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Dear Member

COUNCIL - THURSDAY, 24 JULY 2025

I am now able to enclose, for consideration at the Thursday, 24 July 2025 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
6.	Members' questions	(Pages 3 - 20)

Yours sincerely

June Gurry
Clerk

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Meeting of the Council, Thursday, 24 July 2025

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 Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

A sign at the stream opening onto Torre Abbey Sands reading "Is not recommended to play in the streams that empty onto this beach. The water quality cannot be guaranteed". Why does the local authority have this sign in place?

Answer to Question 1 provided by Councillor Billings

The Department for Environment Food & Rural Affairs agency website states that "the Torre Abbey Stream flows across the beach to the west of the Environment Agency monitoring point. The Environment Agency have monitored the stream since 1989 and found that it is affected by runoff from urban areas and highway drains. Permanent signage advising of poor water quality and risk to health is now in place next to the stream on the beach."

In addition to run-off from urban areas and highway drains, the water quality will also be impacted by the birds and other wildlife that we are fortunate to have in Kings pond which feeds the Torre Abbey stream. Hence even if the run-off was diverted through capital works, the water quality still could not be guaranteed.

That said, all government funding for capital investment works related to improving our drainage infrastructure in Torbay would be most welcome. If in his capacity as the local MP Councillor Darling is able to assist in making the case to government I would look forward to working with him.

Question 2

Councillor Carter to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

The Clennon Lakes in Goodrington are in desperate need of dredging, especially one of the lakes where the silt has badly built up. The Council have kept delaying doing the work for a long time now, and we are in danger of losing some of our wildlife and birds, and possibly even our friends' group down there if no work is done

soon. Please can the Cabinet Member for Pride in Place, Transport and Parking confirm when this work will take place?

Answer to Question 2 provided by Councillor Billings

I am pleased to be able to update Council that after many years of limited progress we will soon be undertaking de-silting works at Clennon Lakes.

This summer, in co-operation with the Friends Group the lakes have been assessed to ensure that the important protected species, the greater crested newt, is not present. While that ecology evidence was collected, a program of works was devised by SWISCo in co-operation with the Friends Group. The de-silting will be undertaken by extraction vacuum pump as this will ensure the clay lining of the lakes is not damaged. Lake 1 (western lake) and Lake 2 (middle lake) are now being costed in partnership with the Friends Group, with a view to carrying out works this autumn/winter 2025/26.

Also on Clennon Lakes, I am pleased to be able to update Council that SWISCo are now in week two, of an eleven-week program of work to implement the first stage of the walking and cycling route which will ultimately connect Dartmouth Road to Roselands. This first phase of works will provide a widened path from the signals with Tanners Road running parallel with the carpark, a new surface for the road section leading to the Velo Park including improving that entrance, improving the paths fronting the changing rooms, and providing a new Bitmac path to run alongside the lakes to the top of the lakes. This will enable a loop of the lakes to be in place. Works will include also land drainage alongside the path.

Question 3

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

Following the Council decision to decommission the St Margarets Academy Hearing Impairment Unit (HIU), several parents have or are planning to request an Education, Health and Care (EHC) needs assessment for their child to make sure their educational needs are being met.

How long are children needing assessment having to wait in Torbay for an Education, Health and Care Plan (EHCP) and are those impacted by the St Margarets Academy and The Spires College HIU decommissioning being prioritised?

Answer to Question 3 provided by Councillor Bye

Timeliness in Torbay for EHCPs is improving and presently 50% are completed in timescale. This is in line with national performance statistics.

We consider all Requests for Statutory Assessment (RSA) and follow the legal requirement and statutory process to decide whether to assess and ultimately if an EHCP is required.

For the 5 children that had named places in both HIUs, all already have an EHCP and we will therefore continue to deliver services for them in line with these.

The Torbay census identifies 26 children in total that have a hearing impairment at SEN support level across all schools in Torbay. As the legal bar is unchanged and no SEN support services (such as the hearing advisory service or school duties for delivering at SEN support) have changed as a result of the decommissioning of the HIUs we do not anticipate that any of the requests will meet the statutory bar for an EHCP. It is important to note that not all RSAs result in a EHCP being made, so initiating a RSA does not equate with a EHCP being required. At present in Torbay 40% of RSAs do not meet the legal test for provision.

Question 4

Councillor George Darling to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

Earlier this year, the Explorer Unit of the 11th Torbay Sea Scouts undertook a review of several play parks across Torquay, including Armada, Ellacombe, Victoria and Plainmoor Parks. From this, they identified problems with accessibility, the poor state of play equipment, and a lack of bins leading to increased littering. Could the Cabinet Member for Pride in Place, Transport and Parking advise what action the Council is taking to address these three specific areas of concern in our Torbay parks?

Answer to Question 4 provided by Councillor Billings

SWISCo has been carrying out a review of the Council's play facilities. The initial review was reported through to Overview and Scrutiny in May 2025. Since then SWISCo has attended several Community events and Ward Councillor visits to review the 'State of Play' report leading towards a play strategy. This strategy will include accessibility, maintenance planning, play equipment replacement and suitability and future use of public open space. In support of the review both myself as the Cabinet Portfolio Holder and the SWISCo team would welcome any further feedback or views to develop the next step report aimed to be presented in Autumn 2025. I therefore thank Cllr George Darling for drawing to attention the work undertaken by the 11th Torbay Sea Scouts and I can confirm that I have already asked the SWISCo team to reach out to them to ensure the results of their work and their opinions inform the report.

Question 5

Councillor Atiya-Alla to the Cabinet Member for Children's Services (Councillor Bye)

On Torbay Council, Ofsted stated that, '*Local area leaders have not developed a strategic approach to commission sufficient quality Alternative Provision to ensure placements adequately meet the needs of children and young people with SEND.*'

Considering that Torbay Council will be decommissioning alternative provision in the form of the St Margarets Academy and The Spires College Hearing Impairment Units next month, how can it be confident that children's needs will still be met without this strategic approach?

Answer to Question 5 provided by Councillor Bye

The provision that was operated at St Margarets and the Spires was an Enhanced Resource Provision, which is fundamentally different than Alternative Provision.

An Enhanced Resource Provision (ERP) is when a child who is on roll at a school receives some specialist support from within the school and is provided by the school. An ERP is for named children who have an EHCP. They typically spend up to 50% of their time having support from the Enhanced Resource Provision and 50% of their time within their usual mainstream classroom.

Alternate Provision is when an external company or provider provides (usually) off site provision for varying time frames to support a particular need instead of in-school support. The child stays on the roll of the school and the school oversee this provision (unless it is EOTAS provision).

The quote from the inspection refers to sufficient quality Alternate Provision. At the time of the inspection Torbay Council were already underway with a procurement process in order to ensure the quality of Alternate Provision for the new EOTAS pathway (this has now completed and goes live on 1st September 2025). Torbay Council also has a quality assurance process for all Alternate Providers which might be commissioned by schools or ourselves to ensure that provision meets good standards of care. A new post has been created to ensure this same Alternate Provision can now also be adjudicated to meet needs and gain outcomes and impact for our children and young people. Both of these measures were already in process at the time of the inspection and are now complete and ready to commence in the new school year.

The HIU ERP does not fall into this category and is not connected to the quotation cited.

Question 6

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

Sadly, St. Michael's School, Paignton has suffered two contract financial failures delaying completion of works for some time now. How has the Council supported the Department of Education through these completion struggles?

Answer to Question 6 provided by Councillor Penny

The responsibility for building of this provision is the Department for Education (DfE). They are leading this initiative and is ultimately responsible for ensuring that the school is built.

Our role has been to provide support throughout this process. This includes participating in weekly meetings with the DfE and approving the erection of temporary classrooms whilst building works are ongoing and ensuring these can meet need and allow accessible teaching.

Question 7

Councillor Douglas-Dunbar to the Cabinet Member for Tourism, Events & Culture and Corporate Services (Councillor Jackie Thomas)

The Council has implemented a 'Restorative Model' approach in Children's Services, how is the Council progressing this Council wide?

Answer to Question 7 provided by Councillor Jackie Thomas

Children's Services currently operate a Restorative model of service delivery. The rest of the Council is in the middle of implementing a Relational Council, which is a blend of Restorative from Children's and Trauma Informed practice from within Adults.

A Relational Council is one where we need to prioritise relationships based on inclusiveness, honesty, compassion and mutual respect. We are committed to working with local people and communities and our staff to solve problems together and to achieve the best possible outcomes. To start our Relational journey, this year we have trained Senior Management in the relational model and we have been reviewing our Core Values with the whole workforce, this exercise is due to be completed next month and has been a great opportunity to understand whether the current core values remain a true reflection of what our workforce feel is important to them and the organisation, and what we strive to be. Once this is completed, the Relational Council training materials will be updated with our new core values and the Relational Training will commence for the main staff body in the autumn.

Question 8

Councillor Long to the Cabinet Member for Tourism, Events & Culture and Corporate Services (Councillor Jackie Thomas)

What effect has the introduction of a deposit/bond of between £2,500 and £10,000 (depending on the size of an event) had on the viability of events organised by charities and smaller event organisers?

Answer to Question 8 provided by Councillor Jackie Thomas

The requirement for event organisers to provide a bond has been in place for many years for areas of operation within the events team such as the Big Wheel, fairs and circuses, as well as for commercial events.

The extension of bonds, or refundable payments in advance, to larger events is to ensure that Swisco has the surety to undertake repairs and land reinstatement or additional cleansing without delay after an event, when in the past there have been some issues with available funding and related delays. This helps to minimise disruption from events and maintain events spaces and the wider environment across Torbay.

The events team has not received any feedback from organisers on the viability of events organised by charities and smaller event organisers. It appears that small events are largely unaffected.

For those organiser and events using our key events spaces extensively, there are only a handful of events affected such as Childrens Week, Paignton Festival, Pirate Festival and the Pride event and each of these has had their bond covered by the English Riviera Event Collective (EREC) from a grant provided by Torbay Council some time ago.

This means that none of these events will pay Torbay Council directly or upfront. But should there be any issue and the land is damaged or other costs are incurred, EREC will bill event organisers accordingly.

Question 9

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

Can an update be provided on the Nightingale Solar Farm project?

Answer to Question 9 provided by Councillor Chris Lewis

We can confirm that planning is achieved; the access and ground has been prepared.

The detailed specification of the NHS Trust's requirements is known and the project is ready to procure a contractor. This is currently awaiting formal confirmation from the NHS Trust to proceed and a formal contract to be in place.

There are regular project meetings with the Trust to progress the scheme alongside other capital projects the Trust is working to deliver.

Question 10

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

Since the launch of the 'My Bay' discount card to date:

1. How many discount cards have been purchased; and
2. How many have been issued free to carers.

Answer to Question 10 provided by Councillor David Thomas

We can confirm that there are

A total of 2,331 cards in circulation.
918 of which are free to carers.

Feedback from card holders and businesses is being sought to inform the further development of the My Bay scheme so that it offers a compelling range of benefits across Torbay.

Question 11

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

With my mailbox continually filled with messages from residents concerned about unauthorised traffic flow in Fleet Walk, and the police suggesting a barrier system to alleviate this which has also been used successfully in other areas of the country including Cambridge and Bath, would the Council now look to implement this system at the middle of Fleet Walk in order to avoid an accident which I fear is just waiting to happen?

Answer to Question 11 provided by Councillor Billings

Having discussed the issues raised with a variety of Officers including the Council's Head of Highways, I can reassure that the Council is very aware of the issues that Cllr Mandy Darling raises on behalf of her residents.

The advice I have received is that a rising bollard arrangement similar to those already in place in Cambridge and Bath would be expensive to install as there is a large amount of utility infrastructure underneath the road and some of this is shallow

to the surface. Locating the bollards in the required locations would therefore require utility services to be diverted.

I have also been advised than an alternative approach of using a rising barrier while overcoming the technical challenges of services under the road is not a viable option as it is unlikely to be appropriate for this location given the need to provide good access for cyclists.

On this basis the justification in prioritising funding to this area is problematic as any solution would could only work for certain times of the day as the bollards would need to be down before 10am to accommodate deliveries; while during the day the bollards would be down on a very regular basis to accommodate the frequent bus services and taxis from The Terrace accessing the new rank.

Question 12

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

Traders in St Marychurch have reported an increase in petty theft and Anti-social Behaviour over the last year, attributed to the dispersal Public Spaces Protection Order (PSPO) pushing criminals out of the town centre and into more-peripheral shopping areas like St Marychurch. This was confirmed with an increase in crime seen across St Marychurch in April and May. Will the Cabinet Member for Adult and Community Services, Public Health and Inequalities consider expanding the dispersal order PSPO to protect all our local shopping areas and avoid merely pushing crime from one business onto another?

Answer to Question 12 provided by Councillor Tranter

At present there are no plans to consider implementing a similar PSPO for St Marychurch. We have checked information held by our ASB Team and CCTV teams who are not aware of any displaced ASB as a consequence from Torquay Town Centre focussed work into the St Marychurch area. To the best of our knowledge, this is also not a trend of concern to our colleagues in policing – it certainly is not being raised within our weekly partnership meetings. Our Officers have been made aware of and responded to issues relating to a couple of individuals within the last 9 months, but neither are in the area any longer. The dispersal PSPO for Torquay town centre was implemented given the unique nature of ASB within the area, the same was not replicated for Paignton or Brixham as it was not considered necessary or proportionate. They are also not measures to tackle offending such as shoplifting as these are clearly criminal matters. In the absence of reports concerning ASB, there does not appear to be sufficient grounds to consider one. However, if retailers are experiencing issues of concern then we would encourage all crime to be reported directly through to the police whilst ASB can be reported through to our ASB Team, who will be happy to assist and investigate where necessary. If information surfaced that a PSPO could be helpful to address ASB in the area of St Marychurch or indeed others areas, then we would absolutely consider such a

measure along with any resourcing implications that would be required as part of the consideration process.

Second Round

Question 13

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

At the Council meeting on 18 July 2024, I submitted a question to the Cabinet Member for Pride in Place, Transport and Parking regarding the state of repair of the clocks at Old Maids Perch, Torquay Town Hall and St John's Parish Church, Paignton. The response stated; 'The condition of our estate will be brought in front of Cabinet later in the year as the Asset Management Strategy is reviewed and I will ask that officers review the options for funding these works.' Could you please provide an update on these discussions and when these clocks will come back into service?

Answer to Question 13 provided by Councillor Billings

It is recognised the clocks are an important feature in the community and we have previously engaged the services of horologists, experienced in working on prestigious clocks around the country to advise the Council on the work needed to bring these back into working condition.

In the last year, work was undertaken on the Mallock Clock Tower. This has resulted in the clock now being in a serviceable condition. However, the projected costs of repairing and refurbishing the remaining clocks is significant and estimated to be in the region of £112 - £173k. This cost would represent a significant proportion of the Council's repairs and maintenance budget in any given year. Therefore, the repairs have been prioritised.

Work is next scheduled to be undertaken on the Old Maids Perch Clock. Whilst this does need to be scheduled with restorer, it is likely to be undertaken at some point in the autumn. Work on the remaining clocks will be scheduled when budgets permit or alternative funding is identified.

Question 14

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

Parents have raised concerns that children miss out on Free School Meals due to the Council's Opt-In policy. As part of the Council's review into Free School Meals,

will it change to an Opt-Out policy, and maximise the number of children being supported?

Answer to Question 14 provided by Councillor Bye

The opt-in policy is not a council policy but is national process, whereby families apply for Free School Meals (FSM). Nationally, an estimated 470,000 children living in the most deprived households are missing out on their statutory right to an FSM despite meeting the government's criteria to qualify. FSMs ensures children are guaranteed at least one, hot healthy meal a day. The DfE report that potentially 11% of families who would be eligible for FSM do not apply. We know that receiving FSMs also brings added benefit such as access to the HAF programme and PEP funding for schools.

Across Torbay, there are 5,088 known school-aged children registered and accessing FSMs (Oct 24 census) and 9,284 children from families in receipt of Universal Credit (Aug 2024) – just one of the benefits that could indicate FSM eligibility. A secondary consequence, as noted above, is that every child that is entitled to a FSM brings with them Pupil Premium funding for the schools. In Torbay we have decided to go beyond just identifying school age children and are also identifying all children aged 9 months plus who are entitled to a nursery place. We know that these children may not get the FSM due to them being in nursery but the additional funding that comes with the pupil premium will be a valuable additional funding stream for nurseries, particularly those that are struggling to remain financially viable in the context of a declining birth rate.

Despite the national framework for opt-in for FSM, I am pleased to advise that we are working with Fix our Food organisation to put in place a “opt-out auto-enrolment process”. This is on schedule to have this in place by October of this year and we will be one of the few local authorities who have implemented this outside of the London area.

Question 15

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

The 112 open-top bus service has been key to the tourism offering of Torquay and Babbacombe for many years, yet this service has now been cut to only cover Paignton. Why has the Council allowed this, and what action is it taking to see an open-top service return to Torquay and Babbacombe?

Answer to Question 15 provided by Councillor Billings

The service 122, operating since 2017/18, can be an unreliable choice for passengers due to the fluctuations in the weather, given the open top operation only offers capacity for part of the year. Whilst it is a highlight service for some on drier, sunnier, days, it is legally required to operate the full timetable every week no matter the weather. This can lead to a service that is very expensive to operate and does

not best serve the needs of its passengers. Instead, for this year, we have invested in additional frequency for the Service 22, and Stagecoach are operating the Service 11 as well, ensuring connections between Paignton and Torquay are strengthened for the whole year, and that those on Babbacombe Road are matched to what they would be with the 122 operating.

With a new fleet of electric buses arriving later this year, we can ensure that the entire Stagecoach fleet, all year round, can provide an increased level of service across Torbay for our residents and visitors, powered by electric, and improving the quality of bus travel for around 6 million journeys per year.

Question 16

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

Ofsted recently found that in Torbay, *'Too many children and young people with SEND in Torbay have poor experiences and outcomes due to the lack of access to the right provision and support at the right time'*. St Margarets Academy have made it clear that changes to their Hearing Impairment Unit funding will make it harder to retain specialist staff, making it more difficult for future students to access this support. Considering Ofsted's finding, will Torbay Council now listen to the school and reverse this decision?

Answer to Question 16 provided by Councillor Bye

The SEND Partnership, including the Local Authority, are committed to improving the experiences of SEND children, young people and their families.

In this quotation it is actually referring to the challenges which are prevalent locally and nationally:

"particularly the waiting times for assessment and diagnosis, parental dissatisfaction and the high proportion of children and young people with SEND being excluded and becoming NEET, have remained unresolved issues. Too many children and young people with SEND in Torbay have poor experiences and outcomes due to the lack of access to the right provision and support at the right time."

St Margaret's academy will see a 16% funding increase next year to fund the children with an EHCP plan who previously had a place in the Hearing Impairment Unit. This means that St Margaret's will be enabled to deliver specialist support to the children who previously met the threshold for a place in the Enhanced Resource Provision. At a time of great financial challenge for schools this is very positive and will enable the retention of the skilled staff to deliver the specialist support to these children.

The decommissioning of the HIUs has been considered in detail by the Overview and Scrutiny Board following a call for action. Overview and Scrutiny heard from a number of officers including the wider partnership and concluded that the decommissioning of the Units met the wider needs of children in Torbay.

It is important to highlight that the Ofsted report reflected that Torbay was not meeting wider SEND needs as the specialist provision and Enhanced Resource Provisions (ERPs) were not meeting the highest need locally of Social, Emotional and Mental Health (SEMH). The Council in considering its duty to meet need, made the decision in respect of the HIUs. This has resulted in the children with EHCPs from St Margaret's HIU continuing to have their needs met by receiving funding to deliver the support required whilst also providing an additional 16 specialist SEMH spaces. This would not have been possible whilst 'vacant' spaces existed in the HIUs.

As previously discussed on many occasions, including during the 'Call to Action', the Local Authority does not have a statutory responsibility to support children without an EHCP. The school, as many do across Torbay, already, have the ability to utilise the specialist staff (funded by the delegated budget they receive from government) to deploy an in-house provision to support hearing impairment needs should they wish to. Many other schools in Torbay choose to deploy their resources to run their own provisions and support to meet their local need.

Question 17

Councillor Penny to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

At the same time as the Leader of the Council was assuring Brixham Chamber of Trade that Churston Park and Ride facility would be used when works were being undertaken at the Central Car Park in Brixham, Stagecoach apparently announced it would no longer be using that Park and Ride facility.

How does the Council plan to improve its relationship with Stagecoach to avoid this situation?

Answer to Question 17 provided by Councillor Billings

Cllr Penny is mistaken in his understanding of the facts asserted in his question.

As Portfolio holder with responsibility for Transport I meet formally with Stagecoach representatives on a regular basis at the regular BSIP (Bus Service Improvement Plan) and Safer Travel Partnership meetings. Stagecoach's successful Zebra bid which will deliver the only entirely electric bus fleet outside a major city is testament to the good partnership working between the Council and Stagecoach which is delivering for all our residents.

The Park and Ride facility is privately owned and privately run. Over a number of years Stagecoach have raised the need to ensure the surface of the bus turning

circle within the site is suitable for large buses. The costs of upgrading the turning circle to full highway specification are very considerable and the business case for these works based on current usage is poor.

When it became apparent early in the year that Stagecoach wished for an improvement to be made to the turning circle in order to run for the 2025 summer season, as Portfolio Holder I worked with all parties to seek a solution. One option was to temporarily improve the surface through compacted road plantings, and this repeated works which had been undertaken in years prior.

Given any financial assistance provided to the operator of the Park and Ride would be in circumstances where the Council as a public body would be assisting a commercial operator, I believed it right to confirm the position of Brixham Town Council and ask they also make a small contribution. The Town Council declined to support the Park and Ride, confirming they would need better “supporting evidence of the benefits to Brixham, and data on the number of vehicles using the park and ride particularly as it relates to a private enterprise.”

On the basis it did not seem proper that Torbay Council should depart from the view of Brixham Town Council, no improvement works were undertaken and regrettably Stagecoach confirmed they would only stop at the Park and Ride in the 2025 season for the Brixham Pirate Festival.

The Council is considering options with regards to the use of the site and other transport issues that may need to be addressed to support the effective delivery of the significant capital investment planned at Brixham's fish market and in the town centre. I am clear Stagecoach are very supportive of the principle of a Park and Ride for Brixham.

Question 18

Councillor Douglas-Dunbar to the Cabinet Member for Housing and Finance (Councillor Tyerman)

The magazine 'Ethical Consumer' has reported recently that Torbay Council, along with a number of other local authorities, has an Amazon business account and spends thousands of pounds with that business. Given that Amazon is criticised for avoiding tax, which could be used to fund public services such as local councils, does Torbay Council plan to switch its spend to other organisations on the Government's Public Sector Procurement Framework who might not so aggressively avoid tax?

Answer to Question 18 provided by Councillor Tyerman

Over the last 3 years Torbay Council spend with Amazon has been less than £100k. This spend is made by services through a Purchase Card and provides an effective and efficient way of purchasing low value items, often required at short notice.

Whilst there are alternative suppliers, via public buying organisations, it is not considered that they provide the same breadth of choice as Amazon or the same resource efficient process.

Question 19

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

What has been the financial cost to date of the TDA transfer in to the Council to date; and when do the council envisage that the completion of the process will be finalised?

Answer to Question 19 provided by Councillor Tyerman

TDA employees TUPE transferred to the Council on 1 April 2024. The TUPE transfer was complete as of that day.

Costs that have been recorded are as follows;

1. There were some one-off transition costs of £307k that were incurred within 2024/25 in relation to the transfer of staff and assets and these costs were funded from reserves.
2. An overspend of £360k on the revenue budget was reported within the Outturn report for 2024/25 in respect of the operational costs for teams such as Property Service, Facilities Management, Estates, Engineering and Project Management. This overspend was in line with previous years overspends within commissioning budgets when these teams were in the TDA.

An increase in £300k was agreed within the 2025/26 budget to address the longstanding revenue budget pressures.

Question 20

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

What work is the Council undertaking to bring the Old Monastery in Paignton back into use, and could a community centre for the Clifton with Maidenway Ward (which is mainly residential and does not have a community centre) be part of the solution?

Answer to Question 20 provided by Councillor Chris Lewis

The Old Monastery has been vacant for some time and been subject to several requests for use by different groups over the last few years. However, the current condition of the building is such that a significant sum of money would need to be expended to bring the space back up to a habitable condition. Given the condition,

it is not practical, or cost effective, to spend the sums of money required on the building and, as such, the building is currently on the list of assets that the Council intends to dispose. Work is ongoing to bring a disposal forward.

Third Round

Question 21

Councillor Harvey to the Cabinet Member for Tourism, Events & Culture and Corporate Services (Councillor Jackie Thomas)

Last year, the state of the Chilcote Memorial was raised by St Marychurch Councillors, with its urgent need for cleaning and repair. Cllr Jackie Thomas at that time stated: 'Officers are currently investigating the costs of cleaning the memorial, and to establish if repairs are required.' Could you please confirm what the outcome of this investigation was?

Answer to Question 21 provided by Jackie Thomas

The Memorial is situated within the Public Highway and is Grade II Listed. Consequently, these factors have needed to be considered in some detail.

Our Conservation Building Surveyor has visited the Memorial and confirms a level of repair and cleaning is required. The main monument is granite on a stone plinth. There is a copper plate to one of the faces. Given the nature of the repairs needed and the Listed status of the Memorial it was felt that we needed to engage specialist contractors to undertake the work. We have engaged a metalwork conservator who worked on the Torquay War Memorial and obtained a cost from a specialist stone mason for the cleaning, gilding and lettering of stonework and repointing of the plinth.

Obtaining these costs has taken longer than envisaged. However, these are now in hand and work will be commissioned shortly with the cost covered by the Council's Centralised Repairs and Maintenance Budget. Given the location of the memorial as a traffic / pedestrian island on the junction of St Marychurch Road and Fore Street the contractor needs to liaise with Highway colleagues to ensure a safe working site is created.

It is envisaged this work will commence in September.

Question 22

Councillor George Darling to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

Wooden bollards were placed on St Margaret's Avenue a decade ago to protect Homelands students from cars mounting the footway. The bollards have now

reached the end of their lifespan with many becoming rotten or fallen, this has seen a recurrence of vehicles mounting the footway. When will the Council replace these bollards and tackle this problem?

Answer to Question 22 provided by Councillor Billings

SWISCo know that these wooden bollards have reached the end of their service life.

Highways inspectors are monitoring the location to review whether replacements are required. There is little current evidence of significant damage to the verge due to parked vehicles. Should this become a problem, then targeted replacements will be considered, subject to budget. It will however be the case that any future replacements will be with bollards of a different style and material.

Question 23

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

The recent Ofsted/CQC report into the Torquay SEND local area partnership stated: *"There are widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with special educational needs and/or disabilities (SEND), which the local area partnership must address urgently"*.

Yet the Council's statement put out in response to the report failed to acknowledge this. What action has the Cabinet Member for Children's Services taken to address these widespread and/or systemic failings?

Answer to Question 23 provided by Councillor Bye

The statement put out in response to the report was not a Council statement but was an agreed partnership statement. This is a partnership inspection not a Council inspection – as such the whole partnership will be formulating a priority action plan which will be approved by Ofsted and overseen by the DfE.

We have already revised our governance structure to be more impactful in line with the report's recommendations.

We have brought in an independent chair to give focus and pace.

As a partnership we will continue to work to meet the need of SEND children in a system that is reported to need national reform and change.

The council statement highlighted the commitment to our ongoing improvement – it said:

"We are committed to addressing these challenges locally"

And

“We are committed to ongoing improvement across all SEND provision and will continue to work with parents, carers and practitioners to develop and strengthen it. Our priority remains the wellbeing and success of our children and young people.”

Question 24

Councillor Penny to the Cabinet Member for Pride in Place, Transport and Parking (Councillor Billings)

Cornwall Council has a number of blue flag beaches which allow dogs on them at certain times of the day. Is Torbay Council thinking of following suit?

Answer to Question 24 provided by Councillor Billings

Torbay Council is currently reviewing the potential for amendments to the Beach Byelaws later this year. This is a detailed process that includes several important stages, such as public consultation, legal review, and operational planning.

Any proposed changes would need to take into account the practicalities of implementation. For example, ensuring that there are enough staff available to carry out beach checks and cleansing on all Blue Flag beaches during the transitional period between the end of the dogs-permitted season and the start of the seasonal dog restrictions may be challenging due to current staffing levels.

Any amendments must also remain fully compliant with the Blue Flag programme, which sets out strict standards for beach management and environmental quality. Key points include:

Assistance dogs are always permitted on Blue Flag beaches. Non-assistance dogs may be allowed if permitted by local legislation. All dogs must be kept under control and on a lead. Owners are expected to clean up after their pets and dispose of waste responsibly.

Members will be aware that dogs are allowed on many local beaches without restriction year round.

Further information can be found on the following link:

<https://www.torbay.gov.uk/asb-environment-and-nuisance/dogs/dogs-on-the-beach/>

Question 25

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

The National Youth Agency have recently visited the Acorn Centre and recommended as part of their Safeguarding checks that lining of the Centre's car

parking be re-done and lighting improved outside. This has been refused by the Council on cost grounds. When might the Council be in a financial position to do this work?

Answer to Question 25 provided by Councillor Chris Lewis

At the request of the Acorn Centre, Council officers visited the car park earlier in the year to review the situation on the ground. Whilst there has never been active street lighting as such in the car park, there is lighting on the side of both the Acorn Centre and Apollo Sports club. These are motion activated lights that illuminate a significant area of the car park. It was felt this lighting arrangement provides sufficient coverage during the hours of darkness. On the issue of white lining it is accepted there are no white lines left on the ground. It is nevertheless clear that the car park is self-policing, and has been for many years, with the accepted practice of parking around the outside. Officers have visited during periods of peak usage, and it is recognised people 'get creative' with parking. However, with no means of enforcement, whether there is, or not, designated parking, it was felt this would not make a significant difference on the ground. Unfortunately, given the likely cost of the requested improvements and a need to prioritise expenditure on repairs across the portfolio, unless an urgent matter of safety becomes apparent, we would not look to progress this matter.

Question 26

Councillor Douglas-Dunbar to the Cabinet Member for Tourism, Events & Culture and Corporate Services (Councillor Jackie Thomas)

With the new harbour development at the Strand, and the additional event space now available, can you advise how many times this space has been booked to be utilised for events during the upcoming summer season?

Answer to Question 26 provided by Councillor Jackie Thomas

The design of the Torquay Harbour Public Realm scheme sought to improve the quality of the overall public realm and create a space that is capable of supporting events as and when there is demand. The Council has at Christmas, half term and Easter, used the space for events it has organised but has not actively been promoting the space beyond its public realm use by the community and visitors in this period. This means that for this summer we have no active applications for use of the Strand for events over the summer season however we will seek and welcome applications for 2026.