary. This data demonstrates graphically the importance of immediate action to firstly, understand our social work and commissioning practices and, secondly, to ensure we have placements available for children close to their home.

Figures for Children looked after in March 2019 indicate an increase of 29 to 359 from September 2018 data when 327 children were looked after by the authority (not including those children being looked after as part of a respite care arrangement). This is 39 children more than in 2017 indicating a 13.5% increase. This means that 129 per ten thousand children are now looked after by the authority which reflects an unsustainable 79% increase since 2010. This rate is marginally over double the national average and significantly exceeds, by 36%, the average of our statutory neighbours which is a concern on both counts. In our Statistical Neighbour Group, our rate is only exceeded by Blackpool, a local authority also judged to be inadequate in its last inspection.

Fostering is a key strategic priority and we must invest in a shared view that fostering should be available for our children locally.

The emphasis of the service during Quarter 4 of the year has been focused intently upon future requirements for the service. This is to ensure that we are able to meet the sufficiency challenges facing the council.

In March 2020, a paper which intends to improve the role of fostering and make it central to the sufficiency strategy was agreed by Cabinet.

This will be achieved by:

- Implementing a revised fee structure for Torbay Foster Carers by the end of May 2020 and linking this both to skills of the carer and to the age of the child. This proposal will be subject to a short consultation period with foster carers and it is noted that no carers will be negatively affected by changes in the fee structure. We are also committed to providing opportunities for dialogue and feedback.
- Creating a Resilience Fostering Service. This will be to provide homes as a direct alternative placement option for those children who are at risk of being placed in, or are currently in residential care.
- Provide specialist and targeted training to all foster carers and supervising social workers. This training will be extended to those workers who are involved in the edge of care work. This training will focus on trauma informed practice and providing support and training in the use of Non-Violent Resistance. It is intended to fund this through the existing training budget.
- Improve placement stability by providing access as required to support services to work with the child and the carer.
- Improving access for foster carers to the edge of care team to promote resilience in care arrangements and to promote placement stability.

Fostering Services cannot do this alone and the Council's updated sufficiency strategy (October 2019) sets an ambitious, yet fully achievable aim to improve the placement sufficiency for children at the same time as being able to achieve cost reductions. The fostering service fits alongside, and has interdependencies with the implementation of a fully functioning Edge of Care service to support older children to remain at home. This will be achieved by the development of residential services local to Torbay. It will also improve and ensure timely permanence decisions for children and ensure that there is stable and sustainable workforce.

This report identifies that the fostering service in the year 2019/20 has not yet achieved a position where it offers high quality services to most children and young people in Torbay, and has not achieved its recruitment targets for the year. The report does demonstrate that the service is absolutely focused on what is needed to support Torbay children and during Quarter 4 (January–March 2020) has demonstrated its commitment to improvement during the 2020/21 year.

Introduction

This is a report of the Fostering Service and covers the period of April 2019 – March 2020.

This report will address the roles and functions of the Fostering Service including the introduction of a specific Special Guardianship support service set up in 2019. It will also update on the continuing progress being made by Torbay towards having a well-developed and targeted variety of community support arrangements and high quality placements within and around Torbay.

In previous reports it was acknowledged that the fostering team lacked the ability to be able to provide information to inform the key indicators for data reports and that this would need to be addressed. By the beginning of 2019 PARIS was set up to provide daily reports to managers on outstanding tasks within the service to ensure minimal drift and delay and obtain a more accurate reflection on service delivery.

Throughout 2019/20 the Fostering service has endeavored to ensure that there are a range of placement options for children which offer both high quality and cultural appropriateness. We recognize that much more still needs to be done in order to provide a fully diverse range of placement options which will meet the needs of the children of Torbay and 2020/21 will be crucial in demonstrating how the service is meeting these demands.

Role of the Fostering Service

The Fostering Service continues to develop and improve practice to meet the needs of Children looked after in Torbay in line with the requirements of National Minimum Standards 2011 and Fostering Regulations.

Currently the Fostering Service provides a range of different placement types that are as follows:

- **connected persons:** A connected person is a relative, friend or other significant person connected with a child. Family and friends can play a unique role in enabling children and young people to remain living with people they know and trust if they cannot, for whatever reason, live with their parents.
- **short-term fostering:** Some children initially live with short term foster carers whilst decisions are made around their permanence, including reunification with their families.
- **long-term fostering:** A child will become part of a family until they grow up. Not all children want to be adopted, especially older children or those who continue to have regular contact with relatives.
- We also aspire to improve access to **resilience fostering**. This will include provision for specific 'remand' placements, and foster carers to support young people in care aged 10-18 years with particularly complex needs. Some of these children may additionally be in the youth justice system or disabled. This is a specialist role, and the foster carers need skills and experience of

working with these groups to really make a difference, help them turn their lives around and reach their full potential. We will also consider the efficacy of introducing a parent and baby foster care resource as a direct alternative to residential provision.

It is also responsible for:

Recruitment and assessment of foster carers, support, supervision and training of foster carers and promoting placement stability and permanence planning. Additionally, it is responsible for respite and short term breaks for children with disabilities and their families and for supporting transitions to permanence through adoption or return home.

All foster carers are supervised and supported by social workers within the fostering team and this includes all connected carers who are afforded opportunities to engage in training and support alongside other foster carers.

The overall aim of the Fostering Service is to provide a range of high quality, safe and aspirational foster placements that meet the needs of Torbay children looked after.

The priorities of the Fostering Service are to ensure that:

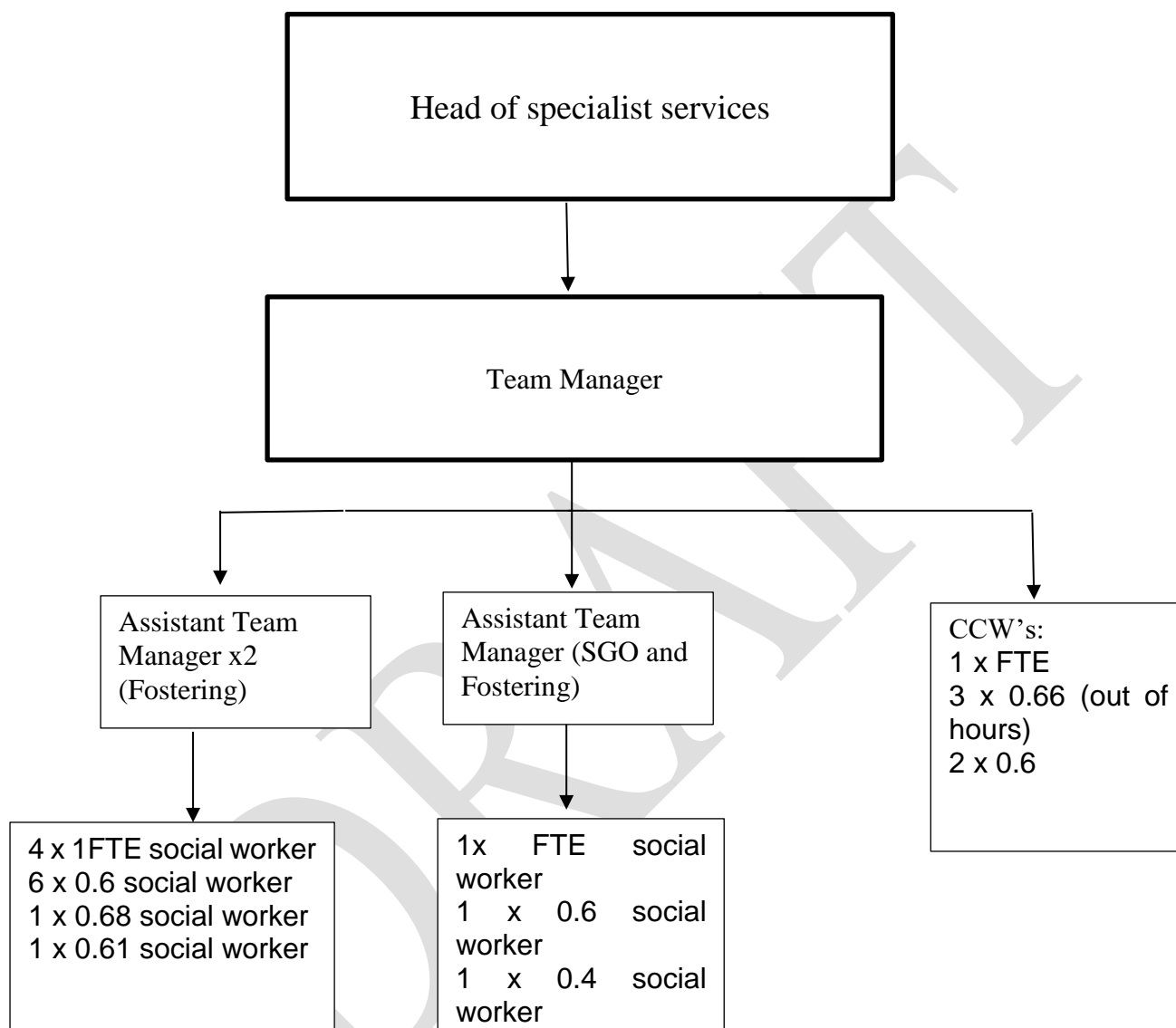
- All children who come into care have an experience of safe, secure and consistent care.
- All children experience a safe place within which they can play, grow and thrive, being supported to reach their full potential.
- Ensure the holistic needs of any child are addressed and supported through health, education and social development enhancing opportunity to develop resilience and achieve.
- Support early Permanence for children in care and ensure that children who cannot safely remain at home are offered a permanent family base without delay.
- That we have sufficient local placements for children who come into care, and that those placements are well supported.

Service Structure

Torbay's Fostering Service is managed under the Head of Service for Specialist Services. There is an operational Team Manager who has the responsibility for the overall service, including the quality assurance of reports to the fostering panel linking and acting as the agency advisor.

Additionally there are three assistant team managers who have defined areas of responsibility and who offer supervision and line management to staff within the team.

Team structure



Children Looked After

As mentioned at the beginning of this report, figures for Children looked after in March 2019 indicate an increase of 29 to 359 (13%) from September 2018 data when a total of 324 children were looked after by the authority by the end of 2018 (not including those children being looked after as part of respite care arrangements). This is 39 children more than in 2017 indicating a 13.5% increase. Currently, 129 per ten thousand children are now looked after by the authority which reflects an unsustainable 79% increase since 2010. This rate is marginally over double

the national average and significantly exceeds by 36% the average of our statutory neighbours (SN) which is a concern on both counts. In our SN group, our rate is only exceeded by Blackpool, a local authority also judged to be inadequate in its last inspection.

| Age group | GENDER | 03/2016 | 03/2017 | 03/2018 | 03/2019 | 09/2019 |
|--------------------|--------|------------|------------|------------|------------|------------|
| under 1 | F | 6 | 11 | 14 | 8 | 12 |
| | M | 5 | 8 | 15 | 5 | 7 |
| | U | | | | | 1 |
| 1-4 | F | 18 | 18 | 23 | 28 | 26 |
| | M | 14 | 14 | 17 | 26 | 12 |
| 5-9 | F | 32 | 27 | 31 | 28 | 27 |
| | M | 36 | 33 | 27 | 35 | 34 |
| 10-15 | F | 48 | 61 | 68 | 75 | 79 |
| | M | 66 | 62 | 73 | 91 | 81 |
| 16+ | F | 26 | 17 | 24 | 30 | 34 |
| | M | 25 | 32 | 32 | 33 | 38 |
| Grand Total | | 276 | 283 | 324 | 359 | 351 |

The cohort of children looked after gradually increased in the last financial year (April 2018-March 2019) with 359 children looked after in March 2019 before a slow decrease was noted in the period to September 2019. Data underpinning the above statistics clearly show that the highest need for placements is for the age ranges 10 - 15 years old followed by the 16 plus cohort.

Data obtained from the 2019/20 sufficiency strategy tells us that the number of placements of children 20 miles or more away from their home is 136 or 39.3% of the looked after population of Torbay. Overall, 174 (49%) children are placed outside of the local authority's boundary. The latest comparator figures show national averages to be at 13% for children placed 20 or more miles away and 12.3% beyond boundaries. This data demonstrates graphically the importance of immediate action to both understand our social work and commissioning practices and to ensure we have placements available for children close to their homes.

Although there has been some levelling off in the numbers of children in care in 2019, there has been a steady rise in the care population since 31st March 2016 with data collated in September 2019 showing an increase of 27% (359 looked after children) . As stated above, of significance are the increases in the 10-15 and 16+ cohorts which are numerically (by 46 and 21) and proportionately (by 40% and 41%) significantly increased. It is well researched that without concerted action, children in these age groups are more likely to remain in the care population and are likely to be disproportionately represented in high cost placements.

Recruitment Performance

During 2019/2020 the fostering service received a total of 51 initial enquiries from which two fostering households were approved.

| Years | Number of enquiries | Approvals | Conversion % |
|-------------|---------------------|-----------|--------------|
| 2014- 2015 | 118 | 29 | 24 |
| 2015- 2016 | 65 | 10 | 15 |
| 2016- 2017 | 42 | 3 | 7 |
| 2017 - 2018 | 86 | 10 | 12 |
| 2018 - 2019 | 45 | 4 | 9 |
| 2019 - 2020 | 51 | 2 | 4 |

The conversion of enquiries to approval as foster carers during 2019/20 has been low at 4%. In recognition of this, the sufficiency strategy has acknowledged the need for the Council to revise its communication and marketing strategy for the recruitment of foster carers. It has also acknowledged the need to adopt an ambitious and targeted approach to increase the number of in-house carers, including those who provide specialist services. This will also include the potential to explore collaborative approaches of different types with neighbouring councils, and the creative use of media.

The service identified a target to increase the fostering households in Torbay in 2019/20 by net 10. This target has not been met, reflecting poor recruitment activity in the early parts of the year before significant improvement in quarter 4. The recruitment activity has resulted in 8 assessments starting in Quarter 4, with approval dates expected in Quarter 2 and 3 of 2020/21. One household was approved at fostering panel in early April 2020. The improved position has been assisted by re-focusing work from the Community Care Workers in the team to responding to all enquiries within 24 hours and arranging to meet with potential foster carers within 72 hours. We will introduce a recruitment officer post in the 2020/21 year to support the ongoing recruitment activity within the team.

Numbers of Foster Carers (as at 31st March 2020):

As of 31st March 2020 the total number of approved fostering households was 98 which is comprised as follows:

| Fostering Household types (sum 98) | Numerical | % |
|------------------------------------|-----------|-----|
| Mainstream (units) | 74 | 75% |
| Respite only (units) | 2 | 2% |
| Family and Friends (units) | 22 | 22% |

Keeping Torbay children as close to their family origin where appropriate is a key measure of positive outcomes for children and young people. Regrettably the target to increase by net 10 was not met this year.

Throughout 2019/2020 financial year there have been **0** cases through the Independent Review Mechanism process.

During 2019/2020 12 mainstream foster carers were de registered

There are broken down as follows:

- 5 carers resigned following concerns raised about their care.
- 1 resigned due to change in circumstances
- 1 resigned after 35 years
- 1 resigned and moved to an independent foster agency.

Recruitment and Marketing Strategy and Campaign

Although we are fortunate to have committed and experienced foster carers who demonstrate compassion and willingness to love and care for children, new foster carer enquiries numbers remained low in Torbay in the 19/20 year which is concerning when considering the year on year increase of children coming into care as mentioned earlier in this report.

To help resolve this the Fostering Team have identified the need for a reinvigorated fostering campaign which has included redesigning our recruitment materials to target families who will be able to care for children from ethnic minorities, sibling groups, adolescents and children who are disabled. The new campaign will be launched, alongside an improved foster carer offer, during fostering fortnight in May 2020.

In addition, we have undertaken drop in information sessions once a month for prospective Foster carers, the last one generating two new enquiries before the COVID 19 pandemic. We have also placed our marketing posters across Torbay in locations such as bus stop advertisement boards. We have advertised on local radio and in local newspapers and are supported by some local businesses which has enabled us to provide free tickets to football matches, shows and seasonal events. As stated herein, there has been a significant increase in enquiries and the allocation of assessments during Quarter 4.

Foster carer support

Over the last year we have established a process and developed the performance indicator system to ensure that we have management oversight on all of our fostering files. As stated this makes sure that foster carers are receiving regular supervision and that their annual reviews remain on time.

The fostering service provide training, support and development to all foster carers as required through Fostering Regulations and National Minimum Standards 2011. A specific PACE course was delivered twice in 2019 as well as courses around blocked care, de-escalation techniques and attachment trauma. Additional workshops will be provided to cover key issues such as allegations, supervising contact, online safety and child exploitation this year.

Quarterly Foster Carer forums are held, during which we invite guest speakers to share knowledge and expertise from their field. Additionally, fostering support groups are run monthly with staggered times (including evenings) and venues to ensure those foster carers that wish to attend are able to do so.

A clinical psychologist has worked within the service for one day per week during Quarter 3 and 4. The support provided to carers was a consultation process to provide advice and guidance. Unfortunately the impact on children is limited in the 2019/20 year. We intend to put in place support for carers by training Community Care Workers in the facilitation of Non-violent Resistance (NVR) and Dyadic Developmental Psychotherapy (DDP) in Quarter 1 and 2 of 2020/21. It is intended that this will support foster carers to prevent placement breakdown and to promote placement stability.

Special Guardianship support team

The Special Guardianship support team was set up in March 2019 having previously been provided for within the Adoption service until this moved to the Regional Adoption Agency. Currently the team offers support to twenty guardians who have been through the court process and now have permanence orders in place for children. Additionally another 52 Special Guardians are known to the service and are offered free training in line with Foster carers training and are offered six support sessions per year through the SGO support groups with guest speakers and topics relevant to their needs.

The team took responsibility for commissioning all SGO assessments of children within Torbay in quarter 4. There are currently 12 SGO assessments being undertaken or overseen by the team, of which seven are foster carers wishing to apply for SGO for those children placed with them. The team also supports children's social workers where children are subject to an SGO to access therapeutic support through the Adoption Support Fund (ASF).

Next steps:

As mentioned earlier in this report, Torbay has more than the national average of children aged 11-15 placed with independent fostering agencies (IFA's) which suggests that our 'in house' fostering service is unable to meet the challenges that older children present, which means that the children concerned are often placed in more expensive placements which are also more likely to be out of area.

The Council's updated sufficiency strategy sets an ambitious, yet fully achievable aim to improve the placement sufficiency for children at the same time as being able to achieve cost reductions. The fostering service fits alongside, and has interdependencies with the implementation of a fully functioning Edge of Care service to support older children to remain at home; the development of residential services in Torbay; ensuring timely permanence decisions for children, and that there is a stable and sustainable workforce.

These findings re-enforce the need to focus upon developing the resources that can be provided by our 'in house' carers because firstly it is right for children, and will contribute to easing budget pressures by ensuring that money which has hitherto been spent on placements, can instead be redistributed to providing support directly to children.

This will be achieved by:

- Implementing a revised fee structure for Torbay foster carers by the end of May 2020 and linking this both to skills of the carer and to the age of the child. This proposal will be subject to a short consultation period with foster carers and it is noted that no carers will be negatively affected by changes in the fee structure, but we are committed to providing opportunities for dialogue and feedback.
- Creating a Resilience Fostering Service to provide homes as a direct alternative placement option for those children who are at risk of being placed in, or are currently in residential care.
- Provide specialist and targeted training to all foster carers and supervising social workers. This training will be extended to those workers who are involved in the edge of care work. The focus of such training will be around trauma informed practice and providing support and training in the use of non-violent resistance. It is envisaged that this will be funded through the existing training budget.
- Improve placement stability by providing access, as required, to support services who will work with both the child and the carer.

- Providing access for foster carers to a newly developed edge of care team to promote resilience in care arrangements and to ensure placement stability
- Launching the reinvigorated campaign during fostering fortnight.

DRAFT

Meeting: Cabinet

Date: 14 July 2020

Wards Affected: All

Report Title: Draft Heritage Strategy for consultation

Is the decision a key decision? No

When does the decision need to be implemented? Short term

Cabinet Member Contact Details: Councillor Mike Morey, Cabinet Member for Infrastructure, Environment and Culture and Swithin Long, Cabinet Member for Economic Regeneration, Tourism and Housing

Supporting Officer Contact Details: David Edmondson
David.Edmondson@torbay.gov.uk Assistant Director of Planning, Housing and Climate Change

1. Purpose of Report

- 1.1 Torbay has fascinating history and rich cultural heritage. The entire area is internationally recognised as the English Riviera UNESCO Global Geopark, and our inshore coastline is a Marine Conservation Zone. Torbay is home to part of the South Devon Area of Outstanding Natural Beauty (AONB) along with multiple Sites of Special Scientific Interest (SSSI), Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Parks and Gardens, historic sailing vessels and outstanding museum and archive collections.
- 1.2 Torbay's current Heritage Strategy dates from 2011. It was not formally adopted by Torbay Council and has never been reviewed. Numerous changes have impacted the culture and heritage sector since that time; there also have been significant political changes locally and nationally, and cultural developments on the ground in the bay.
- 1.3 This Strategy is the result of a significant review of heritage in the bay. It was conducted by lead consultant Katherine Findlay at Heritage Arts & People, on behalf of Torbay Council, with advice and support from Council officers, TDA and Torbay Culture. The process continued over several months involving local residents, partner organisation, elected Council members, officers and services. It has also taken place during the global Covid-19 pandemic and at a time of great change in the strategic funding context.
- 1.4 The purpose of the strategy is to clarify Torbay Council's approach to heritage, and to enable the Council to confirm and develop plans for specific locations. The new document sets out statutory requirements (e.g. Listed Buildings, Conservation Area Appraisals, Scheduled Ancient Monuments and non-designated heritage assets). The aim will also be ensure accessibility to a wide readership.

- 1.5 It aligns with local ambitions which are expressed principally through Torbay Together's vision, and complemented by plans and strategies including the *Torbay Economic Strategy 2017-22*, *English Riviera Destination Management Plan 2017-21*, and *Enjoy, talk, do, be: a cultural strategy for Torbay and its communities 2014-24*.
- 1.6 It will be closely linked to the Local Plan review and its key policies, helping build the infrastructure for positive change. The launch of the High Streets Heritage Action Zones [HSHAZ] shows the Government's commitment to historic high streets and realising the potential of our heritage assets. The Strategy therefore also reflects local ambition for renewal of the towns' centres and future funding bids. We recognise there are many competing priorities for limited resources. Part of this process has been to consider how to prioritise heritage, including assets currently on Historic England's Heritage at Risk Register.
- 1.7 The timetable for the review is as follows:
- Expressions of Interest and commission – December 2019
 - Research and writing – February to May 2020
 - Three week public consultation by questionnaire – February
 - Stakeholder meetings and event – February and March
 - Asset scoring and review - March
 - Draft Strategy available – May
 - Four week consultation - July
 - Adoption by Cabinet - September

2. Reasons for Proposal

2.1 This is an overarching document that focuses and co-ordinates a number of key recommendations including; a clear set of objectives for managing and protecting heritage assets, it is a tool to involve and inspire key partners and stakeholders, attract visitors and support our economy and respond to climate change whilst recognising our wide ranging internationally recognised heritage.

2.2 At this stage no financial commitments are identified as part of this report.

3. Recommendation(s) / Proposed Decision

- (i) To recommend the Cabinet approve the Heritage Strategy for a formal four week consultation launch in July 2020 and present the consultation results to future a Cabinet meeting.

Appendices

Appendix 1: Heritage Strategy

Background Documents

[National Planning Policy Guidance \(NPPF\)](#)

Supporting Information:

1. Background:

- 1.1 The Heritage Strategy forms part of the Council's Policy Framework, setting out the Council's ambitions, aims and objectives. As part of its commitment to changing how the Council engages with its residents, communities and partners (and in line with the Council's Constitution), the draft Strategy has been subject to early informal public consultation.
- 1.2 The next stage will be formal four week consultation. Having completed the consultation exercise with the wider community in Torbay the draft Heritage Strategy will be updated to reflect any relevant and appropriate feedback provided by the public, partner organisations and other stakeholders.
- 1.3 The expectation is that the Strategy will be adopted by Members in September.

2. Alternative Options:

- 2.1 The existing Strategy is out of date and was never adopted. A new Strategy is required to reflect the current situation.

3. Contribution to delivery of Council's priorities:

- 3.1 This Council's ambition is:

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 3.2 The proposals in this report will support:

- thriving people; access to heritage and culture can contribute to improved health and wellbeing. The strategy will contribute to creating positive places.
- thriving economy; there is significant change in the strategic funding context. The strategy will support key funding bids. Attracting new and younger visitors and lengthening the tourist season are fundamentally important to Torbay's future economy. This strategy puts heritage at the centre of our visitor offer for the first time.
- tackling climate change; this strategy considers both the risks to historic assets and how we can decarbonise the way we work at and visit heritage sites.
- Council fit for the future; Torbay Council and TDA own and manage a range of historic sites and we support the wider heritage sector across the bay. This strategy aims to strengthen the sector and explains our priorities for key locations.

4. Financial Implications:

- 4.1 The proposal contained in this report do not commit the Council financially.
- 4.2 There is no direct budgetary implication with the preparation of the Strategy itself, however it does set out a timetable and resource implications.

5. Legal Implications:

- 5.1 No legal implications.

6. Consultation:

- 6.1 A wide range of research has been undertaken with data gathered from a three week stakeholder questionnaire. Various stakeholder events and meetings also took place. Overall, the process involved consultation with local residents, partner organisation, elected Council members, officers and services. Key stakeholders included Historic England, English Riviera UNESCO Global Geopark, National Lottery Heritage Fund and National Trust.
- 6.2 More formal, four week consultation will enable the public and key groups to see their comments reflected in the final document. The consultation will be carried out on line and by contacting those individuals involved.
- 6.3 The research and data gathering enabled the team to understand the management of existing heritage assets and prioritise recommendations for their future.

7. Risks:

No expected risks.

8. Public Services Value (Social Value) Act 2012

Purchasing or Hiring of Goods and/or Services.

If the proposal requires:

- the procurement of services or
- the provision of services together with the purchase or hire of goods or
- the carrying out of works

then you have a legal duty to consider the Public Services Value (Social Value) Act 2012. This places a responsibility on public sector organisations to consider social value in service contracts, or where there is a service element in goods or works contracts. It gives us the opportunity to consider, and give weighting to in procurements, any additional community benefits that could be achieved (outside the scope of the procurement). These benefits should link wherever possible to the Community & Corporate Plan and be reviewed as part of contract performance reviews. It is recommended that you obtain further advice or guidance on Social Value and the completion of this section from the Procurement Team. Please outline what considerations have been made (including any consultation) or the reason why you have not included Social Value in this proposal. Example - In a contract for Building works we may ask bidders to show how they would - Promote Local Skills & Employment – They may as part of their bid make a commitment to recruiting at least 10% of new recruits in the next 12months from people who have been

in long term unemployment. This is of no direct benefit to the bid for building works but is of “added Social Value to Torbay”.

Equality Impacts

| 15. | Identify the potential positive and negative impacts on specific groups | | |
|-----|---|--------------------------------------|---------------------------------|
| | Positive Impact | Negative Impact & Mitigating Actions | Neutral Impact |
| | Older or younger people | | There is no differential impact |
| | People with caring Responsibilities | | There is no differential impact |
| | People with a disability | | There is no differential impact |
| | Women or men | | There is no differential impact |
| | People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> | | There is no differential impact |
| | Religion or belief (including lack of belief) | | There is no differential impact |
| | People who are lesbian, gay or bisexual | | There is no differential impact |
| | People who are transgendered | | There is no differential impact |
| | People who are in a marriage or civil partnership | | There is no differential impact |
| | Women who are pregnant / on maternity leave | | There is no differential impact |

| | | | | |
|-----|---|----|--|---------------------------------|
| | Socio-economic impacts (Including impact on child poverty issues and deprivation) | | | There is no differential impact |
| | Public Health impacts (How will your proposal impact on the general health of the population of Torbay) | | | There is no differential impact |
| 16. | Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above) | No | | |
| 17. | Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above) | No | | |

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Torbay Heritage Strategy 2021-2026



Heritage skills learning aboard *Vigilance*
with thanks to Friends of the *Vigilance*

TORBAY COUNCIL



TORBAY CULTURE
BECAUSE IT MATTERS | EST. 2015



Contents

| | |
|--|----|
| Foreword..... | 2 |
| Part 1 | |
| Introduction | 3 |
| Vision..... | 3 |
| Purposes..... | 3 |
| Approach..... | 3 |
| Policy context..... | 4 |
| Torbay’s history in brief..... | 6 |
| Heritage assets and designations | 8 |
| Vulnerabilities and opportunities | 10 |
| Vulnerabilities..... | 10 |
| Opportunities..... | 11 |
| Objectives | 12 |
| Part 2 | |
| Heritage services and sector..... | 14 |
| Our stories..... | 18 |
| Geology | 18 |
| Early humans..... | 22 |
| Monastic and medieval..... | 24 |
| Agricultural life..... | 27 |
| Napoleon..... | 30 |
| Trawling..... | 32 |
| Golden Age of the resorts..... | 34 |
| Agatha Christie and writers on the Riviera | 39 |
| Emerging stories | 42 |
| Acknowledgements..... | 44 |

Foreword

The Torbay Heritage Strategy is the result of a significant review of heritage in the Bay. The review was conducted over several months. It involved consultation with local residents, partner organisation, elected Council members, officers and services, and consideration of the changes in local and national plans and policies. It took place during the global Covid-19 pandemic and at a time of great change in the strategic funding context.

Throughout the process we have been keen to ensure this strategy is rooted in the needs and aspirations of Torbay and its residents. Whilst the focus is on cultural heritage and the historic environment, the wider context has been important and shaped this work. Torbay has a fascinating history and rich heritage. The entire area is internationally recognised as the English Riviera UNESCO Global Geopark, and our inshore coastline is a Marine Conservation Zone. Torbay is home to part of the South Devon Area of Outstanding Natural Beauty (AONB) along with multiple Sites of Special Scientific Interest (SSSI), Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Parks and Gardens, historic sailing vessels and outstanding museum and archive collections. We also know there are many competing priorities for limited resources. Part of this process was to consider how to prioritise heritage, including assets on Historic England's Heritage at Risk Register.

The heritage review was conducted by lead consultant Katherine Findlay at Heritage Arts & People, on behalf of Torbay Council, with advice and support from Council officers, TDA and Torbay Culture. Our thanks go to Katherine for her excellent work on the review and report; and to all the people who responded to questions, attended consultations, and shared their thoughts during the process. This strategy sits alongside the wider cultural strategy 'Enjoy, Talk, Do, Be' – a cultural strategy for Torbay and its communities 2014-24. It is aligned with the Torbay Local Plan and will inform its upcoming review, the English Riviera Destination Management Plan, the Torbay Economic Strategy, and the UNESCO Global Geopark validation.

Heritage is not only about looking to the past, preserving and conserving. It is about the people and the places of today. Progress, enterprise and economic development need not happen at the expense of cultural heritage or the historic environment and in the same way we should not see our heritage as a barrier to change. Singapore - often cited by world leaders as an example of economic progress - has recognised this. Lee Kuan Yew, founding Prime Minister of Singapore, said about his nation's heritage plan in 2005:

'Heritage is not something static, lying hidden to be discovered, admired and conserved. It is a part of the lives of people, and it shapes the ways a people meet new challenges and helps them adapt to survive'

We hope this new strategy provides a pathway for Torbay's fascinating and significant heritage. The coronavirus pandemic resulted in profound challenges for all of us, including the heritage and culture sectors. But we know that holding true to a good vision can improve the quality of life for people in the Bay. Heritage has a major role to play in that.

Signatories

Leader of the Council/Deputy Leader/Council officer/Torbay Culture

Part 1

Introduction

Vision

People in Torbay can actively engage with and contribute to our built, natural and cultural heritage at all stages of life. Heritage assets are integrated into services for all, providing opportunities for learning, creativity, enjoyment and volunteering. Heritage sites are protected and enhanced to make the most of their historic, environmental and cultural value. Locally and nationally, Torbay is perceived as a heritage destination with a rich and unique history. Heritage attractions are thriving within well-maintained historic townscapes and landscapes. Historic buildings are reused in sustainable and imaginative ways and new developments find inspiration in a distinctive past.

Purposes

The Torbay Heritage Strategy enables our vision to be realised by setting out a clear and focussed agenda for elected Council members and officers at Torbay Council, TDA and Torbay Culture to follow until 2026. It is also a tool to involve and inspire developers, building owners, heritage organisations and voluntary groups.

There is enormous interest in local heritage among Torbay residents and this strategy encourages opportunities for all our communities to understand, enjoy and share our history. It provides protection for the historic environment and highlights our museum and archive collections. It encourages new development that respects and finds inspiration in the distinct characters of our towns and countryside.

Attracting new and younger visitors and lengthening the tourist season are fundamentally important to Torbay's future economy. This strategy puts heritage at the centre of our visitor offer for the first time.

Torbay Council and TDA own and manage a range of historic sites and we support the wider heritage sector across the Bay. This strategy aims to strengthen the sector and explains our priorities for key locations.

The climate emergency affects every area of our work so this strategy considers both the risks to historic assets and how we can decarbonise the way we work at and visit heritage sites.

All of Torbay's human stories have their roots in the land and the sea. The international significance of our geology and the culture associated with it is recognised in the English Riviera's designation as a UNESCO Global Geopark. This strategy supports the Global Geopark as an overarching framework within which the social, cultural, economic and environmental benefits of conserving our heritage are fully utilised to build a thriving future.

Approach

Torbay Council, TDA and Torbay Culture commissioned an independent heritage consultancy, Heritage Arts and People (HAP), in January 2020. The approach was to consult widely both internally and externally at the start of the process and to develop the Torbay Heritage Strategy in response.

There was an online residents' consultation that received 745 responses. It found that local people care deeply about special places and are enthusiastic about opportunities for greater engagement as

visitors, volunteers and event attendees. This strategy was created in response to the priorities, concerns and ideas raised by this consultation.

There was also a stakeholders' gathering for heritage sector organisations, in addition to individual meetings, and many local heritage organisations have kindly contributed their expertise and views.

From this process, we drew out a series of stories that make Torbay special and developed a set of objectives around them.

The list of objectives is set out in full at the conclusion of part 1, on pages 12-13. Some of these objectives will be fully achievable by 2026, while others will progress as part of a longer-term process.

In Part 2, we explore each story in more detail and list its main historical assets. Key sites are presented in order of priority for action, using a 'traffic light' system. A table shows the objectives associated with each story and lists how we will know if we are on course to achieve them. The strategy does not set out individual tasks – these are set in a complementary Annual Heritage Action Plan.

In addition to the main stories, we examine cross-cutting issues and consider how heritage relates to wider public services in 'Heritage sector and services'.

It should be noted that the latter stages this work were undertaken during the Covid-19 pandemic, in unprecedented conditions. The demands on local authorities and the availability and focus of external funding in the coming months and years is unknown at the time of writing, so the objectives in this documents will need to adapt to the future context. The role of heritage in Torbay's recovery is considered in more detail in the 'Emerging stories' section.

Policy context

The Torbay Heritage Strategy does not exist in isolation; it supports and is supported by a series of interlocking policy documents. As heritage interacts with so many aspects of life, this strategy complements Torbay Council, TDA and Torbay Culture's approach to a wide range of policy areas and functions within the context of national and local planning.

National

[National Planning Policy Framework \(NPPF\)](#) sets out the Government's planning policies for England and how these should be applied. It states very clearly the importance of the conserving and enhancing the historic environment and a wide range of heritage assets.

Torbay

[Torbay Council's Corporate Plan](#)

The Corporate Plan articulates at a strategic level the ambitions of the Council and the principles within which the Council will operate.

[Torbay Local Plan 2012-2030](#) provides the basis for planning decisions within Torbay. It has five overarching aspirations, including the protection and enhancement of a superb environment. It requires that new development sustains and enhances historic features that make an important contribution to Torbay's built and natural setting and heritage.

[Enjoy, talk, do, be: a cultural strategy for Torbay and its communities 2014-24](#) recognises that involvement in heritage activities provides a sense of connection that helps maintain social capital in a time of significant change.

[Torbay Economic strategy 2017-22](#) identifies tourism as a key sector and recognises the value of local heritage assets to growing the visitor economy

[English Riviera Destination Management Plan 2017-21](#) states that cultural tourism can and should be increased in Torbay.

The [Urban Design Guide](#) Supplementary Planning Document was adopted in 2007. A new document is expected as part of the Local Plan review. It will be to guide the general form and design of future development within Torbay, with consideration to Torbay's unique environment, townscape character and urban form and heritage.

This [Greenspace Strategy](#) outlines how Torbay Council and the community, intend to deliver and maintain high quality green spaces which enable equal access and opportunity for all, as well as protecting and enhancing the local environment.

In May 2020 WSP were commissioned to produce a Local Cycling, Walking and Infrastructure Plan (LCWIP) for Torbay. As part of the data gathering for this process, heritage assets will be included in the assessment of trip generators and attraction.

Local

[South Devon AONB Management Plan 2019-2024](#) commits to conserving and enhancing the AONB's historic features and distinctive vernacular buildings as part of a living and working landscape.

[Torquay, Paignton, Brixham Neighbourhood Plans 2019](#) all aim to protect and enhance local identity and the historic environment.

[Policies diagram and adoption process flowchart](#)

Torbay's history in brief

The foundation of Torbay's exceptionally long human story is its geology. The sea carved out the Bay from the soft red sandstone, leaving the limestone headlands at Hope's Nose and Berry Head.

Torbay's geology has fascinated scientists for centuries and is the source of the name used around the world for the period in which these features formed: the Devonian. Over millions of years, the action of the sea on the limestone created a number of caves such as Kents Cavern in Torquay and Windmill Hill Cavern in Brixham. Discoveries in the caves have revealed human occupation going back half a million years, making Torbay internationally important for Palaeolithic archaeology. There is evidence here of three of the four human species ever to have lived in Britain.

Later, Neolithic and Bronze-Age farmers left signs of their passing at Wall's Hill and Broadsands tomb. This was the beginning of the small-scale farming and fishing that were the way of life for generations of Torbay people who shaped the landscape we see today.

We currently know little about Torbay during Roman times, but new discoveries in other parts of Devon are transforming our understanding of the period and we hope to find more local evidence in the coming years.

In the Middle Ages, Torquay developed around the Saxon hamlet of Torre (from 'tor' meaning hill or craggy peak). Torre Abbey, one of the most important historic buildings in the Bay, was the base for the monks who controlled much of the Bay and are credited with building the first fishing quay. Paignton appeared in the Domesday Book in 1086 as Peinton. The earliest settlement is believed to have taken place around 700 AD – the name means 'the farm of Paega's people'. Meanwhile, Brixham evolved from the Saxon 'Brioc's Ham'. Higher Brixham was originally a rural settlement while in Lower Brixham fishing was the main activity.

The harbour at Brixham grew due to the safe anchorage created by the shape of the Bay. William of Orange, later King William III of England, landed with his army there in 1688. It was used by the naval fleet during times of crisis, prompting the construction of the Berry Head Forts during the Napoleonic Wars.

Napoleon himself was an early tourist attraction on a prison ship anchored off Torquay, while the families of naval officers came to settle in the area. Torbay became famous for its mild climate and beauty and a resort began to grow at Torquay. From the Georgian period and accelerating in the Victorian and Edwardian eras, the grand villas and mansions that give much of the town its distinct character were built for visiting gentry. The town's prosperity was reflected in fine civic buildings such as the Town Hall. Agatha Christie was born in Torquay in 1890 and spent much of her life in Torbay.

As mass tourism became a possibility with the development of the railways, so new structures sprang up in Torquay and Paignton, including promenades, parks and gardens, theatres, picture houses and dance halls.

Brixham in the nineteenth century was a thriving fishing port, and it was here that deep sea trawling was pioneered, a development that had a profound impact on all the sea fishing communities of Northern Europe.

In the twentieth century, Torbay played an important role in the First and Second World Wars, as a site for war hospitals, training and troop billeting, and an embarkation point for the D-Day landings.

In the post-war period British tourists took advantage of new cheap ways to travel abroad and Torbay's resorts felt the effects of a decrease in the popularity of seaside holidays. Torbay became a popular retirement and relocation destination for people from other parts of the UK, in particular the English Midlands. Being coastal, Torbay has always welcomed overseas travellers, and in the twenty-first century it became home to a new Polish community, among others.

The thread that runs throughout our history is the coastal landscape. The richness of the sea and the land and the mild climate have attracted people for millennia and continue to do so. Countless generations have left their mark here, shaping the rural and urban landscapes that we know today. These layers of history are an essential part of Torbay's unique character and the foundation of a dynamic, inclusive heritage for everyone who lives, works and visits here.

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Heritage assets and designations

Historic England defines a heritage asset as:

‘A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority.’

When producing this strategy, we undertook a detailed assessment that rated Torbay’s designated assets according to their significance, vulnerability to climate change and other threats, their potential for viable use and their accessibility. The types of designation included are listed below.

In addition, we believe that although they are not part of the planning system, artefacts and archives profoundly enrich our understanding of places and should be cherished and understood in tandem with them. Torbay holds collections of enormous interest, including items of international importance. Therefore, these types of asset are also listed in relation to the places and stories they illuminate.

Listed buildings are considered to be of national importance and are therefore protected. Listed buildings come in three categories of significance’:

- Grade I for buildings of the highest significance
- Grade II*
- Grade II

There are currently 865 listed buildings in Torbay. 96% of these are Grade II listed. In the limited space of this strategy we consider Grade I and Grade II* buildings individually while Grade II listings are largely considered collectively as part of Conservation Areas. Occasionally a Grade II listed building is considered individually where it is of particular relevance.

Conservation Areas exist to manage and protect the special architectural and historic interest of a place. There are some extra planning controls and considerations in place to protect them. Torbay currently contains 24 Conservation Areas. There are 16 in Torquay, four in Paignton and four in Brixham.

Scheduled Monuments are important historic buildings or sites that are not used as a dwellings or for worship. There are currently 13 Scheduled Monuments in Torbay.

Registered Parks and Gardens are planned open spaces such as private gardens, town squares, parks and cemeteries. There are currently six Registered Parks and Gardens in Torbay.

Environmental designations

Many heritage sites in Torbay also have high environmental value and so have multiple designations. This strategy complements Torbay Council’s work on green infrastructure and we believe that our approach to heritage and the environment must be co-ordinated. Therefore, this strategy takes account of environmental designations where they apply to heritage sites. These include:

- UNESCO Global Geopark
- Area of Outstanding Natural Beauty (AONB)
- Sites of Special Scientific Interest (SSSI)

- Special Areas of Conservation (SAC)
- National Nature Reserves (NNR)
- Local Nature Reserves (LNR)
- Public Right of Way (PROW)

Assets beyond Torbay

There are some heritage assets beyond the boundary of Torbay that are intrinsically connected to our heritage and are therefore included in this strategy. All of the sites in this category are in the South Hams and are managed by the National Trust. We intend to work closely with colleagues at South Hams District Council and the National Trust to ensure that we develop a connected and consistent approach to these important places.

There are no known Protected Wrecks or other maritime heritage assets within the boundary of Torbay Council's remit as a planning authority, which extends as far as the low water mark. Beyond this, responsibility for heritage assets at sea lies with the Marine Management Organisation (MMO). We intend to maintain a close working relationship with the MMO on matters related to maritime heritage in Tor Bay.

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Vulnerabilities and opportunities

Vulnerabilities

Climate emergency

Climate change threatens Torbay's historic buildings, landscapes and archaeology in a number of ways:

- Coastal flooding as the sea level rises
- Increased coastal erosion from wave action
- Changes to habitable ranges of invasive vegetation, fungus and pests
- Damage from increased rainfall
- Soil instability and chemical changes
- Different planting necessary in parks, gardens and farmland

Unsuitable development

Heritage assets in both urban and rural areas can be vulnerable to development that changes their character. This type of threat can range from large new developments that overwhelm the historic character of a whole area to small changes to individual buildings. Over time, the incremental effect of these changes can erode the qualities that make a place special.

Lack of investment

English Riviera Destination Management Plan 2017-21 identified under-investment over many decades in Torquay, Paignton and Brixham town centres as a significant issue. The risk to heritage assets is a lack of appropriate maintenance that can lead to an 'unloved' appearance, eroding the special sense of place, and to more serious problems with the fabric and structure of buildings.

Lack of local access

Heritage is a greatest risk of being lost if it is not experienced and valued by local people. A particular problem for areas that have long-established tourism industries is that residents can feel shut out of key sites that are focussed on attracting visitors.

63% of respondents to the Torbay Heritage Survey 2020 offered suggestions on how to help local people better engage with heritage. The most popular suggestion (25% of all answers) was better and more easily accessible information. Responses showed many people support some form of financial benefit for residents to enable greater access to heritage sites.

There was also a strong feeling that inadequate or expensive parking was a barrier. When combined with our commitment to decarbonising Torbay, it is clear that better access to heritage sites by walking, cycling and public transport is needed.

Sector fragmentation

The heritage sector in Torbay is currently fragmented, with few opportunities for collaboration and mutual support between different types of heritage organisations. These range from large attractions to small voluntary groups and individual researchers. This has an impact on the ability of the sector to co-ordinate funding bids, share knowledge, manage joint projects, produce consistent visitor information and attract volunteers.

Opportunities

Heritage assets

Torbay boasts an extraordinary range of heritage assets spanning millennia of human activity. Our collections, monuments, landscapes and buildings connect us to stories of international significance. The popular perception of Torbay as a seaside holiday destination has obscured the area's fascinating history and now is the time for its importance to be more widely recognised.

English Riviera UNESCO Global Geopark

All of human history in Torbay has been shaped to some extent by the underlying geology, so our UNESCO Global Geopark designation offers an umbrella under which all aspects of heritage can be explored. The designation presents an opportunity to celebrate Torbay's geological heritage and use it as a catalyst for tourism, education and outdoor activity. Recent research for the English Riviera Destination Management Plan showed a significant increase in awareness of the designation since 2013 and highlighted the potential to further define and promote it.

Local engagement

The Torbay Heritage Survey 2020 showed an enormous interest in heritage among local residents. 99% of respondents said that experiencing the heritage around them was important to their quality of life, with 77% saying it was very important. Many respondents were keen to participate in more active care of heritage assets. Anecdotal evidence from heritage site managers suggests relatively low levels of volunteering at some sites, so this suggests that more people would volunteer with the right encouragement and communication.

The huge public interest in the future of iconic buildings such as Oldway Mansion, Torquay Pavilion and Paignton Picture House shows that local people are passionate about protecting much-loved sites. Groups devoted to Torbay's heritage on social media attract thousands of followers and contributors. Our residents are eager to engage with local history and there is great potential to involve more people in collective efforts to care for and promote our heritage.

New tourist audiences

The [English Riviera Destination Management Plan 2017-21 evidence base](#) revealed that among tourists who had considered Torbay as a destination and decided to go elsewhere, 64% cited 'history, heritage and culture' as being very important to their choice. In contrast, just 14% of visitors to Torbay said that they intended to visit a historic site. This indicates that there is a very large, untapped and younger market of holidaymakers that could be attracted by Torbay's outstanding heritage.

Development and reuse

Torbay's heritage can inspire new development that enhances our historic environment and makes a positive contribution to local character and distinctiveness. Meanwhile, historic buildings can be protected for the future by finding new and viable uses consistent with their conservation. Torbay Council encourages the use of traditional materials for all development and refurbishment proposals where it is appropriate to do so, including those materials that are locally sourced.

Objectives

| ID | Objective |
|-------|---|
| SEC01 | Everyone in Torbay, including looked-after children, people with support needs and deprived communities, can access, experience and enjoy heritage. |
| SEC02 | Torbay attracts large numbers of visitors seeking a heritage destination. |
| SEC03 | Torbay's heritage sector is strong, connected, inclusive and collaborative. |
| SEC04 | Heritage assets in Torbay are protected from the effects of climate change and carbon reduction is central to their management. |
| SEC05 | The special and distinctive characteristics of Torbay's Conservation Areas are preserved and enhanced. |
| SEC06 | Building owners, retailers and developers are encouraged and equipped to enhance the built environment in historic areas. |
| SEC07 | Public spaces in historic areas are easy to navigate and enhanced by appropriate street furniture and signage. |
| SEC08 | Walking and cycling to Torbay's heritage sites and in the historic environment is easy, enjoyable and popular. |
| SEC09 | Collections related to Torbay within the Devon Archives are secure, well managed and easily accessible. |
| SEC10 | Torbay's Historic Environment Record is comprehensive and well managed. |
| GEO1 | National and international visitors are attracted to the English Riviera UNESCO Global Geopark (ERUGGp). Visitors and residents experience, enjoy and understand the Geopark through easily accessible, high quality and consistent information and opportunities for engagement at multiple sites. |
| GEO2 | The UNESCO Global Geopark designation is secure for the future and the work of the English Riviera Geopark Organisation (ERGO) is sufficiently resourced to deliver its aims. |
| GEO3 | Natural sites where underlying geology is most accessible and visible are in excellent condition. |
| GEO4 | Local stone worked features in churches and other historic buildings are in excellent condition. |
| HMN01 | Torbay's story of early human evolution and migration, and the role of archaeological pioneers here, is widely known, valued and celebrated. |
| HMN02 | Visitors and local people experience and enjoy Torbay's internationally important prehistoric sites and collections at multiple locations. |
| HMN03 | Ashhole Cavern is managed appropriately and protected for the future. |
| MED01 | Torre Abbey, including its grounds and collections, is conserved and enhanced, and its future is secure. Local people and visitors experience and enjoy it as a key heritage site, accessible open space and high-profile event venue. |
| MED02 | The special character of Old Paignton Conservation Area is preserved and enhanced. |

| | |
|-------|--|
| MED03 | The Bishop's Palace is managed appropriately and protected for the future. |
| AGR01 | The special character of Torbay's agricultural landscape is preserved and enhanced |
| AGR02 | Access to and around rural areas is easy and enjoyable by public transport, walking and cycling. |
| AGR03 | Walls Hill ancient field system is managed appropriately and protected for the future. |
| AGR04 | Rural sites with significant historic assets are in Countryside Stewardship where appropriate. |
| NPL01 | Battery Gardens is appropriately maintained and protected for the future, and visitors are encouraged to engage with the site's heritage. |
| NPL02 | Visitors and local people experience and enjoy Torbay's Napoleonic heritage at multiple locations. |
| TRW01 | The special character of Brixham Town Conservation Area is preserved and enhanced. |
| TRW02 | <i>Vigilance</i> is restored and functioning as a high quality, popular heritage asset for Brixham, engaging local residents and visitors with trawling history and natural heritage. |
| RST01 | Oldway Mansion, including its outbuildings and grounds, is conserved and enhanced, and its future is secure. Local people and visitors experience and enjoy it as a key heritage site and accessible open space. |
| RST02 | Torquay Pavilion is conserved and enhanced and in sustainable commercial use. |
| RST03 | Lupton House is conserved and enhanced, and its Italianate garden is restored. |
| RST04 | Princess Gardens and Royal Terrace Gardens are maintained and protected for the future. |
| RST05 | The special characters of Roundham and Paignton Harbour and Torquay Harbour Conservation Areas area preserved and enhanced. |
| RST06 | Babbacombe Cliff Railway is recognised as a heritage asset and is protected for the future. |
| LIT01 | Paignton Picture House is restored and converted to new use. It is well used by the community and is an anchor heritage site within a regenerated town centre. |
| LIT02 | People seeking an Agatha Christie experience are attracted to Torbay in significant numbers. |
| LIT03 | Visitors and residents experience, enjoy, understand and contribute to Torbay's literary heritage. |

Part 2

Heritage services and sector

Spatial planning

Conserving and enhancing Torbay's distinctive qualities, including our rich built, historic, marine and natural environment, is one of the Local Plan's Strategic Aspirations. During its emergence, this guiding principle influenced strategic decisions about where future development can happen and where large development allocations have been located. It has helped to shape detailed placemaking and design policies. This link is set to continue through the Local Plan Review and future iterations of the Plan.

Conservation Area Appraisals

An appraisal defines the characteristics of a Conservation Area and evaluates what makes it special. It enables developers, Council members and planning officers to assess the impact of a proposed development and it is a key tool in managing change within historic urban areas. Torbay has 24 Conservation Areas with a high concentration (16) in Torquay, many of which are adjoining. At the time of writing, the most recent CAA was undertaken almost a decade ago, and more than half are at least 15 years old. There is a clear need for all CAAs to be reviewed to provide up-to-date tools for today's development context, and the case for amalgamating some Conservation Areas in Torquay should be considered. Updated CAAs should provide a clear and accessible tool for communicating with building owners.

Historic Environment Record

Historic Environment Records (HER) bring together information relating to landscapes, buildings, monuments, sites, places, areas and archaeological finds within local authority areas. The Torbay HER provides essential information to inform planning decisions and it is available for public enjoyment, benefit and use. It is currently managed by the Historic Environment team at Devon County Council under a contract with Torbay Council. The administrative history of Torbay's HER has led to a backlog of entries accumulated in past years that is not covered by this arrangement. Torbay Council is committed to finding a solution to avoid historical and archaeological information being missed in the planning process.

Archive service

Local authorities are required to provide an archive service that acts as a place of deposit for all official records. They are also treasure troves of documents, photographs and recordings relating to local people and places. Archive collections are the cornerstone of historical research and maintaining access to them is fundamentally important to a dynamic understanding of our past. Archive collections relating to Torquay have always been integral to Devon Archives and continue to be held at Devon Heritage Centre in Exeter. The service is managed by the South West Heritage Trust under a contract with Torbay Council. The arrangement means that material relating to Torbay is cared for to the highest standard and remains at the heart of the county's written record. A service introduced in 2020 allows local people to pre-order documents from Devon Heritage Centre to be viewed at Torre Abbey in quarterly sessions, an initiative supported by Torbay Council.

Heritage destination marketing

The English Riviera Destination Management Plan 2017-21 identified the need for a better link between culture and tourism. It emphasised the opportunity for heritage to attract new audiences and extend the season. Research for this strategy showed that heritage was not promoted as a

feature of visiting Torbay and that information about historic sites was difficult to find. There is a clear need for partners to work together to develop Torbay’s heritage offer.

Heritage sector development

A thriving heritage sector depends on a mutually supportive network of diverse organisations that can share information and work together. At the time of writing, there is no structure in Torbay to facilitate this, leading to the issues described in ‘Vulnerabilities’. Opportunities to set up a Torbay heritage forum or similar networking mechanism should be explored for the benefit of the whole sector.

Integrated heritage

Experiencing, enjoying and caring for heritage can bring a huge range of social, cultural, economic, health and environmental benefits. We believe that our approach to heritage must be integrated with across all aspects of Torbay Council, TDA and Torbay Culture’s work.

Climate emergency

In 2019, Torbay Council declared a climate emergency. Torbay Council is a partner of and supports the work of the Devon Climate Emergency Response Group, which is aiming to help us get to net zero carbon emissions by 2050 at the latest and prepare Devon for the necessary adaptation to infrastructure and services required to respond to climate change. As described in ‘Vulnerabilities’, heritage assets are at risk from a changing climate and have a role to play in decarbonising.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|---|--|---|
| SEC01 | Everyone in Torbay, including looked-after children, people with support needs and deprived communities, can access, experience and enjoy heritage. | <ul style="list-style-type: none"> Torbay Council/TDA heritage site managers and colleagues in social care and social services work together to identify opportunities to benefit service users. Our interpretation and communication of heritage reflects and gives voice to diverse audiences. Visitors with a wide range of physical and sensory needs feel welcome at our heritage sites. Visitor data from our sites shows increasingly diverse visitor profile. Organisations in the wider heritage sector are supported to improve inclusivity. A sector-wide initiative to offer benefits to local residents is developed. | Torbay Council, TDA, Torbay Culture and partner organisations |
| SEC02 | Torbay attracts large numbers of visitors seeking a heritage destination. | <ul style="list-style-type: none"> Heritage is a key feature of bay-wide destination marketing and the subject of specific campaigns. Online visitor information specific to heritage is easily accessible and high profile. | Torbay Council and TDA in partnership with the |

| | | | |
|-------|---|--|---|
| | | <ul style="list-style-type: none"> • Key heritage attractions promote links to other heritage sites. • Large increase in percentage of visitors citing heritage as a reason for visiting. | English Riviera BID |
| SEC03 | Torbay's heritage sector is strong, connected, inclusive and collaborative. | <ul style="list-style-type: none"> • A regular heritage forum for Torbay is established and self-sustaining, and includes organisations of all sizes. • Increased numbers of volunteers and voluntary opportunities across the sector. • Partnership projects are successful in working strategically and attracting external funding. | |
| SEC04 | Heritage assets in Torbay are protected from the effects of climate change and carbon reduction is central to their management. | <ul style="list-style-type: none"> • New flood defence schemes recognise local distinctiveness in design and materials and take into account relationship to heritage assets. • All Torbay/TDA managed heritage assets with on-site staff review working practices to minimise energy and fuel consumption. • Conservation practices at Torbay/TDA managed heritage assets are reviewed to take into account climate issues including flood risk, rainwater and heat protection, effects on building fabric, underlying stability, suitable planting, pests and invasive vegetation. • Updated Conservation Area Appraisals assess risks from climate change and all guidance for building owners includes reference to mitigation and/or carbon reduction measures. • Sustainable transport to all key heritage sites is encouraged and supported. | Torbay Council, TDA, Torbay Culture and partner organisations |
| SEC05 | The special and distinctive characteristics of Torbay's Conservation Areas are preserved and enhanced. | <ul style="list-style-type: none"> • All Conservation Area Appraisals are reviewed, updated and adopted where necessary. • Building owners and managers in Conservation Areas feel supported. • Proposals that enhance heritage assets or their setting are supported, subject to Local Plan and Neighbourhood Plan policies. | Torbay Council in partnership with building owners, developers and local communities. |

| | | | |
|-------|---|--|---|
| SEC06 | Building owners, retailers and developers are encouraged and equipped to enhance the built environment in historic areas. | <ul style="list-style-type: none"> Proposals for new developments which enhance or better reveal the architectural heritage of their setting are supported. Shop front design guides for Torquay, Paignton and Brixham are published and promoted. Updated Urban Design Guide and Residential Design Guide. | Torbay Council in partnership with building owners, managers and developers |
| SEC07 | Public spaces in historic areas are easy to navigate and enhanced by appropriate street furniture and signage. | <ul style="list-style-type: none"> Unnecessary street furniture and signage is removed. Design of all new and replacement street furniture references and enhances the architectural heritage of its setting. Wayfinding in the public realm clearly and consistently aids navigation to key heritage sites and around the historic environment without unnecessary visual intrusion. | Torbay Council |
| SEC08 | Walking and cycling to Torbay's heritage sites and in the historic environment is easy, enjoyable and popular. | <ul style="list-style-type: none"> Key heritage sites are integrated into the new Torbay Local Cycling and Walking Infrastructure Plan. Promotion of walking and cycling is integral to all heritage site visitor information. | Torbay Council |
| SEC09 | Collections related to Torbay within the Devon Archives are secure, well managed and easily accessible. | <ul style="list-style-type: none"> The current service is maintained. Projects to enable further conservation, cataloguing and research of Torbay collections are supported. Torbay residents are actively engaged in archive research and enjoy easy access to the collections. | Torbay Council and South West Heritage Trust |
| SEC10 | Torbay's Historic Environment Record is comprehensive and well managed. | <ul style="list-style-type: none"> The current service is maintained. The backlog of entries is added. | Torbay Council and Devon County Council |

Our stories

Sites key

| |
|----------------------------|
| High priority for action |
| Medium priority for action |
| Low priority for action |
| Outside Torbay |

Geology

As well as creating the tapestry of valleys, ridges, cliffs and beaches that give Torbay its unique character, geology has always shaped human activity here, as we can see in the harbours, farmland, settlement patterns and building materials. It also supports rare habitats for many important plant and animal species.

Torbay is famous for its limestone cliffs and rich, exposed geological heritage, from Devonian reefs to Pleistocene caves. The arms of the Bay are formed by massive limestone headlands at Hope's Nose and Berry Head, while softer Permian sandstone forms the lower lying land. The famous red cliff exposures can be seen between Hollicombe Head and Corbyn's Head. Over many millennia, the action of water on the limestone created caves such as Kents Cavern.

The geology of Torbay was first mapped in the 1830s. Geological pioneers Roderick Murchison and Adam Sedgwick realised that fossils found in the limestones at sites in Torbay, such as Lummaton Quarry, gave vital evidence of what was happening to the Earth 409-363 million years ago. They named this geological period the Devonian, the term which is still used globally today.

Torbay's limestone and sandstone were massively mined and can be seen in many buildings such as Torre Abbey and Torquay Town Hall. Mines also sprang up where the limestone had metamorphosed into marble. In the nineteenth century, Torbay marble was crafted into exquisite interior features, art and jewellery for wealthy customers. Marble objects from this period can be seen in many churches and grand houses in Torbay.

English Riviera UNESCO Global Geopark

The English Riviera UNESCO Global Geopark exists to raise the profile of the English Riviera through its geological heritage. It is managed by the English Riviera Geopark Organisation (ERGO) which is made up of a range of agencies including Torbay Council and TDA and supported by a wider network of members who share its vision. Torbay Council hosts the ERUGGp Co-ordinator.

UNESCO Global Geopark designation is subject to review every four years. In 2020, the UNESCO Global Geoparks Council decided to renew the English Riviera's status following an assessment in 2019. This success was testament to the work of all the partners who worked together to support the designation, in line with the ten year cultural strategy.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|---|---|--|-------------------------------------|---------------------------|
| Torre Abbey | Grade I listed building Scheduled Monument | | Torbay Council | |
| Coast/beaches | n/a | In parts: AONB, PRoW, SSSI, LNR, NNR, SAC | Multiple owners | |
| Ashhole Cavern, Brixham | Scheduled Monument | | Torbay Council (managed by TCCT) | Y |
| Windmill Hill Cave, Brixham | Scheduled Monument | | Private owner | |
| Kent's Cavern, Torquay | Scheduled Monument | SSSI | Private owner | |
| Grade I listed churches: Church of All Saints; Church of St John the Evangelist; Roman Church of Our Lady, Help of Christians and St Denis | Grade I listed building | | Diocese of Exeter | |
| Grade II* listed churches: Church of St Luke, Torquay; Church of St Mary Magdalene, Torquay; Church of St Mary, Collaton St Mary; Church of St Matthew, Chelston; Church of St Matthias, Torquay | Grade II* listed building | | Diocese of Exeter | |
| Barton Road Cemetary, Torquay | Registered Parks and Gardens | | Torbay Council | |
| Devonian type locality, Lummaton | n/a | SSSI | Private owner | |
| Bishops Walk | ProW | | Torbay Council (managed by TCCT) | |

Other assets

- Exceptional fossil and geological specimen collections and an extensive Victorian geological library at Torquay Museum. The collections include thousands of specimens of Devonian fossil corals and creatures and local minerals.

- The UK's only substantial collection of South Devon and Torbay marble objects, held at Torquay Museum. This includes extremely fine and rare work such inlaid pictures and platters, tables, vases and jewellery. There are also marble samples used at the factories and a selection of photographs of the industry.
- Marble objects in the collections of Torre Abbey

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|---|--|---|
| GEO01 | National and international visitors are attracted to the English Riviera UNESCO Global Geopark (ERUGGp). Visitors and residents experience, enjoy and understand the Geopark through easily accessible, high quality and consistent information and opportunities for engagement at multiple sites. | <ul style="list-style-type: none"> • All ERUGGp partners are consistently and actively promoting the ERUGGp as part of their own activities. • There is an increase in visitors citing the ERUGGp as a reason for their trip. • There is an increase in understanding and engagement among residents. • ERUGGp has up to date, well maintained and effective communications tools. • English Riviera UNESCO Global Geopark Organisation (ERGO) is delivering high quality education and outreach outcomes. • Wayfinding and interpretation of geology is consistent, high quality and widely available across partner sites and in the wider landscape. • Building owners and site managers are well supported to interpret and promote their assets within the ERUGGp brand. | All ERGO members and partners |
| GEO2 | The UNESCO Global Geopark designation is secure for the future and the work of the ERGO is sufficiently resourced to deliver its aims. | <ul style="list-style-type: none"> • Torbay Council and TDA are key ERUGGp partners and are providing the most appropriate hosting for staff. • All members of ERGO, their organisations and staff are actively contributing to and supporting the ERUGGp at the same or higher level than in previous years. | All ERGO members and partners |
| GEO03 | Natural sites where underlying geology is most accessible and visible are in excellent condition. | <ul style="list-style-type: none"> • In determining planning applications regard is given to impact of proposals on the condition and public accessibility and interpretation of natural geological features. | Torbay Council, TCCT and ERGO in partnership with local landowners, |

| | | | |
|-------|--|--|--|
| | | <ul style="list-style-type: none"> Proposals for new developments which enhance or better reveal natural geological features are supported. Torbay Council and Natural England are working together to encourage and support site managers and private owners, including Torbay Coast and Countryside Trust, in the conservation and enhancement of natural geological features. | land managers and developers |
| GEO04 | Local stone worked features in churches and other historic buildings are in excellent condition. | <ul style="list-style-type: none"> In determining planning applications relating to historic buildings, regard is given to the significance of existing local stone features. Proposals for new developments which enhance or better reveal the significance of worked local stone within the historic setting are supported. Torbay Council and Historic England are working together to encourage and support building owners in the conservation and enhancement of historic local stone features. Torbay Council and TDA are conserving and enhancing worked stone features in all historic buildings in our care. | Torbay Council, Historic England in partnership with building owners including Diocese of Exeter |

Early humans

Torbay is home to collections and sites of international importance in the story of human evolution and migration.

At Kents Cavern there is evidence of three of the four human species known to have lived in Britain. Finds at the site include a fragment of jawbone dated to period between 44,200 and 41,500 years ago, when a brief warm spell between ice ages made this part of Britain temporarily habitable. Scientific dating in 2011 revealed the true age of the fragment and established it as the oldest direct evidence of modern humans in Northern Europe. It has changed how we understand the interaction between modern humans and Neanderthals on the very edge of the habitable world.

The jawbone was originally found in 1927 by Arthur Ogilvy, curator of Torquay Museum. The find came towards the end of a remarkable period of discovery in Torbay's caves that began in the early nineteenth century. A series of explorers were drawn there, most notably the archaeologist William Pengelly who excavated Kents Cavern over a period of 15 years. His finds included tools, animal bones and hand axes from humans who lived over 450,000 years ago. The meticulous methods he developed in Torbay laid the foundation for all modern cave archaeology and his diaries offer fascinating insights into his life and work.

Ashhole Cavern in Brixham was excavated in the nineteenth century and evidence of occupation from the Neolithic to the Roman period was discovered.

Windmill Hill Cave, also in Brixham, is a system of galleries and smaller chambers lying mostly beneath a house in Mount Pleasant Rd. William Pengelly's excavations here in the nineteenth century revealed a rich assemblage of animal remains and flint tools that provided the first evidence for extinct animal species and humans co-existing.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|-----------------------------|----------------------|---------------------------|----------------------------------|---------------------------|
| Ashhole Cavern, Brixham | Scheduled Monument | | Torbay Council (managed by TCCT) | Y |
| Windmill Hill Cave, Brixham | Scheduled Monument | | Private owner | |
| Kent's Cavern, Torquay | Scheduled Monument | SSSI | Private owner | |

Other assets

Torquay Museum holds over 32,000 specimens relating to the quaternary period in South Devon and a unique related archive. This collection is Designated by Arts Council England and is of national and international significance. Its highlights are numerous and include:

- KC4 human maxilla, the jawbone that provides the earliest evidence of anatomically modern humans in North West Europe

- William Pengelly’s Windmill Hill Cave and Kents Cavern notebooks, documenting the first excavations to unlock the true antiquity of humans anywhere in the world.
- The oldest bifacial tools discovered in the UK, over 525,000 years old
- Very early specimens of Cave lion and ancestral bear *Ursus deningeri*
- A selection of Neanderthal tools including very rare leafpoints
- Unique evidence for cannibalism in the Mesolithic and surviving human DNA in 9,000-year-old bones.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|--|--|---|
| HMN01 | Torbay’s story of early human evolution and migration, and the role of archaeological pioneers here, is widely known, valued and celebrated. | <ul style="list-style-type: none"> • The early human story and its discovery is a key feature of all bay-wide tourism marketing and Global Geopark communications. • Schools and community groups in Torbay are supported and encouraged to engage with prehistoric sites and collections. • Torquay Museum is adequately resourced to conserve and interpret its early human collection to a level appropriate to its importance. • A higher proportion of visitors are aware of and actively seeking to engage with the early human story when choosing Torbay as a destination. | Torbay Council, TDA and Torbay Culture in partnership with ERGO, ERBID, key heritage sites and schools. |
| HMN02 | Visitors and local people experience and enjoy Torbay’s internationally important prehistoric sites and collections at multiple locations. | <ul style="list-style-type: none"> • The links between locations and collections is integral to all key sites’ communications and interpretation. • Key sites successfully attract funding through local partnerships to create excellent public engagement opportunities. | Torbay Council, TDA and Torbay Culture in partnership with ERGO and key heritage sites |
| HMN03 | Ashhole Cavern is managed appropriately and protected for the future. | <ul style="list-style-type: none"> • A management plan is agreed between Torbay Council, TCCT and Historic England, and an ongoing review process is in place. • Ashhole Cavern is removed from the Heritage at Risk Register. • The potential for a wider Monument Management Scheme (MMS) for Torbay is explored. | Torbay Council, TCCT and Historic England |

Monastic and medieval

Medieval Torbay was the location of some significant religious sites including Torre Abbey in Torquay and the Bishop's Palace in Paignton, a residence of the Bishops of Exeter for 500 years. Local landowning families also built fine country homes. Outside these impressive buildings, the area was sparsely populated, although it is thought that the extent of settlement may have been underestimated as evidence is likely to have been obscured by later buildings in the urban areas. New developments in our towns may reveal archaeology that adds to our understanding of this period.

By far the most important building in medieval Torbay was Torre Abbey. It was founded in 1196 and built from stone quarried from Corbyn Head. The Abbey became enormously wealthy and influential, controlling much of the land and activity in Torbay. It is believed that the monks built the first fish quay, giving Torquay its name. After the Dissolution of the Monasteries in 1539, Torre Abbey passed into private ownership until 1930, when it was acquired by Torquay Council.

Today Torre Abbey houses a museum, art gallery, event venue and gardens. It is entering the final phase of an extensive programme of renovation made possible by grant funding from the National Lottery Heritage Fund, English Heritage and the Friends of Torre Abbey. Torre Abbey is the jewel in Torbay's medieval story and has the potential to be the focal point and engine of the Bay's arts and heritage offer. However, its future depends on its sustainability as a profitable venue. The Torquay Neighbourhood Plan includes an aspiration to transform the area in front of the Abbey to become a green space for summer festivals, music and events.

There are also several listed medieval churches in Torbay, the most significant of which is the Church of St John the Baptist in Paignton. It was founded in the twelfth century and has many elaborate and interesting features, including the most spectacular chantry chapel in Devon outside Exeter Cathedral.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|---------------------------|---|---------------------------|--------------------------|---------------------------|
| Torre Abbey | Grade I listed building Scheduled Monument | | Torbay Council | |
| Old Paignton | Conservation Area | | Private, multiple owners | |
| Bishops Palace, Paignton | Grade II* listed building Scheduled Monument | | Diocese of Exeter | Y |
| Spanish Barn, Torre Abbey | Grade I listed building | | Torbay Council | |
| Cockington village | Conservation Area | | Private, multiple owners | |

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|---|---|--|--------------------------|---|
| Higher Brixham | Conservation Area | | Private, multiple owners | |
| Church of St John the Baptist | Grade I listed building | | Diocese of Exeter | |
| Grade II* listed churches: Church of St Andrew, Torquay; Church of St George and St Mary, Cockington; Church of St Mary the Virgin, Brixham; Church of St Mary the Virgin, Churston Ferrers | Grade II* listed building | | Diocese of Exeter | |
| Ilsham Manor Oratory | Grade II* listed building | | Private owner | Y |
| St Michael's Chapel, Chapel Hill | Scheduled Monument | | Torbay Council | |
| Blagdon Manor, Paignton | Grade II* listed building | | Private owner | |
| Kirkham House, Paignton | Grade II* listed building | | English Heritage | |
| Compton Castle | Grade I listed building Scheduled Monument | | NT | |

Other assets

- The Cary family archive collection is held at Devon Heritage Centre and includes thousands of documents from the thirteenth century onwards. It is currently awaiting cataloguing.
- Medieval artefacts in the collections of Torre Abbey, including suits of armour, decorative tiles and stonework.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|--|---|------------------------|
| MED01 | Torre Abbey, including its grounds and collections, is conserved and enhanced, and its future is secure. Local people and visitors experience and enjoy it as a key heritage site, accessible open space and high-profile event venue. | <ul style="list-style-type: none"> • Stage 3 funding application to NLHF is successful and progress of the project is on schedule. • Torre Abbey is financially self-sustaining as an attraction and commercial event venue with integral café. • Torre Abbey's setting is restored, with well-maintained grounds extending to the seafront, | Torbay Council and TDA |

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|-------|---|---|---|
| | | <p>connected to wider walking and cycling routes.</p> <ul style="list-style-type: none"> • Local communities use the open space extensively for outdoor recreation. • Volunteers are actively engaged in a wide range of roles. • Visitor numbers to all parts of the site continue to increase. • The Cary family archive collection is fully catalogued and research is encouraged. | |
| MED02 | The special character of Old Paignton Conservation Area is preserved and enhanced | <ul style="list-style-type: none"> • Design of new sea defences protects the Conservation Area from flooding while recognising its distinct character (see SEC04). • Further loss of natural, local slate roofing is discouraged and its use is supported in new buildings and restoration works. • Traffic in the Conservation Area is reduced. | Torbay Council in partnership with building owners, developers and local communities. |
| MED03 | The Bishop's Palace is managed appropriately and protected for the future | <ul style="list-style-type: none"> • No immediate risk of decay. • All interested and responsible parties are supported in carrying out an ongoing management plan. • The Bishop's Palace is removed from the Heritage at Risk Register. | Torbay Council, Historic England and Diocese of Exeter |

DR

Agricultural life

Torbay's combination of fertile soil, sheltered coast and mild climate has enabled people to feed their families well for thousands of years. Small scale farming and fishing were the main occupations of communities here for most of Torbay's past and have created the rural landscape we know today. The agricultural countryside within the South Devon AONB is recognised a historic asset of national importance.

Settled farming began in the Neolithic period. Traces of these early farmers is evident in a chambered tomb near Broadsands and burial mounds at Beacon Hill and Barton Pines. Later Iron Age field patterns can be seen at Walls Hill. The local Dumnonii people cultivated the land in their own style throughout the Roman era and beyond, until Anglo-Saxon settlers brought with them an open field system. In later centuries, land ownership was consolidated into manors and estates in the hands of local gentry and religious houses. By the sixteenth century, the land was largely enclosed. It was at this time that the characteristic pattern of small, irregular fields and high Devon hedges emerged. Torbay was productive enough to feed its own population and provide victualling to Navy and merchant ships in its harbours.

People in rural Torbay lived on dispersed farmsteads or in small villages. Cottages and farm buildings were built of local stone and cob and were often thatched. Cockington is the most well-known historic village in Torbay and is cherished for its air of timelessness. Agricultural tools and domestic objects held at local museums, in particular the extensive collection at Torquay Museum, have great potential to connect us to past generations.

Other historic features of the rural landscape include sunken lanes, hedgerows, orchards, ancient trees, village greens and traditional signage. These features create the distinctive character of rural Devon, provide vital habitats for wildlife and give structure to transport routes and green spaces.

The semi-natural countryside offers simple and low-cost opportunities to improve physical and mental wellbeing through outdoor exercise, a sense of peace and space, and a connection to the shared past. It is also a working landscape, managed by farming communities whose long heritage continues into a living modern culture.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|---|-------------------------------|--------------------------------|----------------------------------|---------------------------|
| Prehistoric field system at Walls Hill | Scheduled Monument | | Torbay Council (managed by TCCT) | |
| Agricultural landscape including field patterns, orchards, hedgerows, soils | Grade II listing of buildings | In parts: AONB, SSSI, NNR, LNR | Multiple owners | |
| Spanish Barn, Torre Abbey | Grade I listed building | | Torbay Council | |

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|---|---------------------------|-----------|----------------------------------|--|
| Conservation Areas: Churston Ferrers, Cockington and Galmpton | Conservation Area | | | |
| Conservation Areas: Maidencombe and Shorton | Conservation Area | | Private, multiple owners | |
| Occombe Farm | n/a | LNR, SSSI | Torbay Council (managed by TCCT) | |
| Two bowl barrows at Beacon Hill | Scheduled Monument | | Private, multiple owners | |
| Two prehistoric hilltop enclosures, a ditch system and four bowl barrows, Marldon | Scheduled Monument | | Private, multiple owners | |
| Chambered tomb, 630m north west of Elberry Farm | Scheduled Monument | | Private owner | |
| Manor Farmhouse, Torquay | Grade II* listed building | | Private owner | |

Other assets

- Torquay Museum houses one of the most important regional folk life collections in the UK. It contains hundreds of rare, pre-industrial rural life objects such as tools and furniture, many in a uniquely Devonian style.
- Relevant archive collections held at Devon Heritage Centre include tithe maps and apportionments, manorial documents, farm account books, sale catalogues, diaries and early photographs of rural life.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|---|--|--|
| AGR01 | The special character of Torbay's agricultural landscape is preserved and enhanced. | <ul style="list-style-type: none"> • Historic agricultural features such as orchards and hedgerows are key assets in the new Torbay Green Infrastructure Plan. • Traditional and local materials are used in new developments in rural areas. • Proposals that enhance the rural landscape are supported, subject to Local Plan and Neighbourhood Plan policies. • Regard is given to the impact of proposals on views of and from | Torbay Council in partnership with local communities and farmers |

| | | | |
|-------|--|--|---|
| | | designated protected areas within Torbay. | |
| AGR02 | Access to and around rural areas is easy and enjoyable by public transport, walking and cycling. | <ul style="list-style-type: none"> • Connectivity to and within rural areas is integrated into the new Local Cycling and Walking Infrastructure Plan for Torbay. • Increased use of walking and cycling routes in rural areas. • The needs of rural communities are appropriately served by public transport. | Torbay Council |
| AGR03 | Walls Hill ancient field system is managed appropriately and protected for the future. | <ul style="list-style-type: none"> • A management plan is agreed between Torbay Council, TCCT and Historic England, and an ongoing review process is in place. • There is no inappropriate furniture on site. • Invasive vegetation is under control • Measures have been taken to address erosion. | Torbay Council, TCCT and Historic England |
| AGR04 | Rural sites with significant historic assets are in Countryside Stewardship where appropriate. | <ul style="list-style-type: none"> • Torbay Council, Natural England, Historic England and landowners work together to identify sites where Stewardship could be beneficial. | Natural England in partnership with Torbay Council and local landowners |

DRAFT

Napoleon

Torbay's rapid development in the nineteenth century owed much to the Napoleonic wars. Napoleon Bonaparte himself even became the Bay's first star attraction.

The wars prevented wealthy Britons from travelling to mainland Europe, so they began to look for destinations closer to home. At this time, the harbours of Torbay were frequently used as anchorage for the Channel Fleet that was protecting England from invasion by Napoleon. The families of high-ranking naval officers visited Torquay, further enhancing the town's reputation. Meanwhile, all along Torbay's coast, business boomed for local smugglers of French brandy.

The fear of an attack on England by the French led to a decision to strengthen the coastal defences at Berry Head with a new fort and redoubt to protect the existing batteries. The remains there today represent an exceptionally well-preserved survival from the Napoleonic era that offers great insight into strategic military thinking of the time. The site is managed by the Torbay Coast and Countryside Trust for the enjoyment of all, and there is great potential to extend the interpretation of its history.

After the Battle of Waterloo in 1815, Napoleon was captured by the British and held on the warship HMS *Bellerophon*. It anchored in Torbay for two days and caused a sensation. Crowds flocked to glimpse him from the shore and even hired boats to get closer to the celebrity prisoner. He was soon removed to St Helena but by now Torbay was on the map.

In subsequent decades, local landowner Sir Lawrence Palk drove the development of Torquay after being inspired by the Italian architecture he saw on the Grand Tour. Torbay's mild climate and beautiful coastline made it an ideal location to import Italian design ideas, so Palk and local dignitary William Kitson commissioned villas and crescents that recreated a Mediterranean atmosphere. New, exclusive residential areas such as the the Warberries and Lincombes became fashionable.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|---------------------------------|---|---------------------------|----------------------------------|---------------------------|
| Battery Gardens, Brixham | Scheduled Monument | | Torbay Council | |
| Brixham Town | Conservation Area – incomplete CAA and mapping | | Private, multiple owners | Y |
| Berry Head Forts and complex | Grade II* listed building Scheduled Monument | NNR, AONB, SSSI, SAC | Torbay Council (managed by TCCT) | |
| Two bowl barrows at Beacon Hill | Scheduled Monument | | ?? | |

Other assets

- A letter signed by Napoleon from the collections of Torquay Museum, on display at Torre Abbey.
- A contemporary watercolour painting showing tourists in boats trying see Napoleon on the *Bellerophon*, at Torquay Museum.
- An important collection work by Napoleonic prisoners of war in Dartmoor Prison, at Torquay Museum.
- Paintings, prints and engravings in collections of Torre Abbey showing portraits of Napoleon and his family, battles and his imprisonment on the *Bellerophon*.
- Copy of the death mask of Napoleon in the collections of Torre Abbey.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|---|--|---|
| NPL01 | Battery Gardens is appropriately maintained and protected for the future, and visitors are encouraged to engage with the site's heritage. | <ul style="list-style-type: none"> • Scheduled structures are free from vegetation. • A management plan is agreed between Torbay Council and Historic England, and an ongoing review process is in place. • Both Napoleonic and WW2 heritage is interpreted and accessible on site. | Torbay Council and Historic England in partnership with local volunteers |
| NPL02 | Visitors and local people experience and enjoy Torbay's Napoleonic heritage at multiple locations. | <ul style="list-style-type: none"> • Napoleonic heritage is well interpreted at key sites (Battery Gardens, Berry Head and Brixham Harbour) and links between sites are highlighted. • Greater engagement with Torbay's Napoleonic heritage among visitors and residents. | Torbay Council, TDA, Torbay Culture and TCCT in partnership with local volunteers |

Trawling

This story is specific to Brixham, although its influence has been felt in fishing communities around Britain and northern Europe. In the late eighteenth century, motivated by dwindling catches, Brixham fishermen and boat builders set about creating faster boats that could fish in deep water. The design they developed was known as a Brixham trawler. It was a wooden sailing trawler, about 18-24 metres in length, with a long, straight keel. Its sleek underwater profile and tall rig gave it the speed fishermen needed to reach remote fishing grounds towing a large trawl and return in relatively short time.

The sails of the Brixham trawlers were dyed a distinctive red colour with local ochre to give them extra protection – another example of the influence of Torbay’s geology.

To maximise the time spent fishing the rich waters of the North Atlantic, some Brixham men began to spend seasons in the north of England, at Grimsby and Hull. Soon this led to the permanent migration of many fishermen. The design of the Brixham trawlers was copied around the British coast as new ports sprang up to take advantage of the deep-sea grounds that were opening up to faster boats. Brixham retains a shared history with Grimsby, Hull and other deep-sea fishing ports, which arguably have closer cultural links with the town than Paignton and Torquay. By the end of the nineteenth century there were more than 3000 sailing trawlers based at British ports, with a fleet of 400 at Brixham.

Today, Brixham’s trawling heritage is evident in the distinctive setting of the harbour and the historic buildings and infrastructure around it. It is still a busy port with a living cultural heritage of fishing. Trawler design has undergone many changes and only a handful of the original sailed boats survive. *Vigilance* is looked after by a team of volunteers who aim to secure significant funding for her restoration and use as a floating heritage asset. The work would take two years and could provide a valuable attraction and learning opportunity for the town. Once back in the water, *Vigilance* could be a focus for hands-on heritage skills learning and interpretation of trawling history. She has the potential to offer trips along the Torbay coast that would open up not only fishing and maritime stories, but also natural history and a new view of the UNESCO Global Geopark.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|--------------|----------------------|---------------------------|--------------------------|---------------------------|
| Brixham Town | Conservation Area | | Private, multiple owners | Y |

Other assets

- The 1926 Brixham trawler *Vigilance*, managed by voluntary group Friends of the *Vigilance*.
- Fishing and ropemaking exhibition and photographic collection at Brixham Heritage Museum.
- Extensive shipping records relating to the Port of Brixham held at Devon Heritage Centre.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|---|---|--|
| TRW01 | The special character of Brixham Town Conservation Area is preserved and enhanced. | <ul style="list-style-type: none"> • Further loss of natural, local slate roofing is discouraged and its use is supported in new buildings and restoration works. • Creative interpretation of Brixham's distinctive heritage is accessible in the public realm. | Torbay Council in partnership with building owners, developers and local communities. |
| TRW02 | <i>Vigilance</i> is restored and functioning as a high quality, popular heritage asset for Brixham, engaging local residents and visitors with trawling history and natural heritage. | <ul style="list-style-type: none"> • A local site is agreed for two-year programme of restoration, with a programme of public engagement with the works. • Stage 1 application to NHLF is successful and leads to successful Stage 2. • Excellent programme of public engagement and permanent interpretation on and around <i>Vigilance</i> is planned and supported. | Friends of the <i>Vigilance</i> in partnership with Torbay Council and local communities |

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Golden Age of the resorts

The modern characters of Torquay and Paignton have been shaped in large part by their history as seaside resorts. As we have seen, tourists began visiting in large numbers in the nineteenth century, starting an explosion of development and a ‘golden age’ of prosperity that lasted until the Second World War. The architectural heritage from this period includes large numbers of villas, civic buildings, shops, churches, entertainment spaces, public gardens and tourist infrastructure. In Torquay, the town’s former wealth is evident everywhere in the grand style of its historic buildings and open spaces. The maintenance of this heritage presents particular challenges in an area tackling deprivation today.

The scale of development during this period means that late Georgian, Victorian and early twentieth century architecture is prominent in both towns and makes up the majority of the built environment. This is where most interaction with Torbay’s heritage happens, as people move through the urban environment, rather than during intentional visits to historic sites. Many of these buildings are listed and fall within Conservation Areas.

One of the most distinctive characteristics of the resorts’ buildings, gardens and artefacts is the influence of Italianate design. It was consciously imported and reimagined in an effort to create a Mediterranean-style resort in a northern European setting – an English Riviera. It inspired the Italianate garden at Lupton House, which is now at serious risk of decay. Recognising this style, protecting surviving examples and taking new inspiration from it are essential if we are to retain and enhance the special qualities of our resorts.

Wealthy people first came here for their health, particularly to escape cold winters in the rest of Britain. This heritage of healthcare and relaxation has many parallels with today’s interest in wellbeing. Later tourists came for summer holidays and entertainment. New theatres and concert venues attracted the most prestigious acts from London for the summer season. The most iconic of these buildings is the Pavilion in Torquay. Today it is empty and requires investment to restore. As an emblem of Torbay’s special entertainment heritage and a unique landmark, it is imperative that a commercially viable new use is found for the building.

Many wealthy families who were attracted to Torbay settled and built large homes here. The most well-known and extravagant of these is Oldway Mansion near Paignton, built by the American sewing machine manufacturer Isaac Singer. Later in its life, the building was the offices of Torbay Council, which still owns it. Oldway Mansion has been empty since 2013 and is now in urgent need of substantial investment to restore and re-use. Oldway is greatly loved by residents and consultation for this strategy showed clearly that its future is a matter of great concern to local people. The Oldway Mansion Trust was set up in 2019 in partnership with Torbay Council.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|------------------------|---------------------------|---------------------------|----------------|---------------------------|
| Oldway Mansion (house) | Grade II* listed building | | Torbay Council | Y |

| | | | | |
|---|--|--|---|---|
| Torquay Pavilion | Grade II listed building | | Torbay Council managed by private leaseholder | |
| Torbay Cinema (Paignton Picture House) | Grade II* listed building | | Paignton Picture House Trust | Y |
| Lupton Park | Registered Parks and Gardens | | Lupton House Trust | Y |
| Oldway Mansion (grounds) | Registered Parks and Gardens | | Torbay Council | Y |
| Princess Gardens and Royal Terrace Gardens | Registered Parks and Gardens | | Torbay Council | Y |
| Lupton House | Grade II* listed building | | Lupton House Trust | Y |
| Roundham and Paignton Harbour | Conservation Area | | Private, multiple owners | |
| Torquay Harbour | Conservation Area | | Private, multiple owners | |
| Coast/beaches | n/a | In parts: AONB, PRow, SSSI, LNR, NNR SAC | Multiple owners | |
| Babbacombe Cliff Railway | Within CA but no designation of assets | | Private owner | |
| Conservation Areas: Abbey Road, Babbacombe Downs, Barton, Belgravia, Cary Park, Chelston, Lincombes, Maidencombe, Polsham, St Marychurch, Tormohun, Torre, Upton, Warberries, Watcombe Park | Conservation Area | | Private, multiple owners | |
| Cockington Court | Grade II* listed building | | Torbay Council (managed by TDA) | |
| Hesketh Crescent, Torquay | Grade II* listed building | | Private, multiple owners | |
| Watcombe Park and Brunel Manor | Registered Parks and Gardens | | Part owned by Torbay Council | |

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| Grade II* listed buildings: 1-15 Wellwood Park Road, Torquay; 163 Newton Road, Torquay; Aylmer, Brixham; Beacon Terrace, Torquay; Hatley St George, Torquay; | Grade II* listed building | | Private owners | |
| Little Theatre, Torquay | Grade II* listed building | | TOADS Theatre Company | |
| Bishops Walk | n/a | PRoW | Torbay Council (managed by TCCT) | |
| Castle Tor | Registered Parks and Gardens | | Divided, private owners | |
| Coleton Fishacre (house) | Grade II listed building | | NT | |
| Coleton Fishacre (park and gardens) | Grade II* listed building | | NT | |

Other assets

- Extensive archive collections documenting the growth of the resorts held at both Torquay Museum and Devon Heritage Centre.
- Social history artefacts including shop signs and costumes from the period at Torquay Museum.
- The Seaside Fun gallery at Torre Abbey which includes several contemporary paintings of fashionable visitors and locals enjoying the resorts in the nineteenth century.

Objectives

| ID | Objective | Measures of success | Responsible |
|-------|--|--|---|
| RST01 | Oldway Mansion, including its outbuildings and grounds, is conserved and enhanced, and its future is secure. Local people and visitors experience and enjoy it as a key heritage site and accessible open space. | <ul style="list-style-type: none"> • Short term grant funding is successfully secured to stabilise the building(s) and works complete. • Medium to long term programme of fundraising for ongoing conservation and enhancement is in place and works in progress where funding allows. • Oldway Mansion Trust is well managed and appropriately supported. • Upper floors are converted for commercial tenancy where | Torbay Council, Oldway Mansion Trust, TDA, and Torbay Culture in partnership with local communities |

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| | | <p>financially possible and long term tenants found.</p> <ul style="list-style-type: none"> • Lower floor and grounds are accessible to the public. • A high quality visitor experience is enabled by appropriate facilities, including refreshments offer, and creative interpretation subject to funding. • Local communities use the grounds extensively for outdoor recreation. • Volunteers are actively engaged in a wide range of roles. • Commercial uses for outbuildings fully explored. | |
| RST02 | Torquay Pavilion is conserved and enhanced and in sustainable commercial use. | <ul style="list-style-type: none"> • The building is safe to access, further decay has been halted and a programme of restoration is in place where financially possible. • There is ongoing constructive engagement between all interested parties. • Appropriate long-term management of the building in line with its cultural and historic value is agreed. • Proposals which conserve and enhance the building and find appropriate new uses for it will be supported. | Torbay Council, Historic England and interested parties |
| RST03 | Lupton House is conserved and enhanced, and its Italianate garden is restored. | <ul style="list-style-type: none"> • There is ongoing constructive engagement between all interested parties including Torbay Council, Lupton House Trust and Historic England. • A management plan is agreed and operational, and Lupton House Trust are appropriately supported to deliver it. • The building is secure and deterioration is halted. • The Italianate garden is in a programme of restoration. | Lupton House Trust in partnership with Torbay Council and Historic England |
| RST04 | Princess Gardens and Royal Terrace Gardens are maintained and protected for the future | <ul style="list-style-type: none"> • The Gardens continue to be maintained to a high quality. • The Gardens are removed from the Heritage At Risk Register. • Historic parks and gardens are key assets in the new Torbay Green Infrastructure Plan. | Torbay Council |
| RST05 | The special characters of Roundham and Paignton | <ul style="list-style-type: none"> • Traffic in the Conservation Areas is reduced. | Torbay Council in |

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| | Harbour and Torquay Harbour Conservation Areas area preserved and enhanced. | <ul style="list-style-type: none"> • Further loss of historic features is discouraged. • Walking and cycling in these areas is encouraged. • Further loss of natural, local slate roofing is discouraged and its use is supported in new buildings and restoration works. | partnership with building owners, developers and local communities. |
| RST06 | Babbacombe Cliff Railway is recognised as a heritage asset and is protected for the future. | <ul style="list-style-type: none"> • DCMS confers listed building status. | Torbay Council and Historic England |

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Agatha Christie and writers on the Riviera

Torbay has a rich literary heritage, with world famous novelist Dame Agatha Christie as its figurehead.

Agatha Christie was born in Torquay in 1890. She began writing crime stories while volunteering as a nurse and dispenser at the Torquay Town Hall Red Cross Hospital during the First World War. It was here that she gained her knowledge of poisons. Her characters from this time were based on people she observed on the Torquay tram. She also met some of the Belgian refugees who sought sanctuary in Torbay, and from them she took the inspiration for her most famous detective, Poirot.

She was a keen cinema goer and she had a favourite seat which survives at the Paignton Picture House. Locations in her novels are often inspired by local places, for example Kents Cavern. Her beloved holiday home, Greenway, above the River Dart, provided the setting for several fictional murders. The house is now run by National Trust and houses an important collection of Christie artefacts.

Greenway is a place of pilgrimage for Agatha Christie fans, but most other sites associated with her are not currently exploited for tourism. The English Riviera Destination Management Plan recognises that Agatha Christie provides a useful cultural offer that is currently under-developed, while the Torquay Neighbourhood Plan includes a community aspiration to develop new visitor opportunities around the connection with her.

While Agatha Christie may be Torbay's most famous daughter, many other writers stayed and produced work here, where the beauty and sea air was believed to be restorative and inspiring. In 2019, Torbay Culture produced *Writers on the Riviera*, a guide to sites in Torquay associated with 15 of the greatest British and Irish writers of all time. They include Oscar Wilde, Mary Shelley, T.S Elliot, and many others.

Key assets

Sites

| Asset | Heritage Designation | Environmental designation | Ownership | Heritage at Risk Register |
|--|---------------------------|---------------------------|------------------------------|---------------------------|
| Torbay Cinema (Paignton Picture House) | Grade II* listed building | | Paignton Picture House Trust | Y |
| Kent's Cavern, Torquay | Scheduled Monument | SSSI | Private owner | |
| Church of All Saints | Grade I listed building | | Diocese of Exeter | |
| Greenway | Grade II* listed building | AONB | NT | |

Other assets

- The UK's only museum collection of Agatha Christie ephemera and memorabilia, held at Torquay Museum. Its 1,000 items include books and first editions, costumes from television adaptations, a set from ITV's Poirot and a large collection of souvenirs, film and theatre programmes, film posters and fan items.
- Almost 21,000 items at Greenway, collected and treasured by the Christie family over several generations.
- The Agatha Christie Potent Plants Garden at Torre Abbey, featuring poisons used in her books.

| ID | Objective | Measures of success | Responsible |
|-----------|--|---|--|
| LIT01 | Paignton Picture House is restored and converted to new use. It is well used by the community and is an anchor heritage site within a regenerated town centre. | <ul style="list-style-type: none"> • Future use is agreed by all interested parties and a plan for conservation, conversion and ongoing management is in place. • Paignton Picture House Trust is well managed and sufficiently resourced to deliver the management plan. • Works are on schedule to achieve community access and use. • Paignton Picture House is integrated into the programme of wider town centre regeneration. | Paignton Picture House in partnership with Torbay Council, TDA, Torbay Culture and local communities |
| LIT02 | People seeking an Agatha Christie experience are attracted to Torbay in significant numbers. | <ul style="list-style-type: none"> • A strong relationship with the National Trust integrates Greenway into Torbay's Agatha Christie offer. • Greenway is included as a key destination in sustainable transport planning in Torbay. • The Agatha Christie Festival is appropriately supported and promoted and continues to thrive. • Collaboration between sites and organisations that have Agatha Christie collections or associations is supported and encouraged. • Visual links to Agatha Christie in the public realm are clearly marked and celebrated. • Increase in visitors citing Agatha Christie connection as a reason for visiting. | Torbay Council, TDA, Torbay Culture and ERBID in partnership with National Trust and other key sites |
| LIT03 | Visitors and residents experience, enjoy, understand and contribute to Torbay's literary heritage. | <ul style="list-style-type: none"> • Writers on the Riviera promotion continues and expands. • Schools and community groups in Torbay are supported and encouraged to engage with literary heritage in creative ways. | Torbay Council, TDA and Torbay Culture in partnership with local arts groups |

| | | | |
|--|--|---|-----------------|
| | | <ul style="list-style-type: none">• Literary heritage is a foundation for supporting new work by local writers. | and communities |
|--|--|---|-----------------|

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Emerging stories

Our understanding of Torbay's past evolves constantly as new discoveries are made and the preoccupations of our own time change. Torbay Council, TDA and Torbay Culture support activities that uncover historical evidence, listen to unheard voices or re-evaluate established stories through new lenses.

Over the next five years, we expect to understand more about a range of topics, including:

Romans and Romano-British Torbay

Recent archaeological excavations at Ipplepen, just outside Torbay, have revealed the Roman influence in our region to be greater than previously thought. The site is unique to South West England and finds there are changing our understanding of life on the edges of the Roman Empire. There is a strong possibility that there is important Roman-age evidence within Torbay waiting to be discovered. A rectangular enclosure recently identified in cropmarks at Burrow Down near Paignton, for example, is a possible Romano-British site.

Marble industry

Research by the team at Torquay Museum has shed new light on Torbay's marble industry, a significant story that had been almost forgotten. In the nineteenth century, Torbay had a natural supply of high-quality marble and plenty of wealthy customers eager to buy luxury fittings for their new villas and mansions, fashionable marble jewellery and exclusive souvenirs. Many local people were employed in the industry, as miners, engineers, designers, masons, craftsmen and retailers. Torquay marble can be seen in most grand houses and churches of the period in Torbay, including Oldway Mansion.

Torquay Museum holds a collection of impressive artefacts but more work is needed to identify Torbay marble features and objects as local marble is often mislabelled. To better understand the history of the industry and its potential for public engagement, it is also necessary to establish the condition and accessibility of mine sites and to track down relevant archive material.

Smuggling

The success of Brixham's annual pirate festival offers an opportunity to engage a wider audience with the town's real and more complex history through related maritime topics. Smuggling has a long history in Brixham with social, economic and cultural impacts. The smuggling exhibition at Brixham Heritage Museum is a way into the subject that could be extended via more research to establish and connect relevant sites in the town.

Recent decades

Torbay Council, TDA and Torbay Culture believe that recent history should be recognised, recorded and valued, and that all our communities should have the opportunity to contribute to our shared narratives. Therefore, we encourage new research and interpretation of the Bay's twentieth and twenty-first century heritage. Since the Second World War, many people have settled in Torbay from elsewhere, particularly from other parts of the UK and Eastern Europe. Their experiences enrich our culture and are part of Torbay's story.

Covid-19 (coronavirus)

This strategy has been written in the midst of the Covid-19 pandemic, a global crisis that will come to be seen as a major historical event. From our perspective in 2020, we cannot predict exactly how

Torbay will be affected but there will be a significant impact on our communities. As we recover, heritage will be essential in a number of ways:

- **Recording**
It will be important to bear witness to the experiences of Torbay's people and create an account of what happened here for future researchers.
- **Community**
We predict that heritage sites will become valuable places of gathering and reconnection when societal restrictions are lifted.
- **Learning**
Once free movement is reinstated, we may see a surge of interest in experiential learning through visits to sites and engagement with collections
- **Health**
Sickness, grief and isolation are likely to lead to significant physical and mental health issues for many people. We must explore the role that heritage sites can play in our collective healing through access to beauty, tranquillity, open space and voluntary opportunities.
- **Economy**
At this stage we do not know how long travel restrictions will be in place but there is likely to be a significant impact on Torbay's tourism industry. Attracting new visitors and extending the season will be central to our economic recovery and it is imperative that heritage is a key component in Torbay's tourism offer.

Objectives

We recognise that priorities may emerge relating to these or other topics during the life of the Torbay Heritage Strategy, and it must have the flexibility to incorporate new objectives and actions accordingly.

Acknowledgements

Our thanks to the staff and volunteers of the following organisations who gave their time and expertise to help produce this strategy.

Brixham Town Council

Devon Gardens Trust

English Riviera UNESCO Global Geopark

Friends of the Vigilance

Historic England

Kents Cavern

Lupton Trust

National Lottery Heritage Fund

National Trust

Paignton Heritage Society

South Devon Area of Outstanding Natural Beauty (AONB) Partnership

South West Coast Path

South West Heritage Trust

Torbay Civic Society

Torbay Coast & Countryside Trust

Torbay Community Development Trust

Torbay Culture

Torquay Museum

Torre Abbey Museum