



Minutes of the Council
(Council decisions shown in bold text)

19 July 2018

-: Present :-

Chairman of the Council (Councillor Doggett) (In the Chair)
Vice-Chairwoman of the Council (Councillor Barnby)

The Elected Mayor of Torbay (Mayor Oliver)

Councillors Amil, Bent, Brooks, Bye, Carter, Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, Morey, O'Dwyer, Parrott, Pentney, Sanders, Stockman, Stocks, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard and Tyerman

52 Opening of meeting

The meeting was opened with a prayer.

53 Apologies for absence

Apologies for absence were received from Councillors Morris, Robson and Winfield.

54 Minutes

The Minutes of the meeting of the Council held on 21 June 2018 were confirmed as a correct record and signed by the Chairman.

55 Declarations of interests

No interests were declared.

56 Communications

The Chairman updated members on recent civic events he had attended with his Escort, including:

- a) the morning service at Southfield Avenue Methodist Church on Sunday 15 July 2018, to celebrate 200 years of Christian Worship in that area. The Chairman advised members the Church was the oldest non-conformist place of worship in Paignton; and

- b) greeting the South West in Bloom Judges to St. Marychurch to assess the area's efforts on 17 July 2018. The Chairman congratulated the volunteers on their enthusiasm and what they had achieved.

On behalf the Elected Mayor, the Executive Lead for Adults and Children was proud to announce that the Council, had become part the national White Ribbon campaign, to end men's violence against women and girls. Councillor Parrott reported that, by obtaining White Ribbon Accreditation, Torbay Council was included in the national campaign, which included arranging local events to promote the campaign and encourage men and boys to make a stand against violence towards women and girls. Councillor Parrott added that Torbay Council was the first organisation in the South West to receive the accreditation and there would be other organisations in the South West also gaining the accreditation. The Executive Lead of Adults and Children then formally presented the White Ribbon plaque to the Chairman.

57 Members' questions

Members received a paper detailing questions, as set out at Appendix 1 to these minutes, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Elected Mayor Oliver and Councillors Excell, Kingscote, Mills, Parrott and Stockman.

The Chairman advised that question 8 had been withdrawn by Councillor Pentney.

Supplementary questions were put and answered by Councillors Excell, Mills, Parrott and Stockman, arising from their responses to the questions in respect of questions 2, 4, 5, 6, 7, 10, 11, 12, 14, 15 and 16.

58 Notice of Motion - B&Q Building, Torre, Torquay (Mayoral Decision)

Members considered a motion in relation to the former B & Q building in Torre, Torquay, notice of which was given in accordance with Standing Order A14.

Councillor Darling (M) proposed and Councillor Pentney seconded the motion, as set out below:

this Council notes that the former B & Q building in Torre, Torquay, has remained empty for approximately eight years. We note with disappointment that the Conservative Elected Mayor has failed to act to deal with this blot on the landscape in Torquay. Therefore we instruct the Executive Head of Assets and Business Services to develop an options appraisal to deal with this matter urgently. As the recently approved planning permission has not been enacted the options appraisal should include compulsory purchase.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the motion to the Head of Paid Service to determine whether this was a priority for officers' resources.

59 Notice of Motion - Policy Framework Objection to current Investment and Regeneration Strategy (Council Decision)

Members considered a motion in relation to an objection to the current Investment and Regeneration Strategy, notice of which was given in accordance with Standing Order A14. In accordance with Standing Order A14.3(b), the motion was dealt with by this meeting.

Councillor Tyerman proposed and Councillor Thomas (D) seconded the motion, which was agreed by the Council as set out below:

that the Council formally objects to the current Investment and Regeneration Strategy on the basis that:

- a) it does not adequately or appropriately reflect the Council's objectives;**
- b) it does not specify the means for bringing forward regeneration projects (including those which were contained within the Town Centre Regeneration programme) nor does it set out the requirements for delivery of the same; and**
- c) Council believes that it needs to be amended to better reflect the objectives and operation of the fund in contributing to meeting the Council's need for raising income, for supporting economic growth in Torbay and achieving the outcomes of the Corporate Plan.**

In accordance with the Constitution at F4.9, the Council therefore requires the Elected Mayor to consider this objection by 30 July 2018 either:

- a) submit a revision of the Investment and Regeneration Strategy with the reasons for any amendments to the Council for its consideration; or**
- b) inform the Council of any disagreement that the Executive has with any of the Council's objections and the Executive's reasons for any such disagreement.**

60 Notice of Motion - Felling of Trees by Network Rail (Development Management Committee Decision)

Members considered a motion in relation to National Rail removing trees alongside rail lines, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Carter seconded the motion, as follows:

Torbay Council notes concerns expressed in the national media about Network Rail cutting down trees alongside their rail lines, and that local

authorities across the Country have placed preservation orders on trees by rail tracks to stop them being felled unnecessarily.

In particular, this Council further notes from 'Devon Live' that Teignbridge District Council has stopped Network Rail felling trees on Network Rail land in the Teignbridge area, by placing a preservation orders on the trees and engaging in discussions with Network Rail on this issue to find a way forward.

Torbay Council calls on the Chief Executive to ensure that preservation orders are placed on trees that are on Network Rail land in the Torbay local authority area (whilst ensuring that the trees are appropriately managed to ensure that they do not affect the rail line), and to engage with Network Rail on this issue to avoid the unnecessary felling of trees.

In accordance with Standing Order A14.3(a), the motion stood referred to the Development Management Committee.

61 Notice of Motion - Speeding on Great Hill Road (Mayoral Decision)

Members considered a motion in relation to speeding vehicles along Great Hill Road (plus ancillary roads) and Barton Hill Road, Torquay, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Darling (S) seconded the motion as set out below:

Torbay Council notes the concerns of residents of Great Hill Road (and roads off) and Barton Hill Road about the increase in speeding vehicles. The increase in speeding appears to have followed the introduction of the new bypass which has led to fewer vehicles travelling both ways and using the St. Marychurch Road to Newton Abbot, and the reduction in traffic has led to drivers being tempted to go faster.

Residents have advised councillors of a number of accidents happening on Great Hill Road and Barton Hill Road (including cars ending up upside down), but these accidents apparently do not feature on the official Police statistics because no fatalities were involved, which perhaps means Council officials do not have a true picture of the problem.

This Council further notes the continued use of the St. Marychurch Road to Newton Abbot (both ways) by vehicles that are too large for this route, such as coaches, whose drivers ignore the signs not to use that route.

It is also understood that there had been plans by Torbay Council to make the St Marychurch Road more unattractive to drivers in Devon wanting to commute to Newton Abbot following the bypass being brought into use, but that this does not seem to have come to fruition.

Residents are frustrated because Torbay Council asks them to direct their concerns to Devon County Council.

Torbay Council resolves that the Chief Executive arranges a meeting between the Highways Departments of Torbay Council and involving the Councillors for Watcombe and appropriate councillors and officers from Devon County Council so that a proposal can be brought forward to the Torbay Council meeting in November, outlining actions to reduce the speeding in this area and stop the use of the St Marychurch Road by large vehicles.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the matter to the Executive Head of Business Services to review and respond.

62 Notice of Motion - Grit Bin on Southern Close, Torquay (Mayoral Decision)

Members considered a motion in relation to the provision of grit bins in Torbay, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Darling (S) seconded the motion as set out below:

This Council notes that in recent years grit bins have been removed from several roads in Torbay, including Southern Close in Torquay. At a Councillors briefing following the 'beast from the east' bad weather, the impression was given that requests for grit bins to be returned to areas where they had been taken away would be looked on sympathetically by the Council.

Residents of Southern Close have requested the return of a grit bin, not only in response to the recent bad weather, but also because they get a lot of frost even in normal winters due to being higher up, so the grit bin would be used every winter.

Residents have advised that they would be willing to be responsible for the grit bin, eg holding a key for it etc.

This Council requests that the Chief Executive of the Council ensure that a grit bin is returned to Southern Close as a matter of urgency.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the matter to the Chief Executive to review and respond.

63 Notice of Motion - Oddicombe Cliff Road, Torquay (Mayoral Decision)

Members considered a motion in relation to parking on Oddicombe Cliff Road, Torquay, notice of which was given in accordance with Standing Order A14.

Councillor Darling (S) proposed and Councillor Darling (M) seconded the motion as set out below:

This Council notes the following freedom of information request in respect of Oddicombe Cliff Road.

'This Bank Holiday Monday afternoon there was a lot of irresponsible parking on this stretch of road from Babbacombe Downs to the beach. Pedestrian footways were blocked by cars and vehicles had to drive on the pavement to gain access to the beach. As you know there is signage stating no parking beyond this point March to September.

1. Are these restrictions enforceable?

No. I believe these signs relate to the area which is not highway.

2. If yes, how many tickets have been issued at this location in the last 12 months?

N/A

3. What is the planned parking enforcement regime over this summer?

As advised above, parking restrictions are not in place to enable parking enforcement. If enforcement was to occur there will need to be a restriction. Also consideration as to how the beach land can be enforced. Colleagues in the Highways Team will be able to advise on the process to ensure this area of highway down to the beach can be enforced. I am aware this will require the writing of a traffic regulation order and consideration as to the signage and/or lines. The area which is classed as beach land can only be managed by locking the area to restrict access to vehicles.'

This Council understands that last summer on at least two occasions emergency medical staff had to use the cliff railway to gain access to a patient at Oddicombe Beach due to the road being blocked by inappropriately parked vehicles.

In light of the above this Council instructs the Executive Head of Assets and Business Services to review the parking regulations on the public highway leading to Oddicombe Beach and consult with Oddicombe Beach users/stakeholders regarding the introduction of enforceable parking regulations in the interests of public safety.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor. The Elected Mayor referred the matter to the Executive Head of Business Services to review and respond.

64 Proposal to Vary Parking Charges

The Council considered the submitted report on a proposal to introduce parking tariffs that would apply all year round, which would replace the different charges for summer and winter. It was noted the proposed year round parking would ensure consistent charges and remove the costs of re-programming parking machines and changing tariff signage.

Councillor Excell proposed and Councillor Mills seconded a motion as set out below:

- (i) that the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report; and
- (ii) that the parking charges set out in Appendix 1 to the submitted report be implemented on the 1 and 2 November 2018 or as otherwise indicated by the new Traffic Regulation Order.

During the debate Councillor Carter proposed and Councillor Darling (M) seconded an amendment to the motion as follows:

- (i) that the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report, subject to the introduction for town centres on-street parking of a 50p charge for one hour parking with no return, with the overall new charges being remodelled to accommodate this so not to impact on the Council's overall budget; and
- (ii) that the parking charges set out in Appendix 1 to the submitted report, subject to the introduction for town centres on-street parking of a 50p charge for one hour parking with no return with the remodelling outlined in (i) above, be implemented on the 1st and 2nd of November 2018 or as otherwise indicated by the new Traffic Regulation Order.

The amendment was put to the vote and declared lost.

Councillor Excell's and Councillor Mills' original motion was then considered by the Council which was agreed, as set out below:

- (i) that the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report; and**

- (ii) that the parking charges set out in Appendix 1 to the submitted report be implemented on the 1 and 2 November 2018 or as otherwise indicated by the new Traffic Regulation Order.**

65 Adult Social Care - Local Account

Members considered the submitted report which set out the achievements for local people in relation to adult social care and outlined the level of performance for the last financial year, together with commitment to service delivery. The report also detailed the multi-agency approach to adult safeguarding.

Councillor Parrott proposed and Councillor Bent seconded a motion, which was agreed by the Council as set out below:

that the Local Account set out in Appendix 1 to the submitted report be approved and that the multi agency safeguarding annual report set out in Appendix 2 to the submitted report be approved.

66 Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee

Members considered the submitted report on proposals for joint scrutiny arrangements to monitor decision-making and achievements of the Local Enterprise Partnership (LEP), arising from advice in the Mary Ney report 'Review of Local Enterprise Partnership and Governance Transparency'.

Councillor Lewis proposed and Councillor Darling (S) seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) be approved and the Terms of Reference and Operating Procedures, as outlined in Appendix 1 to the submitted report, be endorsed, reflecting the new joint arrangements and Delegation of the Overview and Strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix 1);**
- (ii) that it be agreed that Devon County Council becomes the host Authority to support the new Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee, which will operate under the Standing Orders of Devon County Council; and**
- (iii) that Torbay Council's appointments to the Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee be made by the Overview and Scrutiny Board.**

67 Disposal of land at St Kilda's for affordable housing delivery and update on housing delivery

Further to the Council's decision on 21 June 2018, members received the submitted report on an update and indicative timeline on the delivery of affordable homes in Torbay. The report also set out proposals to transfer land and buildings at St Kilda's former residential care home to a Council owned subsidiary or wholly owned company at nil value to provide affordable homes and meet the objectives of the Housing Strategy.

A Conservative amendment was circulated prior to the meeting, which was accepted by the Elected Mayor and incorporated in his motion.

Elected Mayor Oliver proposed and Councillor Stocks seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the Chief Executive, in consultation with the Elected Mayor and Group Leaders, be instructed to deliver the affordable housing schemes at Redwell Lane, Totnes Road and St Kilda's as a matter of urgency, in such a manner as will lead to a cost effective and rapid delivery of the schemes. That the Chief Executive shall ensure that written updates as to progress are provided to each meeting of the Housing Committee and that an update is provided to Council at its meeting on 5 December 2018. If necessary, to ensure rapid delivery of the schemes, this to include the engagement of external resources, the costs of which to be met from the CSR Reserve, to a maximum of £20,000;**
- (ii) that, if the Chief Executive determines in (i), that the schemes, whether individually or collectively shall be delivered through a Council owned subsidiary, then:**
 - (a) subject to (b) below, the land at St Kilda's, shown edged red on the plan attached at Appendix 1 to the submitted report, and land at Redwell Lane and Totnes Road (as shown edged red on the plans attached to the Conservative amendment) be disposed of at Nil value to a Council owned subsidiary or company wholly owned by Torbay Council under the Local Government Act 1972: General Disposal Consent Order 2003, in return for nomination rights; and**
 - (b) that the Council enter into a satisfactory grant and nomination agreement with a Council owned subsidiary or company wholly owned by Torbay Council detailing what is to be provided on the land and the Council's nomination rights for 100% of the affordable properties on the site in perpetuity and to delegate authority to the Chief Executive**

in consultation with the Executive Lead for Housing to agree the detailed terms of this agreement;

- (iii) that, if the Chief Executive determines in (i) above that the schemes shall be delivered by the Council, then the value of the St Kilda's land will be included in the scheme at NIL value and the land at Totnes Road and Redwell Lane shall not then be transferred to a wholly owned company, but shall be included in the schemes at NIL value; and**
- (iv) that the Chief Executive undertakes a fundamental review of the delivery and implementation of the Housing Strategy, including the use of the Housing Company as part of that delivery, and report the outcome of the same to Council at its meeting on 20 September 2018.**

68 Composition and Constitution of Executive and Delegation of Executive Functions

The Council received and noted the submitted report in respect of changes made by the Elected Mayor to his Executive.

Chairman

Minute Item 57

Meeting of the Council, Thursday, 19 July 2018

Questions Under Standing Order A13

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.

Question (1) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)	Can you please advise me of the numbers of vacancies in the planning department on a monthly basis over the last four years
Elected Mayor Oliver	Based on records held by Human Resources from October 2014 to July 2018 of posts given approval to recruit to. The list includes fixed term, permanent, agency: Oct-14 2 Nov-14 2 Dec-14 1 Jan-15 1 Feb-15 1 Mar-15 5 Dec-15 2 Jun-16 1 Dec-16 1 Jan-17 1 Feb-17 1 May-17 1 Jul-17 1 Aug-17 2 Nov-17 2 Dec-17 1 Mar-18 1 Apr-18 5 May-18 1 Jun-18 1 Jul-18 1

<p>Question (2) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>Can you please advise me of the average processing time of major and minor planning applications in Torbay on a monthly basis over the last four years?</p>
<p>Councillor Mills</p>	<p>Please see attached spreadsheet.</p>
<p>Question (3) by Councillor Darling (M) to the Executive Lead for Adults and Children Services (Councillor Parrott)</p>	<p>Children that receive free school meals due to low family income, significantly underperform compared to other children in Torbay schools. Within the Council plans and strategies to tackle this problem, can you advise me what S.M.A.R.T targets have been set?</p>
<p>Councillor Parrott</p>	<p>In the diverse educational landscape of academy, maintained and independent provision the local authority works to maximise its position of influence, including raising the profile of vulnerable groups.</p> <p>Torbay's Strategy for Achieving Educational Excellence Everywhere: Vision and Priorities 2016 to 2020 was adopted by Members and the Local Education system in 2016 and is the key document and driver for influencing the sector. The document whilst focusing on raising attainment for all pupils also has a specific focus on raising attainment for vulnerable groups which would include children in receipt of free school meals due to low family income.</p> <p>The strategy agreed by council has four main approaches to raising educational standards</p> <ol style="list-style-type: none"> 1. Ensuring every child has a place to be educated 2. Ensuring the needs of vulnerable pupils are met 3. Act as champions for all parents and families 4. Act as a champion for high standards. <p>The Local Authority cannot deliver this strategy without the enthusiasm and commitment of local schools, system leaders, regional partners and accountable bodies. For this reason the strategy set out a SMART action to create a Local Education Board.</p> <p>The Local Education Board has met to review intelligence across each key stage from early years to key stage 5, this included performance information for vulnerable groups (including FSM). Through this analysis we have identified individual schools that require additional support to improve outcomes for vulnerable pupils, we have identified subject specific areas that require additional attention and ensured these have been included in our Teaching Schools professional development offer and we have also used the intelligence to successfully draw down additional funds from the Strategic Schools Improvement Fund (DfE) to complete work in identified schools to close the attainment gap in both Mathematics and Phonics.</p> <p>All of these pieces of work are subject to action planning and monitoring by</p>

	<p>the relevant governance frameworks including the individual schools in receipt of the support.</p> <p>In addition to this, the Torbay Education Safeguarding Group have been undertaking work with Head Teachers, Public Health, Health Commissioners and Children's Social Care to create a shared awareness and definition of vulnerabilities across all agencies to strengthen our collective response. This will result in an agreed strategy that will be subject to consultation and council adoption in October 2018.</p>
<p>Question (4) by Councillor Lewis I to the Council's Representative on the Police and Crime Panel (Councillor Excell)</p>	<p>It has been announced that Devon & Cornwall Police are considering merging with Dorset Police and are consulting on the proposal. Presumably this merger is designed to lead to an improvement in the operations of both forces with the ambition that this will increase the ability of the combined force to tackle crime rates and better serve our community.</p> <p>Could you please give your personal perspective on what the implications of such a merger would be on the style and standard of Policing in Torbay.</p>
<p>Councillor Excell</p>	<p>The Police and OPPC have been consulting with the local authority on the proposed merger. It is hoped that it provides opportunities for both the Police, but also the residents of Torbay.</p> <p>The size of the Police force proposed would hopefully also realise some additional economy of scale that could be reinvested into front line policing.</p> <p>It is felt that it would provide an opportunity for the demands of policing in Torbay and wider Devon and Cornwall to be recognised at a national level. As such, it will also afford the opportunity to effectively lobby for the appropriate level of resourcing to meet the challenges experienced over such a diverse geographical area. This is important, if not more so than here in Torbay.</p>
<p>Question (5) by Councillor Barnby to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>In the past few weeks I have been contacted by several residents in my ward to say that recycling boxes have not been collected for 2, 3 or even 4 weeks.</p> <p>Therefore will you please supply me with an accurate list detailing all dates on which recycling collection have taken place for the months of May and June in the following locations.</p> <p>Clennon Heights Brantwood Drive Goodstone Way Lancaster Drive The Saddle Cliff Park Road York Road</p>
<p>Councillor Mills</p>	<p>We can only go on the data provided and the only week we are aware that most of these roads were missed was week beginning 4/6/18. Since that date</p>

	<p>most of these roads have had some delays but have been collected within a few days. Where this time has exceeded 2 working days then this will provide evidence of a deduction which will have been applied in full of £1,100 per day.</p>
<p>Question (6) by Councillor Thomas (D) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>Further to the answer you supplied in Council last month regarding recycling penalties I made further enquiries. I learned that the fine is capped at £1100 pounds and that such a fine applies if 25 bins are missed. This means that the fine is no greater if 1000 bins are missed than if only 25 are missed. I have also learned that a grace period of 3 days is allowed before a missed bin is recorded for the purpose of providing statistics and triggering penalties. This definition of a missed collection is not in accord with what my residents would deem to be a missed collection and can hide the fact that the service is not operating smoothly.</p> <p>Being cognitive of resources I do not wish further officer time to be spent on this question. All I am asking today is “was the portfolio holder aware of these key relevant facts when he presented his answer last month”.</p>
<p>Councillor Mills</p>	<p>No</p>
<p>Question (7) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Starpitten Lane West in Torquay has perhaps the worst example of grass verges that have been ploughed up due to vehicles parking on them. The situation has become so bad that it is impacting on the ability of vulnerable people living in the sheltered housing units on that road to get about. This situation would not be accepted if it was on the seafront. Will the Executive Lead meet myself and Councillor Darling (S) as Ward Councillors on site to see the reality of the situation and to discuss actions that the Council could take to resolve this matter?</p>
<p>Councillor Excell</p>	<p>Damage to grass verges caused by parked cars is a problem in many areas and this is worsened during periods of wet weather. The verges in Starpitten Lane West have been inspected and the level of undulation of the ground is below intervention levels for repair at the present time. The area will continue to be inspected as part of the authority’s routine inspections and the condition will be monitored.</p> <p>It should however be noted that grass verges are not considered as areas of highway that are necessarily suitable for pedestrian or vehicular usage and the maintenance intervention levels reflect this. Any proposals to provide additional maintenance of these verges or measures to protect them from vehicles would have to be considered along with other highway maintenance priorities and available budget provision.</p>
<p>Question (8) by Councillor Pentney to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic</p>	<p>Storm Emma resulted in approximately £650,000 worth of damage across Torbay, to date Torbay Council has not received any funds from the Bellwin Scheme. What representations have you made to the minister demanding Torbay receives such money?</p>

Regeneration and Transformation Elected Mayor Oliver)	
	At the request of Councillor Pentney this question has been withdrawn.

Second Round

Question (9) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)	Can you please advise me of numbers and cost of agency workers used by the Planning Department, on a monthly basis over the last four years?
Elected Mayor Oliver	<p>Prior to 2018 the planning department had not had any agency workers during the last four years. In April of 2018, the Council recruited 2 Planning Officers and 1 Senior Planning Officer via agencies to cover vacancies in the team. The breakdown by month is as follows:</p> <p>April 1x Senior Planner 2x Planning Officers Approximate Cost: £16,686</p> <p>May 1x Senior Planner 2x Planning Officers Approximate Cost: £27,810</p> <p>June 1x Senior Planner 2x Planning Officers Approximate Cost: £22,248</p> <p>July (to date) 1x Team Leader (Development Management) 1x Planning Officer 1x Historic Environment Officer (P/T) 2x Service Support Technicians Approximate Cost: £11,452</p>

<p>Question (10) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>How many planning enforcement cases are lodged with the planning department and how many have been progressed in the last 28 days?</p>
<p>Councillor Mills</p>	<p>On 13 July 2018, 285 planning enforcement cases were pending consideration.</p> <p>Between 15 June 2018 and 12 July 2018, 59 planning enforcement cases were closed. No planning enforcement notices were served.</p>
<p>Question (11) by Councillor Long to the Executive Lead for Adults and Children (Councillor Parrott)</p>	<p>The Healthwatch Torbay Feedback Report 2017/18 for Health and Social Care reveals concerns about ‘safety of care treatment’ about social care in Torbay, and also identifies concerns about safety and staffing levels in residential care.</p> <p>How are Torbay Council working to resolve these negative themes identified by Healthwatch?</p>
<p>Councillor Parrott</p>	<p>Torbay Council works closely with its NHS partners, Healthwatch Torbay, the Care Quality Commission (CQC) and providers themselves to maintain and improve standards within health and social care, including care homes, home care agencies and other settings. Through partnership arrangements, such as the Torbay Safeguarding Adults Board, we contribute to the wellbeing of our community by working collaboratively to prevent abuse and neglect where possible and assuring ourselves that safeguarding practice is continuously improving and enhancing the quality of life of people whose health and care needs we support.</p> <p>The CQC are the independent regulator of health and social care in England. They monitor, inspect and regulate services that provide health and social care, including care homes (residential and nursing) and home care agencies.</p> <p>The latest CQC data (July 2018) that relates to 107 regulated social care organisations in Torbay, shows a positive position with, 5 (5%) of providers rated as ‘outstanding’, 83 (78%) ‘good’, 17 (16%) ‘requires improvement’ and only 2 (2%) are ‘inadequate’.</p> <p>Healthwatch England (a sub-committee of the CQC) is a national independent champion for consumers and users of health and social care in England. At a local level Healthwatch Torbay, support both the council, NHS partners and other service providers to improve services for the people who use them. As part of their work they periodically produce a number of reports, highlighting good practice and also sharing concerns from service users, with commissioners and providers.</p> <p>The ‘Healthwatch Torbay: Feedback Report for Health & Social Care in Torbay, March – March 17/18’ provides, “...a summary of the annual intelligence collected from families, patients and service users collected by Healthwatch Torbay.” 658 reviews (positive and negative) were received on the following services: GPs (235), community based (162), hospitals (130), residential care (46), social care (29), dentists (24), pharmacies (18), and</p>

opticians (8). Of the 658 reviews, 220 concerns/issues were expressed, and of these 66 were serious complaints.

These numbers need to be put in context i.e. the resident population of Torbay is over 130,000 and every year the providers noted above will be meeting the health and care needs of thousands of people. Nonetheless, where appropriate, Healthwatch Torbay share these concerns/issues and complaints with commissioners and providers, to assist with improvements in health and care.

Of the 29 reviews of social care, 31% were positive and 10% were negative. Positive themes included general experience and quality & effectiveness, while negative themes covered safety of care/treatment, staff attitude and communication.

Of the 46 reviews of residential care, 83% were positive and 11% were negative. Positive themes included treatment and care, quality & effectiveness and staff attitude, while negative themes covered staffing levels and safety.

Torbay Council and its NHS partners work with Healthwatch Torbay to address any concerns, issues and complaints that are raised, sometimes involving the local Care Quality Commission (CQC) lead inspectors. Complaints and/or concerns are also referred to providers, and where appropriate Safeguarding processes are implemented. We actively support providers to address issues around quality, safety, etc. but sometimes have to make decisions to cease the commissioning of services with some providers, where the ongoing safety of residents cannot be guaranteed.

Healthwatch Torbay's **Enter & View** Team of volunteers are authorised representatives who visit care services to observe and assess their quality, from the community perspective. They plan to visit 10 care homes during 12 months, to benchmark the quality of services. This will be shared with the provider, public, commissioners, CQC and others. After all the visits have been completed, they will hold a meeting with the 10 care homes that took part, to review what is working well, sharing the successes with commissioners and the public, while also reviewing areas that require improvement across all the homes that took part.

In undertaking this work Healthwatch Torbay work closely with NHS colleagues in the **Quality Assurance and Improvement Team (QAiT)**. The QAiT team offers advice and support to care homes providers, to meet the quality standards and requirements of regulators and promote best practice. They regularly visit care homes as part of their work, as do other NHS staff.

Torbay Council has also commissioned work to explore 'What Does Good Care Look Like?' in Torbay's residential care homes and to develop a **Residents Charter of Rights**. This project has involved the council working with Healthwatch Torbay, care homes and their residents to develop the 10 principles that make up the Charter. A launch event was held on the 20th June 2018, to provide an opportunity for care homes across the bay to sign up to the Charter.

	<p>A new leadership programme aims to build on the successes of the Care Charter project by bringing creative practitioners together with care home staff to deliver enjoyable and inspirational creative professional leadership development. In turn, this will enable teams within care homes to work together and create more vibrant and person-centred homes. Good, confident leaders see the importance in developing employees; they encourage staff to perform well, are open to views and treat people as individuals whilst being excellent role models.</p> <p>Ultimately, the long term aim is to increase the number of homes rated 'good' and 'outstanding' by CQC. Alongside this, we want to empower all care home managers to have greater confidence in their judgement to assess risks and reduce the number of unnecessary admissions to hospital.</p> <p>An event was held during December 2017 to bring together all the key players in the local home (domiciliary) care market to consider immediate actions that could be taken to ensure that people in Torbay were kept safe and cared-for during the winter of 2017/18, and to produce ways of working for the future. The areas of focus were: Better care for clients; Better care of staff; and Better capacity for all.</p> <p>A follow up meeting was held in May 2018 and continued to focus on how the domiciliary care services in Torbay can be even better, reviewing progress since the last meeting and considering further short, medium and long-term developments. All agreed to continue with this method of working and the next event is booked to be held in early October 2018.</p> <p>Torbay Council and its NHS partners continues to work with providers to maintain and improve service quality. We are part of the Proud to Care South West partnership of 16 local authorities and Health Education England, working together at a regional level to raise the profile of a career in care and health. Part of this project involves looking for people to become care and support workers, with the right values and keen to learn, to help develop the health and care workforce in both Torbay and the wider South West.</p> <p>We support the Torbay and South Devon Care Managers Network and through their regular forums help care providers to improve their services. The Care Managers Network exists to bring care providers together so they can access current information, advice and support in reference to health and social care e.g. staff training, recruitment, etc. Providers share advice, hints and tips with each other to improve their service and learn about new initiatives and important information directly from commissioners, NHS partners, Skills for Care, the CQC, etc.</p>
<p>Question (12) by Councillor Darling (M) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>I understand some local authorities set planning departments a target for the level of New Homes Bonus to be achieved. Why has Torbay chosen not to do this?</p>

Councillor Mills	New Homes Bonus Grant is calculated on a number of factors, including the number of new homes and the number of new affordable homes in a 12 month period. However it is not appropriate to set financial targets for this grant to a planning team as a Council's planning team should assess all applications fairly based on planning policies.
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Third Round

Question (13) by Councillor Carter to the Chairman of the Development Management Committee (Councillor Kingscote)	When was the last time that three Development Management meetings were cancelled in succession apart from 2018?
Councillor Kingscote	<p>As far as I am aware there has been no known instances of 3 consecutive meetings being cancelled in the last 10 years. But I would like to emphasise 388 applications have been determined by officers during the months of May, June and July.</p> <p>The Planning Officers continue to process applications and approximately 90% of applications are approved by officers under delegated powers.</p>
Question (14) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)	Can you please advise me of the average length of time to respond to correspondence in the planning department on a monthly basis over the last 4 years?
Councillor Mills	This data is not captured for general correspondence. The department aims to deal with most correspondence within 10 working days.
Question (15) by Councillor Long to the Executive Lead for Health and Wellbeing (Councillor Stockman)	Two negative themes identified by the Healthwatch Torbay Feedback Report 2017/18 for General Practice (GP) Services in Torbay were for 'booking appointments' and 'appointment waiting times'. How are Torbay Council working with Health and GP Partners in the Bay to improve the appointment booking process for local residents?
Councillor Stockman	<p>Within the realms of our close partnership working with the CCG we have sought clarification and assurance of this issue and can report the following:</p> <p>While patient satisfaction with accessing GP appointments remains higher than the national average we have locally seen a decline in recent periods in these satisfaction rates as is typical across the country. There are though a number of active initiatives either underway or planned across Torbay which we hope will reverse this trend. These are as follows:</p> <ul style="list-style-type: none"> From 1st October there will be an expansion of GP hours to ensure that every patient within the South Devon and Torbay area has the opportunity to access a GP appointment in both evenings and at weekends. This additional capacity will be available 365 days a year

	<p>and will be in addition to the out of hours GP service provided by Devon Doctors on Call.</p> <ul style="list-style-type: none"> • 25 of the 29 GP Practices now have an online consultation service, meaning patients can raise many issues with their surgery without needing to book a face to face appointment, and are able to do so at a time that suits them. This means that many matters previously addressed within a physical consultation can now be dealt with from the comfort of a patients home without the inconvenience of travelling to the GP surgery, though of course face to face remains available where clinically appropriate. • During 2018/19 the CCG want to work with local patients and GP surgeries to try and further reduce the rate of patients booking appointments but then not attending them. This is of course a largely avoidable loss of precious GP capacity. • For periods of peak demand such as Christmas and Easter, the CCG have invested in additional GP capacity to ensure we are better able to meet patient needs, with greatest focus on those who are most vulnerable. Therefore this has tended to be focussed on delivering additional in hours visiting capacity as well as providing increased proactive input into care and residential homes.
<p>Question (16) by Councillor Darling (M) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>What targets have been set by the Local Authority for reducing those on the housing waiting list by building new homes?</p>
<p>Councillor Mills</p>	<p>Whilst the Local Authority has a number of targets around the number of homes to be delivered there aren't targets specific to this question or specific targets pertaining to the waiting list. The Council's affordable housing policy H2 lays out the specifics around the percentage required on all new sites and depending on the site locations (Greenfield or Brownfield) larger sites can provide up to 30% affordable housing. Developers would be asked to provide an even split of social rent, affordable rent and shared ownership.</p> <p>There are currently over 1,000 households on the Devon Home Choice waiting list for social or affordable rented properties and over 600 currently waiting for a shared ownership property in Torbay. Anyone can apply to Devon Home Choice but their current housing situation will determine their banding and in turn their wait time for suitable accommodation. The total number of applicants on the waiting list can increase and decrease and this is purely down to the fact that people's circumstances change, applicants may come off the list due to being housed or their current housing situation changing and new people will register for these same reasons.</p> <p>It should be noted that because of the above factors there is not a direct correlation between the number of people on the waiting list and the number/type of homes built. Developments can take a number of years to build and the need on the housing register at the time a planning application is submitted can be different to that at the time the development completes.</p>

There could be a real need for 3 bed properties at the start of the process but by the end there could be a higher need of 2 bed units and this is why we ask developers to provide a mix of bedroom numbers proportionate to the mix as a whole.

What is positive is that over the next few years we have a number of larger sites that are due to complete (details of which are in the table below) and include sites such as Yannon's Farm, White Rock and Alfriston Road with others in the pipeline such as Yalberton Road and Inglewood, all of these will be providing larger numbers of affordable housing which will in turn help to reduce the waiting list figures and provide much needed affordable housing with a mix of bedroom numbers (including larger family homes), tenures (shared ownership, social rent, affordable rent) and wheelchair adapted units.

Sites	Remaining Affordable Housing units expected to complete within next 3 years*
Primrose Hill	13
White Rock	45
Yannons Farm	9
Alfriston Road	24
Wall Park	4
Planning achieved but not yet started	
Hollacombe	43
Devonshire Park	51
Sites awaiting planning permission	
Yalberton Rd	58
Collaton St Mary (Taylor Wimpey)	29
Inglewood	120
Luscombe Lane	14

(*Please note some units have already completed on these sites so the figures provide under the sites section above are not the total Affordable Housing figure. Also to clarify that whilst there is an expectation that they will complete over the next 3 years these are subject to the speed of the developers.)

Response to Question 2

Minor planning applications (average days to decide)

2014	
Jul	88
Aug	58
Sep	70
Oct	110
Nov	179
Dec	57

2015	
Jan	65
Feb	88
Mar	65
Apr	73
May	61
Jun	90
Jul	75
Aug	60
Sep	57
Oct	90
Nov	68
Dec	52

2016	
Jan	75
Feb	87
Mar	62
Apr	98
May	86
Jun	77
Jul	68
Aug	63
Sep	67
Oct	116
Nov	83
Dec	85

2017	
Jan	88
Feb	75
Mar	94
Apr	204
May	88
Jun	82
Jul	102
Aug	89
Sep	78
Oct	78
Nov	93
Dec	85

2018	
Jan	101
Feb	107
Mar	88
Apr	146
May	116
Jun	116

Major planning applications (average days to decide)

2014	
Jul	556
Aug	652
Sep	None
Oct	168
Nov	62
Dec	None

2015	
Jan	253
Feb	93
Mar	167
Apr	131
May	70
Jun	254
Jul	117
Aug	257
Sep	197
Oct	238
Nov	172
Dec	163

2016	
Jan	112
Feb	106
Mar	529
Apr	145
May	127
Jun	398
Jul	232
Aug	127
Sep	None
Oct	None
Nov	219
Dec	137

2017	
Jan	228
Feb	258
Mar	225
Apr	276
May	351
Jun	238
Jul	None
Aug	337
Sep	109
Oct	277
Nov	418
Dec	181

2018	
Jan	561
Feb	159
Mar	None
Apr	241
May	706
Jun	388