

Meeting of the Council, Wednesday, 20 September 2023

Members' 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

Question 1

Councillor Steve Darling to the Overview and Scrutiny Co-ordinator (Councillor Twelves)

Over the weekend of 15-16 July 2023, a Devon Live report identified 37 beaches across Devon listed by Surfers Against Sewage as either storm sewage having been discharged from a sewer overflow in this location within the past 48 hours, or there was a potential for sewage in this area. Beaches that fell into these two categories in Torbay were: Meadfoot, Beacon Cove, Torre Abbey, Hollicombe, Preston Sands, Paignton Sands, Goodrington and St Mary's Bay.

This was reported at the beginning of the school holidays, it is a shame that the government allows such reporting to be possible. This was poor publicity that Torbay could do without at the start of the school holidays. Residents and visitors should be confident that our waters are clean to enjoy.

In light of the above, do you agree that it was a poor judgement not to agree on the 5th of July at the Overview and Scrutiny Board meeting to undertake a bespoke spotlight review this summer to hold Southwest Water to account on the perception of pollution in our seas?

Answer: to Question 1 provided by Councillor Twelves

The Overview and Scrutiny Board, at its meeting on 5 July 2023, agreed that it was important to call South West Water to a meeting and requested the Democratic Services Team Leader to write to South West Water's Resilience Manager and Member of Parliament Liaison Officer to ask them to attend a future meeting of the Board.

Since that meeting, the previous Overview and Scrutiny Co-ordinator, Councillor Billings, has been working with South West Water to identify a suitable date for them to come to Overview and Scrutiny to discuss various concerns in Torbay. The Spotlight Review will be held on 5 October 2023. In view of this Members of the Board have been requested to identify key lines of enquiry that they would like to put to South West Water in order to facilitate an effective meeting.

Question 2

Councillor Johns to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

My residents in Clifton with Maidenway are starting to get a bit concerned about the Torbay Road and Station Square project and the lack of progress since the change of direction in plans. Please can you confirm when the deadline is to use the £13.36 million Future High Streets Funding?

Answer: to Question 2 provided by Councillor Chris Lewis

There will be a revised layout for the Torbay Road public realm scheme tested for the remainder of the summer and into the autumn. Station Square is very close to being ready to tender the works. Torbay's submission to Government set out that we would spend the funds by March 2024, this can be extended to March 2026 if agreed with Government.

Question 3

Councillor Law to Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

The road junction of Avenue Road, Falkland Road, Chestnut Avenue, Walnut Road and The Kings Drive does not have a single safe pedestrian crossing. Some people using Torre Valley Car Park to access the Abbey, events on the Meadows and the seafront have reported to me that they feel unsafe to get to Torre Abbey gates.

Indeed from my perspective the current wide layout of the junction seems to encourage drivers to take chances they wouldn't normally take at other junctions, making it even more perilous for pedestrians to cross. Nearby residents and people who use this crossing daily (both drivers and pedestrians) have reported to me that they worry that it is only a matter of time before one of the near misses results in a tragedy.

The Partnership Administration had committed to look at this crossing as part of its wider highways and road safety campaign. Can this Administration give me assurance that they will look at pedestrian road safety at this junction as a matter of priority?

Answer: to Question 3 provided by Councillor Billings

A study has been commissioned to look at options and potential traffic impacts for this junction, including the impacts of including pedestrian facilities. The results of the study will be considered as part of proposals to upgrade the traffic signals at this location.

Question 4

Councillor Fox to the Cabinet Member for Pride in Place Culture & Events and Parking (Councillor Billings)

Since before the pandemic the Council have been consulting on the implementation of a 20 mph zone on and around Higher Fore Street, Barton. When is this project set to be implemented?

Answer: to Question 4 provided by Councillor Billings

Works to implement this scheme commenced in July 2023.

The 20 zone limit has been advertised and the majority of the signage is now in place. There are a small amount of remaining works that will be completed by October 2023.

Question 5

Councillor George Darling to the Cabinet Member for Housing, Finance and Corporate Services (Councillor Tyerman)

Torbay Council are undertaking a 'Have your say' survey with two Roadshow sessions set to be held in Torquay, Paignton and Brixham each and an online survey. Please can you advise what the costs of undertaking this survey and the associated roadshow, including the cost in officer hours of manning the stalls?

Answer: to Question 5 provided by Councillor Tyerman

A total of seven Roadshow sessions were held.

The costs associated with undertaking the residents' satisfaction survey are as follows:

Promotional materials £889

Printed surveys £187

Staffing costs of manning the stalls approx £4700

A significant proportion of the costs for the promotional materials are for materials which can be reused at future engagement and consultation events.

Question 6

Councillor Long to the Cabinet Member for Housing, Finance and Corporate Services (Councillor Tyerman)

What is the population of the three main towns in Torbay (Paignton, Brixham and Torquay), how many sessions of the 'Your Say!' Residents Survey took place in each town and where did each session take place?

Answer: to Question 6 provided by Councillor Tyerman

Based on the 2021 Census, the populations of the three main towns in Torbay are:
Torquay: 69, 564
Paignton: 52,930
Brixham: 16,813

Two sessions held in Torquay, both on Union Street.
Three sessions held in Paignton – at Middle Green, Victoria Street and Devonshire Retail Park, Long Road.
Two sessions held on Fore Street, Brixham.

Question 7

Councillor Harvey to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

It was hugely disappointing to find Torbay (in particular Paignton) overlooked in the recent announcement from the Office of the Police and Crime Commissioner of six new police enquiry desks being opened across the Devon & Cornwall force area - these were Ilfracombe, Honiton, Kingsbridge, Okehampton, Devonport & Looe. It therefore concerns me as to whether the current administration are strongly representing the need for investment of Devon & Cornwall police force resources across Torbay. Can the Cabinet Member provide any assurance of how they are raising such issues?

Answer: to Question 7 provided by Councillor Tranter

Conversations have taken place with the OPPC. As such a funding application has been submitted for Safer Streets 5 via the OPPC, of which we are awaiting the outcome imminently for the Paignton area. Included in this bid is an application to fund a mobile police station for Paignton. This could then be used as a deployable resource in the future based on need.

Question 8

Councillor Joyce to the Cabinet Member for Children's Services (Councillor Bye)

Can the Cabinet Member for Children's Services share with us details about future campaigns to try to increase and promote the number of Foster Carers/Families in the Bay.

Answer: to Question 8 provided by Councillor Bye

We continue to actively engage in activity to recruit foster carers to support some of our most vulnerable children in Torbay. There is on going activity throughout the year. A number of activities have already taken place throughout the year, including attendance at the Armed forces events, Torquay United, a number of school fetes, carers week, children's week and the Pride Event and Teignmouth Regatta. There

are a number of further events planned for the duration of the year as set out in Appendix 1.

Alongside these events we continue to work closely with Communication officers to promote campaigns through media activity as identified below:

- We are continuing to promote all the Fostering events through our social media channels including LinkedIn, Facebook and Twitter and NextDoor, and newsletters such as One Torbay (and for bigger events such as Pride, Armed Forces Day etc through press releases etc).
- We are in the process of refreshing the Fostering campaign and are gathering feedback for this (and asking for case studies) from local Foster Carers via an online survey. We are asking them similar questions to what we asked back in January 2020 when we last refreshed the campaign and are already starting to see a number of responses submitted to support this activity.
- We are enthusiastically working on updating the public facing webpages and our intranet however, this is an ongoing process.
- We launched the Fostering Friendly status during Foster Care Fortnight and have been promoting through internal channels since.
- Relevant links here:

<https://www.torbay.gov.uk/children-and-families/fostering/fostering-friendly-employer/>
<http://insight/information/hr/fostering-friendly-employer/>
<https://www.torbay.gov.uk/news/pr8902/>

Some links to recent communications activity which may be useful:

<https://www.torbay.gov.uk/news/pr8904/>
<https://www.torbay.gov.uk/news/pr8919/>
<https://www.torbay.gov.uk/news/pr8957/>

Question 9

Councillor Cowell to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

Can the Cabinet Member for Pride in Place, Culture & Events and Parking confirm when the Bin Infrastructure Plan is due to be published?

Answer: to Question 9 provided by Councillor Billings

Officers in SWISCo are drafting the plan with the expectation that the report will be ready for consideration in early 2024.

Question 10

Councillor Douglas-Dunbar to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

In light of the growing evidence of climate change, rising ocean temperatures and wildfires across the globe, how does the Council propose to strengthen the Local Plan to enable it to provide a balanced and sustainable framework for sound decision making whilst ensuring developers are adequately demonstrating their green credentials?

Answer: to Question 10 provided by Councillor Chris Lewis

The Torbay Local Plan 2012-30 "A Landscape for Success" contains many policies that seek to minimise Torbay's impact on climate change, and to provide resilience to the effects of climate change. This is made clear by Aspiration 5 of the Adopted Local Plan and Policy SS1 which sets a strategic "Growth Strategy for a Prosperous Torbay" requires that all development makes full and appropriate use of opportunities for low carbon and renewable energy technologies, consistent with the need to reduce Torbay's carbon footprint, and provide resilience to climate change. There are more detailed policies which include SS14 Low carbon development and adaptation to climate change.

The Local Plan is being kept under review in light of evidence of delivery to date, changes to legislation and government policy, and further updates that may follow.

Question 11

Councillor Virdee to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

In a recent Guardian article dated 25 August 2023, I was not surprised, as a Torquay town trader myself, to see concerns being raised by businesses in Torquay town centre. One business owner described this summer as the "worst in 14 years", with the town looking "deserted". Another estimated that "without support from the government, within the next 12 months, at least another third of the remaining businesses will close". In light of this, over six months ago, Torbay Council agreed in the 2023-24 budget for £100,000 to be allocated to introduce of a new role within the Council to act as a force for positive change in our town centres. Can you please explain why no appointment has been made?

Answer: to Question 11 provided by Councillor Chris Lewis

In order to give the new administration time to identify the specific challenges facing each of the town centres and reviewing the priorities recruitment has not yet commenced. There is a commitment to ensure that this budget is used to support vibrant and sustainable town centres in Torbay.

Question 12

Councillor Pentney to the Leader of the Council (Councillor David Thomas)

On the 25 August 2023, Members received a Devon Plymouth and Torbay devolution deal update from officers of Torbay Council. In it, it advised them that a draft deal should be published in early September, for Cabinets in Devon Plymouth and Torbay to consider. Can you please explain why on my submission of this question on the 5 September no such proposals have been shared with members? Where do these further delays lie, is it with Torbay Council or Central Government?

Answer: to Question 12 provided by Councillor David Thomas

As Councillor Pentney recognises in the question the member briefing noted that the draft deal should be published. Councillors will appreciate that the refinement of a devolution proposal for Devon, Plymouth and Torbay is important to get right. The joint work being undertaken by officers from partnership of Devon, Plymouth and Torbay local authorities with officials from the Department of Levelling Up, Housing and Communities is going well overall. We have had the added benefit of a positive meeting with Dehenna Davison, the Parliamentary Under Secretary of State for Levelling Up.

Whilst we were working towards the publication of a report for the September cycle of Cabinet meetings across the three partner authorities, there are ongoing discussions with the Department for Transport which we are seeking to conclude in the coming weeks. Once resolved, a report will be presented to the each of the partnership's Cabinets.

Question 13

Councillor Carter to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

Why did the Conservative administration not have a clear alternative way forward before announcing to residents that the current scheme for Crossways was unviable. What assurances can you give me that the local authority continues to have discussions with those who provide affordable housing, such as registered providers for social housing to ensure that whatever appears on that site will help with the housing crisis in Torbay.

Answer: to Question 13 provided by Councillor Chris Lewis

This administration has set out that it will put residents at the heart of what we do and we wish to be open and transparent with the residents of Torbay.

The Future High Street Fund proposal agreed by the Council and approved by Government identified Crossways as a transformational mixed use regeneration site. It is clear that the consented scheme is not viable without further significant grant support and on that basis officers have been asked to review options that are consistent with that identified use.

Question 14

Councillor Penny to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

I understand that over the summer the Local Authority have undertaken a fundamental review of the workings of the TDA, including their subsidiary TorVista Homes. Such reviews can be very supportive of new organisations as they grow into their roles, balancing social, commercial and financial issues.

Accordingly, can you please explain why a representative of TDA/TorVista Management, charged with achieving the Organisation's Goals and fully aware of the challenges involved, was not included on the Review Team?

Answer: to Question 14 provided by Councillor Chris Lewis

TDA is not a new organisation it has been established for twelve years. Good governance of local authority companies is essential, without effective controls and balances in place some local authority companies have created very significant liabilities for their parent Councils. In line with good practice as identified by organisations such as CIPFA, a review has been carried out testing not the workings of TDA but its ongoing purpose. The findings of that review are on the agenda for this meeting and, pending the decision on those recommendations, a TDA representative will join the project board.

Question 15

Councillor Mandy Darling to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

The provision of double yellow lines on Old Woods Hill and Briwere Road was advertised some months ago can you please advise when these works are due to be undertaken?

Answer: to Question 15 provided by Councillor Billings

The works have been held up to due to lack of capacity in the supply chain and other works with a higher safety priority. This work will be complete within six months.

Question 16

Councillor Nicolaou to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

Ellacombe Park on Market Street has experienced significant amounts of anti-social behaviour including drug paraphernalia, conflict amongst individuals and unauthorised camping. Do you agree with me that part of the solution to this challenge is to enhance surveillance both in person and by CCTV at this location.

How is Torbay Council able to work in partnership with Devon and Cornwall Police to tackle these matters?

Answer: to Question 16 provided by Councillor Tranter

The Council works in close partnership with the Police with weekly operational meetings to discuss such matters and undertake joint action. This could include working with youth services if appropriate, drug and alcohol services, rough sleeping team and the community. Action is taken against individuals where appropriate including the incident referred to regarding a tent in the park and associated behaviour. Each situation is unique and there are a range of enforcement and support interventions that are used on a daily basis.

CCTV can play a role in deterring anti-social behaviour along with wider interventions. The installation of a camera was explored, and a site assessment undertaken to facilitate CCTV coverage further up Market Street, as part of the Safer Street grant funding. To enable this to occur additional infrastructure was required to enable the signal to be relayed back to the CCTV hub and unfortunately there was not sufficient funding to proceed within the grant. This will be kept under review for delivery, if additional funds become available.

Question 17

Councillor Atiya-Alla to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

Many local residents tell me breathing new life into our town centres is something the Council should be undertaking. Can you please explain why, at the time of writing this question on 4 September, there has been no meeting of the town deal and future high street steering group?

Answer: to Question 17 provided by Councillor Chris Lewis

Over the course of the summer the Cabinet has asked that officers review the capital programme and test how swifter progress can be made in respect of the capital programme and especially the town centre projects while continuing to deal with the operational challenges brought about by market viability. A schedule of meetings for the steering group has now been updated.

Second Round

Question 18

Councillor Steve Darling to the Cabinet Member Children's Services (Councillor Bye)

I understand that a foster carer at a recent fostering forum put forward this question: young people in 6th form whose birthdays fall early in the school year, when they are 18 years old, may have to move into independent living as the carer/s may live in rented accommodation or have large mortgages and the staying put allowance won't

cover it. Will the Council consider enhancing the staying put payments in such situations to help reach the financial cap in the interests of stability for our cared-for young people? Can the Cabinet Member please advise how he is progressing this proposal?

Answer: to Question 18 provided by Councillor Bye

Local authorities provide 'staying put' type arrangements to any care leaver, this is a legal requirement (The Children and Families Act 2014 made amendments to the Children Act 1989). A duty was placed on local authorities to advise, assist and support both the young person and their former foster carers when they wish to stay living together after the 'former relevant child' reaches their 18th birthday. This is known as a 'staying put arrangement'. At this stage, the young person becomes an adult (and cannot continue to be supported as a cared for child) and the foster carer becomes a former foster carer. The Children's Partnership (2014) Staying Put Good Practice guide defines this further: 'it is the young person and their foster carer who make the joint decision to establish the arrangement. This is based on their commitment to each other and applies in the same way whether the foster carer is approved by a local authority or by an independent fostering provider'. A Staying Put arrangement is therefore governed by care experienced legislation, rather than fostering service regulations.

The funding for Staying Put arrangements is received through a central government allocation, with the requirement for financial support enshrined through Section 23CZA(4) of the Children Act 1989. Payments for staying put arrangements are set at a level which take into account any contributions by the young person (for example housing benefit); this is standard practice nationally and reflects the change in legal status of the cared for child to the care experienced young adult, in line with their preparation for independence.

In addition, this change opens up a realm of additional support for the young person, through the Local Offer as well as other education-related grants and benefits. An agreement is then reached between the care experienced young person and the former foster carer, sometimes known as a living together agreement, which includes a mutually-agreed position on the young person's contributions to their Staying Put arrangement. This is all in line with the Fostering Network and their position on Staying Put.

It is recognised and appreciated that the foster carer in question is advocating for creative ways to support our young people. We have acknowledged that the language and terminology used as part of the transition process relating to Staying Put requires review, to ensure former foster carers do not feel disempowered or at odds with their fostering principles. However, it is a requirement that we work within the established legal framework and therefore we are not in a position to consider enhanced Staying Put payments at this time.

Question 19

Councillor Law to Cabinet Member for Place in Place, Culture & Events and Parking (Councillor Billings)

The Partnership Administration had identified 6 further locations for the creation of 20 mph School Zones and in February this year we were assured that we would get an update on the developed locations and estimated costs of the work.

Clearly the summer holidays would have been the ideal time to undertake such work, however as yet none of the necessary public consultations have taken place.

Can you please confirm that the 6 identified 20mph School Zones will still go ahead, and if they are to confirm when the public consultations will commence and when the work is programmed to actually take place?

Answer: to Question 19 provided by Councillor Billings

A revised strategy for the implementation of 20mph zones will be developed in accordance with the recommended outcome of the Transport and Parking Working Party in February 2023.

Question 20

Councillor Fox to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

Torbay's residents continue to suffer from lower levels of bus services since the pandemic, when does the Torbay Bus Forum next meet?

Answer: to Question 20 provided by Councillor Chris Lewis

There is no date yet for the first Bus Forum meeting. Following agreement of the Torbay Enhanced Bus Partnership in April, it met for the first time in late August and arrangements are now being made for the Forum to meet at least 6 weeks ahead of the next partnership meeting which will be in February as set out in the Partnership documents.

Question 21

Councillor Long to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

How regularly are drains/gulleys on Torbay's road network checked by the Council?

Answer: to Question 21 provided by Councillor Billings

Road gullies are cleaned on a rolling cyclical basis. Gullies in more vulnerable locations are cleaned at least once every 12 months and any reported blockages are attended to on a reactive basis.

Question 22

Councillor Joyce to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

Can the Cabinet Member for Pride in Place, Culture & Events and Parking please confirm the budget for each town for Christmas 2023 decorations and lights?

Answer: to Question 22 provided by Councillor Billings

The council does not co-ordinate or deliver Christmas Lights in Torbay Town Centres. The lights are delivered by Torquay Town Community Partnerships, Paignton Community Partnership and Brixham Town Council. Council budget allocations for 23/24 did not include an allocation for supporting Christmas Lights.

Question 23

Councillor Johns to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

In my ward Clifton with Maidenway, I have had many complaints relating to dangerous driving and speeding especially on Marldon Road by Maidenway Road.

The speeding has been reported to Highways. The outcome of this reporting did not address mine and the resident's concerns. Please can you share with me what powers the Council has to address dangerous driving and speeding?

Answer: to Question 23 provided by Councillor Billings

Collision data is used to rank roads and look for locations where collision clusters are recorded. This ranking system determines where Road Safety measures are allocated ensuring they are at the most appropriate sites, where severe speed related collision problems exist. Therefore, any available funding must be targeted at these sites.

A collision analysis has been carried out for this area (Marldon Road by Maidenway Road) and it was found that in the last five years, there have been no speed related injury collisions recorded by the Police.

Based on this information, there are no plans for traffic calming in this area, at this time. However, we do have speed surveys scheduled on Marldon Road later this year and if any issues are identified, this information will be shared with the Police. The Council will be working with Vision Zero SW to explore the potential for Community Speedwatch partnerships to be established but specific powers to address dangerous driving and speeding and related enforcement is undertaken by the Devon and Cornwall Police.

Question 24

Councillor Mandy Darling to the Council's Appointed Outside Body Representative on the Devon and Cornwall Police and Crime Panel (Councillor Tyerman)

To ensure that there is an appropriate level of support to guide dog partnerships, has Devon and Cornwall Police signed up to a Service Level Agreement with Guide Dogs for the Blind?

Answer: to Question 24 provided by Councillor Tyerman

The Police have responded and do not have a formal agreement in place with Guide Dogs for the Blind. They inform us they do however work closely with the organisation.

Question 25

Councillor Harvey to the Chairwoman of the Planning Committee (Councillor Jackie Thomas)

Some months ago, officers of Torbay Council advised that a viability assessment would be undertaken by an independent expert in respect of the fragrance group stating that the planned for destination hotel on the former Palace Hotel site, Babbacombe Road, Torquay, is now economically unviable. Many months have now passed, and it is reasonable to believe this report has been undertaken. Can this report now be shared with all members of the Council and the public?

Answer: to Question 25 provided by Councillor Jackie Thomas

Officers have not been provided with a pre-application enquiry as expected. Ordinarily pre-application information would be made public once a formal planning application is made. If the information is deemed to be commercially sensitive, then an executive summary of the viability assessment will be provided at this stage.

Question 26

Councillor Nicolaou to the Cabinet Member for Housing, Finance and Corporate Services (Councillor Tyerman)

In an Institute of Public Policy Report, it stated that a private sector-funded investment of £13bn in the NHS will actually cost a total £80bn by the time that all interest is paid with interest rates rocketing since the Liz Truss premiership. I understand that Spires College and Homelands Primary School have benefitted under the Private Finance Initiative. Can you please confirm what the Council are predicting the projected total costs of these schemes to be, what the payments have been over the past 5 years, and what the initial investment was?

Answer: to Question 26 provided by Councillor Tyerman

The projected total costs of the schemes (Spires and Homelands) is £63.7m., covering the period from September 2001 through to September 2027. Rising interest rates do not impact on the Council's PFI payments as rates were set at the commencement of the scheme.

Over the 5 year period from 2018/19 through 2022/23 the payments were £14.76m.

The total expenditure over the full duration of the contract, (26 years), includes relevant operating costs such as facilities and services management of the sites which are funded through School budgets. Similar costs would have been incurred irrespective of the PFI arrangement.

The original capital sum invested was c.£17m.

Question 27

Councillor Virdee to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

Liberal Democrat Councillors have been raising issues around the inappropriate use of the highway for vehicles. On Westhill, we have had some vehicles for sale on the highway. In Plainmoor, there have been hobby vehicles stored inappropriately on the highway, yet officers have advised that Torbay Council does not currently have the resources to investigate and use the Council's powers to tackle this antisocial behaviour. I would welcome your thoughts on how we can address this issue?

Answer: to Question 27 provided by Councillor Billings

Vehicles advertising on the highway if they are legally parked, taxed and insured cannot normally be addressed through Highways powers, however Licensing and Community Safety may have options they can pursue regarding this. There are powers in the "Clean Neighbourhoods' and Environment Act 2005" that allow local authorities to enforce traders who are exposing two or more vehicles for sale within 500 metres of each other.

Inspectors will visit and assess any complaints we get, however in most instances we have no legal powers to deal with them unless they are in a dangerous state, in which case they can be removed.

Question 28

Councillor Penny to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

I understand that nine Torbay schools were built when the – now acknowledged – defective material Reinforced Autoclaved Aerated Concrete (RAAC) was being used to construct public buildings.

Given the serious risks involved, can you please advise me:

- A) How many and what type (e.g. Community Centres) of other public buildings were constructed during this period within Torbay; and
- B) What investigations the Local Authority have undertaken into their current state of structural safety and repair?

Answer: to Question 28 provided by Councillor Chris Lewis

The Council owns circa 575 buildings some of which pre date the establishment of the Council and the historic record doesn't provide estimated age for each of these buildings.

These are not all public buildings with some of them forming part of the Council's let estate. Reviews are underway of the Condition Surveys, which are completed on a 5-year cycle. Those surveys have not identified the presence of RAAC or deterioration of the building fabric which gives an indication of the presence of RAAC. Officers continue to review the estate and will be providing a list of any assets requiring further investigation to be certain they are not constructed of RAAC material.

Question 29

Councillor Pentney to the Council Appointed Director on the Torbay Economic Company Ltd, known as TDA (Councillor Brook, Fox and Maddison)

The TDA recently asked for contributions from the Torquay Neighbourhood Planning Forum totalling £200,000.00 from its Community Infrastructure Levy fund to help with the redevelopment of The Strand project. I understand that this fund should be used to support community grassroots projects, can you as a Council appointed Director of the TDA please explain who authorised the above application.

Answer to Question 29 provided by Councillor Brook, Fox and Maddison

Community Infrastructure Levy includes for a neighbourhood portion of CIL to be spent in the neighbourhood where the CIL arises. The costs of every capital project have increased and in the case of this scheme the Town Deal Board and its community board along with a range of other community correspondents have encouraged the Council to find a way to fund the project to allow it to begin. Discussions took place between TDA and Council officers to explore this as an option.

Question 30

Councillor George Darling to the Cabinet Member for Place Development and Economic Growth (Councillor Chris Lewis)

At the previous full council meeting I enquired about the Premier Resort Fund, whether it could be used in part for the Babbacombe Core Tourism Investment Area in resurfacing the Oddicombe Beach causeway and improving signage in the area. It was kindly agreed for officers to explore the affordability of this, could you please advise on the outcome?

Answer to Question 30 provided by Councillor Chris Lewis

The premier resort budget has now been fully allocated across a range of projects including temporary beach toilets, shelter repairs, seafront illumination project, repairs and improvements to the public realm, cycle calming, new beach huts and rangers, new cleansing equipment, improvements to the coastal footpath and supporting blue flag awards.

Third Round

Question 31

Councillor Steve Darling to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)

A few weeks ago, I exchanged emails with SWISCo about a broken lock on a gate at the Windmill playing fields in Torquay off of Higher Audley Avenue. When I reported this to the out of hours team on 4 June, I was advised that this would be emailed to officers so it would be dealt with on Monday morning even though I was calling the out of hours team as residents were concerned that the lock had been deliberately broken by travellers who intended to gain access to the site over the weekend. Can you please explain why Torbay Council have adopted this approach to what many would see as an urgent issue?

Answer: to Question 31 provided by Councillor Billings

Ensuring the integrity of Torbay's open spaces is important. Regrettably the process of out of hours response did not raise this issue as urgent to the on-duty manager or highways inspector. The gate was damaged at some point leading up to the weekend and this was not reported. A chain and lock are now back in place and the entrance is regularly inspected. An amended process of out of hours response is now in place for the on-duty manager to respond and take action where possible if identified as urgent.

The amended process of out of hours response has been in operation for some weeks now and is working well. The remote call centre pass all reports to the on duty weekend manager via email who then triages them and responds as required.

Question 32

Councillor Long to the Council's appointed Outside Body Representative on the Devon and Somerset Fire and Rescue Authority (Councillors Fellows and Tolchard)

You were appointed to the Devon and Somerset Fire and Rescue Authority four months Ago. Can you please explain why you have failed to keep all Torbay members up to date in respect of this body in the last few months?

Answer: to Question 32 provided by Councillors Fellows and Tolchard

We have attended the Devon and Somerset Fire and Rescue Authority Annual General Meeting at Service Headquarters on 12 June 2023, when a new Chairman, Councillor John Cook-Woodman, was appointed. This was followed by the Ordinary Meeting at which Councillor John Fellows was appointed to serve on the Audit Committee and Councillor Anna Tolchard to serve on the People Committee. Councillor John Fellows has since attended a meeting of the Audit Committee and Councillor Tolchard has attended the People Committee. Councillors Fellows and Tolchard have also both participated in the regular online Forums. Our annual report will be submitted to the Overview and Scrutiny Board after the Authority's annual meeting next year and we will provide ad-hoc reports on matters where we feel they are in the Council's interest.

Question 33

Councillor Law to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

As the Cabinet Member for Adult and Community Services, Public Health and Inequalities can you assure me that you would lobby against the privatisation of the collection of outstanding adult social care debt?

Answer: to Question 33 provided by Councillor Tranter

Adult Social Care is charged for, and the collection of debt is vital to ensure that funds are available for all vulnerable adults. We always seek to support people to collect their debt, including offering support with wider financial issues when people are struggling. However, some people simply won't pay what they owe, and some Local Authorities have used other agencies to collect debt in these circumstances. All options are being considered locally.

Question 34

Councillor Mandy Darling to the Chairman of the Planning Committee (Councillor Jackie Thomas)

At August's Planning meeting a scale model had been constructed by an objector to assist myself as a visually impaired member of the committee, this had previously been agreed with officers. Can you explain why you failed to make reasonable adjustments to allow me to access the scale model as part of my consideration of this application?

Answer: to Question 34 provided by Councillor Jackie Thomas

Prior to the Planning Committee the objector informed myself that he intended to bring the model to the meeting as an aid for 'Councillor Darling and other committee members'. I understand officers made enquiries with you initially as to whether the model would assist you before then discussing with me the Constitutional requirements and the best approach.

The application considered by the Planning Committee in August had previously been deferred from July in order to obtain further information in respect of whether the proposed thickness of the floor and height of the ceiling could be reduced. These were the only new matters that were before the Planning Committee in August and there was no request from the objector to present a physical model at July's Planning Committee.

In considering the objector's request, I was guided by the Council's Constitution Local Code of Good Practice for Members and Employees involved in the Planning Process which states: 'members of the public may support their verbal representation at Planning Committee with an electronic visual presentation and are required to e-mail their presentation to the Planning Department (planning@torbay.gov.uk) two clear working days prior to the meeting to enable the presentation to include in the meetings overall presentation'. A physical model did not meet this requirement and the objector was advised that they could take photographs of the model and submit them to the planning department, the objector duly did so and the photos were displayed on screen when the objector addressed the Committee. You also had these in the meeting enlarged on your personal screen to enable you to view them in the format which you can access.

As the meeting is live streamed and in the interests of fairness, transparency and accessibility to all who may be participating or watching, they were able to view the photographs whereas those viewing the live stream would not have been able to properly view a physical model in the committee room. It would not be appropriate for a model to either be passed around Members at the committee table or, if larger, for members to be getting up to view a model and perhaps discussing matters whilst doing so amongst themselves thereby undermining transparency of discussion or deliberations which could then leave the Committee open to criticism and challenge. I am sure that you will agree that the process has to be fair, transparent and accessible for everyone and asking for photographs of the model for screen presentation was a reasonable solution that maintained openness, transparency and ensured compliance with the requirements of the Council's Constitution.

Question 35

Councillor Fox to the Cabinet Member for Children's Services (Councillor Bye)

On 27th March 2023, Kevin Foster issued the following statement in respect of the £629,000 being awarded to the Acorn Centre, Torquay to support and encourage young people to socialise, develop new skills and better their physical and mental wellbeing: 'This investment from the Government into our youth services is very welcome. I now look forward to Torbay Council rapidly moving forward to deliver this project as it is vital when we receive such national funding support, residents and the Government promptly see it making a difference for the next generation.' In light of the above, can you please advise the progress of these funds to help facilitate enhanced youth services in Torquay?

Answer: to Question 35 provided by Councillor Bye

The YIF (Youth Investment Fund) plan of work is now back on track with full support of our Relationship Manager from the Social Investment Business (SIB). The SIB are the relationship managers appointed on behalf of the Department of Culture, Media and Sport (DCMS) and are 'managing' the agreement. The SIB undertake the necessary due diligence checks related to the proposal which they present on our behalf to the Panel (DCMS). The SIB also monitors the work undertaken, the budget spends and the timescales for delivery ensuring that the signed contract and the agreed spend is complied with.

This followed a period in which there were requests to alter the original submission that was originally considered by DCMS. There was a change in Board of trustees at the Acorn centre and this led to some delay in the project commencing.

The Acorn Centre are working closely with TDA to accommodate the work required and a draft plan of youth activities has been proposed. The Acorn Centre have employed a new Business Manager who will be our point of contact for both the capital development work and the youth activities. All capital work is planned to be completed by December 2024 which is in the timeframe of the original scope. Those youth activities that are not dependent on the new spaces created will look to begin beforehand. The dates are to be confirmed following a meeting with the Acorn Business Manager to agree the detail required.

These youth activities alongside the Youth Service activities and the newly commissioned community-based Youth Clubs will form the wider youth offer which will cover the whole of Torbay and be linked through the Youth Hub, and as part of the wider Family Hub network.