

## Meeting of the Council, Thursday, 9 December 2021

### Questions Under Standing Order A12

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

#### First Round

<p><b>Question (1) from Councillor O'Dwyer to Leader of the Council (Councillor Steve Darling)</b></p>	<p><b>Can the Cabinet Member for Community and Corporate Services provide on a ward by ward basis the schemes progressed under the Community Ward Fund specifically:</b></p> <ul style="list-style-type: none"> <li>• <b>what works have been undertaken and the cost difference between the expected cost and the final cost e.g Wellswood were quoted £600+ VAT for repainting 3 benches; and</b></li> <li>• <b>what requested works are still outstanding and how much each ward and ward partnership will still have to use.</b></li> </ul>
<p>Councillor Steve Darling</p>	<p>The list of schemes requested under the Community Ward Fund are shown in the attached table (Appendix 1) together with the costs and how much each ward has left to allocate. Each ward put forward schemes and in many cases no costs were included. Therefore there is not a complete list of expected costs versus final costs. Ward Councillors have been consulted once estimates have been received ahead of confirmation that the works can progress. Due to a firmer grip on the Council's finances, this is the first time in many years that the Council have been able to undertake such grass root investment in our communities and there are some lessons to be learnt as well as opportunities to develop capacity that we have become alive to.</p>
<p><b>Question (2) from Councillor Pentney to the Council's Representative on the Devon County Council – Investment and Pension Fund Committee (Councillor O'Dwyer)</b></p>	<p><b>Cop26 saw international agreement to cease investing and move towards a reduction in the investment in fossil fuels. What plans are there for the pension fund that serves Torbay Council employees to similarly disinvest from this sector?</b></p>
<p>Councillor O'Dwyer</p>	<p>Torbay through the Devon pension fund and its pooling provider Brunel are one of the leading Local Government Pension Scheme providers in this Environment, Social and Governance and Climate Change field. The fiduciary duty placed on us ensures that we take account of the risks and long term returns to fund our employees' pensions into the next century.</p> <p>It should be noted that,</p> <ul style="list-style-type: none"> <li>• The Devon County Council Pension Fund has committed to achieving net zero investment portfolios by 2050, or sooner.</li> <li>• Significant progress has already been achieved with a reduction in the Weighted Average Carbon Intensity of the Fund's equity</li> </ul>

investments of 37% since March 2019, and a significant reduction in fossil fuel reserves exposure.

- The United Nations Paris 2015 Agreement commits our governments to keep the global temperature increase to under 2 degrees and aim for 1.5 degrees. Carbon budgets produced by the Intergovernmental Panel on Climate Change, United Nations and the International Energy Agency show that preventing two degrees of warming relies on not burning 60-80% of all proven fossil fuels.
- The Devon Fund invests via the Brunel Pension Partnership, who are seen as leaders in the investment world in their approach to climate change. Brunel have played an active role in COP26 that took place in Glasgow during November 2021 including meetings with key policy makers, pressing for changes in the investment industry to support the transition to net zero. Faith Ward from Brunel sat on a panel on: "*Deploying capital in the age of planetary boundaries*" with Mark Carney, former Governor of the Bank of England.
- The Devon Pension Fund has taken action to move its UK and factor based passive equity allocations to new benchmarks that will be climate transition aligned and support companies who are effectively transitioning their businesses as well as significantly reducing fossil fuel reserves exposure.
- That the revenue obtained by fossil fuel companies from their customers dwarfs any funding they receive from equity investors, and that working with all investee companies to transition their reliance away from the consumption of fossil fuels in the course of their business is therefore the most effective means of preventing the burning of fossil fuels and generating real progress in tackling climate change.
- As climate change poses material financial risks to portfolios, pension funds have fiduciary duties to consider the benefits of decarbonising as part of their investment strategies. Fiduciary duty is defined by the Law Commission as 'ensuring that pensions can be paid, ensuring that this is undertaken at the best possible value'. The Devon Pension Fund fully endorses the need to address climate change risks through its investment strategy.
- Pension funds have a legal duty to treat members "fairly as between them". That means taking seriously the longer-term interests of younger members who may well be affected more by the climate transition.
- Divesting shares in fossil fuel companies does not stop them polluting and continued engagement has a significant role to play in achieving progress on combatting climate change.

It should also be noted that the Pension Fund, has committed to:

1. Continually reviewing its Investment Strategy and Responsible Investment policies to ensure they remain fit for purpose and effectively manage the risks posed by climate change.
2. Maintaining responsible investment policies which:
  - (a) Seek to achieve net zero investment portfolios by 2050 or sooner.

	<p>(b) Seek a reduction of between 50-75% in the Weighted Average Carbon Intensity of the Fund's investments by 2030.</p> <p>(c) Continue to quantify and address climate change risks affecting all investments.</p> <p>(d) Actively seek to invest in companies that will reduce greenhouse gas emissions and minimise climate risk, through for example a target to invest 5% of the Fund in renewable energy infrastructure by 2025, and investment in funds that reward positive progress by companies in transitioning their businesses in line with the Paris Agreement.</p> <p>(e) Invest in funds that track the recently launched Climate Transition and Paris Aligned Benchmarks via Brunel as part of the Fund's asset allocation strategy.</p> <p>3. Continuing to provide a detailed report on the carbon footprint of the Devon Pension Fund investments on an annual basis in the Pension Fund Annual Report.</p> <p>4. Consulting regularly with pension fund members on their views on responsible investment, including the Pension Fund's policies on climate change.</p> <p>There is significantly more information at the Peninsular Pensions, Brunel Pension Partnership and Devon County LGPS websites also.</p>
<p><b>Question (3) from Councillor Atiya-Alla to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</b></p>	<p><b>I understand that Torbay Council are looking to replace a 45 year old recycling baler with a new piece of plant. I believe the replacement will cost in the region of £350,000. Can you please advise what carbon reduction impact the new baler will have and any other efficiencies may be garnered from it?</b></p>
<p>Councillor Morey</p>	<p>The most beneficial impact is the fact that the new baler will produce much denser bales which will mean fully loaded vehicles by weight, so each year we estimate reducing the number of articulated lorry movements by about 28 to 30 trips, which will not only be a fantastic Carbon saving, but will save SWISCo about £15,000 a year as well. It will also have other benefits including:</p> <ul style="list-style-type: none"> <li>• faster throughput,</li> <li>• less downtime for maintenance so less material having to be sent co-mingled to Coastal waste,</li> <li>• hardly any bales falling apart and having to be put through baler again because of wires breaking so less baling wire used and more time saved.</li> </ul>
<p><b>Question (4) from Councillor Mandy Darling to the Cabinet Member for Children's Services (Councillor Law)</b></p>	<p><b>I understand that Children's Services were recently shortlisted for an award at the Local Government Chronicle award. Whilst it was disappointing that we did not receive the ultimate award, being shortlisted is an achievement in its own right. What lessons did Children Services learn from participating in this competition?</b></p>

Councillor Law	<p>As Cllr Darling rightly says, it was an achievement that Torbay Children's Services were finalists in the LGC awards and having time to describe the work we have undertaken since we were judged inadequate was cathartic, reassuring and affirming that we are on the right track but with much to do. Our presentation underlined just how far we have come on our journey to deliver better services to our children and families. The recognition of this progress by the judging panel was morale boosting for the workforce and it was positive that a number of the frontline staff and managers were able to share in the award celebrations that were held in London.</p> <p>We learned much about where we need to go next in our journey of continuous improvement. We will focus on strengthening the whole children's service and seek further and closer alignment and integration with our statutory partners, the voluntary sector and most importantly with our families and children. We will redouble our efforts to provide quality services to meet need by using our resources innovatively to provide added value and we will continue to do our best to maintain or improve the quality of what we are already doing well. We will not lose sight of our ambitions and goals.</p>
<b>Question (5) from Councillor Dudley to the Cabinet Member for Adults and Public Health (Councillor Stockman)</b>	<b>Over the last two years, the Council has got a firmer grip on its finances . The Council has made a fund of £250,000 available to invest in our community centres. Surveys were undertaken this summer of our centres. Can you please advise what impact this will have on our cornerstones of our communities?</b>
Councillor Stockman	<p>The community centres surveys have given the Adult Social Care team and TDA a clear picture of urgent works that need to be addressed from this funding. Meetings have already taken place with the Acorn and Medway Centres to put in place capital works that will be carried out at the Centres over the next year to 18 months. Further meetings and plans will be made with regard to all the community centres.</p>
<b>Question (6) from Councillor Dart to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</b>	<b>Our town centres and sea fronts experienced a phenomenal level of demand this summer, what lessons have been learnt from the support that was required and how are we planning to embed these lessons in the long term?</b>
Councillor Morey	<p>It's been a unique year for Torbay - The destination has seen a significant number of visitors during summer 2021. The English Riviera BID Company have conducted a survey of visitors this year, achieving 1,400 responses, the results are now being analysed. Top line data includes 89% high rate of return (72% definitely, 17% probably) and 25% have already booked for 2022. There is evidence that Torbay's benefited with new visitors coming to the resort and we want to be able to encourage those people back and to tell their friends and families about the offer that Torbay has for visitors.</p> <p>Further analysis will tell us more about how the destination has performed and what we may need to improve in due course. Positively, forward bookings across for 2022 are already looking healthy.</p> <p>The approach taken through the Welcome Back Fund work and more generally saw a pre-season audit of works required, which was supported by regular workshops, both pre-season and throughout the season, to</p>

	<p>ensure that the resort presented as well as possible. We will work to make this a business as usual activity.</p> <p>Furthermore, TDA on behalf of Torbay Council is currently undertaking a review of the 2017-21 English Riviera Destination Management Plan, to produce a new plan setting out the strategic way forward as the destination emerges from the Covid-19 pandemic which will help shape the future of tourism and the visitor economy and in support of the administration's ambition for the sector. This work is underway with the aim of having a new plan for the early spring of 2022. The results of the ERBID 2021 visitor survey will feed into the review.</p> <p>Further work must and will be done across Torbay to achieve a robust and diverse offering to visitors and residents all year round.</p>
<p><b>Question (7) from Councillor Johns to the Cabinet Member for Economic Regeneration, Housing and Tourism (Councillor Long)</b></p>	<p><b>It was pleasing a few weeks ago to learn that Torbay Council was successful in its compulsory purchase order for Crossways shopping centre in Paignton. Whilst it may be some weeks away before the local authority take ownership of this eye sore in Paignton, what are we doing to ensure that we hit the ground running when we have full ownership of the site?</b></p>
<p>Councillor Long</p>	<p>We are delighted with the outcome of the Compulsory Order decision and this milestone event now means the regeneration proposals for Paignton town centre can now become a reality. The Challenge period is almost over which will be followed by a reasonable notice period for the tenants to vacate, most likely this will be 3 months. While this is happening we are already preparing the demolition specification so that this can be tendered and a contractor can be appointed to start work very shortly after vacant possession has been achieved. Clearing the site will then allow detailed site investigations and surveys to take place that are very difficult to do with the building in situ which will allow a further report to go to Cabinet for authorisation to proceed with the development.</p>

## Second Round

<p><b>Question (8) from Councillor O'Dwyer to the Chairman of the Audit Committee (Councillor Loxton)</b></p>	<p><b>Can the Chairman of the Audit Committee provide:</b></p> <ul style="list-style-type: none"> <li>• a list of the proposed Internal Audits for this financial year;</li> <li>• a list of those that have been completed to date;</li> <li>• the cost/expected annual costs of these audits;</li> <li>• the opinion levels given by the auditors for each subject area and the audit;</li> <li>• the high or medium level risk actions that came out from these reports;</li> <li>• whether the actions have all been agreed by management and subsequently carried out; and</li> <li>• what actions are now overdue from this and previous years internal audit action plans.</li> </ul>
<p>Councillor Loxton</p>	<p>As per the approved Council budget for 2021/2022 the Council contributed £186,000 towards the Devon Audit Partnership for the delivery of the Internal Audit function. The Internal audit plan for 2021/2022 was considered by the Audit Committee on 24 March 2021 and set out the proposed internal audit activity for the year and an outline scope of coverage. The Audit Committee also receives the Internal Audit – Half Year Audit Report and at the same time the Follow Up Report on Areas</p>

	<p>Requiring Improvement both of which are due to be presented to the Audit Committee on 26 January 2022. These reports provide assurance opinions and areas which are identified as 'improvements required' would have action plans in place and the progress against these action plans would be reviewed by Internal Audit, and Audit Committee receive reports as to progress.</p>
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### Third Round

<p><b>Question (9) from Councillor O'Dwyer to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)</b></p>	<p><b>COP26 made a number of pledges on future action to tackle climate change. This Council declared a climate emergency in June 2019 what has the Council done since:</b></p> <ul style="list-style-type: none"> <li>• <b>How much have we reduced our carbon usage as an authority?</b></li> <li>• <b>How many public electric charging points are there in the bay now and how many are on council sites?</b></li> <li>• <b>How many electric vehicles does the council currently own?</b></li> <li>• <b>Have we reduced our total energy use as a council since the emergency was declared?</b></li> <li>• <b>Prior to the Covid Pandemic what was our household recycling percentage, what was the recycling percentage when the Resource and Waste Management Strategy was approved and introduced and what is our current recycling percentage rate?</b></li> <li>• <b>Do we still consider the new diesel refuse vehicles we are currently purchasing as a positive climate change action?</b></li> </ul>
<p>Councillor Morey</p>	<p>The following response addresses each of the bullet points contained within the question in turn.</p> <p>The Council are in the process of calculating our carbon footprint. This will summarise where the Council's emissions come from across the authority. Consumption data on energy, waste, fuel consumption etc is being collated. There is no one source of this data and it has to be collated across many departments, the TDA and SWISCo. This process of data collection is proving to be a challenge given the significant reduction in officer resource during the austerity years.</p> <p>Zap Map (an online application) shows how many charging points there are in Torbay or indeed anywhere in the UK. On this map 10 sites are within the Torbay area. Sites include petrol stations, garages, supermarkets and hospitality locations. The Council are in the process of installing public electric chargers in 10-12 public car parks. This work will commence in Spring 2022.</p> <p>The Council is undertaking a green fleet review. This aims to provide a long-term approach to transitioning the Council and SWISCo/TDA fleets over to ultra-low emission vehicles, and in line with the Council's carbon neutral 2030 target.</p> <p>Energy consumption data is being collated as part of the carbon footprint work. It is envisaged that the energy consumption data will be available from the TDA for 2019/20 and 2020/21 before Christmas 2021. This will then enable us to see if any savings have been made since the climate emergency was declared in 2019.</p>

Prior to Covid, the recycling and composting rate for the reporting period April 2019 – 31 March 2020 was 40.2%. Due to Covid, the rates declined in the following year to the end of March 2021 and this was not helped by the enforced closure of the Household Waste and Recycling Centre, along with our green waste collection points in Torquay and Brixham. Also, the Resource and Waste Management Strategy and Action Plan were not fully approved until May 2021. As of September 2021, recycling and composting rates are showing signs of recovery after the worst of the pandemic. In total rates are at 38% for the year so far. The most recent quarterly statistics (period July - end of Sept) shows a rate of 40% (*please note that there is seasonal variation that also affect the figures*).

As already mentioned the Council is undertaking a green fleet review. This aims to provide a long-term approach to transitioning the Council and SWISCo fleets over to ultra-low emission vehicles, and in line with the Council's carbon neutral 2030 target. In the meantime, where any new vehicle is required, SWISCo will explore ultra-low emission alternatives such as electric vehicles or other options. SWISCo are currently piloting the use of an electric forklift vehicle and an electric forklift is in use at Brixham Harbour. SWISCo aim to go out to procure three electric forklifts which will be operational by Summer 2022. At the time when the new diesel refuse vehicles were ordered, there was no viable alternative option available on the market that would meet our need and deliver lower omissions than the fleet that we eventually purchased.