

## **Minutes of the Overview and Scrutiny Board**

**4 June 2025**

**-: Present :-**

Councillor Long (Chairman)

Councillors Douglas-Dunbar, Fellows, Foster, Johns, Law, Maddison, Spacagna (Vice-Chair), Stevens and Tolchard

(Also in attendance: Councillors Billings, Brook, Bye, Mandy Darling (virtually), Chris Lewis (virtually), David Thomas, Jacqueline Thomas and Tyerman)

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### **1. Apologies**

It was reported that, in accordance with the wishes of the Independent Group, the membership of the Board had been amended to include Councillor Maddison in place of Councillor Cowell for this meeting.

### **2. Minutes**

The minutes of the meeting of the Board held on 7 May 2025 were confirmed as a correct record and signed by the Chairman.

### **3. Performance Report - Quarter 4 2024-25 O&S**

The Board considered the submitted Performance Report for Quarter 4 2024/2025 which provided an overview of the performance of the Council working towards the ambitions and priorities within the Community and Corporate Plan and the Council Business Plan. 125 performance indicators had been identified and 33 projects. The percentage of projects on target, completed or better than target had increased since Quarter 3.

The Board asked a number of questions in relation to the following:

- what was the reason for BP47 percentage of weed spraying schedule achieved during the period (quarterly) being worse than target and was there not an opportunity to spray the weeds after the good job the Team had done sweeping leaves off paths and roads;
- was there an update on the take up of MyBay since the report was prepared;
- BP26 number of concessionary bus journeys was down on target, with a reason that 2025/26 did not have part of Easter, this was due to the date that Easter fell on that year;

- what was the Minecraft Project and was it going to be delivered to other schools;
- what were the challenges and incentives to encourage employed people to take up training;
- when would we know if we have funding for the Family Hubs for 2026;
- rough sleepers were worse than target, what action was being taken to reduce this;
- BP04 percentage of contacts to Children's Services progressing to early help services in the period was much worse than target, what was being done to improve this;
- the Family Hubs have been really successful but the report refers to continuing to exit plan, how far had that progressed; and
- the target for the number of young people with special educational needs and disabilities (SEND) and/or who were also care experienced accessing work experience, internship and apprenticeships had not yet been achieved, what was being done to support this.

The following responses were provided to Members' questions:

- BP47 for weed spraying was 100% on target for Quarter 4, but overall was 79% as it was taken over the whole year;
- approximately 2,280 residents had signed up to the discount card and the Director of Pride in Place was meeting with the Team next week to look at card set up and for the Team to increase the number of businesses currently signed up from 150. It was noted that there were also discussions on whether or not to have an additional sign up period around Christmas but were waiting feedback from residents;
- the Minecraft Project was part of the Build Torbay initiative running with the construction sector across Torbay to raise awareness of careers across the sector and had been held at Shiphay Academy. There were issues regarding capacity and resources to roll this out further, but the overall Build Torbay support had gone well;
- the lack of employed people taking up training was around a contractor and what they had in place for training for the community, this had been addressed in contract review meetings and was expected to improve moving forward. There was also a need to build some targets in for Build Torbay;
- Government funding was expected to be announced on 11 June 2025 as part of the Comprehensive Spending Review, but it was not clear what level of detail would be included and if this would include funding specifically for the Family Hubs;
- there was an annual count of rough sleepers which took place across the country on the same day each year (Councillors were invited to take part in the count), this time it was 29 compared to 27 the previous year. The data showed that there were 111 different rough sleepers over the year which was roughly the same number for the last few years. The Council operates the severe weather emergency protocol (SWEP) and a Homelessness and Rough Sleeping Action Plan was being developed in partnership with the voluntary sector looking at homeless prevention and would be coming through the Adult Social Care and Health Overview and Scrutiny Sub-Board for consideration;

- the BP04 target for contacts to Children's Services had been set before there was a portal to separate out early years, it looks worse as people were going to Family Hubs instead of being referred through the Multi-Agency Safeguarding Hub (MASH). Families can now refer direct to the Family Hubs and there was a need to realign the target to reflect the positive changes in the system and the portal;
- the Director of Children's Services and Director of Public Health were working alongside the Family Hubs to ensure the services were delivered and looking at ways to continue to deliver the service, as the Government Funding was not known and they wanted to be able to continue to offer services through the Family Hubs; and
- the target for the number of young people with SEND and/or who were also care experienced accessing work experience, internship and apprenticeship would be extended if it was not achieved by 2026. The Director of Children's Services was doing a lot of work looking at internships especially for young people with SEND, working with the Director of Adult and Community Services on how the Council could support and improve the numbers.

The Board noted the Performance Report for Quarter 4 2024/2025 and requested an all Members briefing to be arranged on the work of Build Torbay.

#### 4. Budget Monitoring 2024/2025 Quarter 4 Outturn

The Board reviewed the submitted Budget Monitoring Outturn Report for 2024/2025 which set out the final position in respect of the Council's Capital and Revenue Budgets for 2024/2025. The Report would be presented to the Cabinet meeting on 9 June 2025 and the Council meeting on 24 July 2025, which was recommended to approve the allocation of the surplus £0.351m Revenue Funding. The Board also considered options for the allocation of the surplus funding, including the following outlined by the Cabinet Members at the meeting:

	£m
Better resident communications – following feedback from residents at the Airshow who did not know what was going on around Torbay.	£0.050
To accelerate Adult Social Care Customer Management System (PARIS replacement) Project – this will address an issue with the software raised by the Local Government Association and would assist with the Care Quality Commission (CQC) Inspection.	£0.050
Supporting Voluntary and Community Sector Youth Provision - transitional arrangements pending procurement – this would provide youth activity for 11 years old plus children during the Summer holiday similar to that provided by the Holiday Activities and Food Programme (HAF) which supported younger children and aimed to reduce the numbers being referred to the Youth Justice Service.	£0.050
Events – this would add to the winter wonderland experience as part of the Bay of Lights to encourage footfall during the shoulder season.	£0.040

Operation Brighter Bay – this would provide a new weed ripper to deal with the build-up of weeds across Torbay, provide additional pavement cleaning and more line painting.	£0.100
Operation Town Centres - improving CCTV – this would allow trees to be pruned on a quarterly basis to ensure good sight for CCTV cameras in the Town Centre.	£0.040
Enterprise Fund – to help small businesses start up and move into shop units and improve shop fronts.	£0.050
Revenue and Benefits Further system transformation/digitisation – this would pay for new software to improve communications and reduce the waiting time for customers to have their enquiries resolved.	£0.090
<b>Total</b>	<b>£0.470</b>
<b>Balance remaining/deficit</b>	<b>£0.114</b>

Members discussed the above topics and suggested that an additional item should be included to help support community centres, many of which were in a poor state of repair, and it would be useful for them to understand what needed to be done to help them apply for available grant funding for repairs. It was noted that condition surveys had been carried out around 2022 and that they may need to be refreshed/reviewed to ensure that they were up to date as some community centres had received funding and had works done. An example was also given that a recent Community Infrastructure Levy (CIL) Panel had allocated money to a community centre in Torquay to provide kitchen facilities.

The Board asked questions in relation to the following:

- was there still expected to be high pressures in Adult Social Care and Children's Services;
- what was the reason for the overspend in the Dedicated Schools Grant;
- what was the Children's Section 17 £215k overspend reflective of;
- there was an overspend of £214k for Children's Disabilities how was the Council going to deal with the demands for the next quarter;
- was there a trend in occupancy levels across the Councils investments and what was being done to manage this; and
- what was the reason for the underspend on the Highways budget.

The following responses were provided to Members' questions:

- Adult Social Care and Children's Services budgets continue to be volatile. There was some protection for Adult Social Care through the Integrated Care Agreement, with additional support put in last year for homelessness and temporary accommodation with sustainability plans put in place which had helped to manage numbers in these areas and resulted in a drop in spend. There had been additional funding put into Children's Services for 2024/2025 but there had been a targeted reduction in spending for Home to School Transport which equated to a cash saving of circa £1m. The overall

- underspends were less than 1% of the annual budget for both Adult and Community Services and Children's Services which was a great outcome.
- The Council was in the early stages of the safety valve for the Dedicated Schools Grant overspend and had taken the quick actions and was now implementing an improvement plan with support from the Government. This linked to other work on recommissioning some specialist provision to ensure it meets the individual child's needs and reduces additional external costs.
  - The Children's Section 17 had been impacted due to the number of families classed as intentionally homeless resulting in 'children in need' and the new Children's Reforms would result in such cases no longer needing to come to Children's Services - instead working with the families and Housing Team to help find suitable accommodation which should reduce the spend next year.
  - Part of the mid-term financial planning would review placements for children with disabilities to understand the reasons for overspending and this work would be incorporated within the existing Director of Children's Services Financial Sustainability Plan.
  - The commercial properties generate £13m income per annum with at net £4.1m allocated to the Council's Revenue Budget. The annual income was top sliced to account for any fluctuations in occupancy levels which was regularly reviewed. Levels of occupancy have been good for the commercial properties but there had been a change in the market for office accommodation which was being closely monitored. There were regular monitoring meetings looking across the performance of all investment properties and other income generating Council owned assets. Part of the 2025/2026 budget proposals included a 5% reserve from the income generating assets within Torbay, similar to commercial properties, to help cover the cost of void properties. The Council needs to look at the investments over the next five years to see if Officers need to take a different approach taking into account the market and what the Council wants to do with the various assets it owns. It was known when the Council purchased Union Square that there would be voids due to the planned redevelopment of the site.
  - The underspend in Highways was due to receiving more income than expected from road closures, the planned work had been carried out.

Members noted the approach to the Capital Programme with the Capital and Growth Board meeting each month and publishing decisions on Capital Spend between each quarter in public Records of Decisions and then reporting through the quarterly monitoring reports to provide greater transparency and showing movements in green.

The Board welcomed the underspend in Adult Social Care and Children's Services, especially around the home to school transport and thanked the staff for their hard work in achieving this, whilst being assured that support was being provided to those who needed it.

Resolved (unanimously):

1. that the Overview and Scrutiny Board notes the submitted Budget Monitoring 2024/2025 Quarter 4 Outturn Report;

2. that an additional key line of enquiry be added for the SWISCo Annual Report and Business Plan item due to be considered at the Board meeting on 9 July 2025, to include what has been delivered as part of the Brighter Bay initiative; and
3. that the Cabinet be recommended:
  - a. to allocate an appropriate amount of funding from the year-end surplus to update the condition surveys for community centres to help them with grant funding applications; and
  - b. to note that that the Overview and Scrutiny Board notes the suggested items put forward by the Cabinet for the year-end surplus and welcomes further discussions at the Cabinet and Council meetings.

## **5. Update on Planning Service for the Future – Development Management**

The Chairman of the Planning Committee, Councillor Brook, the Divisional Director of Planning, Housing and Climate Emergency, David Edmondson, and the Service Manager, Development Management, Jim Blackwell outlined the submitted report which provided an update on the Service Fit for the Future – Development Management Project and responded to questions. The Director of Pride in Place, Alan Denby, also attended the meeting and responded to questions.

Members asked questions in relation to the following:

- the performance report showed targets for major applications, minor applications and enforcements being below target, what action was needed to improve performance;
- was the number of applications received reducing;
- would the Board see more positive performance reports continuing;
- the last two Planning Committee meetings were cancelled was this because developers were not providing information quickly enough or detailed enough;
- the Heritage Strategy for 2021-2026 would soon be coming to an end, what impact has the Strategy had;
- when would the extra enforcement staff be in place; and
- what was the average planning enforcement fine and what proportion of enforcements related to developers rather than members of the public.

The following responses were provided to Members' questions:

- there were currently relatively low numbers of major applications which were showing as red as the Team relied on extensions of time due to the need for negotiations, amendments and re-consultation on applications and negotiations on legal agreements. The process has been changed focusing on pre-applications and working with a new Design Review Panel resulting in better quality applications being able to be approved first time by the Planning Committee rather than having to be deferred for further information or negotiation. The use of Power BI was enabling better quality data to be used across the Service.

- although the number of planning applications being received had reduced it did fluctuate. The amount of responsibility and complexity to the applicant and Officers had increased e.g. biodiversity net gain, which was why there was such a focus on the pre-application process, especially for larger developments;
- it was expected that performance on managing planning applications would continue to improve, for processing, validation and through use of pre-application and engagement processes;
- there was a good pipeline of applications coming forward for the Planning Committee but often through the consultation process issues were raised and need further work, applications were only taken to Committee when there was certainty over the application which reduces the chance of it getting deferred. Quarterly meetings were held with agents with focus on the importance of the flow of information and pre-application process and getting the pathways correct;
- the Heritage Strategy has enabled the Council to secure millions of pounds of additional funding e.g. £10m over ten years from the National Lottery Heritage Fund, £8m from levelling up for Oldway and £10m from the Town Deal and other programmes. The Council has developed positive working relationships with the Arts Council and Historic England;
- there has been a promotion within the current Enforcement Team, there was now two Senior Enforcement Officers and plans to appoint two new officers to support them, and an advertisement due out next week. It was delayed as the Team wanted to see how they progressed to assess the level of support needed. The target was to reduce the number of open cases to 450 by March 2026 depending on new cases. Officers used a themed based approach to look at numbers with additional resources, using the revised Enforcement Policy; and
- planning enforcement fines varied depending on the matters involved (a written response would be provided on the average fines and numbers of developers involved).

Members congratulated the Planning Team for all their hard work and welcomed the format of the Power BI reports but noted that the Council was not yet in a position to use Power BI for its quarterly performance reporting so this would continue to be done using existing software, and the performance indicators were being reviewed for the Planning Service to align with their new ways of working.

Resolved (unanimously):

1. that the Overview and Scrutiny Board note the report and understand the trajectory of the service;
2. that the Overview and Scrutiny Board endorse that:
  - a. Officers and Members continue to maintain an effective relationship with Members of the Planning Committee, particularly the Chairman of the Planning Committee;
  - b. there is a continued focus on performance management ensuring that Power BI data is monitored to inform continuous improvement;

- c. the aims of the Service Fit for the Future (SFFTf) project become business as usual; and
  - d. the Director of Pride in Place, with the Divisional Director Planning, Climate Emergency and Housing continues effective staff recruitment, development of existing colleagues and retention; and
- 3. that the Overview and Scrutiny Board recommends to all Councillors that they continue to work with developers and applicants in their area to encourage them to engage in the pre-application process.

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Chairman