

Meeting of the Council

Thursday, 22 September 2016

Questions Under Standing Order A13

Question (1) by Councillor Sanders to the Mayor and Executive Lead for Finance and Regeneration (Mayor Oliver)	To ask the Mayor if he will help protect Torbay's allotments from development by encouraging residents and allotment holders to exercise their right to apply for a community asset transfer?
Mayor Oliver	Separate legislation protects the allotments and any change of use would require consent from the Secretary of State. Therefore, while the Council has and would consider entering into leases with active Allotment Groups a freehold disposal would not necessarily be encouraged.
Question (2) by Councillor Darling (S) to the Executive Lead for Environment Councillor Manning	Over a year ago, I shared my concern with Torbay Council regarding the erosion of the sea defence on Redgate Beach Torquay. Since then no remedial action has been taken and the erosion has more than doubled in size. Has the local authority decided to abandon this sea defence, that could result in cliff falls and impact on the South West Coastal footpath?
Councillor Manning	The coastal slope behind Redgate beach is an active coastal landslide area. There have been many rockfalls over the years and various defences have been constructed to prevent rocks falling from the slope behind from crashing onto the promenade including a substantial gabion basket wall. Following a major rock fall in 1996 the beach was effectively closed on public safety grounds and the old access bridge, which at the time required significant repairs or replacement, was demolished. There have been several geotechnical reports and updates concerning the stability of this coastal slope. The last full report was after the major fall in 1996 but the last update was 2003. All reports indicated that temporary measures could be undertaken to stabilise the top surface, but if there was any meaningful movement of the slope, which will happen sooner or later, all the expensive engineering works would be lost. The area is currently leased to the Torbay Coast & Countryside Trust. Any work undertaken to stabilise the slope will come at a significant cost and the Council will continue to liaise with the Trust with regard to coastal erosion in this area and what practical options exist within the available resources. The South West Coastal footpath, by its very nature, is often required to be re-routed because of ongoing coastal erosion.

<p>Question (3) by Councillor Darling (M) to the Mayor and Executive Lead for Finance and Regeneration (Mayor Oliver)</p>	<p>When taking office at No 10 Downing Street Teresa May said her premiership “would make Britain work for everyone.” And represent the interests of the many and not the privileged few. In light of the Consultation to change the Council tax support scheme in Torbay which will result in some of the poorest households in Torbay being forced to pay hundreds of additional pounds in Council tax a year. Would you agree with me that one should always judge political parties by their deeds rather than words?</p>
<p>Mayor Oliver</p>	<p>I have no comment to make as it is out to consultation and no decision has been made.</p>
<p>Question (4) by Councillor Doggett to the Executive Lead for Health and Wellbeing and Corporate Services (Councillor Mills)</p>	<p>In light of the new model of care consultation being conducted by our local CCG that could result in the Closure of Paignton hospital can you please advise of what representations you have made as chair of the Health and Wellbeing Board to the secretary of state, for any financial windfalls from the sale of land to be ring fenced and reinvested in our local health and care provision?</p>
<p>Councillor Mills</p>	<p>The local health and care system has been clear from the beginning that the delivery of the new model of care will re-invest the proceeds of sales of assets that may not be required for service delivery. For assurance there are a number ways that this has been clearly communicated to the Department of Health, including the fact that the five year Financial Model for the acquisition and delivery of the care model was signed off by the Secretary of State for Health, and it includes the assumption that capital investment in the community will be funded via capital from receipt of sales.</p> <p>With specific regard to Paignton hospital, as additional assurance, any potential ‘interest’ of the Secretary of State is limited to the immediately preceding transfer of property from Devon PCT to the old Torbay and Southern Devon Health and Care Trust. This would not apply to Paignton which was always under the ownership of the Trust and the preceding Torbay Care Trust. In summary if Paignton Hospital was not required for service delivery it is in the gift of the board of the ICO to determine what to do with the asset – which would be to reinvest in the community for care.</p> <p>I have not written to the Secretary of State because of this - but if anything changes or a risk emerges I will do so.</p>
<p>Question (5) by Councillor Stringer to the Mayor and Executive Lead for Finance and Regeneration (Mayor Oliver)</p>	<p>A local hotelier has offered to put in £50,000 and his personal expertise to help develop an alternative community led redevelopment of the Pavilion. What response has Torbay Council made to this helpful offer?</p>

<p>Mayor Oliver</p>	<p>In 2015 Torbay Council entered into a development agreement with MDL and Harbour Hotels LTD for the Pavilion site, subject to Planning Consent, and it would therefore be inappropriate to accept a donation to investigate alternative proposals at this time.</p> <p>Cllr Stringer will also be aware that the Pavilion is already held on a long lease by MDL, with whom we understand the developer has a separate commercial agreement.</p> <p>Torbay Council has therefore met with the donor and declined the offer.</p>
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Second Round

<p>Question (6) by Councillor Sanders to the Mayor and Executive Lead for Finance and Regeneration (Mayor Oliver)</p>	<p>To ask the Mayor why his statement of 29 July in relation to Torquay United had to be clarified by Officers after it was sent?</p>
<p>Mayor Oliver</p>	<p>Following a written request from Cllr Sanders to myself, which asked who had attended a recent meeting with TUFC, a draft press release which I had referred to in earlier correspondence was updated by officers to confirm who attended the meeting. The earlier draft also prepared by officers simply referred to 'we'.</p>
<p>Question (7) by Darling (M) to the Mayor and Executive Lead for Finance and Regeneration (Mayor Oliver)</p>	<p>I note that Cllr King is referred to as the Councillor responsible for responses to the consultation on changes to the Council Tax Support scheme. As Councillor Morris holds this area of responsibility in his portfolio why is he not the lead Councillor for this consultation.</p>
<p>Mayor Oliver</p>	<p>Cllr King was covering for Cllr Morris while Cllr Morris was on leave and has taken on this responsibility after Cllr Morris resigned as an Executive Lead.</p>
<p>Question (8) by Councillor Darling (S) to the Executive Lead for Planning, Transport and Housing (Councillor King)</p>	<p>In Recent months I have found a significant increase in the number of abandoned vehicles that residents are contacting me about. I understand that in July 2016 Torbay dealt with as many abandoned vehicles as the whole of the previous year. How are the Council realigning resources to tackle this increasing problem?</p>
<p>Councillor King</p>	<p>The Council has realigned resources by amending the role of two officers within Parking Services to include the inspection of abandoned vehicles. There are now three officers that undertake this work. Furthermore the Council have now ceased inspecting and removing vehicles on private land because existing resources are so limited. The Council are dealing with an increase in the number of abandoned vehicles due to the fall in their associated scrap value. A further dedicated budget may need to be found to deal with this issue if the scrap value remains low and the problem continues to escalate.</p>

<p>Question (9) by Councillor Doggett to the Executive Lead for Planning, Transport and Housing (Councillor King)</p>	<p>Last year I raised the issue of faded double yellow lines around the Bay. Can you please give me an update as to where we are regarding these? At the time, and really it does happen now, that sadly people will take advantage of the situation, whereby people will park in these areas, which may be dangerous, and also cause the Council to lose Income, as such areas are unenforceable regarding the restrictions they imply by the Parking Attendants!</p>
<p>Councillor King</p>	<p>Highways are continuing to work with TOR2 to improve the situation with carriageway marking defects.</p> <p>Highways have provided a list of defects and guidance as to the particular areas of concern to TOR2 and they have been requested to provide resources to address these priorities and ensure that the authority is advised of the progress. TOR2 have reported that during the 2016-17 financial year to date they have completed remedial works to 148 lining defects over the whole of Torbay, of which 52 were specifically related to parking restrictions.</p> <p>Highways, in partnership with Parking Services continue to monitor the defects identified by our Highways Inspectors and Parking Enforcement officers as well as identifying any new defects (including parking restriction markings) and pass this on to Tor2 for action. Highways will continue to monitor the ongoing marking works and continue to work with TOR2 to identify further improvements to the carriageway marking service.</p>

Third round

<p>Question (10) by Councillor Sanders to the Executive Lead for Community Services (Councillor Excell)</p>	<p>To ask the Executive Lead for Transport when he expects to arrange the meeting with myself as promised in his reply to my question at the Full Council Meeting on the 11th May 2016 about parking and the Disability Discrimination Act, and if he will explain his policy of not responding to emails?</p>
<p>Councillor Excell</p>	<p>A Meeting arranged for 16 September at 2.30pm</p> <p>I do not have a policy for not replying to emails.</p>
<p>Question (11) by Councillor Darling (M) to the Executive Lead for Planning, Transport and Housing (Councillor King)</p>	<p>Torbay Council started consultation on the 9 August on controversial changes to the Council Tax Support Scheme. Councillors will only be briefed on this matter on 28 September. Surely elected members should be briefed on such possible policy changes at the beginning of the consultation rather than more than half way through it?</p>

Councillor King

It was agreed at Mayor's Executive Group on 26 July that a 12 week consultation be undertaken. Due to the decision making process it was necessary to commence consultation on 9 August in order to meet a number of key dates.

Key dates:

9 August – Consultation commences for a period of 12 weeks

30 October – Consultation closes and analysis of results commences

November – Briefing to SLT

November – Final scheme to Mayor's Executive Group

November – Scrutiny

8 December – Final scheme to Full Council

31 January 2017 – Statutory deadline for Full Council decision

1 April 2017 – Scheme live

Resource was initially prioritised at creating the consultation document both on-line and in paper copy format, identifying households (both Council Tax Support claimants and non Council Tax Support claimants) to send consultation documents to and creating the web page in order to start consultation.

Once consultation had commenced, the next actions included preparation of impact assessments and identifying stakeholders to arrange events/workshops for the groups. After liaising with Governance Support a meeting request was sent to all members on the 22nd August inviting them to attend a consultation meeting on 28th September. The meeting request provided some background information relating to the consultation.