

Wednesday, 29 November 2023

Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **The Burdette Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 7 December 2023** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,



Anne-Marie Bond
Chief Executive

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

Together Torbay will thrive

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Meeting of the Council Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the minutes of the meeting of the Council held on 20 September 2023.

(Pages 5 - 13)

4. **Declarations of interests**

(a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

5. **Communications**

To receive any communications or announcements from the

- Civic Mayor including a presentation from Karen Thomson of Torbay & Devon Civic Awards,
- the Leader of the Council,
- the Overview and Scrutiny Co-ordinator
- the Chief Executive.

6. **Members' questions**

To respond to the submitted questions asked under Standing Order A12.

(Pages 14 - 33)

- 7. Notice of motions**
To consider the following motions, notice of which has been given in accordance with Standing Order A13 by the members indicated:
- (a) Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Leads (Page 34)
 - (b) Appointment of Chairmen/women of Committees (Page 35)
 - (c) Appointment to Devon and Somerset Fire and Rescue Authority (Page 36)
 - (d) Time of Planning Committee (Page 37)
 - (e) 20 MPH Neighbourhoods (Pages 38 - 39)
- 8. Future Structure and Operation of TorVista Homes** (Pages 40 - 54)
To consider the recommendations of the Cabinet and the submitted report regarding the future structure and operation of TorVista Homes.
- 9. Community and Corporate Plan 2023-2043** (Pages 55 - 85)
To consider the recommendations of the Cabinet and a report on the Community and Corporate Plan 2023-2043.
- 10. Licensing Act 2003 - Cumulative Impact Assessment 2024 - 2027** (Pages 86 - 140)
To consider the recommendations of the Cabinet and the submitted report regarding the Cumulative Impact Assessment 2024-2027.
- 11. Council Tax Support Scheme 2024/2025** (To Follow)
To consider a report on the above.
- 12. Council Tax Base 2024/2025** (To Follow)
To consider a report on the above.
- 13. Budget Monitoring 2023/2024 - April to September 2023 Revenue and Capital Outturn Forecast** (Pages 141 - 152)
To consider the recommendations of the Cabinet and a report that provides a high-level budget summary of the Council's revenue and capital position for the financial year 2023/24, comparing budgets with year-end forecasts.
- 14. Proposed Withdrawal and Dissolution of the Heart of the South West Joint Committee** (Pages 153 - 159)
To consider a report on the above.
- 15. Review of Political Balance** (Pages 160 - 169)
To consider a report that sets out a review of the political balance of the Council to ensure places on Committees and Working Parties are allocated in accordance with the relevant statutory and Constitutional requirements.

16. Appointment of Scrutiny Leads

To appoint the following Scrutiny Leads:

- Adults, Community Services, Public Health and Inequalities; and to confirm their appointment as Chairman/woman of the Adult Social Care and Health Overview and Scrutiny Sub-Board; and
- Place Development, Economic Growth and Culture.

17. Appointment of Chairman/woman of the Standards Committee

To appoint the Chairman/woman of the Standards Committee for the remainder of the Municipal Year.

18. Composition and Constitution of the Cabinet and Record of Delegation of Executive Functions

(Pages 170 - 172)

To receive details from the Leader of the Council of the composition and constitution of the Cabinet for the remainder of 2023/2024, together with the record of delegations of Executive functions (in accordance with Standing Order C2).

Live Streaming

To encourage more people to engage in our public meetings the Council is live streaming our Council meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

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

20 September 2023

:- Present :-

The Worshipful the Mayor of Torbay (Councillor Spacagna) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Stevens)

Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Douglas-Dunbar, Fellows, Fox, Harvey, Hutchings, Johns, Joyce, Law, Barbara Lewis, Chris Lewis, Long, Maddison, Penny, Pentney, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Twelves, Tyerman and Virdee

29 Opening of meeting

The meeting was opened with a prayer.

Following the opening, Members observed a minute's silence as a mark of respect in memory of former Councillor and Civic Mayor, Terry Manning, Freeman and former Coroner, Hamish Turner and Trevor Staveley of Torbay Street Pastors all of whom had recently passed away.

30 Apologies for absence

An apology for absence was received from Councillor Nicolaou.

The Chief Executive advised that Councillor Cowell had indicated he would be leaving the meeting early.

31 Minutes

The Worshipful the Mayor of Torbay proposed and Councillor Stevens seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the Minutes of the meeting of the Council held on 20 July 2023 were confirmed as a correct record and signed by the Worshipful the Mayor of Torbay.

32 Declarations of interests

The following non-pecuniary interests were declared:

Councillor	Minute Number	Nature of interest
Councillor Brook	36	Council appointed Director on the TEDC Board
Councillor Fox	36	Council appointed Director on the TEDC Board
Councillor Maddison	36	Council appointed Director on the TEDC Board

33 Communications

The Leader of the Council updated the Council on:

- a) the Cabinet's decision on 19 September 2023 to launch consultation on the draft Community and Corporate Plan, which set out a strategy for health, happiness and prosperity for the community of Torbay. The Plan covered 20 years and a separate Business Plan would be prepared covering political aspirations for the current four-year term of office. The Leader of the Council encouraged people to respond to the consultation;
- b) the results of Residents' Survey which was published as part of the 19 September 2023 Cabinet agenda and appended to the draft Community and Corporate Plan. The Survey included the national results provided by the Local Government Association, alongside Torbay's results. The Survey was also due to be published on the Council's website; and
- c) ongoing Resident Engagement Events in the community, which would be held every two months and attended by councillors and officers. The first Resident Engagement Event was due to be held at Paignton Library on 29 September 2023, which was also World Heart Day, and therefore the focus of the event would be the launch of Director of Public Health's Annual Report highlighting cardiovascular health. The Leader of the Council encouraged all councillors to attend.

34 Order of Business

In accordance with Standing Order A2.2 in relation to Council meetings, the Worshipful the Mayor of Torbay varied the order of business to enable agenda Item 7 (Members' questions) to be considered at end of the meeting.

35 Petitions

In accordance with Standing Order A23, the Council received the following petitions:

- (i) petition requesting the Council to review byelaws to allow the Adela BM79 and other small-scale fishermen to sell their catch directly from their boats (approximately 763 signatures); and
- (ii) petition requesting the Council to remove and replace the new LED Lighting on the harbour wall below King Street, Brixham (approximately 146 signatures).

At the invitation of the Chairman, Mr Northway addressed the Council in relation to the petition referred to in (i) above.

It was noted that the petitions would be referred to the Director of Pride in Place in consultation with the Cabinet Member for Place Development and Economic Growth.

36 Future options for the structure and operation of Torbay Economic Development Company Limited

The Council considered the recommendations of the Cabinet on the future of the Torbay Economic Development Company Limited (trading as TDA) and as set out in the submitted report. It was noted the TDA was established as a wholly owned company of the Council in 2011 so that work could be commissioned to it in line with procurement regulations. However, the need to deliver more for Torbay at a time of significant change in the regional and national economic development environment meant that a review of the fundamental purpose of TDA was needed.

Councillor Chris Lewis proposed and Councillor David Thomas seconded a motion, which was agreed by the Council as set out below:

- 1. that Torbay Economic Development Company be dissolved, with the Chief Executive overseeing the practical arrangements for the same;**
- 2. that further of 1. above, the Chief Executive be given delegated authority to determine, in consultation with the Leader of the Council:**
 - a. the transfer of subsidiary companies or component parts of the business that undertake substantial external trading activity into the Torbay Council Strategic Holding Company,**
 - b. the most effective arrangements for the holding of assets currently held by Torbay Economic Development Company,**
 - c. agreement of appropriate indemnities that may be required for non executive directors and Board appointments should this be necessary during the transitional period.**

(Note: Prior to consideration of Minute 36, Councillors Brook, Fox and Maddison declared their non-pecuniary interests as Council appointed Directors on the TEDC Board, remained in the meeting and voted on the item.)

37 Future options for the structure and operation of TorVista Homes

The Council considered the recommendations of the Cabinet (as set out in the submitted report) on the funding elements of TorVista Homes in light of the accrued loan debt and on-going operational costs underwritten by the Council.

Councillor Tyerman proposed and Councillor David Thomas seconded a motion, which was agreed by the Council as set out below:

- 1. that the Director of Finance be instructed to write off the 'working capital' loan of £1.5m, accrued by TorVista as at September 2023, to be funded through a strategic review of Council Reserves;**
- 2. that Council Minute 67(v) of 20 July 2017 be rescinded, thereby removing any approval of prudential borrowing to facilitate further schemes by TorVista; and**
- 3. that the Council approve revenue funding of £115,000 for maintaining TorVista operations for the six-month period from October 2023 to March 2024.**

38 Corporate Parenting Strategy 2022-25

The Council considered the recommendation of the Cabinet and submitted report on the adoption of the Corporate Parenting Strategy 2022-2025 which formed part of the Council's Policy Framework. Members noted the Strategy set out Torbay's aspirations to be the best corporate parents we can be, including how the Council will work alongside our partners to achieve this.

Councillor Bye proposed and Councillor Chris Lewis seconded a motion as set out below:

that the Corporate Parenting Strategy 2022-25, as set out in the submitted report, be approved.

During the debate Councillor Law proposed and Councillor Steve Darling seconded an amendment objecting to the Strategy as follows:

that the Council formally objects to the adoption of the Corporate Parenting Strategy 2022- 2025 on the basis that the introduction should include all Councillors and Officers at Torbay Council as corporate parents, rather than the Corporate Parenting Board.

In accordance with the Constitution at F4.9, the Council therefore requires the Cabinet to consider this objection at its meeting on 17 October 2023 and either:

- a) submit a revision of the Corporate Parenting Strategy 2022- 2025 with the reasons for any amendments to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

The amendment was put to the vote and declared lost.

Councillor Bye's and Councillor Chris Lewis' original motion was then considered by the Council which was agreed (unanimously), as set out below:

that the Corporate Parenting Strategy 2022-25, as set out in the submitted report, be approved.

39 Adult Social Care Strategy

The Council received the Cabinet's recommendations to add the Adult Social Care Strategy to the Council's Policy Framework and to approve the Strategy (as set out in the submitted report). Members were advised the Adult Social Care Strategy set out a vision for thriving communities, where people can prosper and outlined how, by working together, improved adult social care services for residents in Torbay could be delivered.

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

- 1. that the list of Policy Framework documents set out in Torbay Council's Constitution be updated to include the Adult Social Care Strategy; and**
- 2. subject to 1. above, the Adult Social Care Strategy as set out in Appendix 1 to the submitted report be approved.**

40 Budget Monitoring 2023/24 - April to June 2023 Revenue and Capital Outturn Forecast

The Council received the submitted report on the high-level budget summary of the Council's revenue and capital income and expenditure for quarter 2 of 2023/24 financial year and the Cabinet's recommendations. It was noted the revenue budget was predicting an overspend of £1.5 million primarily due to external pressures arising from the current economic situation, including the cost of inflation and levels of income.

The submitted report included recommendations for underwriting Coombe Pafford School and new projects to be added to the Council’s Capital Programme.

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

that Council approves:

- 1. the underwriting arrangements for Combe Pafford School as detailed in paragraphs 4.17-19 of the submitted report; and**
- 2. the addition of the following projects (as set out in paragraphs 8.4 of the submitted report) to the current capital programme:**
 - refurbishment of the changing rooms at Armada Park sports facilities at Torquay;
 - scaling up the delivery of local charge points for electric vehicles;
 - Shiphay Lane Active Travel works; and
 - renovation of tennis courts at St Marys, Oldway and Abbey Park.

41 Treasury Management Outturn 2022/23 Report

The Council considered the recommendations of the Audit Committee and the submitted report on the Council’s treasury management activities during 2022/23 against the Treasury Management Strategy of the same year.

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

- 1. that the Treasury Management decisions made during 2022/23, as detailed in the submitted report be noted; and**
- 2. that the increases to limits within the Treasury Management Strategy 2023/24 as set out below be approved:**

	Strategy 2023/24	Recommended Change 2023/24
Limit on principal invested beyond year end (Treasury Management Strategy section 7)	£20M	£40M

	Strategy 2023/24		Recommended Change 2023/24	
	Counterparty Limit	Sector Limit	Counterparty Limit	Sector Limit
Strategic Pooled Funds (Treasury Management Strategy Appendix 3, Table 9)	£10M	£20M	£10M	£30M

3. **that in principle, the Council doesn't borrow any further money unless there is a clear revenue or saving stream to support the required borrowing.**

(Note: Councillor Cowell left the meeting prior to consideration of this item.)

42 Constitution Amendment Local Protocol - Civic and Ceremonial

The Council considered proposed updates and revisions to the Local Protocol on Civic and Ceremonial to reflect current practice and to ensure it was fit for purpose.

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

that the Council approves the revised Local Protocol – Civic and Ceremonial as set out at Appendix 1 to the submitted report.

43 Constitution Amendment Local Protocol - Indemnity and Insurance for Members and Officers

The Council considered a new Local Protocol on Indemnity and Insurance for Members and Officers to be included in the Council's Constitution. It was noted the Protocol had been prepared following a briefing issued by the Local Government Association on legal liabilities in relation to children's placements and wider consideration of insurance and indemnity for Councillors and Officers in the exercise of their duties.

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

1. **that the Council approves the Local Protocol - Indemnity and Insurance for Members and Officers, as set out at Appendix 1 to the submitted report, and determines that it be incorporated into the Council's Constitution; and**

2. **that the Director of Finance and Head of Legal Services and Monitoring Officer (or their deputises) be authorised to determine requests for indemnities, in consultation with the Cabinet Member for Housing, Finance and Corporate Services. Or in consultation with the Leader of the Council, where the matter relates to the Cabinet Member for Housing, Finance and Corporate Services.**

44 Appointment of Overview and Scrutiny Co-ordinator and Appointment of Scrutiny Lead Member for Finance, Corporate and Place Based Services

Arising from the Leader of the Council's appointment of Councillor Billings to the Cabinet, the Council considered new appointments arising to Overview and Scrutiny.

Councillor David Thomas proposed and Councillor Tolchard seconded a motion as set out below:

1. that Councillor Twelves be appointed as the Overview and Scrutiny Co-ordinator for the remainder of the 2023/2024 Municipal Year; and
2. that Councillor Hutchings be appointed as the Overview and Scrutiny Leads for Finance, Corporate and Place Based Services for the remainder of the 2023/2024 Municipal Year.

During the debate Councillor Steve Darling proposed and Councillor Harvey seconded an amendment to the motion as follows:

1. that Councillor ~~Twelves~~ Cowell be appointed as the Overview and Scrutiny Co-ordinator for the remainder of the 2023/2024 Municipal Year.

The amendment was put to the vote and declared lost.

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

1. **that Councillor Twelves be appointed as the Overview and Scrutiny Co-ordinator for the remainder of the 2023/2024 Municipal Year; and**
2. **that Councillor Hutchings be appointed as the Overview and Scrutiny Leads for Finance, Corporate and Place Based Services for the remainder of the 2023/2024 Municipal Year.**

45 Composition and Constitution of the Cabinet and Record of Delegations of Executive Functions

The Council noted changes made by the Leader of the Council to his Cabinet, namely the addition of the Cabinet Member for Pride in Place, Culture & Events and

Parking (Councillor Billings) and a number of changes to Cabinet Members' portfolios.

46 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out two Cabinet decisions taken (Cyber Security - Renewal of 24-Hour Cyber Security Operations Centre Monitoring Contract and Torbay Youth Justice Plan 2023-24) to which the call-in procedure did not apply.

47 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A12. The paper also contained the answers to the questions which had been prepared by Councillors Billings, Brook, Bye, Fellows, Fox, Chris Lewis, Maddison, David Thomas, Jackie Thomas, Tolchard, Tranter, Tyerman and Twelves and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Billings, Bye, Chris Lewis, Tranter, Tyerman, arising from their responses to the questions in respect of questions 3, 5, 6, 7, 8 and 11.

During the supplementary questions and prior to question 13, the Chief Executive advised the meeting had exceeded four hours. In accordance with Standing Order A11.1, the Worshipful the Mayor of Torbay invited members to vote for the meeting to continue. On being put to the vote, it was resolved to not continue the meeting.

(Note 1: Councillor Law left the meeting prior to consideration of this item and Councillor Steve Darling presented a supplementary question in respect of question 3 in her absence.)

(Note 2: Following the meeting, The Worshipful the Mayor of Torbay determined not to fix a date for an adjourned meeting and therefore the remaining business (i.e. supplementary questions for questions 13 to 35) would be considered at the next ordinary Council meeting.)

The Worshipful the Mayor of Torbay

Meeting of the Council, Thursday, 7 December 2023

Members' Questions Under Standing Order A12

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

Note: where indicated these questions were deferred at the Council meeting on 20 September 2023.

First Round

Question 1 (formerly question 13 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 1 provided by Councillor Chris Lewis

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

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

Question 2 (formerly question 14 which was deferred at the Council meeting on 20 September 2023)

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

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

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

Answer: to Question 2 provided by Councillor Chris Lewis

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

Question 3 (formerly question 15 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 3 provided by Councillor Billings

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

Question 4 (formerly question 16 which was deferred at the Council meeting on 20 September 2023)

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

Ellacombe Park on Market Street has experienced significant amounts of anti-social behaviour including drug paraphernalia, conflict amongst individuals and unauthorised camping. Do you agree with me that part of the solution to this challenge is to enhance surveillance both in person and by CCTV at this location. How is Torbay Council able to work in partnership with Devon and Cornwall Police to tackle these matters?

Answer: to Question 4 provided by Councillor Tranter

The Council works in close partnership with the Police with weekly operational meetings to discuss such matters and undertake joint action. This could include

working with youth services if appropriate, drug and alcohol services, rough sleeping team and the community. Action is taken against individuals where appropriate including the incident referred to regarding a tent in the park and associated behaviour. Each situation is unique and there are a range of enforcement and support interventions that are used on a daily basis.

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

Question 5 (formerly question 17 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 5 provided by Councillor Chris Lewis

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

Question 6 (formerly question 18 which was deferred at the Council meeting on 20 September 2023)

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

I understand that a foster carer at a recent fostering forum put forward this question: young people in 6th form whose birthdays fall early in the school year, when they are 18 years old, may have to move into independent living as the carer/s may live in rented accommodation or have large mortgages and the staying put allowance won't cover it. Will the Council consider enhancing the staying put payments in such situations to help reach the financial cap in the interests of stability for our cared-for young people? Can the Cabinet Member please advise how he is progressing this proposal?

Answer: to Question 6 provided by Councillor Bye

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

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

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

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

Question 7 (formerly question 19 which was deferred at the Council meeting on 20 September 2023)

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

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

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

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

Answer: to Question 7 provided by Councillor Billings

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

Question 8 (formerly question 20 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 8 provided by Councillor Billings

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

Question 9 (formerly question 21 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 9 provided by Councillor Billings

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

Question 10 (formerly question 22 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 10 provided by Councillor Billings

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

Question 11 (formerly question 23 which was deferred at the Council meeting on 20 September 2023)

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

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

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

Answer: to Question 11 provided by Councillor Billings

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

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

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

Question 12 (formerly question 25 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 12 provided by Councillor Jackie Thomas

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

Question 13 (formerly question 27 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 13 provided by Councillor Billings

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

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

Question 14 (formerly question 29 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer to Question 14 provided by Councillor Brook, Fox and Maddison

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

Question 15

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

I understand from reading of the Telegraph on the 9 September, that Newham Council will buy homes from landlords evicting tenants in order to stop families becoming homeless. What consideration has been given by Torbay Council to adopt such a scheme?

Answer: to Question 15 provided by Councillor Tyerman

Question 16

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

The Cabinet Member for Pride in Place, Culture & Events and Parking, highlighted in the roll-out of the Pay for an hour, Stay for the Day Parking Scheme, 'how important the Christmas trading season is for our local businesses.'

Could the Cabinet Member for Pride in Place, Culture & Events and Parking please advise why this scheme does not extend to include supporting St Marychurch businesses?

Answer: to Question 16 provided by Councillor Billings

Second Round

Question 17 (formerly question 24 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 17 provided by Councillor Tyerman

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

Question 18 (formerly question 26 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 18 provided by Councillor Tyerman

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

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

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

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

Question 19 (formerly question 28 which was deferred at the Council meeting on 20 September 2023)

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

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

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

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

Answer: to Question 19 provided by Councillor Chris Lewis

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

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

Question 20 (formerly question 31 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 20 provided by Councillor Billings

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

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

Question 21 (formerly question 32 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 21 provided by Councillors Fellows and Tolchard

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

Question 22 (formerly question 33 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 22 provided by Councillor Tranter

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

Question 23 (formerly question 35 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 23 provided by Councillor Bye

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

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

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

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

Question 24

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

What assurances can you give me that a toilet facility at Corbyn Head, Torquay will remain open for the 2024 summer season?

Answer: to Question 24 provided by Councillor Chris Lewis

Question 25

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

I understand that the Department for Levelling Up, Housing and Communities (DLUHC) has advised that Council's will be prohibited from being able to charge households to leave DIY waste at recycling centres. Further, I understand that the Government is not planning to cover this new burden on local taxpayers and therefore local authorities will need to meet the additional costs. Can you please advise what the anticipated burden for the local taxpayer is likely to be?

Answer: to Question 25 provided by Councillor Billings

Question 26

Councillor Johns to the Leader of the Council

At the October meeting of the Oldway Mansion and Grounds Steering Group my understanding of what the Leader of Torbay Council implied was that the National Lottery Heritage Fund would not be used for Oldway and potentially a project in Brixham. Please can the Leader of the Council clarify what he meant and confirm whether the National Lottery Heritage Fund will be spent on Oldway Mansion?

Answer: to Question 26 provided by Councillor David Thomas

Question 27**Councillor George Darling to the Cabinet Member for Place Development and Economic Growth**

I have been informed that the £100,000 Premier Resort Fund was absorbed was absorbed within the Place Directorate Budget this year. Will the administration be budgeting for a Premier Resort Fund in future years?

Answer: to Question 27 provided by Councillor Chris Lewis

Question 28**Councillor Carter to the Cabinet Member for Adult and Community Services, Public Health and Inequalities (Councillor Tranter)**

I note from a Freedom of Information response in respect of the number of Public Spaces Protection Order Fixed Penalty Notice's (FPN), that the following fixed penalty notices were issued at Hopes Nose:

Erection of tent / shelter
7th July 2023 x1 FPN
11th July x 2 FPN

Having a fire
7th July 2023 x 1 FPN
12th July 2023 x 3 FPN

Exceeding mackerel catch limit
21st July 2023 x 1 FPN

Camping
26th July 2023 x 2 FPN

I further note, that no fixed penalty notices have been issued at Berry Head since the 9 June 2023 when these PSPO orders came into effect. Can you please clarify if this is due to a lack of visits by an enforcement officer or has the anti-social behaviour reduced at this location?

Answer: to Question 28 provided by Councillor Tranter

Question 29

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

In the past six months two separate collisions has resulted in significant and costly damage being caused on the Babbacombe Downs. What assurances can the administration give the community that they are committed to tackling issues of excessive speed beyond just the proposed 20mph zones?

Answer: to Question 29 provided by Councillor Billings

Third Round

Question 30 (formerly question 34 which was deferred at the Council meeting on 20 September 2023)

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

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

Answer: to Question 30 provided by Councillor Jackie Thomas

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

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

In considering the objector's request, I was guided by the Council's Constitution Local Code of Good Practice for Members and Employees involved in the Planning Process which states: 'members of the public may support their verbal representation at Planning Committee with an electronic visual presentation and are required to e-mail their presentation to the Planning Department

(planning@torbay.gov.uk) two clear working days prior to the meeting to enable the presentation to include in the meetings overall presentation'. A physical model did not meet this requirement and the objector was advised that they could take photographs of the model and submit them to the planning department, the objector duly did so and the photos were displayed on screen when the objector addressed the Committee. You also had these in the meeting enlarged on your personal screen to enable you to view them in the format which you can access.

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

Question 31

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

Can you please confirm that Councillors who are Freemasons should declare this fact in their Register of Interests?

Answer: to Question 31 provided by Councillor Tyerman

Question 32

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

In Upton Park, Torquay, some dual litter and recycling bins were installed as part of the Town Deal improvements. When the dual bins were installed, the recycling element had clear bin liners inside and the residual waste element had the traditional refuse sack. Now both the recycling and residual waste parts have the traditional refuse sacks inside. Does this mean that the items that residents place in the recycling part of the bin are no longer collected for recycling?

Answer: to Question 32 provided by Councillor Billings

Question 33**Councillor Douglas-Dunbar to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)**

According to the council's web page, I understand the memorial bench policy is under review. It is disappointing that at a time when people have suffered a loss, there is uncertainty from the local authority on when a review of local memorial benches will be completed. Can the council advise what the timescales are for this project please?

Answer: to Question 33 provided by Councillor Billings

Question 34**Councillor Penny to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)**

Following a Freedom of Information request, I understand there is no provision of sanitary bins for male toilets across these 6 locations (Bank Lane, Brixham Harbour, Goodrington North, Paignton Central, Paignton Harbour and Seafront Complex) in Torbay. I have been supporting the Prostrate Cancer UK's campaign Boys need Bins. Can you advise me how much the cost would be of providing such facilities on an annual basis for these 6 locations please?

Answer: to Question 34 provided by Councillor Billings

Question 35**Councillor Long to the Cabinet Member for Pride in Place, Culture & Events and Parking**

What preparations will SWISCo be putting in place to stop Christmas Trees being fly tipped at the coach station in Torquay after Christmas?

Answer: to Question 35 provided by Councillor Billings

Question 36**Councillor George Darling to the Cabinet Member for Pride in Place, Culture & Events and Parking (Councillor Billings)**

It was good to see the expansion of 20mph zones around schools earlier this summer. Will the administration commit to further expanding 20mph restricted zones

to protect our older residents as well, such as along the St Marychurch Road above Bronshill Road?

Answer: to Question 36 provided by Councillor Billings

Question 37

Councillor Steve Darling to the Cabinet Adult and Community Services, Public Health and Inequalities (Councillor Tranter)

The Government recently launched a new national suicide prevention strategy with the ambition to reduce suicide rates in England, but this can't happen without the proper investment. Sadly, in the Autumn Statement, Jeremy Hunt and the Conservative Government failed to fund suicide prevention. Would you join me in condemning the Government and what actions do you plan to take to demand better for our communities in Torbay?

Answer: to Question 37 provided by Councillor Tranter

Appendix 1 to Question 8

Event	Date	Day	Month
Torquay Town Centre	07/09/2023	Thursday	September
Brixham Town Centre	08/09/2023	Friday	September
Paignton Town Centre	12/09/2023	Tuesday	September
Teignmouth Library	29/09/2023	Friday	September
Paignton Library	30/09/2023	Saturday	September
Newton Abbot Library	05/10/2023	Thursday	October
Post 18 Futures Fair (SDC)	12/10/2023	Thursday	October
Torquay Library	14/10/2023	Saturday	October
Careers Fair (SDC)	18/10/2023	Wednesday	October
TDA Jobs Fair- Town Hall	20/10/2023	Friday	October
Paignton Library	21/10/2023	Saturday	October
Teignmouth Library	25/10/2023	Wednesday	October
Brixham Library	28/10/2023	Saturday	October
Mayfield school – pop up event	TBC	TBC	October

Torquay Library	04/11/2023	Saturday	November
Churston Library	11/11/2023	Saturday	November
Totnes Christmas Market	05/12/2023	Tuesday	December
Newton Abbot Christmas Market	13/12/2023	Wednesday	December
Torquay Christmas Market	TBC	TBC	December
Torquay Library	06/01/2024	Saturday	January
Newton Abbot Library	13/01/2024	Saturday	January
Paignton Library	20/01/2024	Saturday	January
Totnes Library	27/01/2024	Saturday	January
Brixham Library	03/02/2024	Saturday	February
Newton Abbot Library	15/02/2024	Thursday	February
Churston Library	TBC	Saturday	February
Paignton Library	TBC	Saturday	March
Newton Abbot Library	TBC	Saturday	March
Brixham Library	TBC	Saturday	March

Joint Opposition Notice of Motion

Council

7 December 2023

Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Leads

1. That the decision of the Council to appoint Councillor Twelves as Overview and Scrutiny Co-ordinator be rescinded (Minute 44/9/23 refers) and that Councillor Steve Darling be appointed as Overview and Scrutiny Co-ordinator and Chairman of the Overview and Scrutiny Board in accordance with Article 5.04).*
2. That the Council notes the Leader of the Liberal Democrat Group's allocation of a Liberal Democrat seat on the Overview and Scrutiny Board to the Prosper Torbay Group (as set out in the Notice of Variation to Membership of Committees dated 22nd November, 2023 and in accordance with Standing Order B2.1) and therefore reaffirms Councillor Joyce's appointment as the Overview and Scrutiny Lead for Adults, Community Services, Public Health and Inequalities.
3. That the decision of the Council to appoint Councillor Maddison as Overview and Scrutiny Lead for Economic Growth and Culture be rescinded (Minute 11(2)/5/23 refers) and Councillor Harvey be appointed as Overview and Scrutiny Lead for Place Development, Economic Growth and Culture.

*For the proposal set out in 1. above and in accordance with Standing Order A17.1(ii), this Notice of Motion is also signed by the same number of members for a quorum at Council meeting = 9 members in total:

Proposer Councillor (1) Cllr Cowell

Seconder Councillor (2) Cllr Maddison

Councillor (3) Cllr Darling (S)

Councillor (4) Cllr Long

Councillor (5) Cllr Amil

Councillor (6) Cllr Joyce

Councillor (7) Cllr Law

Councillor (8) Cllr Pentney

Councillor (9) Cllr Carter

(**Note:** This Notice of Motion to be determined following the Council's consideration of Review of Political Balance.)

Joint Opposition Notice of Motion

Council

7 December 2023

Appointment Chairmen/women of Committees

1. That the decision of the Council to appoint the following Chairmen/women and Vice-Chairmen/women be rescinded (Minute 12(5)/5/23 refers):

Councillor Jackie Thomas – Chairwoman of Planning Committee

Councillor Strang – Chairman of Harbour Committee

Councillor Barbara Lewis – Chairwoman of Licensing Committee

Councillor Douglas-Dunbar – Vice-Chairwoman of Licensing Committee

Councillor Brook – Chairman of Audit Committee

Councillor Penny – Vice-Chairman of Audit Committee

Councillor Joyce – Chairman of Standards Committee

Councillor Cowell – Vice-Chairman of Overview and Scrutiny Board

2. That the following be appointed as Chairmen/women and Vice-Chairmen/women:

Councillor Maddison – Chairwoman of Planning Committee

Councillor Amil - Chairwoman of Harbour Committee

Councillor Douglas-Dunbar - Chairwoman of Licensing Committee

Councillor Lewis (B) – Vice-Chairwoman of Licensing Committee

Councillor Penney - Chairman of Audit Committee

Councillor Brook - Vice-Chairman of Audit Committee

Councillor Twelves - Vice-Chairwoman of Overview and Scrutiny Board

Councillor Twelves - Chairwoman of Standards Committee

Proposer Councillor Darling (S)

Secunder Councillor Cowell

(Note: This Notice of Motion to be determined following the Council's consideration of Review of Political Balance.)

Joint Opposition Notice of Motion

Council

7 December 2023

Appointment to Devon and Somerset Fire and Rescue Authority

That the decision of the Council to appoint Councillor Tolchard to the Devon and Somerset Fire and Rescue Authority be rescinded (Minute 12(8)/5/23 refers) and Councillor Long be appointed to the Devon and Somerset Fire and Rescue Authority.

Proposer Councillor Cllr Maddison
Seconder Councillor Cllr Darling (S)

Joint Opposition Notice of Motion

Council

7 December 2023

Time of Planning Committee

That the decision of the Council for Planning Committee meetings to commence at 2.00 pm be rescinded (Minute 13(1)/5/23 refers) and the Planning Committee meetings to commence at 5.30 pm.

Proposer Councillor Pentney
Secunder Councillor Cowell

Council

7 December 2023

20 MPH Neighbourhoods

There continue to be high levels of concerns over road safety which have been expressed to us by residents in many parts of Torbay about the excessive speed of traffic in residential areas particularly on arterial routes near or outside schools.

We believe that this is putting the safety of pedestrians at risk, including parents with young children in prams and buggies, as well as for wheelchair users, the frail and elderly, and anybody attempting just to cross a road.

We believe that some of the roads in greatest need of urgent action to control vehicle speeds include our older ex-Council estates and high density areas, which often have a predominance of terraced housing.

The principle has already been agreed by the Council to introduce 20mph neighbourhoods especially in close proximity to our schools and in relation to areas which have a high concentration of accidents. At the 22 February 2023 Transport and Parking Working Party, it was stated that there was strong support from schools across Torbay suffering from speeding traffic impacting on their pupils for such 20mph neighbourhoods. The following schemes were earmarked for action:

Phase One

Hayes School (Totnes Road & St Michael's Road) (Hayes Road already has permanent 20mph zone)

Cockington School (Avenue Road & Mill Lane areas)

Sacred Heart School (Cecil Road area)

Barton Academy (Barton Hill Road)

Torquay Academy (Barton Road & Cricketfield Road areas)

St Cuthbert Maine (Teignmouth Road & Westhill Road areas) (could include St Margaret's and Homelands Schools)

Phase Two

Roselands Primary School (Roselands Drive area)

White Rock Primary School (Davies Avenue/Gibson Road areas)

Sherwell Valley Primary School (Upper Cockington Lane/Drake Avenue/Hawkins Avenue areas)

Curledge Street Primary School (will be included within the proposed Fisher Street zone

but consideration to expanding zone into Dartmouth Road area)

Ilsham Primary School (Ilsham Road and Babbacombe Road areas)

Eden Park Primary School (in quiet residential area, no 20 limit in place)

St Margaret Clitherow School (in quiet residential area, no 20 limit in place)

Chestnut Primary School (in quiet residential areas, no 20 limit in place)

As at the 19 October 2023 we note with concern that the above schemes which have been earmarked for action are not being delivered at pace. One particular example where the need for reduced traffic speeds is overdue is Barton Hill Road, from the Barton shopping centre, to Hele roundabout, via Barton Academy, where there is an urgent need to reduce traffic speeds. We are also aware that accidents continue to happen in the neighbourhood of St Cuthbert Mayne with a motorcycle accident where the motorcyclist was hospitalised in early October.

In light of this and in the interests of community safety, therefore the Council is recommended:

That the Director of Finance be instructed to identify £100,000 of one-off money to provide the capacity to take these schemes (as set out above) forward within the next 12 months.

Proposer: Councillor Fox
Seconder: Councillor Virdee

Meeting: Cabinet/Council

Date: 5 December/7 December 2023

Wards affected: All

Report Title: Future structure and operation of TorVista Homes

When does the decision need to be implemented? As soon as possible, to allow consultation to commence with tenants.

Cabinet Member Contact Details: Councillor Alan Tyerman, Cabinet Member for Finance and Corporate Services

Director Contact Details: Malcolm Coe, Director of Finance and Alan Denby, Director of Pride in Place

1. Purpose of Report

- 1.1 TorVista Homes (TVH) is a subsidiary of Torbay Economic Development Company (trading as “TDA”) which in turn, is a wholly owned company of Torbay Council which was established in 2019.
- 1.2 The original objective of the company, as stated to Council in September 2016, was ‘**to develop and own homes with the overarching aim of maximising income back to the Council**’. This was then superseded by a secondary objective to help the Council deliver against its Housing Strategy. This was updated in a Council report in December 2018, which included the recommendation ‘**that in principle there appear to be clear benefits in merging the Housing Rental Company (RentCo) into the TDA, or a subsidiary of the TDA to enable relevant affordable housing schemes to be delivered at pace**’. However, for a number of reasons, including changing market conditions, escalating construction costs and the Covid pandemic, these objectives have not been realised.
- 1.3 As part of the original set up, TVH was able to access a ‘working capital’ loan from the Council, in order to establish TorVista Homes and set up all the governance and operational functions and cover its operating costs until it achieved a critical mass of properties to fund a sustainable operating model. The intention was for the company to ultimately payback the loan to the Council, in its entirety, through its rental income. However, this has not materialised, and Council in September 2023 approved a write-off from reserves of £1.5m, being the full operational costs incurred by that point.
- 1.4 In September 2023, the Council also approved a revenue commitment of £115k to fund TVH for the remainder of the 2023/24 financial year. With a stated on-going cost of

£223,700 per annum, this report recommends how the Council can achieve its strategic objectives through a more cost effective, sustainable approach, that includes moving the current TVH units into the Council's direct ownership and management.

- 1.5 In making the recommendation to dissolve TVH, gratitude should be given to those on the Board who have demonstrated commitment and made significant contributions to the work of TVH to date.

2. Reason for Proposal and its benefits

- 2.1 The ability for Torbay Council to influence the local housing market, particularly in priority areas, directly links to the Council ambition for the Bay to:

be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

With further links to the corporate themes of:

- thriving people, thriving economy;
- a Council fit for the future; and,
- tackling poverty, deprivation and vulnerability

- 2.2 This report aligns with the "Future Options on the structure and operations of Torbay Economic Development Company" which was approved by Council in September 2023.

- 2.3 The assets and liabilities of TVH are underwritten by the Council. Having recently written-off £1.5m of operational costs, the Council needs to determine whether there is a more cost effective and financially sustainable model of delivering its strategic housing objectives.

3. Recommendation(s) / Proposed Decision

That Cabinet recommends to Council:

1. That TorVista Homes be dissolved with effect from 1 April 2024, (or immediately following transfer of all social housing units, if this is beyond this date), with mandatory de-registration to the Regulator of Social Housing by TorVista Homes in advance and:

The Director of Pride in Place be instructed to:

- a. Commence tenant consultation (in line with current requirements by the Regulator of Social Housing) in relation to the proposal to transfer the social housing units, income and liabilities into Torbay Council;
- b. Instruct TVH to maintain a continuous level of service to their tenants (in accordance with all requirements for Registered Providers of social housing,

to at least the same standard as they currently receive), including continuing to achieve mandatory compliance standards until transfer of the homes has been completed; and

- c. Develop detailed delivery plans setting out how the Council will accelerate;
 - i. the provision of new Affordable Housing, targeted to meet Torbay's local housing need,
 - ii. The provision of accommodation for strategic priority areas, including;
 - 1. Extra care
 - 2. Supported housing (for various client groups)
 - 3. Temporary accommodation, and
 - 4. Care experienced young people.

The Director of Finance, in consultation with the Monitoring Officer and Cabinet Member for Housing, Finance and Corporate Services, be given delegated authority to:

- a. Subject to satisfactory completion of all necessary due diligence, (and tenancy engagement), enter into the Capital funding grant agreements with Homes England and to transfer all social housing units, assets, liabilities and income from TVH into the ownership and management of Torbay Council; and
- b. Upon completion of all satisfactory due diligence, transfer any land or development assets owned by TDA or TVH into the ownership of Torbay Council, as required; and

The Head of Strategic Housing and Delivery, in consultation with Cabinet Member for Housing, Finance and Corporate Services, be given delegated authority to:

- a. Subject to completion of a satisfactory procurement, agree a suitable scope and extend the Council's existing Temporary Accommodation and property maintenance contract for a further 12 months, with additional provision to include the maintenance and compliance of any homes currently owned by TVH that transfer to the Council, should this be required; and
- b. Apply for Investment Partner status on behalf of the Council, and secure Homes England funding for any eligible future directly provided affordable housing scheme.

- 2. That Council approve an annual revenue budget of £150k for 2024/25 for the Council to fund and provide in house, the management and operation of activities previously undertaken by TVH.

Background Documents

Details of previous decisions:

- (a) Council September 2016: approved in principle, the creation of a Housing Company with the objective of income generation;
- (b) Council December 2018: approved in principle the benefits of TDA creating a Housing Company to enable relevant affordable housing schemes to be delivered at pace;
- (c) Cabinet July 2019: gave delegated authority to the Chief Finance Officer to approve financial aspects of detailed business cases submitted by the TDA to be funded from the Council approved £25 million of Prudential Borrowing, in principle, to facilitate the work of the Housing Company, in the form of a loan for a capital purpose.
- (d) Council July 2019: approved a loan of up to £1 million to TDA, if required, to allow access to the necessary working capital required to set up the Housing Company with the terms of the loan delegated to the Chief Finance Officer to agree, in consultation with the Cabinet Member for Finance;
- (e) Council October 2022: approved an extension to the 'working capital' loan facility from £1m to £1.5m;
- (f) Council September 2023: approved write off of £1.5m 'working capital' loan and reduce operating costs of TorVista Homes

1. Introduction and Context

- 1.1 TVH was set up in 2019 as a wholly owned company of Torbay Council, reporting into Torbay Economic Development Company. The initial objectives of the company, as reported in September 2016, was to ***develop and own homes with the overarching aim of maximising income back to the Council***.
- 1.2 A secondary objective superseded this and was to help the Council deliver against its Housing Strategy. This was reaffirmed in a Full Council report in December 2018 which included the recommendation ***‘that in principle there appear to be clear benefits in merging the Housing Rental Company (RentCo) into the TDA, or a subsidiary of the TDA to enable relevant affordable housing schemes to be delivered at pace’***.
- 1.3 In July 2017, Council approved an initial loan facility of up to £25m to develop and deliver specific housing schemes subject to individual business cases to be submitted and approved by the Council’s Section 151 Officer (in consultation with Cabinet member). However, whilst planning permissions have been achieved at Preston Down Road, Crossways, Torre Marine and St Kilda’s for circa 300 homes (as at November 2023), only £3.2m of loans have so far been drawn-down, to deliver 32 homes. These are as follows:
- Bishops Place Apartments, Paignton - 9 homes
 - Totnes Road, Paignton – 9 homes
 - Various individual properties to support the government’s ‘Next Steps Accommodation Programme’- 14 homes
- 1.4 The ability for TVH to increase the supply of affordable housing has been negatively impacted over recent years by the increases in construction costs and rising interest rates which, even factoring in the use of Homes England grant funding, can make the viability of some developments challenging.
- 1.5 Whilst viability has been an issue for some time, the Council needs to consider how it can continue to influence and drive priority housing developments, whilst considering the level of on-going revenue it is able to commit within its overall approved budget.
- 1.6 In September 2023, Council approved a write-off of £1.5m, being the accrued operational costs at that time. Although TVH’s on-going costs were reduced from circa £370k per annum to £223,700, the Council has subsequently explored whether these costs could be reduced further, whilst maintaining a focus on delivering required housing outcomes.
- 1.7 To this end, the Director of Finance convened appropriate officers to determine clarity as to the objectives that any proposed operating model needed to deliver, which were then tested

with the Cabinet Member for Finance, Corporate Services and Housing, and determined to be;

(a) Retaining the ability for the Council to influence the local housing market in strategic priority areas through the delivery of affordable housing products, including (but not limited to):

- (i) Extra Care Housing,
- (ii) care experienced young people
- (iii) supported living
- (iv) temporary accommodation

(b) Maintaining a quality, safe landlord service for Council owned and commissioned housing units, and

(c) A model that delivered at the minimum possible cost so as to ensure it is financially sustainable.

2. Progress made since September 2023 Council meeting

2.1 The Council has explored whether it is able to manage and maintain the existing units held by TVH, in line with the requirements of the Regulator for Social Housing, and the conditions as set out in Homes England grant agreements, without having to maintain a separate wholly-owned company model. Additionally, it has sought to establish whether it is able to deliver wider strategic housing projects such as the proposals for St Kilda and Torre Marine, alongside any further initiatives the Council may develop in the future.

2.2 In considering this, discussions have been held with:

- Existing Management within TorVista Homes;
- The Regulator of Social Housing;
- Homes England; and
- External Auditor (Grant Thornton);

2.3 The main points from stakeholder and wider engagement so far, are:

(a) Torbay Council is – by default – a Registered Provider (RP) of Social Housing in its own right. It is also the Local Housing Authority for Torbay.

(b) As Local Housing Authority, the Council has the power under section 17 of the Housing Act 1985 to purchase (and therefore own) houses (and homes more generally), and the surrounding land those homes occupy.

- (c) The Council is able to hold up to 199 houses without the need to create a separate Housing Revenue Account (HRA);
- (d) Homes England grant awarded to TVH to support delivery of the 32 homes it owns, can be transferred to Torbay Council as another RP of social housing, once the necessary approvals and consents have been secured. Discussion with senior Homes England colleagues has begun, and work will continue to enable the transfer of grant liability, in the coming weeks;
- (e) Torbay Council is not an active Homes England Investment Partner (IP). An IP is not required for the transfer-in of existing grant-funded homes. However, it will be necessary for the delivery of other priority projects in the future, such as St Kilda's, Torre Marine and Crossways. The Council will commence this process in the coming weeks. This will enable the Council to access the same grant funding, as is available to TVH;
- (f) Where there is a transfer of units from TVH to Torbay Council, it is good practice to undertake consultation with tenants, as set out in the 'Tenant Involvement and Empowerment standard';
- (g) The newly appointed 'Head of Strategic Housing and Delivery' is experienced in the direct delivery of all forms of social housing, securing and administering Homes England grant funding, and achieving relevant compliance standards for new social housing. This additional senior post provides the Council with additional capacity and expertise to consider the most appropriate long-term solution for the purchase and management of Council-owned homes.
- (h) Revenue costs would be reduced through dissolving TVH, by not having to maintain a designated Board, adopting simplified support requirements (e.g., not maintaining or auditing separate Group Accounts), and reducing recharging arrangements.

3. Management of housing stock and future housing developments

- 3.1 The Council has multiple pressures with regards to priority housing needs. These include: urgent provision of temporary accommodation and "move-on" housing; managing escalating homelessness demand and need on Devon Home Choice; demand for Extra Care Housing; and provision of supported living for adult and children's social care clients.
- 3.2 Officers consider that there may be synergies and benefits of joining up:
 - a) the identification of overall housing demand,
 - b) delivery of Council-led schemes,
 - c) supporting external partners to deliver homes to help solve the Torbay housing crisis, and

- d) creation of a housing 'client' to oversee the performance of Torbay Council-owned homes.

- 3.3 In the long-term, the Council will need to bring forward detailed proposals as to the management and maintenance of all homes that it owns, to ensure a consistent, good quality, fully compliant service is being provided to its secure and non-secure tenants. Options include self-management of homes (as is common for council-owned housing) or commissioning a third party organisation (another RP or private company), to provide this function on the Council's behalf. Detailed analysis of the options will need to be objectively considered and brought to Cabinet in due course.
- 3.4 In the short-term, there is a need to ensure suitable management and maintenance arrangements are in place for homes that come into the Council's ownership. The Council must provide an emergency/out-of-hours service to tenants, reactive, cyclical and programmed maintenance, and achieve mandatory compliance standards for gas safety, electrical testing, asbestos management, fire safety and legionella (for example). This provision must be in place at the point of transfer-in of the units, to protect tenants, and the Council.
- 3.5 Members will be aware of the need to comply with required compliance standards in social housing stock. The Council provides such services to the non-secure tenants of its Temporary Accommodation, via a third-party provider, which is a cost-effective route for the management of such homes. The contractual period for this service is approaching expiration and needs to be renewed; to ensure there are sufficient safeguards in place for both Temporary Accommodation and homes that transfer in, it is prudent to extend the contractual period of this arrangement, and add the ability to extend such arrangements to stock that is transferred in, should it be necessary.
- 3.6 Looking forward, there are a number of projects that TDA and TVH were leading on, which – as a direct result of the recommendations of this paper – will need to be led by Torbay Council. This includes the development of schemes at St. Kilda's, Crossways and Torre Marine, amongst others.
- 3.7 The Council has now recruited additional senior capacity in-house, with experience in the key areas below:
- Business planning, and management of large capital programmes;
 - Direct delivery of social housing and the acquisition of both land and new homes;
 - Delivering joint ventures with the private sector, and other RPs,
 - Direct delivery of specialist housing (modular, age-restricted, homeless and adapted housing)
 - Best practice in relation to social housing delivery, and supporting other public sector/third party organisations to deliver such growth;
 - Securing grant from Homes England & DLUHC to support delivery; and,

- Experience in creating and leading teams of development and other housing/enabling staff.

3.8 This will pull together the different strands of housing and create expertise under holistic leadership within the Council. This will support delivery of the Council’s ambitious Housing Strategy, and the various delivery projects that the Council intends to deliver itself and through others in the coming months. The Head of Strategic Housing and Delivery is also well-placed to support the transition of TVH and associated activity into the Council. There are also obvious synergies with wider ambitions such as provision of specialist housing for Adults and Children’s Services.

4. Financial efficiencies and resilience

- 4.1 The Council will be able to achieve efficiencies by bringing together the homes already owned with those that will be transferred into the Council from TVH; as well as the delivery of new housing projects to meet strategically important housing needs. Furthermore, it will ensure that a consistent, cost-effective approach is taken in regards to mandatory compliance and rent collection and delivery of Key (quality) Performance Indicators.
- 4.2 In the September 2023 Committee report the operational costs of running TVH had been reduced from £370k per annum to the stated minimum of £223,700, by removing the development activity of TVH, as detailed below:

Budget / Spend Area	(Income) / Cost £000	Comment
Income from Rent	(195.9)	Income received from 32x units
Housing Company Directors	18.1	Legislative requirement
Housing staff employed	93.0	2x FTE employees
Torbay Economic Development Company recharges	79.7	Influenced by TDA decision
Property Related Payments	81.0	Mainly service charge and maintenance
Administrative costs	31.0	Including audit, bank and ICT costs
Loans repayment and interest	116.8	Based on £3.2m loan drawdown
Revised on-going costs	223.7	

- 4.3 Whilst it is recognised that the core costs of maintaining housing stock and furnishing loans will continue, there will be some immediate savings from integrating within the Council

compared with maintaining the existing wholly owned company model. Initial indications are that the following savings can be realised from 2024/25:

	<u>£000s</u>
• Removal of the existing paid Board structure:	18.1
• 50% reduction in TDA recharges to TorVista:	39.9
• 50% reduction in administrative costs:	<u>15.5</u>
	<u>73.5</u>

4.4 Thereby, the Council would need to commit a revenue budget of circa £150k for 2024/25, compared with the stated cost of £223,700 under the existing TVH model. Further operational and management efficiencies, capitalisation and synergies will be explored, as the integrated service develops within the Council.

4.5 In addition to reduced operating costs, an integrated model will give the Council greater transparency and control over accrued and emerging costs, through the early stages of project feasibility and development. The current model requires the TVH development committee and main Board to sign off Business Cases, with delegated authority to the Council's Section 151 Officer to approve the corresponding funding model and loan drawdown. However, in a climate of escalating construction costs, the Council requires greater visibility and challenge of projects in a structured way, to ensure that financial liabilities and risks are adequately considered and addressed throughout development.

Landlord service functions

4.6 Social housing owned by the Council must be offered as secure tenancies and is subject to Housing Act legislation, the Regulator of Social Housing & the Housing Ombudsman (and the Capital Funding Guide, where funded by Homes England grant). The Council also owns properties for use as temporary accommodation. These properties are let on license and are exempt from Housing Act legislation on social tenancies. The management functions for Temporary Accommodation are subject to Homelessness Act legislation which is focused on assessing housing needs and supporting homeless households to find settled accommodation.

4.7 Due to different legislation and statutory duties for these two types of housing stock, it remains effective to retain specialist areas, but with the newly created capacity, there are opportunities to expand partnership-working to achieve better outcomes.

4.8 Integrating TVH units with Temporary Accommodation stock, will assist the Council to consider the most effective and efficient model for holding and managing units moving forwards. As an RP, the Council is able to maintain up to 199 housing units, without the need for maintaining a separate HRA. However, as early stakeholder engagement has highlighted, there may be some benefits associated with the re-opening of an HRA, which

could be explored in the future to maximise opportunities to address the outstanding strategic housing need in Torbay. A report will be brought back to Cabinet and Council in the future, that objectively considers such matters in greater detail. To be clear however, there is currently no need (nor pressure from DLUHC) to consider this at this point as Torbay Council is (and will be) below the 199-home threshold for the medium-term.

4.9 Whilst influencing and effecting local housing development is a key priority for the Council, further work needs to be completed to explore whether the Council is best placed to provide the 'day to day' landlord functions of stock-ownership which include:

- Maintenance and repairs of properties;
- Out of hours service;
- Income and debt collection, and tenancy management;
- Tenancy support;
- Leaseholder management;
- Mandatory property compliance

4.10 Long-term options for landlord functions (both in-house and externalised) will be considered and appraised in detail and reported to Cabinet and Council at a future date, with a recommendation as to how to proceed in the most cost effective, compliant and suitable model for the Authority.

5. Financial Implications

5.1 In September 2023, the Council approved the write off, (through reserves), of £1.5m accrued TVH spend against the previously approved 'working capital' loan arrangement. A further 'in year' revenue allocation of £115k was approved to fund TVH up to 31 March 2024.

5.2 Recommendations within this report will require the Council to commit a revenue budget of £150k for the 2024/25 financial year, with future operations to be reviewed subsequent to integrating the service under the newly created capacity.

6. Legal Implications

6.1 Legal advice has been sought in developing the recommendations and options within this report. Further advice (legal, and from other suitable industry experts) will be sought, with regards to issues such as:

- Establishing the practicalities and obligations of transferring TVH assets into Council ownership;
- Advice on transferring existing tenancies and drafting a Torbay Council tenancy; and

- Ensuring that a suitable 'all risks' system of mandatory compliance is put in place for new and transferring-in homes.
- Entering into Homes England Capital Grant agreements

7. Engagement and Consultation

- 7.1 Engagement has taken place with the Managing Director of the Torbay Economic Development Company / TVH, along with Senior Council Officers with responsibility of establishing housing needs for adult services, children's services and homelessness.
- 7.2 Consultation / engagement has also taken place with Homes England (regarding grant funding), the Regulator for Housing (with regards to process) and Grant Thornton (with regards to legality and accounting treatment).
- 7.3 Costing information has been shared and verified through this consultation.
- 7.4 Cabinet Members and Directors have been fully engaged throughout the development of the options and recommendations within the report.

8. Tackling Climate Change

- 8.1 Energy efficiency is considered within the business cases for all Council led housing developments with strategic direction outlined within the Local Planning Framework.
- 8.2 Scheme with the benefit of planning permission have been designed in a way to meet NDSS and also to have non fossil fuel heating.

9. Other options considered

- 9.1 Consideration was given to continuing to operate TVH as a subsidiary of Torbay Council and to transfer its housing stock within TVH, but it is not believed that this provides any advantage as compared to the proposed option and would result in a higher financial cost to the Council.

10. Associated Risks

- 10.1 The Council will need to bear in mind that holding stock of more than 199 units requires the opening and operation of a new Housing Revenue Account. Many Authorities have been down this route in recent years, and there are advantages in terms of protecting the General Fund, and ring-fencing debt/securing advantageous financial arrangements. However, it is not an immediate risk/concern as Torbay Council will be well-within this threshold for the foreseeable future.

- 10.2 The Right to Buy is often highlighted as a risk for Local Authorities. The reality, however, is that there is protection from Right to Buy in current legislation through what's known as the 'cost floor' which prevents the sale of any home within the first 15 years for less than the cost of provision (whilst generating income throughout this time). There are also strict eligibility requirements, and new council tenants are unlikely to have eligibility for some time. Furthermore, some homes are exempt, including sheltered and some designated older person's housing. Leaseholds properties – by their nature – are also inherently less attractive for someone to purchase, too. The risk is therefore considered small.
- 10.3 With the dissolving of TVH, there will be an immediate loss of expertise which is provided through the existing Board arrangement, which is mitigated by the establishment of new Governance arrangements that satisfy the Regulators requirements and in part by the appointment of the Council's Head of Strategic Housing and Delivery and bringing in house a range of skills and expertise from other staff.

11. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	the Council will continue to focus on, and influence, specific housing developments such as extra care and care leaver accommodation.		
People with caring Responsibilities			X
People with a disability	the Council will articulate how best to influence housing under the new Head of Strategic Housing and Delivery.		
Women or men			X
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			X
Religion or belief (including lack of belief)			X
People who are lesbian, gay or bisexual			X

People who are transgendered			X
People who are in a marriage or civil partnership			X
Women who are pregnant / on maternity leave			X
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Consideration will be given as to how the Council can influence the local housing market to increase the delivery of affordable housing (including increasing the volume of social rent housing)		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Consideration will be given as to how the Council can influence the local housing market to increase the delivery of affordable housing (including increasing the volume of social rent housing)		

Record of Decisions

Community and Corporate Plan 2023-2043

Decision Taker

Cabinet on 21 November 2023.

Decision

That the Council be recommended to approve the Community and Corporate Plan 2023-2043 subject to the following amendment, the sentence 'we will build strong working relationships with our community police' under the community and people theme, be moved to the bottom of the summary section of the community and people theme.

Reason for the Decision

The Community and Corporate Plan is the overarching document within the Council's Policy Framework setting out the Council's vision and priorities for the next twenty years. Having considered the feedback received during the consultation, the Cabinet recommended that the Council approves the Community and Corporate Plan 2023-2043.

Implementation

The recommendation of the Cabinet will be considered by Council in due course.

Information

Following the Local Elections in May 2023, a draft Community and Corporate Plan was prepared which set out the vision of a healthy, happy and prosperous Torbay. The Plan set out with the priorities of the Council for the next twenty years and the approach the Council would take in delivering against the vision.

The Plan had been prepared taking into account the results from the Residents Satisfaction Survey which was carried out during the summer of 2023 and updated following the feedback received during the consultation period.

At the meeting Councillor David Thomas proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The Community and Corporate Plan 2023-2043 has been developed based on the evidence in the Torbay Profile, the results of the Residents Satisfaction Survey and the feedback received during the consultation period.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

24 November 2023

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Meeting: Cabinet

Date: 21 November 2023

Wards affected: All Wards

Report Title: Community and Corporate Plan 2023-2043

When does the decision need to be implemented? Immediately

Cabinet Member Contact Details: Cllr David Thomas, Leader of the Council,
david.thomas@torbay.gov.uk

Director Contact Details: Anne-Marie Bond, Chief Executive, anne-marie.bond@torbay.gov.uk

1. Purpose of Report

- 1.1 Following the Local Elections in May 2023, a draft Community and Corporate Plan has been prepared by the Cabinet which sets out the vision of a healthy, happy and prosperous Torbay. The Plan sets out with the priorities of the Council for the next twenty years and the approach we will take in delivering against the vision.
- 1.2 The Plan has been prepared taking into account the results from the Residents Satisfaction Survey which was carried out during the summer of 2023.
- 1.3 As part of the Council's continuing commitment to engage with its communities (and in line with the Council's Constitution), the draft Plan has been subject to consultation. The report setting out the results of the consultation is included at Appendix 1.
- 1.4 The draft Community and Corporate Plan has been updated taking account of the feedback received during the consultation. The updated draft Community and Corporate Plan is included at Appendix 2 (with the proposed changes to the Plan shown as tracked changes).

2. Reason for Proposal and its benefits

- 2.1 The Community and Corporate Plan is the overarching document within the Council's Policy Framework setting out the Council's vision and priorities for the next twenty years. Having considered the feedback received during the consultation, the Cabinet is recommending that the Council approves the Community and Corporate Plan.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Council be recommended to approve the Community and Corporate Plan 2023-2043.

Appendices

Appendix 1: Results from the consultation on the draft Community and Corporate Plan

Appendix 2: Draft Community and Corporate Plan

Background Documents

None

Supporting Information

1. Introduction

- 1.1 Following the Local Elections in May 2023, work has been underway to set out the vision and priorities of the Council for the next twenty years. Consideration has been given to the Torbay Profile which describes the opportunities and challenges which are facing Torbay in terms of demographic, economic, social and environmental issues.
- 1.2 During the summer of 2023, the Council undertook its first Resident Satisfaction Survey based on the Local Government Association's "Are you being served?" methodology. In preparing the draft Community and Corporate Plan consideration was given to addressing the issues with which residents are less satisfied.
- 1.3 The draft Community and Corporate Plan was subject to consultation between 21 September and 29 October 2023. The report which summarises the feedback from that consultation is at Appendix. The Plan has been updated to take account of that feedback with the updated draft of the Community and Corporate Plan at Appendix 2.
- 1.4 In order to provide focus for delivery over the next four years, the Cabinet is developing a Council Business Plan. This will provide details of the specific actions which will be taken to deliver the priorities within the Community and Corporate Plan together with milestones and/or targets. The draft Council Business Plan will be considered by the Overview and Scrutiny Board in December ahead of its consideration by the Cabinet at its meeting in January 2024.
- 1.5 The Council's performance framework is being updated so that the progress in meeting both the Council Business Plan and the longer-term Community and Corporate Plan can be managed.

2. Options under consideration

- 2.1 The draft Plan which is now put forward for consideration has been developed based on the evidence in the Torbay Profile, the results of the Residents Satisfaction Survey and the feedback received during the consultation period.

3. Financial Opportunities and Implications

- 3.1 The proposals contained in this report do not commit the Council financially. As each aspect of the Plan is progressed, due consideration will be given to the financial impacts of each decision.

- 3.2 As part of the proposed approach within the draft Plan, there is a recognition that the Council needs to continue to reduce the cost-drivers of our high-cost services, deliver efficiencies and increase the Council's income where possible.

4. Legal Implications

- 4.1 There is no statutory requirement to have a Community or Corporate Plan. However, being clear about our ambitions gives the Council, our staff, partners and the community a clear understanding of what we seek to achieve and how to prioritise our spending.
- 4.2 The Council's Constitution sets out that the Community and Corporate Plan is part of the Policy Framework and that, as such, should be subject to consultation.

5. Engagement and Consultation

- 5.1 Details of how the consultation on the draft Plan was undertaken, including the different channels used to inform residents, is included in Appendix 1.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable

7. Tackling Climate Change

- 7.1 Within the Pride in Place strategic theme, it is recognised that the Council needs to continue to work in partnership to address the climate emergency so as to create a sustainable future.

8. Associated Risks

- 8.1 Without a Community and Corporate Plan it becomes difficult to set a coherent direction of travel for the Council given the finite resources that the Council has available to it.
- 8.2 The Constitution requires that changes to the Policy Framework should be subject to consultation.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The aim of the Plan is to have a positive impact on this group.		
People with caring Responsibilities	The aim of the Plan is to have a positive impact on this group.		
People with a disability	The aim of the Plan is to have a positive impact on this group.		
Women or men	The aim of the Plan is to have a positive impact on this group.		
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	The aim of the Plan is to have a positive impact on this group.		
Religion or belief (including lack of belief)	The aim of the Plan is to have a positive impact on this group.		
People who are lesbian, gay or bisexual	The aim of the Plan is to have a positive impact on this group.		
People who are transgendered	The aim of the Plan is to have a positive impact on this group.		
People who are in a marriage or civil partnership	The aim of the Plan is to have a positive impact on this group.		
Women who are pregnant / on maternity leave	The aim of the Plan is to have a positive impact on this group.		
Socio-economic impacts (Including impact on child poverty issues and deprivation)	The aim of the Plan is to have a positive socio-economic impact.		
Public Health impacts (How will your proposal	The aim of the Plan is to have a positive impact		

impact on the general health of the population of Torbay)	on the general health of the population of Torbay.		
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10. Cumulative Council Impact

10.1 The proposed Community and Corporate Plan sets the framework for the Council’s aims and objectives over the coming 20 years.

11. Cumulative Community Impacts

11.1 The proposed Community and Corporate Plan aligns with the Torbay Story which sets the overall ambition for Torbay.

Draft Community and Corporate Plan consultation evaluation

Executive Summary

Torbay Council’s draft Community and Corporate Plan was published for consultation on 21 September 2023. The consultation period ran until 29 October 2023.

The consultation sought to determine whether respondents agreed or disagreed with the priorities set out in in plan. The survey, which was run solely online, provided the opportunity for respondents to explain their reasons for disagreement and suggest priorities that we should be considering.

200 online surveys were completed with a total of 172 pieces of additional explanatory text.

The consultation was promoted via a range of channels, each encouraging residents to view the draft Community and Corporate Plan and comment on the proposals.

Overall Response

The table below shows the high-level responses to the consultation.

Question	Response
How strongly do you agree or disagree with the vision statement for Torbay in 2023?	Strongly agree – 101 Agree – 70 Neither agree or disagree – 20 Disagree – 3 Strongly disagree – 5
How strongly do you agree that these strategic themes are the right ones to focus on in meeting our vision?	Strongly agree – 77 Agree – 87 Neither agree or disagree – 22 Disagree – 8 Strongly disagree – 5

Introduction

Background

Torbay Council's previous Community and Corporate Plan covered the period 2019 to 2023. The life of the Community and Corporate Plan coincided with the local elections cycle.

As the Community and Corporate Plan is central to the Council's Policy Framework, it was recommended that a new plan would run until 2043 and would therefore be in place across a number of administrations.

All councillors have been involved in the development of the Community and Corporate Plan 2023-2043.

Sitting under the Community and Corporate Plan there will be the Council Business Plan, which will set out how the Cabinet will give effect to the priorities of the Community and Corporate Plan over the next four years.

The draft Community and Corporate Plan 2023-2043 was developed using the feedback the Council received during its first Resident Satisfaction Survey.

To obtain feedback from the community of Torbay, an online survey was set up that asked for responses on the priorities set out in the plan. Rather than merely selecting Agreement or Disagreement, the opportunity was provided to respondent, via a free text box, to explain their reasons for disagreement (if they disagreed), and to suggest other priorities that could be considered as part of the evaluation and adoption process.

The Survey

A range of channels were used to raise awareness and encourage participation.

- Online platforms
 - Website
 - Social media
- Media
 - Press releases
 - Newsletters (internal and external through Gov Delivery)
 - Community magazines (Beach Hut - October edition)
 - Leaders' column through the Herald Express and Torbay Weekly
- In-person engagement
 - Have Your Say Engagement Event at Paignton Library
 - Riviera Connect EXPO at the Riviera International Centre
 - Torbay Careers Fair
- Surveys and feedback forms
 - Online survey
 - Polls on social media
- Direct contact
 - Overview and Scrutiny

To encourage participation from as many different groups of people in the community as possible, direct contact was made with the local Armed Forces Network, headteachers of secondary

schools and higher education providers, the Diversity and Inclusion officer at Devon and Cornwall Police, Torbay Pride and the Diversity Business Incubator.

The online survey was open between 21 September and 29 October 2023.

Altogether, during that period, the Council received 200 responses directly to the online survey.

In terms of yoursay.torbay.gov.uk 1882 people were “aware” of the consultation in that they visited at least one page of the consultation website.

There were 946 “informed” participants with 358 people downloading a document, 46 visiting the Key Dates page, 740 visiting multiple pages on the consultation.

The Report

Through yoursay.torbay.gov.uk a report was generated that shows answers to each question, either being strongly agree, agree, neither agree nor disagree, disagree, or strongly disagree. The report also details all the free text comments made.

Consultation Responses

Agreement or Disagreement with the Proposals

The majority of people agreed or strongly agreed:

- With the proposed vision statement
- That the strategic themes were the right ones to focus on in meeting our vision
- That the right priorities have been identified within the theme of:
 - Community and People
 - Pride in Place
 - Economic Growth

Whilst the majority of people agreed or strongly agreed that the right priorities have been identified in each theme, there were three priorities were more than a quarter strongly disagreed, disagreed and neither agreed or disagreed:

- Draw investment into our towns and breathe life into our town centres, partnering with the private sector to deliver major projects
- Deliver priority capital projects with the Council's Capital Programme
- Raise skill levels, particularly in high value careers

A full breakdown of the responses to the questions is shown at Annex 1

Text Responses to the Questionnaire

Examples of comments raised under the theme of Community and People:

- Making the area attractive, safe and welcoming is key to everything else
- Clarity sought about what "provide best care and support" achieves and means - too wooly
- Early intervention should be more universal
- Missing something about building a stronger community in Torbay - not just to reduce social isolation
- Visible policing needed in our town centres

Examples of comments raised under the theme of Pride in Place

- Investment must not be at the detriment of the environment
- Major projects should only be undertaken with the support of the local community
- "Breathe life into our town centres" is too fluffy - what do we really mean by deliver major projects
- Public areas away from the tourist trail should be better cared for
- Need to accept that something different needs to happen to our town centres
- Champion non-profit investment into the community
- Public/private partnerships should recognise and deliver with the community
- Maintain all council assets to a standard for residents and visitors to enjoy
- There shouldn't be deals with the private sector
- Too many items for one priority
- Commitment to combating the climate crisis is half-hearted
- Include the coast as well as green spaces
- Strengthen the relationship between green, open spaces and positive mental health

Examples of comments raised under the theme of Economic Growth:

- We should raise skills levels in all areas not just those in high value careers
- Full time job opportunities need to be jobs people want
- Transport links are getting worse - focus on improving existing transport links
- What does inclusive growth mean?
- The Council can't fix everything - people need to help themselves
- Growth in tourism still needs to be a priority
- Economic growth should be focused on local carbon sustainable businesses
- Develop new green jobs for the future
- Tempt visitors back so that businesses flourish
- Don't focus on growth to the detriment of the wishes of the community
- Growth should be developed with the consent of the local communities, not imposed by deals with developers
- We need a reliable bus service and transport system
- Greater emphasis on reducing inequality and a circular economy
- Free parking to encourage footfall rather than investing further in transportation
- High value careers seems an odd focus
- Should increase opportunities to upskill and train people in skills and trades for housing

Overview and Scrutiny Board's resolution

That subject to the following, the Cabinet be recommended to present the draft Community and Corporate Plan to Council for approval:

- Page 4 - to provide a link to the Torbay Story and consider promoting this wider across the Council's website to raise awareness;
- P15 - to strengthen the priority around quality of housing 'Improve the delivery, affordability and quality of housing (**including housing standards**) for residents in Torbay';
- Page 17 - to explore adding another measure of long term private rental compared to short term private rental e.g. Air-B&B;
- to add an extra measure for development in economic growth to increase the proportion of people aged 20 to 40 years staying in Torbay;

- P17 - Raise skill levels, particularly in high value careers **and empower people to upskill through driving training opportunities raising skills across all sectors.**
- P17 - amend 'Proportion of employment in ~~specific~~ **current and emerging** sectors;
- to review the language in the document such as asset based community development approach and people will be allowed to fulfil their potential; and
- to consider engaging with hard to reach groups and minority groups such as LGBTQ+ to ensure that their voices are heard.

Engagement evaluation

Summary of responses

There were 200 responses to the online survey.

Overall, respondents indicated that they strongly agreed or agreed with the proposals.

52.8% of responses were from Torquay residents.

32.8% of responses were from Paignton residents.

15.4% of responses were from Brixham residents.

65% of all respondents were over the age of 55.

Under 54's made up 35% of all respondents.

39% of respondents were retired.

52% of respondents were in employment.

56.9% of respondents identified as male.

40.1% of respondents identified as female.

The responses in terms of age and by location split are in line with our demographic makeup.

How respondents engaged with us

The information in this section evaluates how effective the various communications channels used to promote the consultation to a range of audiences were.

One Torbay

From 22 September to 27 October 2023, the consultation was promoted in five editions of the weekly resident newsletter, each edition reaching over 11,000 subscribers. Combined there were 630 clicks on the links to the consultation webpage.

Staff news

The consultation was promoted in the staff update that was issued to 897 recipients on 28 September. There was a total of 28 clicks on the link to the consultation.

Members' briefing

A Members' briefing was issued on 2 October 2023.

Social media

Ten social media posts were issued throughout the consultation period across the Council's social media platforms (Facebook, X (Twitter), LinkedIn, and Instagram).

Engagement totals can be seen in the following table.

Facebook (13k followers)	X (Twitter) (12.9k followers)	LinkedIn (5,890 followers)	Instagram (2,535 followers)
Reach – 8,861	Impressions – 1,913	Reach – 1,410	Reach – 1,456
Impressions – 9,381	Clicks – 45	Impressions – 1,777	Impressions – 1,536
Clicks - 191	Likes – 3	Clicks – 25	Clicks – N/A
Likes – 18	Shares – 1	Likes – 8	Likes – 12
Shares – 18		Shares – 0	Shares – 0

Facebook is the platform that generated the highest levels of engagement. The platform X (formally known as Twitter) and LinkedIn saw far lower levels of engagement in terms of clicks, likes and shares. Facebook remains our most popular broadcast channel, so it is not surprising to see a far greater reach. Instagram does not allow for links to be shared in individual posts, so therefore the opportunity to drive engagement to the consultation information is limited, but it is a useful platform to raise awareness.

The following comments were left on Facebook posts and whilst not directly linked to the consultation questionnaire, they do give an indication of how people are feeling about the things that matter most to them.

- I want to see the Pavilion rescued and restored asap.
- Lovely ideas and I would love to see at least some of them put into practice, but I have become completely disillusioned with successive Torbay Councils over many years. I feel so sad when I look around and see how everything in the Bay has regressed, not progressed in the last forty years. Fine words, not sure they will be put into practice in the way the Bay and its people need or wish them to be.
- Another survey, when will you stop producing this hot air. It is absolutely galling to read things like “maximise heritage and cultural opportunities for the enjoyment and benefit of residents and visitors” when the inaction over the last decade is on plain sight for everyone. I don't think you would recognise heritage and cultural opportunities if it slapped you in the face. I start to believe these surveys are nothing other than a fig leave, so you can demonstrate you have listened to the people. Actions speak louder than words.
- Yet another plan being drawn up what about implementing the ones already in the pipeline?
- New town centre multi storey car park for BRIXHAM.

Face-to-face

Three face-to-face engagement events were held during the consultation period. Each event was an opportunity to engage with different types of audience groups.

The event at Paignton Library was linked to a pre-organised Have Your Say bi-monthly event that was themed around public health.

The Riviera EXPO was an opportunity for us to engage with local businesses.

The Torbay jobs fair was an opportunity for us to engage with young people.

People that were spoken to were encouraged to participate in the consultation by scanning a QR code that would take them to the consultation webpage. Conversations focused on the fact the

plan was based on priorities for the next 20 years and therefore feedback from working aged and young people was really important.

Supporting information

- Detailed survey report from Engagement HQ
- Summary survey report from Engagement HQ
- Social media plan and evaluation

Emma Falconer, Engagement and Communications Officer

30 October 2023

No.	Question	Strongly disagreed	Disagree	Neither agree or disagree	Agree	Strongly agree
1	How strongly do you agree or disagree with the vision statement for Torbay in 2043?	5	3	20	70	101
2	How strongly do you agree that the strategic themes are the right ones to focus on in meeting our vision?	5	8	22	87	77
3	How strongly do you agree that we have identified the right priorities within the theme of Community and People?					
3a	Ensure our town centres are safe and welcoming for all	5	10	18	48	118
3b	Keep children safe in their communities and provide safe environments for our young people to thrive in	4	3	14	63	112
3c	Ensure early intervention is effective and targeted	4	6	28	62	96
3d	Provide the best care and support available so that residents are empowered to achieve what matters most to them	5	6	23	65	99
3e	Provide clear signposting for those needing our help	5	3	32	68	89
3f	Support and encourage community action	5	4	33	62	92
3g	Improve wellbeing and reduce social isolation	4	2	33	60	96
4	How strongly do you agree that we have identified the right priorities within the theme of Pride in Place?					
4a	Draw investment into our towns and breathe life into our town centres, partnering with the private sector to deliver major projects	11	18	30	61	78

4b	Maximise heritage and cultural opportunities for the enjoyment and benefit of residents and visitors	6	8	18	55	108	
4c	Ensure the effective operation of SWISCo to have resources to reinvest in Torbay	6	11	33	65	82	
4d	Deliver priority capital projects within the Council's Capital Programme	9	9	48	59	68	
4e	Improve the delivery, affordability and quality of housing for residents in Torbay	11	11	25	63	86	
4f	Improve the delivery of our planning service	10	8	34	63	82	
4g	Protect and enhance our lived, built and natural environments, including our green spaces	6	6	10	37	137	
Page 15	How strongly do you agree that we have identified the right priorities within the theme of Economic Growth?						
	5a	Raise skill levels, particularly in high value careers	8	9	47	75	59
	5b	Improve transport links to and within Torbay	6	9	28	49	106
	5c	Develop a year-round economy	5	5	21	55	111
	5d	Increase in the amount of full-time employment opportunities within Torbay	4	8	23	60	100
	5e	Focus on inclusive growth, with opportunities which benefit everyone	9	8	30	56	90

DRAFT FOLLOWING CONSULTATION Community and Corporate Plan

2023-2043

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Version control

Date	Details	Updated by
8 September 2023	Draft for consultation	Kate Spencer
21 September 2023	Re-order of sentences in opening paragraphs of "Community and People"	Kate Spencer

31 October 2023	Amendments following consultation	Kate Spencer
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The vision for Torbay

We want to see a healthy, happy and prosperous Torbay.

Torbay is a glorious part of Devon with an inspiring natural environment. We are a magnet for tourists and known as the English Riviera. We are home to globally significant technology businesses and have a rich leisure and cultural scene.

We want to deliver for our people and our place. We know we have challenges, but we have high aspirations. By continuing to work closely with our communities and partners and capitalising on our strengths, we want to make Torbay a great place to do business – a place where everyone is able to live their best life.

A healthy, happy and prosperous Torbay for all.

Our Mission

We will put our residents at the heart of everything we do. We will ensure a strong grip on finance, working with our communities and partners, to deliver a sustainable future. We will deliver quality services, improve our economy and protect and enhance our built and natural environments, so that we are all proud of our Bay.

Themes

To bring our vision to life, we have identified three strategic themes. Within this Community and Corporate Plan we describe what each theme means to us and our communities, the priorities we will focus on and the outcomes we want to achieve.

Our strategic themes are:

- Community and People
- Pride in Place
- Economic Growth

The approach we will take

In delivering our Community and Corporate Plan and in our day-to-day activity, we will work in the following ways.

Evidence based

We will focus on the evidence, balancing local knowledge and resident experience. We want to ensure that we have a strong evidence base for identifying needs, setting common priorities and responding collaboratively.

Make the most of our assets

We will use our assets – across our place and our people – to the best advantage.

Our towns sit on the beautiful Tor Bay, we are a magnet for tourism and host globally significant technology businesses, a wonderfully mild climate and an inspiring natural environment.

Each town has its own identity, sense of place, assets and distinctiveness. Coming together as Torbay gives us huge opportunities which we need to seize.

There are a vast number of community and voluntary groups in Torbay, both formal and informal, all trying to do their best for the communities they serve. We ~~are committed to an Asset Based Community Development approach~~ want our communities to develop based on the strengths, potentials and assets that already exist across Torbay.

Working together

Putting our residents at the heart, we will recognise what is strong in our communities. We will be open to ideas and always seek to understand what the community is asking for, rather than making assumptions based on existing ways of working. We will seek out a range of different voices which are reflective of the community and create space for conversations to happen.

Working with the public, private and community and voluntary sectors, we will make sure that our partnership working is streamlined and efficient. We will all know Torbay's story and we will tell it with pride.

[The Torbay Story is available online at www.torbaystory.co.uk including the work being undertaken across Torbay to make it a reality.](http://www.torbaystory.co.uk)

Efficient and enabling Council

We will provide efficient and effective services and be open and transparent with our communities. Our regulatory functions will enable businesses and residents to prosper. We will tell customers what to expect and keep them up to date along the way.

We will modernise, simplify and standardise how we work so we can support the communities of Torbay. We will deliver the best outcomes for our customers, innovating and using technology to transform services.

Strong grip on finance

We will continue to work to reduce the cost drivers of our high-cost services, deliver efficiencies and increase the Council's income where possible. Ensuring the Council is financially sustainable, we will carefully manage our finances to deliver the services our community expects.

Community and People

We want people across Torbay to celebrate success and feel part of their community

Torbay will be recognised as a child friendly place. We want all residents, including our children and young people, to feel and be safe and to live well within their communities. We will build strong working relationships with our community police.

Everyone will have access to support, information, advice and guidance so they can meet their aspirations. With the best possible education and training, people will be enabled ~~allowed~~ to fulfil their potential. [We will support people to live independently.](#)

Our communities will be encouraged and supported to bring about positive change for the good of Torbay. People will have a better sense of ownership of the services and activities available to them. We will minimise barriers for community service delivery whilst maintaining our duty of care and legal requirements.

Our Priorities

We will:

- Ensure our town centres are safe and welcoming for all.
- Keep children safe in their communities and provide safe environments for our young people to thrive in.
- Ensure early intervention is effective and targeted.
- Provide the best care and support available so that residents are empowered to achieve what matters most to them.
- Provide clear signposting for those needing our help.
- Support and encourage community action.
- Improve wellbeing and reduce social isolation.

The outcomes we want to see

- People feel safe in their local area, during the day and after dark.
- Fewer children need to be cared for by the Council.
- All residents are supported to live independent, healthy, active lives, without the need for long-term services.
- Young people in receipt of services from children's services are prepared for adulthood.
- People with care and support needs feel empowered and can access good or outstanding quality and tailored care and support.
- Carers are identified quickly and provided with the information, advice and support services they need.
- People feel they belong to their local area.
- Gaps in healthy life expectancy between affluent and deprived areas of Torbay are reduced.

- People feel that their physical and mental wellbeing is as good as possible.

How we'll measure progress

- Number of people feeling safe in their local area after dark and during the day
- ~~Number of unique anti-social behaviour police reported incidents~~
- Rate per 10,000 children of cared for children
- Percentage of former cared for children who are now aged 19-21 and in employment, education or training
- Differential in life expectancy
- ~~Number of children with an Education, Health and Care Plan as a proportion of others in the area~~ Percentage of Education, Health and Care Plans as a percentage of the school population
- ~~Number of people in most deprived wards and number of children living in poverty~~ Number of children in low income families (all dependant children under 20)
- Number of Residents' Satisfaction Survey respondents people who feel they belong to their local area (raw data)
- ~~Rates of suicide in Torbay~~ Directly age standardised suicide rate per 100,000 (Torbay, Devonwide)

Pride in Place

We will invest in our three towns to enable them to develop their own distinct identities and roles. Using Torbay's unified and complementary offer as a UNESCO Geopark and a premier marine and natural experience, we will attract, retain, and grow leading edge technology businesses. We want Torbay to be a place where people of all ages want to live as well as visit. A place where everyone benefits from and enjoys a premier resort experience.

There will be more good quality, affordable and permanent properties that people, including those who are vulnerable or care experienced, can call their home. We will work with landlords and developers to maximise the use of suitable housing stock and create decent accommodation across Torbay. We want this to be an even better place for people to live in whilst protecting our environment.

We will work to get the basics right, so that our town centres, seafronts and residential areas are clean, safe and well-maintained.

We will celebrate and protect the places that make Torbay special, maximising the cultural, heritage and event opportunities for our residents and visitors alike. Working in partnership we will continue to address the climate emergency so as to create a sustainable future.

Our Priorities

We will:

- Draw investment into our towns and breathe life into our town centres, partnering with the private sector to deliver major projects
- Maximise heritage and cultural opportunities for the enjoyment and benefit of residents and visitors
- Ensure the effective operation of SWISCo to have resources to reinvest in Torbay
- Deliver priority capital projects within the Council's Capital Programme
- Improve the delivery, affordability and quality of housing ([including housing standards](#)) for residents in Torbay
- Improve the delivery of our planning service
- Protect and enhance our lived, built and natural environments, including our green spaces

The outcomes we want to see

- Enhanced high streets that attract long-term tenants and an increased number of visitors.
- An enhanced and coherent culture, heritage and events offer with increased engagement and participation.
- Increased customer satisfaction with our parks, green spaces and streets
- More equitable access to warm, healthy, affordable homes for all people in Torbay
- Younger, skilled people are attracted and retained to live and/or work in Torbay

- Increased customer satisfaction with the Council's planning service
- Increased resident satisfaction with the local area

How we will measure progress

- Delivery of town centre regeneration programmes
- Net additional homes provided
- ~~Size of the working age population of Torbay~~ [\(indicator now in Economic Growth section\)](#)
- Number of affordable homes delivered
- Number of social rented housing available
- Engagement in cultural, heritage and events
- ~~Proportion of economically active people in Torbay~~ [Percentage of people who are economically active in Torbay](#)
- Resident satisfaction with the local area as a place to live

Economic Growth

We will attract, retain and grow our economic specialisms so we have growth which builds on our reputation. There will be good employment and learning opportunities that enhance the potential for our residents and our communities. Residents will be able to access those opportunities because of the improved connectivity to, from and within Torbay.

Torbay is looking to the future and reaching out to collaborate, attract more investment and make the most of the considerable assets and opportunities it has.

We want to create the conditions for a strong and sustainable economy that supports a diverse mix of industries and jobs that inspire, providing equality of opportunity. We will support businesses to flourish and grow as well as attracting new businesses to the Bay.

Our priorities

We will:

- [Provide opportunities for everyone to R](#)raise [their](#) skill levels, particularly in high value careers
- [Drive training opportunities across all sectors to empower people to improve their skills](#)
- Improve transport links to and within Torbay.
- Develop a year-round economy.
- Increase the amount of full-time employment opportunities within Torbay.
- Focus on inclusive growth, with opportunities which benefit everyone.

The outcomes we want to see

- Established pathways for young people, including those with SEND, and unemployed to employment opportunities with skills levels moving toward national averages.
- People have better transport and digital connections to jobs and amenities.
- Vacancy rates falling year on year with business reporting they can find talent.
- Improved productivity in Torbay which closes the gap compared to the national data.
- The number of businesses and jobs in Torbay increases.
- Better balance of full-time to part-time opportunities.
- Targeted approach to inward investment which attracts new high-tech companies.

How we will measure progress

- ~~Average weekly wage for residents~~ [Earnings by Torbay residences \[households\] \(gross weekly pay – full time workers\)](#)
- Percentage of ~~working age~~ people [in Torbay](#) in employment
- ~~Employment rate for 16-64 year olds~~ [Rate of full time employment](#)
- Rate of [National Non Domestic Rates](#) ~~business rate~~ growth

- Skill levels of care experienced young people
- Proportion of employment in specific current and emerging sectors
- ~~Rate of in-work poverty~~ In work benefits claimant count
- ~~Numbers of people receiving Universal Credit~~ Out of work benefits claimant count
- Rates of transition into work for young people with SEND
- Sustainable transport use
- Gross Value Added per ~~head of population~~ hour worked

Appendix 1: The Torbay Profile

The following facts and figures are a summary of the Torbay Profile in 2023. In developing the Community and Corporate Plan we have considered the needs of the community in Torbay and the challenges that they are facing.

Our population

Total population = 139,322

Male population = 67,830 (49%)

Female population = 71,492 (51%)

96.1% of Torbay's population are white, 1.6% Asian, 1.5% mixed ethnicity, 0.3% black and 0.4% other

62,992 households of which 64% owned, 27% private rented and 8% social rented

Higher numbers of older people compared with the England average

Far fewer people in their 20s and 30s

Highest number of residents living in deprived areas and the highest numbers of children living in income deprived areas when compared with all other councils in the South-West

27% of our residents live in the 20% most deprived areas in England

Approximately double the number of cared for children compared to other areas in England and the South-West

1 in 4 residents say they have a long term illness or disability

Outlier for needing to support higher levels of need in the 18 to 64 age group

Productivity, pay, jobs, living standards and connectivity

Average weekly earnings = £467 (£123 less than the England average) (2020)

57% of our population is of working age and of those 78% are economically active

Estimated 16,000 unpaid carers in Torbay

12.4% of households are in fuel poverty

329 miles of highway - 332 registered electric vehicles

Best broadband rate in Devon (339 premises unable to receive 10 Mbps)

Education, skills, health and wellbeing

29% have a diploma level qualification

75% have the equivalent of 5 GCSEs at grades A-C

24% of our cared for children achieve a GCSE pass in English and maths

Over 1 in 3 children with EHCPs have been excluded from school for a fixed period

Life expectancy gap = 9 years males and 8 years females

Those born into deprived families are more likely to have worse educational and health outcomes

When compared with the South West and England, a larger proportion of Torbay residents report their health as being bad or very bad

Pride in place, housing and crime

Highest number of residents living in private rented accommodation in Devon

Rents higher than Local Housing Allowance and are a challenge for many based on the average weekly wage

The number of homes being built in total is much lower than the Government targets

2290 residents supported through public funding with a range of services including nursing, residential and domiciliary care

Torbay crime rate reported as 10,470 – 50% higher than the overall average for Devon and Cornwall force area:

- Domestic Abuse
- Violence with no injury
- Violence with Injury
- Criminal Damage
- Public Order

This document can be made available in other languages and formats.
For more information please contact engagement@torbay.gov.uk

Record of Decisions

Licensing Act 2003 - Cumulative Impact Assessment 2024 - 2027

Decision Taker

Cabinet on 21 November 2023.

Decision

That Cabinet recommend to Council:

1. that the Cumulative Impact Assessment is maintained, and the revised assessment contained in Appendix 1 to the submitted report is adopted and published and will come into effect from 7 January 2024; and
2. that the Licensing Committee be authorised to approve future reviews and adoption of the Cumulative Impact Assessment. Since the introduction of section 5A of the Licensing Act 2003, all matters regarding Cumulative Impact Assessments are now the responsibility of the statutory Licensing Committee, by virtue of section 7(1), as it is no longer part of the Licensing Act 2003 Statement of Policy.

Reason for the Decision

After publishing a Cumulative Impact Assessment the Licensing Authority must, within three years, consider whether it remains of the opinion set out in the assessment as detailed in the section 182 guidance and republish the final version after consideration of the responses received as part of the consultation process.

Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 7 December 2023.

Information

Cumulative Impact Assessments were introduced formally in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. After publishing a Cumulative Impact Assessment the licensing authority must, within three years, consider whether it remains of the opinion set out in the assessment as detailed in the section 182 guidance.

Cumulative impact means the potential impact that a significant number of licensed premises in one area can have based on the following four licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

There are currently two designated cumulative impact areas in Torquay, The Strand and Castle Circus. The recent Cumulative Impact Assessment 2024-2027 proposed that the Cumulative Impact Assessment continues to cover these two areas.

At the meeting, Councillor Tranter proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The review of a Cumulative Impact Assessment is a statutory requirement therefore no other options have been considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

24 November 2023

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Meeting: Cabinet **Date:** 21 November 2023

Wards affected: All

Report Title: Licensing Act 2003 – Cumulative Impact Assessment 2024 - 2027

When does the decision need to be implemented? 7 January 2023

Cabinet Member Contact Details: Councillor Hayley Tranter, Hayley.tranter@torbay.gov.uk

Director/Divisional Director Contact Details: Joanna Williams, Director of Adult and Community and Customer Services

1. Purpose of Report

- 1.1 Cumulative Impact Assessments (CIA) were introduced formally in the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. After publishing a CIA the licensing authority must, within three years, consider whether it remains of the opinion set out in the assessment as detailed in the section 182 guidance.
- 1.2 The two current cumulative impact areas, along with the Police and Public Nuisance evidence were consulted on for over six weeks between 16 August 2023 and 5 October 2023. This report contains details of the consultation responses and the cumulative impact areas proposed to be adopted.

2. Reason for Proposal and its benefits

- 2.1 The proposal is made in order to meet a statutory obligation as prescribed in section 5a of the Licensing Act 2003. After publishing a CIA the Licensing Authority must, within three years, consider whether it remains of the opinion set out in the assessment as detailed in the section 182 guidance and republish the final version after consideration of the responses received as part of the consultation process.

3. Recommendation(s) / Proposed Decision

- 3.1 That Cabinet recommend to Council that the Cumulative Impact Assessment (CIA) is maintained and the revised assessment contained in Appendix 1 is adopted and published and will come into effect from 7 January 2024.
- 3.2 That Cabinet recommend to Council that the Licensing Committee be authorised to approve future reviews and adoption of the CIA. Since the introduction of section 5A of the Licensing Act 2003, all matters regarding CIA's responsibility of the statutory licensing

committee, by virtue of section 7(1), as it is no longer part of the Licensing Act 2003 Statement of Policy.

▪ **Appendices**

- Appendix A: Cumulative Impact Assessment 2024 – 2027
- Appendix B: Cumulative Impact Consultation responses

▪ **Background Documents**

1. Current Cumulative Impact Policy - [cumulative-impact-policy-2021-24-by-easepdf-without-watermark.pdf \(torbay.gov.uk\)](#)
2. Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents>
3. Section 182 guidance - [Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](#)

Supporting Information

1. Introduction

- 1.1 The Licensing Act 2003 regulates the sale of alcohol, provision of certain entertainment and late-night refreshment. This is achieved by the use of a licensing system administered by the Council.
- 1.2 Under the Licensing Act 2003, a Licensing Authority may publish a CIA, stating that the licensing authority considers that the number of premises licences and club premises certificates in one or more parts of its area described in the assessment is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) to grant any further relevant authorisations in respect of premises in that part of those parts. A cumulative impact assessment must set out the evidence for the authority's opinion.
- 1.3 The current CIA was last reviewed in 2020 and was effective from 7 January 2021. Section 5a of the Licensing Act 2003 requires the Cumulative Impact Policy to be reviewed every 3 years to consider whether it remains of that opinion. If the Local Authority remains of that opinion, then it must revise the CIA so that it a) includes a statement to that effect and b) sets out the evidence as to why the authority remains of that opinion.
- 1.4 Cumulative impact means the potential impact that a significant number of licensed premises in one area can have based on the following four licensing objectives.
- Prevention of crime and disorder
 - Prevention of public nuisance
 - Public safety
 - Protection of children from harm
- There are currently two designated cumulative impact areas in Torquay:
- The Strand
 - Castle Circus
- 1.5 It is proposed that the CIA continues to cover the above- mentioned areas. Please refer to the Police's report in Appendix A of the draft CIA 2024 - 2027 which details the evidence as to why the two areas should remain.
- 1.6 Appendix B of the CIA assessment, shows the number of noise and odour complaints within each CIA during 2017 - 2022. This shows the effect of the concentrated number of premises on the local residents by way of public nuisance. For example, noise or odour from the premises and from residents shouting in the street. A number of these complaints cannot be associated with one particular premises and is caused by the effect of the number of premises and the number of customers frequenting the areas at particular times of day and night.

2. Consultation Process

2.1 A six-week public consultation process took place between 16 August 2023 and 5 October 2023. The consultation process provided all stakeholders, interested parties and the public in general, the opportunity to have their say on the content of the draft. The following people were consulted:

- a) The Chief Officer of Devon and Cornwall Police
- b) The Chief Officer of Devon and Somerset Fire and Rescue Service
- c) The Director of Public Health
- d) Residents and businesses of Torbay
- e) Bodies representing businesses
- f) Holders of Premises Licences and Club Premises Certificates
- g) Bodies representing existing registered clubs
- h) Bodies representing holders of existing premises licences and personal licences
- i) Torbay and Southern Devon Health & Care NHS Trust
- j) Torbay Council: Children's Services
- k) Torbay Council: Planning, Environmental Health and Highways Authorities
- l) The Torbay Safer Communities Partnership
- m) The Maritime and Coastguard Agency
- n) Faith groups via Torbay Interfaith Forum and the Street Pastors
- o) Safer Torbay
- p) Torbay Development Agency
- q) English Riviera BID Company
- r) Torbay Harbour Authority
- s) Best Bar None
- t) Ward Councillors

2.2 All premises with email addresses on our database that hold either a 'premises licence' or 'club premises licence' and personal licence holders were sent details of the consultation. A similar email was sent to resident/community groups and faith groups for which contact details were available. Details of the consultation were posted on our webpages and social media pages with a link to an online form to encourage feedback. In addition, the responsible authorities were consulted (Police, Child Protection, Fire and Rescue Service, Trading Standards, Environmental Health, Public Health, Planning Authority, HSE, Maritime and Coastguard Agency, Torbay Harbour Masters' and the Home Office). All ward councillors were sent copies of the consultation documentation.

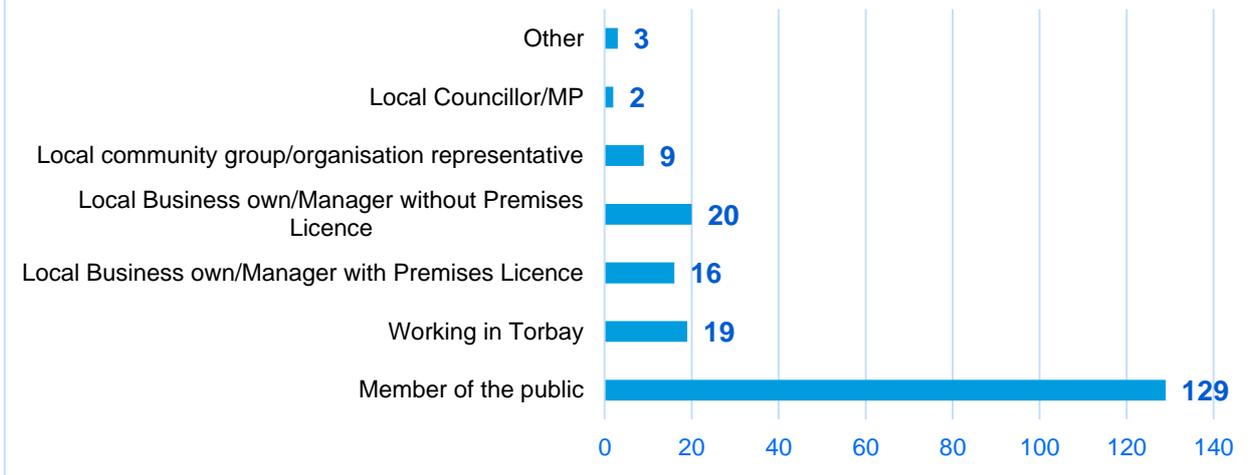
Members of the Licensing Committee also considered the draft assessment on 14 September 2023 and recommended that this is adopted by the Council.

3 Consultation Findings

3.1 A total of 201 responses were received following the consultation process, 199 were received via the online form and two were received by letter.

3.2 The majority of responses were from local residents.

Responses received from the following groups

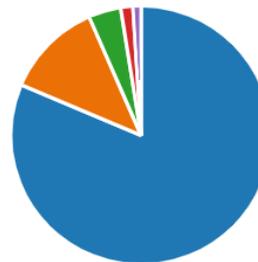


3.3 The majority of responses (93%) ‘agreed’ or ‘strongly agreed’ that the CIA should continue to cover the Castle Circus Area.

3. How strongly do you agree or disagree the Castle Circus area of Torquay, shown in the shaded area in the plan, should remain as a Cumulative Impact Assessment area in the new CIA policy?

[More Details](#)

Strongly agree	162
Agree	24
Neutral	8
Disagree	3
Strongly disagree	2



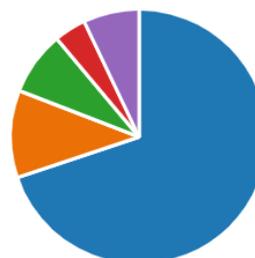
The majority of responses (81%) ‘agreed’ or ‘strongly agreed’ that the CIA should continue to cover the Strand Area.

4. How strongly do you agree or disagree the Harbourside and Fleet Street, Torquay, known as The Strand area, shown in the shaded area in the plan, should remain as a Cumulative Impact Assessment area in the new CIA policy?

[More Details](#)

[Insights](#)

Strongly agree	139
Agree	22
Neutral	16
Disagree	8
Strongly disagree	14



- 3.4 112 responses were received for the final question 'any other comments' and these can be found in Appendix B. Two written responses were received via email and these are shown in Table 1 at the end of Appendix B.
- 3.5 The majority of consultation responses received, referred to Castle Circus and the surrounding area. The Council, in partnership with Devon and Cornwall Police, are aware of these same concerns and continue to work with other partners, licensed premises and businesses in this area to overcome these. The Council has utilised the Safer Streets funding in the Castle Circus and Harbourside area and this has resulted in additional CCTV in Factory Row to enhance coverage and help identify and action any anti-social behaviour in this area.
- 3.6 The responses received in relation to the CIA Consultation were in support of keeping the two CIA areas. It is therefore recommended that the Council agree to maintain a CIA in the two areas and publish the updated CIA 2024 – 2027 with effect from 7 January 2024.

4. Options under consideration

- 4.1 As the review of a CIA is a statutory requirement, no other options have been considered.
- 4.2 It was not deemed appropriate to withdraw the CIA areas altogether based on current evidence.

5. Financial Opportunities and Implications

- 5.1 There are no financial opportunities or implications arising from the change to the CIA, save for minimal consultation costs, which were met from existing budgets.

6. Legal Implications

- 6.1 None. However, this is a statutory requirement so failure to review every three years could lead to legal challenge by businesses.

7. Purchasing or Hiring of Goods and/or Services

- 7.1 This proposal does not require the purchase or hire of goods or services.

8. Tackling Climate Change

- 8.1 There is no aspect of this Statement that will impact negatively or positively on climate.

9. Associated Risks

- 9.1 There are no risks with agreeing the consultation process which is necessary to comply with the legislative requirements.

10. Equality Impacts - Identify the potential positive and negative impacts on specific groups

10.1 The CIA is a review of an existing Assessment and therefore there is no change to impact of specific groups. Where there exists any potential for impact, this would generally be through the application process where there is the safeguard that any responsible authority or 'other person' may make representation. The four licensing objectives are also designed to ensure consideration of any impacts.

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	X		
People with caring Responsibilities			X
People with a disability			X
Women or men			X
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			X
Religion or belief (including lack of belief)			X
People who are lesbian, gay or bisexual			X
People who are transgendered			X
People who are in a marriage or civil partnership			X
Women who are pregnant / on maternity leave			x
Socio-economic impacts (Including impact on child poverty issues and deprivation)			X
Public Health impacts (How will your proposal impact on the general			X

health of the population of Torbay)			
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11. Cumulative Council Impact

None

12. Cumulative Community Impacts

None

Appendix A

Cumulative Impact Assessment 2024 - 2027

Background

Cumulative Impact has been used as a term to describe the stress that a large number of licensed premises can have on crime and disorder, nuisance and the demand on local services. The guidance describes cumulative impact as ‘the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area’. It is often not that licensed premises on their own are operating in a way that is detrimental to the licensing objectives, but it is the accumulation of the premises and the people attending them that creates the increased problems and demands on services.

Cumulative impact can occur either in the area where the premises are located or some distance away from them, for example at public transport locations or fast food premises. The issue of cumulative impact occurs due to the number of people in the area frequenting the licensed premises. The accumulation of licensed premises has a disproportionate demand on local services such as transport, public lavatories, waste collection and street cleaning. There is also a higher level of crime and disorder, often associated with alcohol related violence that can take place which will create additional demands on the Police as well as the ambulance service. It is also likely that criminal activity is attracted to areas where there are higher concentrations of people and who may be vulnerable to theft or other crimes due to the level of intoxication.

The problems associated with cumulative impact cannot be attributed to individual premises, and to mismanagement by individual licensees, and so a collective restraint is required.

Until 6 April 2018, ‘cumulative impact’ and ‘cumulative impact policies’ were not a statutory requirement under the Act. Prior to this date, ‘cumulative impact’ was only referred to within the statutory guidance issued by the Home Office.

The government amended the Licensing Act 2003 via the Policing and Crime Act 2017. This amendment made it a requirement that the Licensing Authority must produce a Cumulative Impact Assessment (CIA) if the authority can evidence that there is a cumulative impact within its area. The Licensing Authority must consult on its intention to publish the CIA. The aim of the CIA is to limit the growth of licensed premises where the promotion of the licensing objectives is being compromised. The Council will classify these areas or zones and have a Cumulative Impact Policy that will set out its approach to determining applications that are located within these areas or zones.

In CIA’s, there is a presumption that the licensing authority will refuse or impose limitations on applications which are likely to add to the cumulative impact unless the applicant can demonstrate that there will be no negative cumulative impact on the licensing objectives.

The publication of a CIA does not change how the licensing decisions are made. The Licensing Authority will always consider each application on its merits. However, a CIA is a strong statement of intent about an authority’s approach to licence applications.

Torbay Council has had a Cumulative Impact Policy since 2005 and has continued to review the cumulative impact of licensed premises.

Section 5A of the Licensing Act 2003, which was introduced in 2018, requires the CIA to be reviewed every three years to consider whether it remains of that opinion. From 2021, the CIA has been published separately to the Licensing Policy. Guidance under s.182 of the Licensing Act 2003, describes 'cumulative impact' as the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its licensing policy statement.

There must be an evidential basis for the decision to adopt/maintain a CIA regarding cumulative impact areas.

The Cumulative Impact Areas

The two areas on the attached plans on page four and five of this report, are areas that were identified by Devon and Cornwall Police and Environmental Health as being subject to high levels of alcohol related crime or public nuisance. The evidence satisfies the Licensing Authority that the number of existing relevant licences in respect of premises in one or more of the areas (shown on the attached plans) are such that it is likely that it would be inconsistent with the Authority's duty to promote the licensing objectives to grant any further relevant licences in respect of premises in those areas due to crime and disorder and/or public nuisance. Therefore, the Licensing Authority remains of the opinion that the CIA is appropriate for the two existing areas. The evidence that was considered as part of the review of the assessment is contained in Appendices A and B. The information was considered by Cabinet on the **14 November 2023** and Full Council on the **7 December 2023**.

Within any CIA area, any licence application will have the ability to either improve or add to any problems experienced by an area with a high density of licensed premises.

Any licensed premises is within the scope of this cumulative impact policy, meaning:

- Sale of alcohol either on or off the premises
- Provision of regulated entertainment
- Provision of late-night refreshment (sale of hot food between 11pm and 5am)

The effect of this assessment is to create a rebuttable presumption that applications for a new premises licence or club premises certificate or the variation of an existing licence or certificate in these areas will normally be refused where:

- Representations have been received and it is anticipated that the application will add to the problems of crime and disorder or/and public nuisance in these areas.
- The applicant has been unable to demonstrate that, within their operating schedule, there will be no significant negative cumulative impact on one or more of the Licensing objectives.

It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide entertainment, but with contrasting styles and characteristics. Proper regard will be made to those differences and the impact they are likely to have on the local

community where the amenity of local residents is being placed under severe pressure. The Licensing Authority will consider the locality and local trading environment when assessing applications. For example, while a large nightclub or high-capacity public house might add to problems, a small restaurant or theatre may not.

Examples of where applications may not have a significant negative impact include:

- Direct replacement for similar licences where impact will be similar or less
- Substitution of activities where the impact will be similar or less
- Replace vertical drinking with seated consumption
- Alcohol is ancillary to other activities or services
- Time limited applications, e.g. events
- Phased closing times for the premises to cause gradual dispersal
- Small maximum occupancies

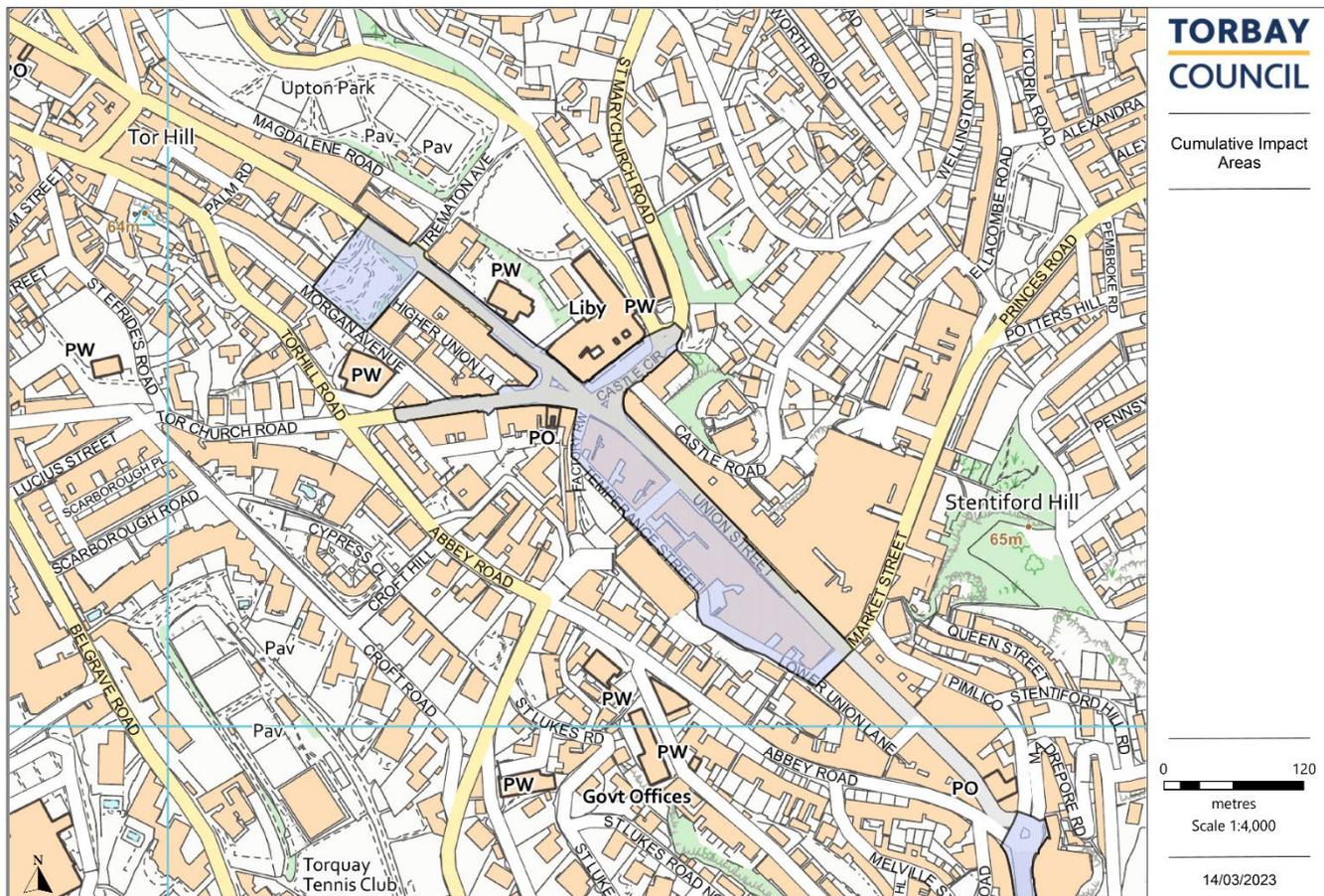
In order for this Policy to be utilised it will still be necessary for responsible authorities or other persons to make relevant representations. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published.

It remains the duty on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject as a hearing. In other words, it would not be sufficient to say that the licence should be refused just because a CIA is in place, the representation must still say how the application would impact on the licensing objectives. If there are no representations the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

This CIA is to be read in conjunction with Torbay Council's Licensing Policy and will be subject to review every three years in accordance with the Licensing Act 2003. If, during any review it is clear that the original concerns regarding crime and disorder and public nuisance are no longer present, the CIA may be amended or removed.

Castle Circus Cumulative Impact Assessment Boundary

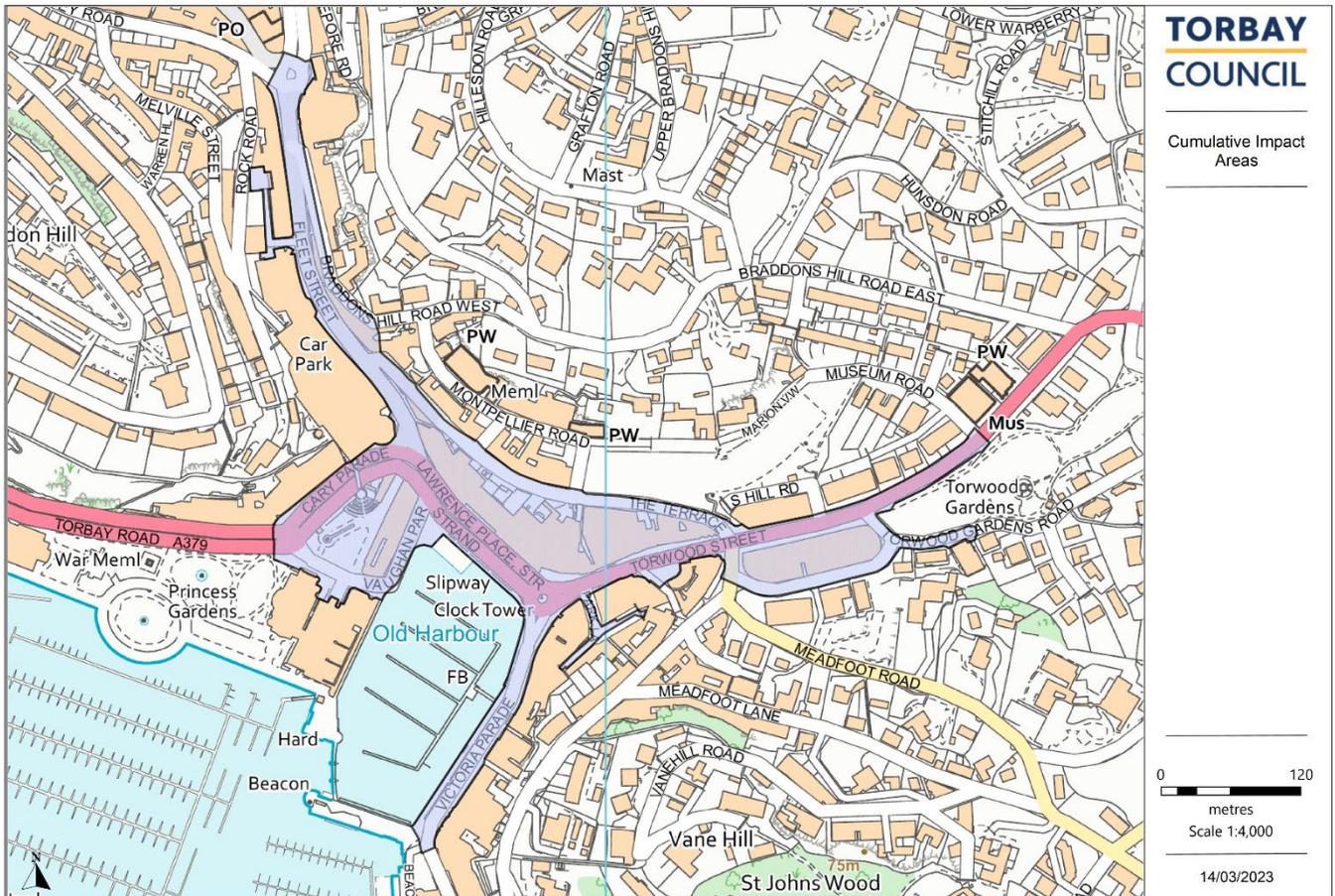
Ratified by Full Council on 3 December 2020



Reviewed and approved by Full Council on 7 December 2023

The Strand Cumulative Impact Assessment Boundary

Ratified by Full Council on 3 December 2020



Reviewed and approved by Full Council on 7 December 2023

Appendix A:

Devon and Cornwall Licensing Police Report

Please note that the Police will record a crime as violent if the offender clearly intended or intended to physically harm someone, regardless of whether or not it results in a physical injury.

Licensing Department East
Police Headquarters
Middlemoor
Exeter
Telephone: 07921 933974



Devon & Cornwall Police

21st April 2023

Our ref:

Your ref:

Torquay Council Licensing Cumulative Impact Policy Review 2023

Torbay has a large and vibrant Evening and Night-time Economy (ENTE) which sees increased activity during the summer tourist season.

Devon and Cornwall Police support the continued development of Torbay's ENTE and recognises the social and economic benefits it provides the community through employment, leisure activities and entertainment. We recognise the impact which alcohol, and hence, the ENTE has on crime, disorder and anti-social behaviour. This is especially prevalent where operators within the ENTE do not work to the highest possible standards.

Devon and Cornwall Police fully supports Torbay Council's licensing policy and through ongoing consultation it is effective in aspiring to the highest possible standards for the ENTE and associated industries.

The following report focusses on the Cumulative Impact Areas (CIA) within Torbay and will outline through the use of quantitative analysis (crime statistics) and qualitative analysis (anecdotal evidence) the effect of Cumulative Impact Policy on these areas in particular.

This report is submitted for your consideration.

Yours Sincerely,

Olivia Kempton

Alcohol Licensing Officer

Cumulative Impact Area Report 2017-2022

Torbay has two locations which fall under the Cumulative Impact Areas as shown in the images below.

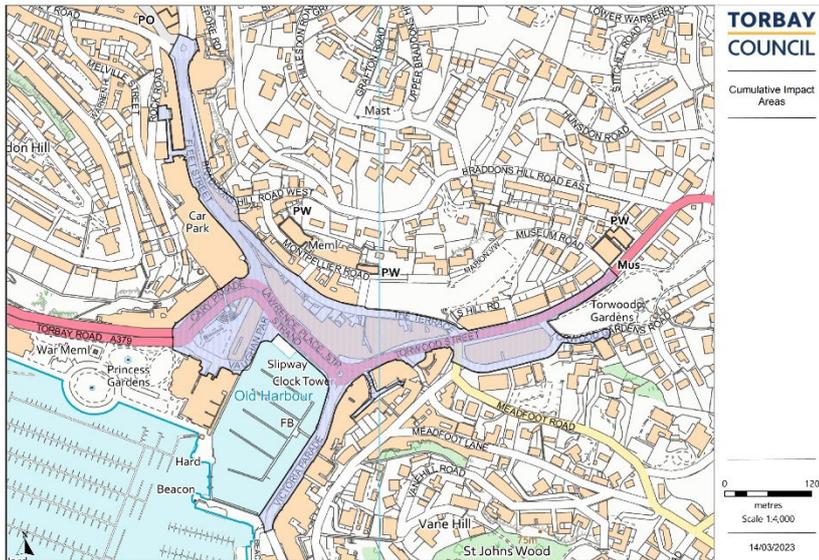


Image 1: Cumulative Impact Area – Harbourside Location

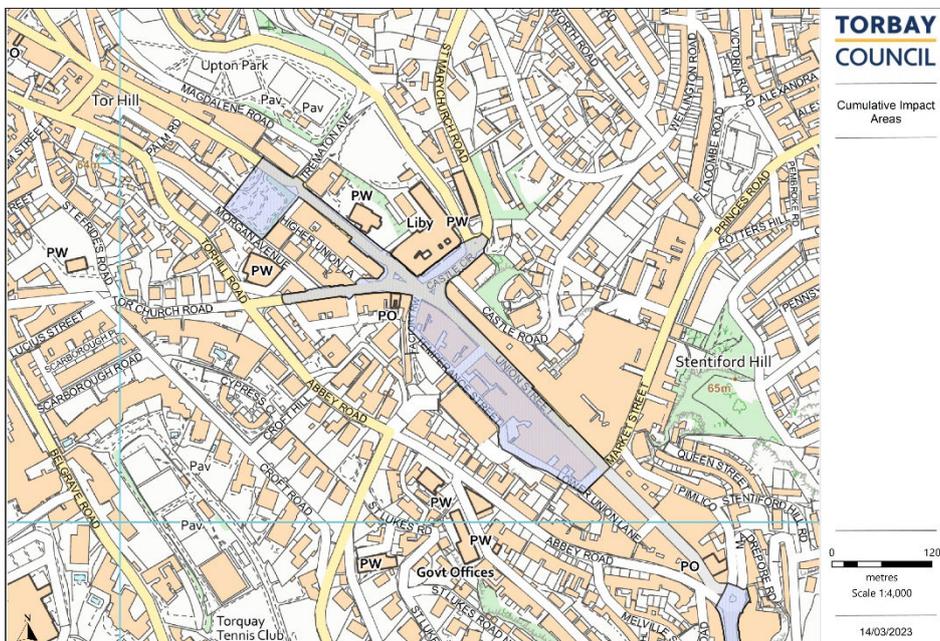


Image 2: Cumulative Impact Area – Castle Circus Location

The data within this report reflects the levels of crime in the CIA within the time period 1st April 2017 to 31st March 2022. Crimes emanate from the following categories: All Violent Crime, Sexual

Offences, Robbery, Possession of Weapons, Public order and Drunkenness – a breakdown of all crimes within these categories can be located in Appendix 4. The categorisation of crimes analysed in this report relate to the types of offence which are more regularly associated within the ENTE. It is felt that this gives a better indication of the effect of the ENTE on crime in general. Further, data gathered separates daytime incidents with ENTE incidents for comparative effect.

Analysis shows a total of 1594 relevant crimes had been recorded as taking place within the Cumulative Impact Areas between 1st April 2017 to 31st March 2022. 1232 of these crimes took place within ENTE hours, which for the purposes of this report reflect the hours of 1900-0659hrs. This accounts for 77.3% of total relevant crimes within the same period. Comparatively, Day time incidents within the Cumulative Impact Areas reach only 22.7% of the total relevant crimes.

As expected, violent crime is the most prominent both within the daytime (12.5%) and ENTE hours (60.0%).

The second most prolific offence category relates to Public order offences in which the difference between Daytime (6.6%) and ENTE occurrences (6.0%) are negligible.

Crimes associated with Drunkenness e.g. Drunk and Disorderly, and Drink driving offences amount to 8.3% of the total relevant crimes. 7% of crimes relating to Drunkenness occur within ENTE hours, while 1.3% occurred during daytime hours.

Of 44 weapon related offences, 28 occurred within the ENTE hours – though this accounts for only 1.8% of total relevant crimes, its worth noting the disparity between the same offences occurring during Daytime hours which is noticeably lower with a count of 16.

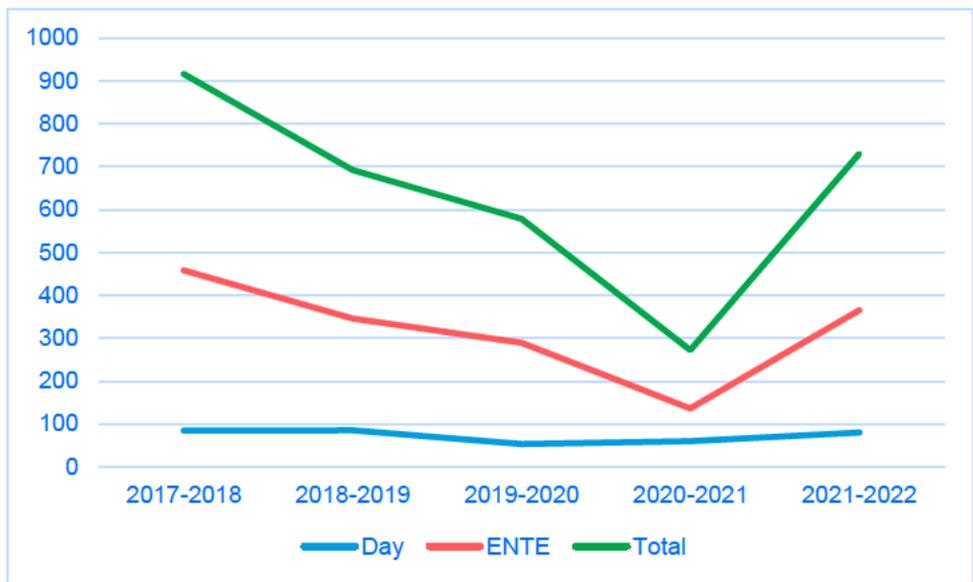
Sexual offences account for 2% of all relevant offences throughout this data period. While low in terms of the total number of offences, it is important to recognise the comparative differences between the prevalence of these incidents in the daytime (9, 0.6%) and within ENTE hours (29, 1.8%), suggesting a significantly disproportionate number of sexual offences are occurring during ENTE hours. Looking at the year-on-year statistics, it is clear that sexual offences consistently occur more frequently during night-time hours, save for 2019-2020 when more offences occurred during the day.

21 Robbery offences occurred during this time period, though the differences between the Daytime (11, 0.7%) and ENTE hours (10, 0.6%) are minor.

The breakdown of offences year on year can be found in Appendix 1.

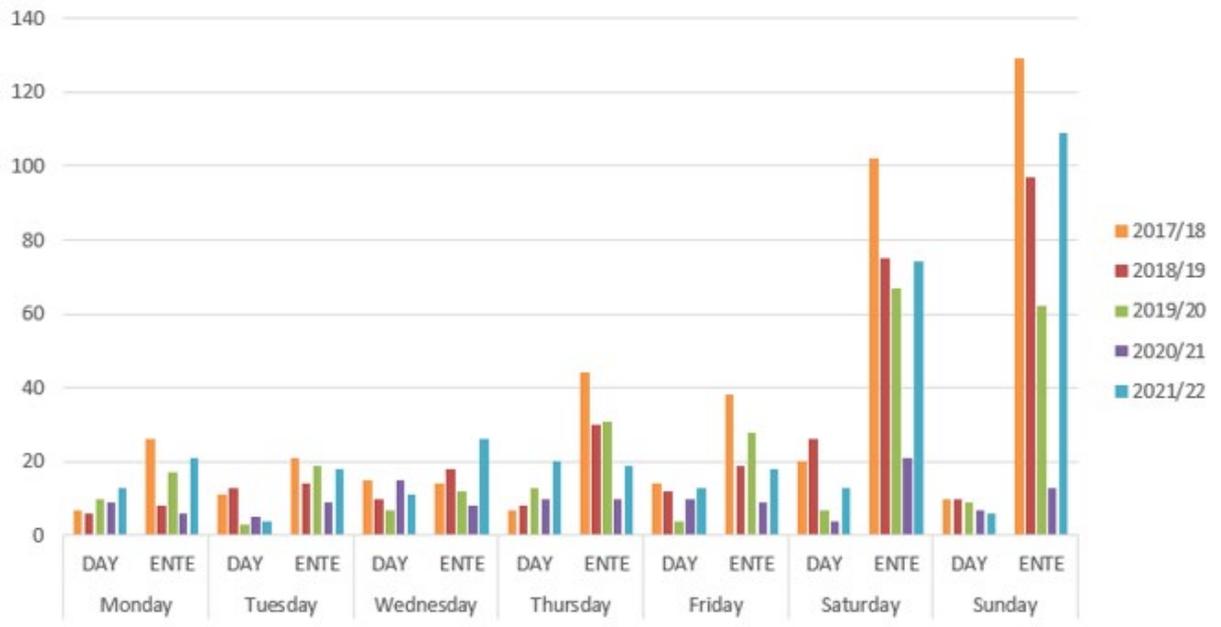
It is worth addressing that the data over this 5-year period has been significantly skewed by the impact of Covid-19 lockdowns and measures impacting the running of businesses within the ENTE. The graph below shows the trend of consistent decrease in ENTE related crime between 2017-2020, indicating increasingly effective management of the ENTE by relevant authorities and businesses. As anticipated, we see a significant drop in crime relating to the ENTE in the 2020-2021 period, more than likely due to lockdown measures preventing the normal functioning of ENTE business and overall lower number of population accessing the CIAs. During the 2021-

2022 period, we see an increase in crime which goes above that of the pre-Covid level, though not significantly so. This could be attributed to sociological concepts around prolonged periods of confinement impacting the behaviour of the general public once able to access the ENTE again. Further, it is likely that post-Covid, businesses may have been subject to a period of adjustment while practice returned to “normal”.



Graph 1: Line Graph Showing Crime Trends for Offences Relevant to the ENTE Between 2017-2022

The graph below (breakdown can be found in Appendix 2) refers to data which compares crime data from both the daytime and ENTE across each day of the week. Data suggests that crime recording is consistently higher on Saturday and Sunday during ENTE hours. It would be expected to see an increase on Friday nights, however the data does not seem to reflect this. This could be due to how the Police resource the ENTE, with more targeted operations featuring on Saturday nights. As such, it is possible that crimes occurring on Friday nights could be under reported. It is also worth considering the likelihood of Bank Holiday Weekend data skewing the overall picture, particularly in relation to Sundays as in general Bank Holiday Weekends do tend to attract higher levels of disorder.



Graph 2: Bar Graph Showing Crimes Reported by Time of Day and Day of the Week.

The majority of crimes within the CIA take place between the hours of 0000-0400hrs. 56% of all recorded relevant crimes took place between those hours. Data suggests a spike in crime between 0300-0400, this is likely to coincide with closing time for many venues and will need monitoring moving forward.

There are some limitations in terms of the data available. For example, the data reflects the number of recorded crimes only. It is likely that there are a number of incident logs which have been attended by Police, but no crime or complainant was forthcoming e.g. fights/disorder which disperse before or as police arrive, suspicious activity in which no crime has occurred but intelligence submitted, to name a few scenarios. That being said, the levels of recorded crime do offer important insight into the poignant issues facing the ENTE and gives direction around how the relevant authorities can approach this moving forward.

It is clear from the data that the majority of relevant offences, particularly violent crime, drunkenness, weapon related crime and sexual offences are directly linked to the ENTE. Relevant crimes are most likely to occur between the hours of 0000-0400hrs particularly over a Friday, Saturday and Sunday night. There has been an overall drop in levels of drunkenness related crime between 2017 and 2022, this is likely due to a change in police working practices. Public Order Act offences have also reduced, but this is likely due to the result of less police officers within the city and more positive relationships with licensees and door supervisors, who are likely preventing incidents from developing into situations where the police need to intervene. There is a general trend of increased recorded crime levels between 0300-0400hrs. This is when some of the larger venues close, this means that more people, of whom are likely to be at varying levels of intoxication are in the CIA during this time. As such, crime and disorder become more likely during this time period.

Devon and Cornwall Police are impressed by the level of multi-agency working which is taking place and growing within Torbay. There has been an undertaking from all interested parties in improving the ENTE of Torbay, adding to the vibrancy and safety of the area. These agencies include the Local Authority, Licensees, security companies, Best Bar None, and various departments within the police.

There have been many improvements in relationships between agencies and there is no doubt that overall, there is a better quality of licensee in the trade, whom have a combined goal of promoting the four licensing objectives. However, there are constantly changing social structures and crime trends which mean that the partners involved in the licensing community cannot become complacent with recent achievements and must continue to strive to make Torbay a safer place.

Ultimately, co-operation with licensees is improving year on year, but there are occasions where legislation is still required to achieve the best possible results. Co-operation and negotiation will always remain the first options whenever licensing conditions and applications are reviewed, but sometimes the authorities will need the presence of legislation to assist them in their quest for developing a safe ENTE. The CIA is an important piece of legislation which Devon and Cornwall Police regard as a necessary tool in order to support those businesses who are working hard to promote the licensing objectives and prevent those who are having a negative impact on those licensing objectives and ultimately Torbay and its people. As such, Devon and Cornwall Police strongly recommend keeping the current CIA in place.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Olivia Kempton', with a horizontal line drawn through it.

Olivia Kempton
Alcohol Licensing Officer



Cumulative Impact Area, Torbay.

1st April 2017 to 31st March 2022

Parameters for Data Collection:

Day/ENTE –

Day - 0700-1859

ENTE (Evening and Nighttime Economy) - 1900-0659

Weekday –

Runs from 0700 to 0659 (shift day)

Note: All data is only for offences where Day, ENTE & weekday can be identified.

Please note that the initial data was selected based on “Entered Date” (1st April 2017 to 31st March 2022) and further break down as shown below was done based on Date/Time Committed.

Offence types - See Appendix 4 for further breakdown

All Violent Crime

Sexual Offences

Robbery

Possession of Weapons

Public order

Drunkenness

Appendix 1: The tables below show the number of offences committed between 1st April 2017 to 31st March 2022 by year, Day/ENTE and offence type

Crime Type	2017/18				2017/18 Total
	DAY	% of Total	ENTE	% of Total	
All Violent Crime	44	13.6%	280	86.4%	324
Drunkenness	3	6.7%	42	93.3%	45
Possession of Weapons	4	40.0%	6	60.0%	10
Public Order	27	42.2%	37	57.8%	64
Robbery	3	100.0%	0	0.0%	3
Sexual Offences	3	25.0%	9	75.0%	12
Grand Total	84	18.3%	374	81.7%	458

Crime Type	2018/19				2018/19 Total
	DAY	% of Total	ENTE	% of Total	
All Violent Crime	43	16.6%	216	83.4%	259
Drunkenness	5	19.2%	21	80.8%	26
Possession of Weapons	3	37.5%	5	62.5%	8
Public Order	31	75.6%	10	24.4%	41
Robbery	2	50.0%	2	50.0%	4
Sexual Offences	1	12.5%	7	87.5%	8
Grand Total	85	24.6%	261	75.4%	346

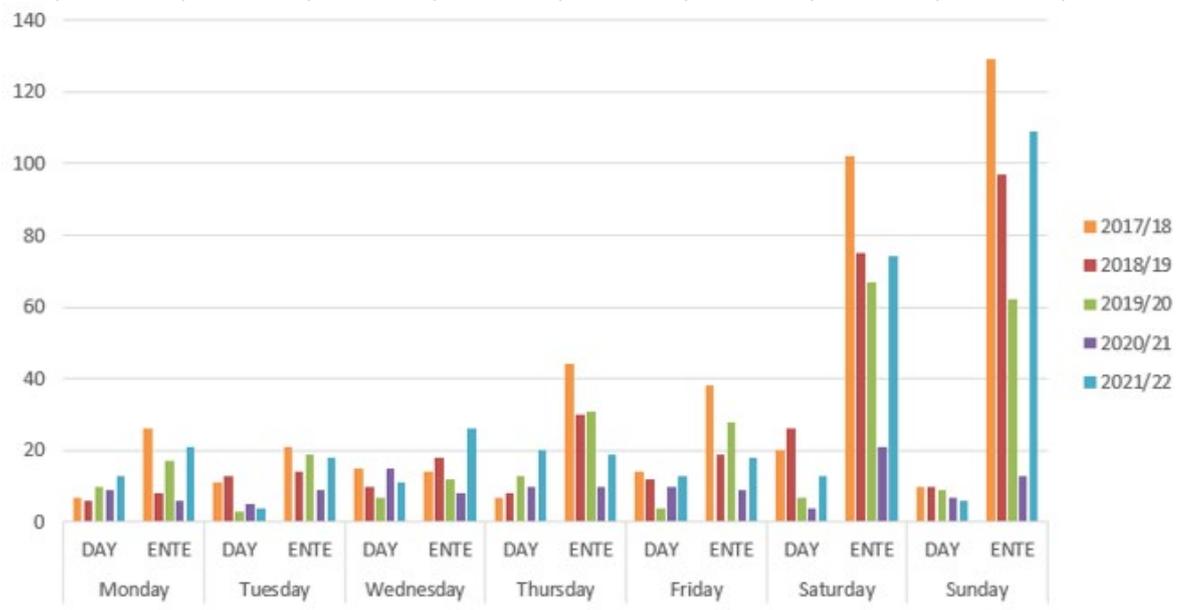
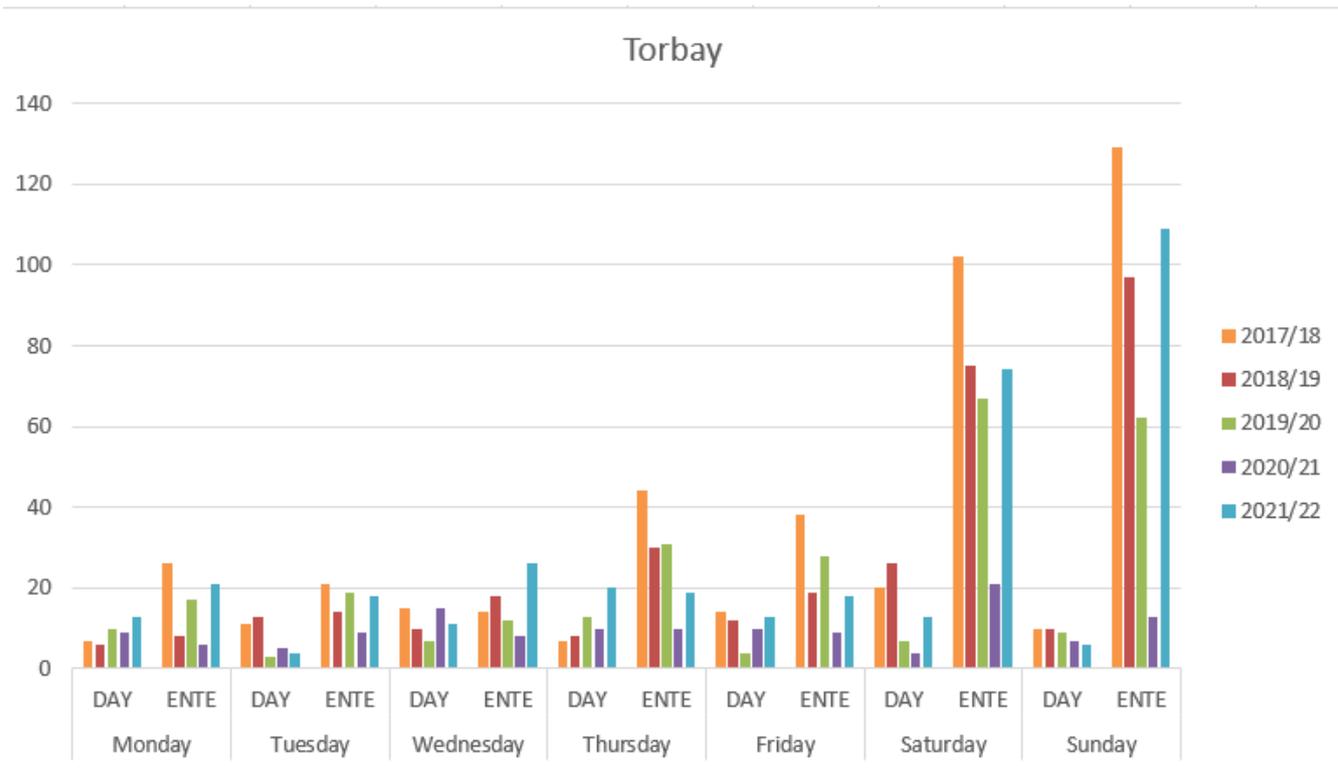
Crime Type	2019/20				2019/20 Total
	DAY	% of Total	ENTE	% of Total	
All Violent Crime	30	14.0%	184	86.0%	214
Drunkenness	1	4.8%	20	95.2%	21
Possession of Weapons	0	0.0%	6	100.0%	6
Public Order	17	45.9%	20	54.1%	37
Robbery	1	20.0%	4	80.0%	5
Sexual Offences	4	66.7%	2	33.3%	6
Grand Total	53	18.3%	236	81.7%	289

Crime Type	2020/21				
	DAY	% of Total	ENTE	% of Total	2020/21 Total
All Violent Crime	34	38.2%	55	61.8%	89
Drunkenness	6	54.5%	5	45.5%	11
Possession of Weapons	5	62.5%	3	37.5%	8
Public Order	14	58.3%	10	41.7%	24
Robbery	1	50.0%	1	50.0%	2
Sexual Offences	0	0.0%	2	100.0%	2
Grand Total	60	44.1%	76	55.9%	136

Crime Type	2021/22				
	DAY	% of Total	ENTE	% of Total	2021/22 Total
All Violent Crime	48	17.8%	222	82.2%	270
Drunkenness	6	20.0%	24	80.0%	30
Possession of Weapons	4	33.3%	8	66.7%	12
Public Order	17	47.2%	19	52.8%	36
Robbery	4	57.1%	3	42.9%	7
Sexual Offences	1	10.0%	9	90.0%	10
Grand Total	80	21.9%	285	78.1%	365

Crime Type	2017-2022				
	Day	% of Total	ENTE	% of Total	Total
All Violent Crime	199	12.5%	957	60.0%	1156
Drunkenness	21	1.3%	112	7.0%	133
Possession of Weapons	16	1.0%	28	1.8%	44
Public Order	106	6.6%	96	6.0%	202
Robbery	11	0.7%	10	0.6%	21
Sexual Offences	9	0.6%	29	1.8%	38
Grand Total	362	22.7%	1232	77.3%	1594

Appendix 2: The graph and tables below show all offences within Daytime/ENTE, by weekday in Torbay



Day of Week	2017/18			2018/19			2019/20			2020/21			2021/22			Grand Total
	DAY	ENTE	2017/18 Total	DAY	ENTE	2018/19 Total	DAY	ENTE	2019/20 Total	DAY	ENTE	2020/21 Total	DAY	ENTE	2021/22 Total	
Monday	7	26	33	6	8	14	10	17	27	9	6	15	13	21	34	123
Tuesday	11	21	32	13	14	27	3	19	22	5	9	14	4	18	22	117
Wednesday	15	14	29	10	18	28	7	12	19	15	8	23	11	26	37	136
Thursday	7	44	51	8	30	38	13	31	44	10	10	20	20	19	39	192
Friday	14	38	52	12	19	31	4	28	32	10	9	19	13	18	31	165
Saturday	20	102	122	26	75	101	7	67	74	4	21	25	13	74	87	409
Sunday	10	129	139	10	97	107	9	62	71	7	13	20	6	109	115	452
Grand Total	84	374	458	85	261	346	53	335	289	60	76	136	80	285	365	1594

Appendix 3: The heat map tables below show all offences by hour and year in Torbay

TORBAY ALL HOURS

Hour From	2017/18	% of Total	2018/19	% of Total	2019/20	% of Total	2020/21	% of Total	2021/22	% of Total	Grand Total
7:00 - 07:59	2	22.2%	5	55.6%	1	11.1%	1	11.1%	0	0.0%	9
08:00 - 08:59	5	26.3%	3	15.8%	3	15.8%	5	26.3%	3	15.8%	19
09:00 - 09:59	3	23.1%	4	30.8%	1	7.7%	1	7.7%	4	30.8%	13
10:00 - 10:59	2	12.5%	4	25.0%	3	18.8%	3	18.8%	4	25.0%	16
11:00 - 11:59	7	22.6%	8	25.8%	5	16.1%	4	12.9%	7	22.6%	31
12:00 - 12:59	7	24.1%	7	24.1%	4	13.8%	7	24.1%	4	13.8%	29
13:00 - 13:59	11	23.9%	12	26.1%	9	19.6%	7	15.2%	7	15.2%	46
14:00 - 14:59	5	15.6%	3	9.4%	8	25.0%	10	31.3%	6	18.8%	32
15:00 - 15:59	10	22.2%	11	24.4%	4	8.9%	5	11.1%	15	33.3%	45
16:00 - 16:59	5	13.5%	11	29.7%	7	18.9%	4	10.8%	10	27.0%	37
17:00 - 17:59	19	42.2%	6	13.3%	4	8.9%	7	15.6%	9	20.0%	45
18:00 - 18:59	8	20.0%	11	27.5%	4	10.0%	6	15.0%	11	27.5%	40
19:00 - 19:59	15	24.6%	15	24.6%	12	19.7%	10	16.4%	9	14.8%	61
20:00 - 20:59	19	25.0%	17	22.4%	11	14.5%	12	15.8%	17	22.4%	76
21:00 - 21:59	21	30.4%	10	14.5%	3	4.3%	13	18.8%	22	31.9%	69
22:00 - 22:59	26	35.6%	12	16.4%	20	27.4%	2	2.7%	13	17.8%	73
23:00 - 23:59	32	27.8%	18	15.7%	17	14.8%	10	8.7%	38	33.0%	115
00:00 - 00:59	49	26.6%	41	22.3%	38	20.7%	9	4.9%	47	25.5%	184
01:00 - 01:59	57	28.2%	58	28.7%	40	19.8%	6	3.0%	41	20.3%	202
02:00 - 02:59	65	34.8%	30	16.0%	39	20.9%	3	1.6%	50	26.7%	187
03:00 - 03:59	76	37.1%	50	24.4%	39	19.0%	6	2.9%	34	16.6%	205
04:00 - 04:59	14	32.6%	8	18.6%	12	27.9%	0	0.0%	9	20.9%	43
05:00 - 05:59	0	0.0%	2	22.2%	3	33.3%	2	22.2%	2	22.2%	9
06:00 - 06:59	0	0.0%	0	0.0%	2	25.0%	3	37.5%	3	37.5%	8
Grand Total	484	30.4%	346	21.7%	289	18.1%	136	8.5%	365	22.9%	1594

TORBAY MIDNIGHT TO 7AM

Hour From	2017/18	% of Total	2018/19	% of Total	2019/20	% of Total	2020/21	% of Total	2021/22	% of Total	Grand Total
00:00 - 00:59	49	26.6%	41	22.3%	38	20.7%	9	4.9%	47	25.5%	184
01:00 - 01:59	57	28.2%	58	28.7%	40	19.8%	6	3.0%	41	20.3%	202
02:00 - 02:59	65	34.8%	30	16.0%	39	20.9%	3	1.6%	50	26.7%	187
03:00 - 03:59	76	37.1%	50	24.4%	39	19.0%	6	2.9%	34	16.6%	205
04:00 - 04:59	14	32.6%	8	18.6%	12	27.9%	0	0.0%	9	20.9%	43
05:00 - 05:59	0	0.0%	2	22.2%	3	33.3%	2	22.2%	2	22.2%	9
06:00 - 06:59	0	0.0%	0	0.0%	2	25.0%	3	37.5%	3	37.5%	8
Total	261	31.1%	189	22.6%	173	20.6%	29	3.5%	186	22.2%	838

Appendix 4: Qualifiers for Data Collection - List showing categorisation of offences relevant to the ENTE

All Violent Crime

ASSAULT A CONSTABLE IN THE EXECUTION OF HIS / HER DUTY

ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

ASSAULT BY BEATING

ASSAULT BY BEATING OF AN EMERGENCY WORKER

ATTEMPT TO ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
ATTEMPT TO CAUSE GRIEVOUS BODILY HARM WITH INTENT TO DO GRIEVOUS BODILY HARM

ATTEMPT TO WOUND / CAUSE GRIEVOUS BODILY HARM WITHOUT INTENT

CAUSE ADMINISTER POISON / NOXIOUS THING WITH INTENT TO INJURE / AGGRIEVE / ANNOY

COMMON ASSAULT

COMMON ASSAULT OF AN EMERGENCY WORKER

HARASSMENT - BREACH OF A RESTRAINING ORDER ON CONVICTION

HARASSMENT - BREACH OF CIVIL INJUNCTION

HARASSMENT WITHOUT VIOLENCE

OWNER / PERSON IN CHARGE OF DOG DANGEROUSLY OUT OF CONTROL CAUSING INJURY

RACIALLY / RELIGIOUSLY AGGRAVATED ASSAULT / ASSAULT OCCASIONING ACTUAL BODILY HARM

RACIALLY / RELIGIOUSLY AGGRAVATED ASSAULT OCCASIONING ACTUAL BODILY HARM

RACIALLY / RELIGIOUSLY AGGRAVATED COMMON ASSAULT / BEATING

RACIALLY AGGRAVATED COMMON ASSAULT

SECTION 18 - GRIEVOUS BODILY HARM WITH INTENT

SECTION 18 - WOUNDING WITH INTENT

SEND COMMUNICATION / ARTICLE OF AN INDECENT / OFFENSIVE NATURE

SEND LETTER / COMMUNICATION / ARTICLE CONVEYING A THREATENING MESSAGE

SEND LETTER / COMMUNICATION / ARTICLE CONVEYING INDECENT / OFFENSIVE MESSAGE

STALKING WITHOUT FEAR / ALARM / DISTRESS

THREATS TO KILL

WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT

Drunkenness

DRIVE MOTOR VEHICLE WHEN ALCOHOL LEVEL ABOVE LIMIT

DRIVE MOTOR VEHICLE WITH A PROPORTION OF A SPECIFIED CONTROLLED DRUG ABOVE THE SPECIFIED LIMIT

DRIVE WHILST UNFIT THROUGH DRINK

DRUNK AND DISORDERLY IN A PUBLIC PLACE

DRUNK IN CHARGE OF A CHILD UNDER THE AGE OF SEVEN YEARS

DRUNK IN CHARGE OF A PEDAL CYCLE / CARRIAGE / ANIMAL

FAIL TO PROVIDE SPECIMEN FOR ANALYSIS - VEHICLE DRIVER

Possession of Weapons

POSSESS A FIREARM WITH INTENT TO CAUSE FEAR OF VIOLENCE

POSSESS AN IMITATION FIREARM IN A PUBLIC PLACE - FIREARMS ACT 1968

POSSESS AN IMITATION FIREARM WITH INTENT TO CAUSE FEAR OF VIOLENCE

POSSESS AN OFFENSIVE WEAPON IN A PUBLIC PLACE

POSSESS KNIFE BLADE / SHARP POINTED ARTICLE IN A PUBLIC PLACE - CRIMINAL JUSTICE ACT 1988

THREATEN A PERSON WITH A BLADE / SHARPLY POINTED ARTICLE IN A PUBLIC PLACE

THREATEN A PERSON WITH AN OFFENSIVE WEAPON IN A PUBLIC PLACE

Sexual Offences

ADMINISTER SUBSTANCE WITH INTENT TO STUPEFY / OVERPOWER TO ALLOW SEXUAL ACTIVITY

ASSAULT A GIRL UNDER 13 BY TOUCHING - SOA 2003

ATTEMPT TO CAUSE A FEMALE AGED 13 OR OVER TO ENGAGE IN SEXUAL ACTIVITY - NO PENETRATION

ATTEMPT TO RAPE A WOMAN 16 OR OVER - SOA 2003

ENGAGE IN SEXUAL ACTIVITY IN PRESENCE OF A CHILD UNDER 13 - OFFENDER 18 OR OVER

EXPOSURE - SOA 2003

RAPE A WOMAN 16 YEARS OF AGE OR OVER - SOA 2003

SEXUAL ASSAULT ON A FEMALE

VOYEURISM - OPERATING EQUIPMENT TO OBSERVE - SOA 2003

Robbery

ASSAULT WITH INTENT TO COMMIT ROBBERY

ATTEMPT ROBBERY

ROBBERY

Public Order

ACT OF OUTRAGING PUBLIC DECENCY - COMMON LAW

AFFRAY

BREACH A CRIMINAL BEHAVIOUR ORDER

BREACH OF AN ANTI-SOCIAL BEHAVIOUR ORDER

CAUSE A PUBLIC NUISANCE

RACIALLY / RELIGIOUSLY AGGRAVATED FEAR / PROVOCATION OF VIOLENCE BY WORDS / WRITING

RACIALLY / RELIGIOUSLY AGGRAVATED HARASSMENT / ALARM / DISTRESS BY WORDS / WRITING

RACIALLY / RELIGIOUSLY AGGRAVATED INTENTIONAL HARASSMENT / ALARM / DISTRESS - WORDS / WRITING

USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR TO CAUSE HARASSMENT / ALARM / DISTRESS

USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR WITH INTENT TO CAUSE FEAR OF / PROVOKE UNLAWFUL VIOLENCE

USE THREATENING / ABUSIVE WORDS / BEHAVIOUR LIKELY TO CAUSE HARASSMENT, ALARM OR DISTRESS

USE THREATENING / ABUSIVE WORDS / BEHAVIOUR OR DISORDERLY BEHAVIOUR LIKELY TO CAUSE HARASSMENT, ALARM OR DISTRESS

VIOLENT DISORDER

Appendix 5: Qualifiers for data collection - Public Place venues (venue combined)

: ANTIQUE	FIELD:	BEACH: SAND DUNE	FARMLAND:
: ARCADE	FISH FARM:	BETTING SHOP:	SHOP: BUTCHER
: ART	FORGE/MILL:	BETTING SHOP: BOOKMAKERS	SHOP: CAMPING
: BAKER	FOYER:	BETTING SHOP: TURF ACCOUNTANTS	SHOP: CASH & CARRY
: BEAUTY SALON	GALLERY: ART	BINGO HALL:	SHOP: CHANDLER

: BOOK	GARAGE FORECOURT :	BOWLING ALLEY:	SHOP: CHARITY
: BRIDGE	GARAGE:	BUILDERS MERCHANTS:	SHOP: CHEMIST
: BUTCHER	GARAGE: COMMERCIAL	BUILDING SOCIETY:	SHOP: CLOTHING
: CAFE	GARAGE: DOMESTIC	BUILDING:	SHOP: COMPUTER
: CAMPING	GARDEN: DRIVEWAY	BUILDING: SITE	SHOP: CONFECTIONER
: CAR	GARDEN: PUBLIC	BUILDING: SKIP	SHOP: CYCLE
: CASH & CARRY	GEOGRAPHICAL LOCATION: RURAL	BUS STOP:	SHOP: DEPARTMENT STORE
: CHANDLER	GROUNDS:	BUS:	SHOP: DIY
: CHARITY	HEALTH:	BUS: COACH STATION	SHOP: DRY CLEANER
: CHEMIST	HEALTH: STUDIO	BUS: DEPOT	SHOP: ELECTRICAL
: CHURCH	HOLIDAY CAMP:	BUS: STATION	SHOP: FAST FOOD
: CITY/TOWN CENTRE	HOSPITAL: CONVALESCENCE	BUSHES/UNDERGROWTH:	SHOP: FISHMONGER
: CIVIL	HOSPITAL: MAIN	BUSINESS PREMISES:	SHOP: FLORIST
: CLINIC	HOSPITAL: MENTAL	BUSINESS PREMISES: OF SUSPECT	SHOP: FURNITURE
: CLOTHING	HOSTEL: CHARITY	BUSINESS PREMISES: OF VICTIM	SHOP: GENERAL STORE
: COACH STATION	HOSTEL: YMCA	CAFE:	SHOP: GIFT SHOP

: COMMERCIAL	INDUSTRIAL ESTATE:	CAFE: CAFETERIA	SHOP: GREENGROCER
: COMPUTER	INDUSTRIAL ESTATE: BUSINESS PARK	CAFE: MOBILE	SHOP: HABERDASHERY
: CONFECTIONER	INDUSTRIAL ESTATE: COMMERCIAL	CAFE: TRANSPORT	SHOP: HAIRDRESSER
: CONVALESCENCE	INDUSTRIAL ESTATE: INDUSTRIAL	CAMP SITE:	SHOP: HARDWARE
: COUNTRY	JEWELLER:	CAR WASH:	SHOP: HEALTH FOOD
: COURTYARD	LAUNDERETTE:	CARAVAN SITE:	SHOP: HIRE BRIDAL
: CRICKET	LAUNDRY:	CARAVAN SITE: DESIGNATED	SHOP: HIRE PLANT
: CYCLE	LAVATORY: PUBLIC	CARAVAN SITE: TOURING	SHOP: JEWELLER
: DANCE	LETTER BOX: POST	CARPARK:	SHOP: MATERNITY
: DENTIST	LIBRARY:	CARPARK: BICYCLE PARK	SHOP: MODEL
: DEPARTMENT STORE	LIBRARY: MOBILE	CARPARK: CITY/TOWN CENTRE	SHOP: MOTOR ACCESSORIES
: DEPOT	LICENSED PREMISES:	CARPARK: GROUND LEVEL - COVERED	SHOP: MUSIC
: DIY	LICENSED PREMISES: CAFE	CARPARK: GROUND LEVEL - UNCOVERED	SHOP: NEWSAGENT
: DOCTOR	LICENSED PREMISES: CLUB	CARPARK: LORRY PARK	SHOP: OPTICIAN
: DOMESTIC	LICENSED PREMISES: NIGHTCLUB	CARPARK: RAILWAY	SHOP: OUTDOOR PURSUITS

: DRIVEWAY	LICENSED PREMISES: OFF LICENCE	CARPARK: RETAIL PARK	SHOP: PAWNBROKER
: DRY CLEANER	LICENSED PREMISES: PUBLIC HOUSE	CARPARK: RURAL	SHOP: PET
: ELECTRICAL	LICENSED PREMISES: WINE BAR	CARPARK: SHOPPING CENTRE	SHOP: PHOTOGRAPHY
: FAST FOOD	LIFT:	CARPARK: SUBURBAN	SHOP: SECOND HAND
: FISHMONGER	MARKET: STALL	CARPARK: SUPERMARKET	SHOP: SEX
: FLORIST	MONASTERY :	CARPARK: TEMPORARY	SHOP: SHOE
: FOOTPATH	MONUMENT:	CARPARK: UNDERGROUND	SHOP: SPORTS
: FUEL DISTRIBUTION	MUSEUM:	CASH DISPENSER:	SHOP: STATIONERY
: FURNITURE	MUSEUM: OUTDOOR	CASINO:	SHOP: SUPERMARKET
: GENERAL STORE	OFFICE:	CEMETERY/GRAVEYARD/CHURCHYARD:	SHOP: SUPERSTORE
: GIFT SHOP	OFFICE: COMMERCIAL	CHANGING ROOM:	SHOP: TAKEAWAY BURGER
: GREENGROCER	OFFICE: GOVERNMENT	CINEMA:	SHOP: TAKEAWAY CHINESE
: GROUND LEVEL - UNCOVERED	OFFICE: LOCAL AUTHORITY	CLIFF:	SHOP: TAKEAWAY FISH/CHIPS
: HABERDASHERY	OFFICE: RENTED	CLUB SOCIAL:	SHOP: TAKEAWAY INDIAN

: HAIRDRESSER	OUTBUILDING:	CLUB:	SHOP: TELEPHONE/MOBILE
: HALL	PARK:	CLUBHOUSE:	SHOP: TOBACCONIST
: HARBOUR	PARK: AMUSEMENT	COMMUNE:	SHOP: TOOL
: HARDWARE	PARK: CHILD PLAYGROUND	COMMUNITY CENTRE:	SHOP: TOY
: HAULAGE	PARK: COUNTRY	COMPOUND:	SHOP: TRAVEL AGENT
: HEALTH FOOD	PARK: LOCAL	CONFERENCE CENTRE:	SHOP: VIDEO
: HIRE PLANT	PARK: NATIONAL	CONVENT:	SHOP: WATCH
: INDOOR	PARK: RECREATIONAL AREA	CONVEYANCE: BOAT MARINE CRAFT	SHOPPING CENTRE:
: JEWELLER	PARK: THEME	CONVEYANCE: BOAT YACHT	SHOWROOM:
: LANE	PARK: WILDLIFE	CONVEYANCE: BUS COACH	SPORTS GROUND:
: MAIN	PAVILION:	CONVEYANCE: BUS MINIBUS	SPORTS VENUE:
: MATERNITY	PETROL STATION:	CONVEYANCE: BUS PUBLIC SERVICE	SPORTS VENUE: ATHLETICS
: MENTAL	PLACE OF WORSHIP:	CONVEYANCE: CAR ALL TERRAIN	SPORTS VENUE: CLUBHOUSE
: MOBILE	PLACE OF WORSHIP: ABBAY	CONVEYANCE: CAR HATCHBACK	SPORTS VENUE: CRICKET
: MODEL	PLACE OF WORSHIP: CHAPEL	CONVEYANCE: CAR SALOON	SPORTS VENUE: FOOTBALL

: MOTOR ACCESSORIES	PLACE OF WORSHIP: CHURCH	CONVEYANCE: LORRY CONTAINER	SPORTS VENUE: GOLF
: MUSIC	PLACE OF WORSHIP: MOSQUE	CONVEYANCE: MINIBUS	SPORTS VENUE: LEISURE COMPLEX
: NEWSAGENT	POST OFFICE:	CONVEYANCE: PEDAL CYCLE BICYCLE	SPORTS VENUE: RACING
: NURSERY	POST OFFICE: SORTING OFFICE	CONVEYANCE: SHIP	SPORTS VENUE: RIDING STABLE
: OPTICIAN	POST OFFICE: SUB	CONVEYANCE: TAXI HACKNEY	SPORTS VENUE: RUGBY
: OUTDOOR	POWER STATION:	CONVEYANCE: TRAIN	SPORTS VENUE: SNOOKER HALL
: OUTDOOR PURSUITS	PUMPING STATION:	CONVEYANCE: VAN	SPORTS VENUE: SWIMMING BATHS
: PAWNBROKER	QUARRY:	COUNTRYSIDE:	STABLE:
: PEDESTRIAN SUBWAY	RAILWAY PROPERTY:	COUNTRYSIDE: BEAUTY SPOT	STAIRWAY/ESCALATOR:
: PET	RAILWAY PROPERTY: LAND	COUNTRYSIDE: COMMON LAND	STAIRWELL:
: PHOTOGRAPHY	RAILWAY PROPERTY: PREMISES	COUNTRYSIDE: ESTATE	STORAGE AREA:
: POST	RAILWAY PROPERTY: STATION	COUNTRYSIDE: MOORLAND	STUDIO:
: PROMENADE	RAILWAY PROPERTY: TRACK	COUNTRYSIDE: NATURE RESERVE	STUDIO: DANCE
: PUBLIC	RAILWAY ROLLING STOCK:	COUNTRYSIDE: SECLUDED	SURGERY:

: PUBLIC HOUSE	RECYCLING CENTRE:	COUNTRYSIDE: WOODLAND	SURGERY: CLINIC
: RENTED	RESTAURANT:	COURT:	SURGERY: DENTIST
: RETAIL PARK	ROAD:	COURT: CIVIL	SURGERY: DOCTOR
: RURAL	ROAD: ALLEY	COURT: CROWN	SURGERY: HEALTH CENTRE
: SCHOOL	ROAD: ARCADE	COURT: MAGISTRATES	SURGERY: VETERINARY
: SECOND HAND	ROAD: BRIDGE	CRECHE:	TAXI RANK:
: SEX	ROAD: COURTYARD	CREMATORIUM:	TELEPHONE:
: SHOE	ROAD: CUL DE SAC	DAIRY:	TELEPHONE: EXCHANGE
: SHOPPING CENTRE	ROAD: FOOTPATH	DEPOT:	TELEPHONE: KIOSK
: SPORTS	ROAD: LANE	DEPOT: FUEL DISTRIBUTION	TELEPHONE: PAYPHONE
: STATION	ROAD: LAYBY	DEPOT: HAULAGE	TENT:
: STATIONERY	ROAD: MAIN	DOCKS:	THEATRE:
: STREET	ROAD: MOTORWAY	DOCKS: HARBOUR	TOURIST ATTRACTION:
: SUPERMARKET	ROAD: PEDESTRIAN PRECINCT	DOCKS: MARINA	UNDERTAKERS: FUNERAL PARLOUR
: SUPERSTORE	ROAD: PEDESTRIAN SUBWAY	DOCKS: QUAY	WAITING ROOM:
: TAKEAWAY CHINESE	ROAD: PEDESTRIAN UNDERPASS	DOORSTEP:	WAITING ROOM: DENTIST

: TAKEAWAY INDIAN	ROAD: PROMENAD E	DWELLING: HALL	WAITING ROOM: DOCTOR
: TELEPHONE/MOBILE	ROAD: SIDE	DWELLING: MULTI OCCUPIED	WAITING ROOM: HOSPITAL
: TOBACCONIST	ROAD: STREET	DWELLING: OF OFFENDER	WAITING ROOM: TAXI OFFICE
: TOOL	ROADWORK S:	DWELLING: OF VICTIM	WAREHOUSE:
: TOURING	SALE: CAR BOOT	DWELLING: RENTED	WAREHOUSE: GOODS DEPOT
: TOY	SALE: GARAGE	EDUCATIONAL ESTABLISHMENT:	WASTE GROUND:
: TRAVEL AGENT	SCRAPYARD :	EDUCATIONAL ESTABLISHMENT: COLLEGE	WATER INSTALLATION:
: UNDERGROUND	SCRAPYARD : CAR BREAKERS	EDUCATIONAL ESTABLISHMENT: PLAYGROUND	WATERWAY:
: VETERINARY	SHIPYARD:	EDUCATIONAL ESTABLISHMENT: SCHOOL	WATERWAY: LAKE
: VIDEO	SHIPYARD: BOAT BUILDERS	EDUCATIONAL ESTABLISHMENT: TRAINING CENTRE	WATERWAY: MOORING
ABATTOIR/SLAUGHTER HOUSE:	SHIPYARD: BOATYARDS	EDUCATIONAL ESTABLISHMENT: UNIVERSITY	WATERWAY: RESERVOIR
AIRPORT:	SHOP:	ENTERTAINMENT PLACE:	WORKPLACE:
ALLOTMENT:	SHOP: ANTIQUE	ENTERTAINMENT PLACE: INDOOR	WORKPLACE: OF OFFENDER
AMUSEMENT ARCADE:	SHOP: ART	ENTERTAINMENT PLACE: OUTDOOR	WORKPLACE: OF VICTIM
BAKERY:	SHOP: BAKER	ESTATE AGENTS OFFICE:	YARD:
BANK:	SHOP: BARBER	EXHIBITION VENUE:	YOUTH CLUB:

BEACH HUT:	SHOP: BEAUTY SALON	FACTORY:	YOUTH ORGANISATION PREMISES:
BEACH:	SHOP: BOOK	FAIRGROUND:	ZOO:

Public Nuisance Complaints in the Cumulative Impact Areas between 2017 – 2022

Summary

The report below shows the effect of the concentrated number of premises on the local residents by way of public nuisance and anti-social behaviour and is why we are proposing that these areas should remain in this CIA, on grounds of prevention of public nuisance. For example, reports of noise from the premises and from shouting in the street. A number of these complaints cannot be associated with one particular premises and is caused by the effect of the number of premises and the number of customers frequenting the areas at particular times of day and night.

Unfortunately, there is no data available with regards to the number of complaints from anti-social behaviour such as urination/defecation in the streets, overflowing waste or littering often dropped by customers on their way home or from smoking outside of the premises; drug use; vandalism/graffiti etc. However, it is hoped that this data will be available for future reviews.

Noise and Odour Complaints

Noise and odour complaints recorded between 1 April 2017 – 31 March 2022, were retrieved from the Environmental Health Departments database platform which collates complaints received.

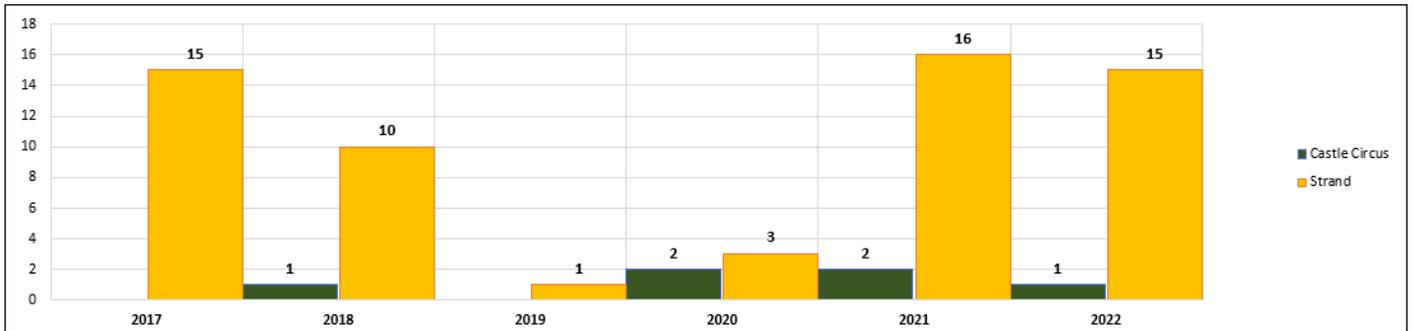
The data below includes all complaints relating to licensed premises including noise nuisance and odour complaints within each Cumulative Impact Area.

A complaint is recorded when a member of the public raises a concern through one of the council's contact portals. Noise is a subjective experience of sound and complaints depict the prevalence of nuisance individuals are willing to report, not the prevalence of negative experiences of sound.

It should also be noted that the data does not capture whether noise complaints are sources from a serial complainant or multiple concerned residents.

The data below in Figure 1, shows that there was a significant increase of public nuisance complaints received from the Strand in 2021. This is likely to be due to the public returning to premises after Covid-19 and also enjoying the use of the outside areas more than pre-Covid19.

Figure 1: Number of public nuisance (noise/odour) complaints from Licensed premises per year in each of the two Cumulative Impact Areas



Appendix B: Cumulative Impact Consultation responses

199 responses were received to the online consultation.

Question 1

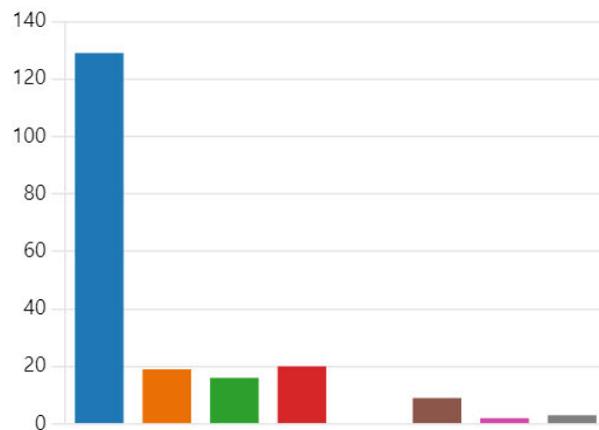
The first question asked for responders to enter their postcode. 194 of 199 people completed this question. 37% of respondents answered TQ1

Question 2

2. Which of the following best describes you?

[More Details](#)

Member of the public	129
Working in Torbay	19
Local business owner/manager ...	16
Local business owner/manager ...	20
Trade representative	0
Local community group/organis...	9
Local Councillor or MP	2
Other	3

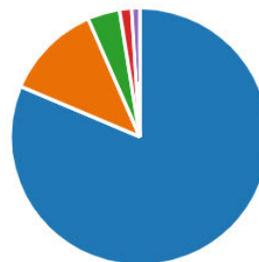


Question 3

3. How strongly do you agree or disagree the Castle Circus area of Torquay, shown in the shaded area in the plan, should remain as a Cumulative Impact Assessment area in the new CIA policy?

[More Details](#)

Strongly agree	162
Agree	24
Neutral	8
Disagree	3
Strongly disagree	2



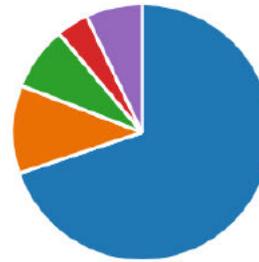
Question 4

4. How strongly do you agree or disagree the Harbourside and Fleet Street, Torquay, known as The Strand area, shown in the shaded area in the plan, should remain as a Cumulative Impact Assessment area in the new CIA policy?

[More Details](#)

[Insights](#)

● Strongly agree	139
● Agree	22
● Neutral	16
● Disagree	8
● Strongly disagree	14



Question 5

5. Please add any further comment about the draft Cumulative Impact Assessment 2024 – 2027

[More Details](#)

[Insights](#)

113

Responses

Latest Responses

"It can be an area that feels unsafe when walking, particularly on an evenin..."

"Since excessive consumption of alcohol is a leading cause of both violent an..."

"Castle Circus needs action asap "

112 responses (response 1 was a test):

ID	Name	Responses
1	anonymous	this is a test of the online form - not an actual response, thanks
2	anonymous	Surely this is just the first step. You must clean up all of Torquay. Such a beautiful town has become a filthy dump. Power wash Union Street, The Strand and Fleet Walk. Do something!
3	anonymous	It is as much about the style of drinking and eating establishments as about the number. Given our current and long term problems, we must be wary of offering an environment which is excessively conducive to attracting groups which represent a risk to good order. It is then common sense.
4	anonymous	Hello, if we have understood the terminology correctly, we "want" the CIA to make it more difficult for these two troubled areas in Torquay to apply for a new licence etc...By clicking on "strongly agree" for both, we think this is correct. Thanks
5	anonymous	The Castle Circus & Factory Row area are an absolute disgrace to Torquay and this needs to be addressed. You can regularly see people drug dealing in broad daylight, people drinking in the streets and being a nuisance. You have the [REDACTED] which is also a massive problem for the area you regularly see people fighting and arguing outside and people leaving the premises paralytic when they shouldn't have been served alcohol or been allowed to get in this state in the first

ID	Name	Responses
		place. [REDACTED] is selling illegal cigarettes and nothing is being done about it. There is also a tiny convenience opened just down the road from [REDACTED] that is commonly known to be selling drugs and illegal cigarettes and nothing is being done about this.
6	anonymous	Tight control and regulation is key to ensuring that all stakeholders are involved in current and future developments and decisions can be made following due process.
7	anonymous	Torbay is a holiday destination and it's night life is hugely important to the towns success and it's residents financial security. The Bays pubs and clubs need to be properly policed and new venues encouraged
8	anonymous	Do not feel safe in these areas at night.
9	anonymous	I think Castle Circus area needs to be looked after much more and it needs more than one eye on it. I live in this area and the amount of ASB, fighting (shouting), women crying at night is unbearable. For my point of view Castle Circus, (which is in the heart of Torquay right in front of the City Council), it has become the roughest part of the Torquay if not even the whole Torbay. It has the highest concentration of people clearly on drugs and alcohol user.
10	anonymous	Anything that can be done to help prevent an increase in anti social behaviour in the Castle Circus area should be welcomed.
11	anonymous	It's not about the alcohol it's all about the behaviour of those that drink too much, and to knock on effects to policing, health and safety of those using/ working in the area, support services, street cleaning, security, those who live / stay in the area, ie much needed tourism.
12	anonymous	This opens up the possibility of just a couple of individuals complaining about noise from a lively pub because they live or have a boat moored nearby and want a quiet life whilst holiday makers are out enjoying themselves .. You don't police Castle Circus now !
13	anonymous	Further measures are needed to discourage the heavy drinking culture in this area such as more robust policing more arrests and stronger sentencing of individuals for public drunkenness
14	anonymous	These areas are fine. No new developments should be allowed to "grow" outwards of the shown areas.
15	anonymous	The harbourside is a tourist area and so a level of well-managed toleration is acceptable. Castle Circus had progressively been transformed from a civic space into a de facto toleration zone [REDACTED] its patrons may well relocate to the Strand, however. Very strict enforcement of the licence i.e. not serving those already intoxicated, bans on trouble makers, no outside gathering etc. would be welcomed. Also a strict ban and enforcement on street drinking and street begging. Currently, Castle Circus has, over 40 years, evolved into an ideal environment for ASB and the impression of ASB: https://wearesouthdevon.com/castle-circus-a-torquay-

ID	Name	Responses
		odyssey/?fbclid=IwAR2tBOA2Mkambeig457DPhLna1YTn-FEeyXVcVfC-IXwqAHs9NnAinBjqcg
16	anonymous	The rowdiness and degree of drunkenness and therefore it's associated problems increase greatly into the night and later closing hours or increased sizes of businesses open after midnight would only increase dramatically these type of problems ...it is already unsafe to walk around the harbour area after midnight!
17	anonymous	This assessment should be used as a tool along with other measures to curb the antisocial behaviour of these areas. some areas are becoming no go or places to avoid due to increasing personal safety concerns for residents and tourist.
18	anonymous	Castle Circus needs regulating as it's where the daytime drunks/druggy skegs tend to hang out, and being a seaside town, the last thing we want is for families to walk past someone with their trousers round their ankles, shooting up, so that needs to be controlled regarding drinking venues. The Strand on the other hand, is the entertainment capital of Torquay, and knowing how small minded some in local licensing departments can be, the last thing it needs is tight regulation to kill it off. Me and my friends go out around the Strand regularly on an evening, and, by and large, find it a very friendly and nice atmosphere. Expanding it rather than taking a heavy handed approach is what is required at the moment, so this area definitely shouldn't be included, unless the ambition is to kill off the town as an entertainment resort.
19	anonymous	Castle Circus is a magnet for all the drug addicts and is destroying the image of Torquay as a nice place to visit.
20	anonymous	There definitely needs to be a greater presence of police/officials in Castle Circus as the impact on tourism and the general public is growing exponentially due to the unsocial behaviour in the day and evening. Regarding the harbour area, please do not issue any more licences or extend licensing hours as this area it literally at saturation point.
21	anonymous	There is hardly many businesses on union street to keep trouble away from it. With factory row the way it is and [REDACTED] not far from that either they both sell alcohol next to a hot spot for crime. [REDACTED] which is further down also generates a lot of trouble outside and the steps to [REDACTED] which are spacious and sheltered making it a hangout for homeless. I dont think anymore fast food restaurants opening late and anymore premises selling alcohol would be an ideal situation in an area that is already un safe. More day time shops need to take up the empty spaces instead of evening shops, evening restaurants or bars. Union street and Castle circus definitely need more attention than the harbour.
22	anonymous	Dear , We live on Higher Union Lane . The park is kept clean and tidy ,the grass cut...but every single night and early morning still lots of alcoholic /drugged people walking around here and shouting. Every night two -three noisy car make a rally's run and goes with 40 -50 mph . I just hope any new change not makes the area more noisier. This blocks where we live just 4 kid's lives and they need to go school and we need to close the windows shutting if we want to the kids can sleep during night . If our windows open we smell the joint cigarette smell early mornings and evening... Pls make this area more safer and not noisier . Thank you !

ID	Name	Responses
23	anonymous	As an elderly person, I do not dare to enter Union Street or Fleet Street on foot after about 8pm. This is due to the risk of alcohol related assault from one of the many evidently inebriated persons. Indeed, even on Torbay Road, when walking from Princes Theatre to the Shedden Hill Car Park after an evening show, I feel the need to stay close to fellow theatre patrons for the same reason.
24	anonymous	I believe Alcohol should only be allowed to be consumed in designated areas, ie within the confines of the licenced premises and any outside space it my have, the rest of the area should be designated alcohol free areas and drinking whether from bottles, glasses or cans should be banned.
25	anonymous	The harbour side has so much potential as a cafe/restaurant/walking/family-friendly zone. It would be lovely to be able to go there late evening, especially in the weather months, without encountering scarily drunk or drugged people. Do nightclubs have to be so close to the harbour? I would definitely not walk around Castle Circus at night - far to worrying.
26	anonymous	The harbourside needs new businesses and growth as it's where the tourists go. I don't see a problem with having more licensed premises or longer hours because it would simply spread people out more, and surely that would cause less problems rather than everyone being bunched up in the same places?
27	anonymous	We are a tourist town. Market forces should dictate not the council
28	anonymous	Licensed premises on or near the strand impact considerably on holidaymakers and residents. Noise, anti social behaviour and litter have a negative effect on the ability of people to enjoy that part of town. It needs to be carefully regulated and enforced
29	anonymous	Castle Circus is more of a problem area than the strand. Castle Circus area is just so rundown and people visibly doing drugs and drinking in public. Even as a local I avoid the area as much as possible. The only problems we get on the strand/ harbour area is homeless people and theft such as [REDACTED] near the harbour having things stolen on a daily basis.
30	anonymous	Something needs to be done as these are not areas that I feel safe going through.
31	anonymous	Castle circus is frequented by drug addicts , users, dealers and shop lifters. [REDACTED]
32	anonymous	as a shop worker in torquay town centre , we have massive problems with shop lifting ,the shop lifters are taking the stolen goods and selling them [REDACTED] and taking the drugs in shop doorways, several time been unable to get into work as 5 drug users in doorway or slumped against buildings in fleet street
33	anonymous	There needs to be a much stricter approach to the sale of alcohol in Torquay. There are two many venues and shops that skirt around the laws. Drink to access is being encouraged, alcohol is being sold to those who are already under the

ID	Name	Responses
		influence of alcohol. This adds to the anti social behaviour in the area and has a negative impact on tourism, retailers and local residents.
34	anonymous	Both the castle Circus area and the harbour/strand area are really unsafe places to be in and around when the licensed establishments are trading. Drunk and drugged people wandering around be abusive and sometimes holding up the traffic. You feel like you are almost risking your life being in those areas.
35	anonymous	Castle circus area clearly needs strong licensing conditions in place due to the crime in this area. It doesn't feel safe to be in this area during the evening. The strand area - we should be encouraging venues in this area for tourists and locals, we have fewer venues than in previous years but higher amounts of crime. Rather than restricting licensing, why are we not looking at the wraparound such as improved taxi/ bus services to stop build up of party goers in the town at weekends to help stop fighting etc? Also would suggest looking at door staff / security practises at venues in the town- they seem to be accountable for quite a lot of the violence occurring. Furthermore, rather than impacting venues, I would also suggest that the real issue is the high amount of begging & rough sleeping going on in these two locations
36	anonymous	I think take aways, cafes and licensed premisses should be encourage / required to help fund street cleaning and in particular having the pavements washed regularly during the summer season. All car parking between the clock tower and the traffic lights in Torwood Street should be removed from 8pm till 8am overnight on Fridays and Saturday evenings only to allow for the volume of people in this area area the pubs and clubs and reduce the risk of pedestrians jumping out from between parked cars and give the CCTV and Police a better view of what is going on in this area.
37	anonymous	The main issue is one which I presume is not covered within the scope of this CIA. It relates to the people who congregate around Castle Circus, who are obviously severley intoxicated through drink or drugs. Facilities whould be provided to both house and provide support for these unfortunate people.
38	anonymous	ANY establishment which encourages or ignores the sale / purchase of illegal drugs/substances should be closed down immediately. Drugs destroy communities along with the criminal side of prostitution, child abuse, ASB, preventing individuals from being employed. PLEASE CLOSE FACTORY ROW it is simply a front for buying/selling drugs/substances.
39	anonymous	Pointless having CIA when they are not enforced. I have seen police just walking past groups of people drinking their cheap cans of cider many times. One local is in the main streets every day drinking, throwing his cans everywhere, swearing at people, NOTHING DONE.
40	anonymous	It is imperative that a CIA remains to keep tight control on those designated areas that have a high volume of people due to the amount of licensed bars, venues and eateries. Strict licensing laws makes an improvement in control which is especially important for those living in the area.
41	anonymous	We need to retain a strong and positive approach to the control of licensed premises within our town centre, being that Torquay is a major tourist town.

ID	Name	Responses
42	anonymous	The Council needs the ability to control the noise and disruption in these areas caused by excessive alcohol consumption that puts pressure on the Police, ambulance service and is unacceptable to Torquay residents. Clearly drug dealing, aggressive begging and vagrancy is a problem also.
43	anonymous	The Council needs the ability to Control the noise caused by excessive drinking and loud music coming from bars that seem to take no notice of licencing restrictions.
44	anonymous	I believe that certain areas such as those above need to remain in the CIA area for the next 3 year period, as there have been on-going issues in the Castle Circus area and the Strand area is in the heart of tourism.
45	anonymous	Defiantly needs more police presence @ Castle Circus. I personally don't go anywhere near that area anymore as it's dirty & intimidating.
46	anonymous	We should be relaxing rules for businesses. If we want our town centre to thrive we must allow businesses to be bold with their plans and not restricted by council bureaucracy.
47	anonymous	I have lived in this area for many years and there has been a marked improvement since the CIA has been in force
48	anonymous	The area should be extended to include the whole of Factory Row. Further we would like better monitoring of all Steps such as Abbey Road steps, Laundry Steps and the Town End of Rock Walk Steps etc. In all these areas there is vagrancy with drug and alcohol consumption leading to littering which leads to increased danger in using these areas.
49	anonymous	Interesting datasets, clearly impacted by the lockdown and its consequences. Both areas still require active management to ensure a balance is maintained between the needs of residents and visitors, whilst continuing to promote a vibrant harbourside
50	anonymous	Castle Circus needs a lot of work and development to make it more welcoming to the general public as it is extremely off-putting going near it currently. With the plans to develop a food quarter on the Harbourside where Debenhams was, why on earth would we support restricting licencing controls and putting potential future businesses off investing. Promote the best parts of Torquay and the harbourside is on of the best areas we have.
51	anonymous	It will help reduce the level of criminality
52	anonymous	This area is dangerous. I am scared to walk on my own after 7 pm, a lot of weird, creepy people. Living in this area is also a nightmare because ar least 5 days a week I wake up from shouting, doing damage on the street, like smashing objects. It is just upsetting how nothing is done to prevent this. Been living here 7 years, seen no improvenent so far. I can't see myself spending any time in this area when I will start a family
53	anonymous	We live in Abbey Road and can hear people screaming and fighting every night, which is affecting our sleep, we know the noise comes from Factory Row and I am unsure of how that issue can be fixed, but I don't feel anything is being done

ID	Name	Responses
		at the moment because this happens every day without exception. We see drug dealers in our street selling drugs during the day. We have seen people using needles around the area in the middle of the day too. I work and live in Torre, and in winter I don't feel safe walking back home after work when it gets dark early.
54	anonymous	There are more than sufficient licenced premises and the more restrictions that are applied the better. Additional licencing of premises should be discouraged.
55	anonymous	The Castle Circus area and drinking facilities appear to encourage street drinking, allow the overselling of alcoholic beverages to people that have clearly already had too much spill out onto the streets. It feels unsafe in the Castle Area, I work in Union Street area and have concerns about walking around this area especially as autumn and winter draws in.
56	anonymous	Hopefully this will lead to better control over night time antisocial behaviour. Hopefully also the Council can get better control of the abuse of live music licencing by some venues.
57	anonymous	Castle Circus should be tackled immediately in order to save Torquays already tarnished reputation. [REDACTED] should be the first step in tackling the areas problems, along with Factory Row.
58	anonymous	The Council needs to positively encourage the reopening of venues that are empty and or becoming derelict in these areas to spread the number of venues and choice and type of venue available. Would help to balance the mono culture of 'young' bars and the crush into the few remaining and create a more user-friendly night economy. The area around the new cinema creates a huge opportunity to regenerate the area and create a place where people want to go.
59	anonymous	The strand/harbour area is one of our highest growth areas for long term tourism growth and represents Torbay's best opportunity for a strong, venue-driven image that is fit for the demands of the 21st century tourist. To stifle investment in this area would be a monumental overreach of power and unquestionably do harm to the long term prosperity of Torbay as a holiday destination and source of employment for our residents.
60	anonymous	We must also hold perpetrators of anti social behaviour accountable for their behaviour, for example fines should represent the real cost of that behaviour, damage, cleaning, arrest, detection and court costs should all be in the fine and calculated by the JP, opportunities to pay should be varied from cash payment through to include community service.....
61	anonymous	In my opinion area around harbour is perfect spot for pubs and nightclubs, keeping that venues cumulated will help policing efforts and mitigate impact on residents and buissnes. This venueas are important part of Torquay night life and essential for turism. But we cant have places like pub on castle circus which is center point of ASB and Crime. Bit higher standards please.
62	anonymous	The level of drug use and crime within these areas is shocking and unsightly. Something desperately needs to happen to regenerate this area. There are often needles on the floor, groups of people high and spaced out it intimates the general public and scares of business right in the centre of our town.

ID	Name	Responses
63	anonymous	It is vital for the town centre to be carefully monitored and licensed premises to remain accountable. The two areas in question are key sites for tourists and locals alike.
64	anonymous	To win votes, and the only way to rescue Torquay is to close [REDACTED] and relocate it out of the tourist area i.e. Exeter.
65	anonymous	I find my trouble in harbourside area is caused by pub and club doormen,loads are bullies and pick on people for no reason ,as i witnessed first hand on sat night at the cinnabar torquay
66	anonymous	The area outside the [REDACTED] is a disgrace with groups of undesirable men who have the appearance of street sleepers and beggars outside bringing the town into further comments of being a run down undesirable town and somewhere to avoid as a tourist, plus unsightly and potentially a dangerous area for elderly local people.
67	anonymous	Please take into account a large number of people enjoy themselves without resorting to getting drunk and disorderly. As a democracy the should not penalise the majority for the behaviour of the few
68	anonymous	Over the last three years there has been a significant increase in unruly behaviour, and licensed premises not taking proper action to control their clientele. I would support your controls to make these areas more conducive to the majority of people who live, work and visit the area.
69	anonymous	The CIA POLICY should stay in place in order to control & limit the Antisocial behaviour. To control excessive noise from within any premise and outside both of which have over recent years have had a detrimental effect & considerable disturbance to residents living in Park Hill Road above Victoria Parade as well as several other residential properties close to the shaded area near the Strand & Lower Torwood Street. This could well reduce the number of Police Turnouts who have to attend all to frequently into these often hostile gathering putting themselves at risk for the properly behaved Torbay Citizens. They deserve our grateful thanks.
70	anonymous	We need to consider other visitors to our area on whose spending power we depend. Tourists do not want to patronise our theatres and restaurants in the evening nor will they like strolling around the harbour area if confronted by raucous groups of people who are worse for drink.
71	anonymous	Castle circus is not a nice place ,many elderly people are afraid of using this area, to many undesirables roaming around often drinking alcohol or begging.
72	anonymous	With all the continued issues around castle circus - anti social behaviour, drugs and drink related issues, Castle Circus area should have no licences granted at all! It is disgusting to see people outside [REDACTED] drinking, taking drugs, fighting, rolling around on the floor not to mention the number of times the police and ambulances have to attend. The area has become a no go area for anyone who does not take drugs or drink to excess. Torquay is no longer a desired place to live or visit. The sooner the top end of town is sorted the better as far as I'm concerned!

ID	Name	Responses
73	anonymous	Please continue to adopt a strong attitude toward this matter
74	anonymous	Castle Circus and Torquay town centre has been absolutely destroyed with homeless people and drug addicts...who agreed to this it's so sad neglect and out of town stores have not helped I remember in the early 1980s you couldn't not get a seat near the big Christmas tree at castle Circus this area was beautiful the town was mobbed with families as it should have been ...what has happened to allow this neglect ...who agreed to feed the homeless there.... heartbreaking to watch this decline year after year it's no longer the sought after location it once was.. drugs and alcohol are prominent and far too easily available . this NEEDS to stop save Torquay for all our sakes
75	anonymous	As a holiday resort Torbay is struggling to maintain visitor numbers and is becoming more unattractive to potential future visitors. We need to make sure our businesses are able to offer attractions visitors want and setting restrictions on licensees in the Strand area will reduce their ability to do that. Whilst I agree we need to tackle anti-social behaviour we have an excellent police force that can do that and as we pay for them I see no reason why we shouldn't expect them to do their job. I am all for a CIA remaining in place for Castle Circus which has long had a poor reputation for anti-social behaviour and drug abuse, but we need to give the Strand a chance to improve what it offers.
76	anonymous	This survey is a very good idea.
77	anonymous	Clean up Castle Circus area. What on earth are you people thinking. You have created a slum area at the top of the town. Idiots.
78	anonymous	I think you need to worry less about the areas listed for entertainment purposes and concentrate on the drugged-up and drunk individuals, who congregate around Castle Circus and sort out the drug dealing I have witnessed!
79	anonymous	Personally, given the blatant drug trade, drunkenness and ASB occurring around Castle Circus area of Torquay, I wouldn't expect the Council to grant any liquor licences whatsoever! Close them down please.
80	anonymous	The answer is not to stop licensed premises they are not the problem. As long as the licensee is responsible and the business plan good then why on Earth would you stop legitimate businesses from helping with tourism and generating revenue? The harbour area is made up of bars/licensed cafes and cocktail/ wine bars. It always has been. [REDACTED] has been closed with no offers on the lease as all interest for bars etc have been rejected. Therefore you have empty units instead. Same under the [REDACTED] The [REDACTED] is a huge success why would you look to restrict more in such an area. The issue in Castle Circus is the proximity of the Factory Row facility. There were more bars in the area and less issues. Maybe make the whole of upper Inion Street into housing rather than flog a dead horse and then invest in bottom of town and harbour.
81	anonymous	I fully understand its purpose but prevention of further new premises with alcohol licences on the harbour will severely restrict development in the area. Nearly all new premises in the are are food led and not late night and noisy. Places like the old mambo building will never get a lease holder as even a food led modern eatery would need a licence. High Street stores are in decline and will not pay Harbour rates. Thus this is damage progress in this area. However

ID	Name	Responses
		top of top premises tend to be low cost wet led and absolutely are highly likely to have a cumulative negative impact.
82	anonymous	More restaurants and chains around the harbour will be a good thing. Less alcohol around factory rowe seems wise.
83	anonymous	The way things are going in Torquay, and Torbay in general is a major blot on our area and anything that seeks to or has a positive influence on changing is it a major step in the right direction.
84	anonymous	The Area you indicate must be policed and the law enforced. Currently its a free for all.
85	anonymous	Well done
86	anonymous	Police presence would help
87	anonymous	Castle Circus has had too many problems over the years.What the nearby traders have had to put up with is most unfair.Please sort the problem once and for all.
88	anonymous	I was born in Torquay, went to school here then moved abroad. On return in 2003, I was horrified to see that the town I was so proud of growing up, had deteriorated so much. I believe that Factory row [REDACTED] Is predominantly responsible for this decline. Rather than treat the residents for all forms of addiction and anti social behaviour, it has taken the entire surrounding area, down with it. I do not frequent the new cinema for fear of walking as a woman alone at night, or choose to walk home anywhere nearby. Those in need should be housed in a residence in the countryside, given help for their various addictions, mental illnesses etc. Torquay has become a dumping ground for ' undesirables' A drug pushers paradise. The council should spend hard earned tax payers money on attacking the real problems. Not turning a blind eye and encouraging tourists and cruise ships to visit only to find this once beautiful ' English Riviera' Is a DUMP, full of zombie crack heads, charity shops (because the rents are too high for independant traders), vape shops and sleazy pubs [REDACTED]
89	anonymous	As you are aware the areas are notorious trouble spots in town which add to the already rubbish reputation for the town centre - keep it strict to reduce problems, which are already bad
90	anonymous	The top end of the town, castle circus area is where I have seen most issues with drug taking and alcohol misuse. It's not just pubs, but shops selling alcohol this is often then drunk on the streets in the town. The steps from factory row to Abbey road are a no go area, and this is the quickest route to the seafront for visitors and locals it's a disgrace for an area that wants to be a premium holiday destination. The steps from lower union lane to Abbey road by the telephone exchange is another example of a bad area where openly people are dealing and taking drugs, this is another area avoided by lots of people I know. I think what the council needs to insist on is regular police patrols along these areas, and then for the police to take action when they see crimes, and bad behaviour taking place, at the moment it's being ignored. This action of ignoring crime and bad behaviour is why Torquay and Paignton have such a poor perception and a reputation of attracting the wrong people from other areas into our towns. Torbay mainly

ID	Name	Responses
		Torquay and Paignton are seen as being the least desirable areas in Devon to live, when it used to be one of the best. The issues clearly visible are not being addressed by the council. I often wonder where the heads of the council live, I bet most if not all are live miles away from the Town??
91	anonymous	The Strand area depends on pubs/ bars/clubs, and so I don't think this will help the economy. The problem is places closing at the same time, more options are needed to dispersé pinchpoints.
92	anonymous	There needs to be a greater consideration and alignment between the Council's planning and licensing policies.
93	anonymous	Live at the junction of Montpellier and Braddons Hill Road West and strongly agree that you need to impose limitations on new applications and renewals. The noise (already subject of a complaint and notices issued) is beginning to creep up again. Have also seen 3 people urinating , drunk, in the last few weeks opposite our residence.
94	anonymous	The Castle Circus and Union Street area is a no go area for us even in the daytime, due to alcohol and drug related behaviour of individuals. In the Fleet Walk area there are a large number of commercial waste bins in a row (opposite Edinburgh Woollen Mill), which, when we last walked down there, were overflowing with waste with associated odour and flies. These should be housed in a proper area. It looks awful. It's a pity there is no data available on waste and street cleaning complaints.
95	anonymous	I agree to the principle but thought needs to be given to resultant over crowding of a limited number of venues.
96	anonymous	We must make it clear that ASB etc in our town centre areas is not acceptable and that action will be taken against the few that wish to spoil the enjoyment of the majority. We must provide the tools the police need to take action and support our local Police Officers in carrying out their duties. If we want our day and night time economies to thrive and Torbay to be a premier resort destination we must enforce these CIA policies. I support the CIA and our teams to enforce them 100%
97	anonymous	Castle circus & top end of town has been a blight on that area for years. With anti social behaviour & drug active. Not to mention the stealing from the shops (witnessed personally) The harbour if controlled properly at peak times can be an asset
98	anonymous	There should be stricter NO ALCOHOL areas such as hopes nose, thatchers point , berry head, and all other open spaces. These are being ruined by drinkers and BBQs etc
99	anonymous	[REDACTED] The place is a danger to the public. Every time I am in that area, some sort of disorder is going on. Same to be said for Market Street as well.
100	anonymous	The Town centre & Castle circus is the area in most need of constant surveillance. The Harbour for the most part is much better & only needs extra surveillance at the weekend with the night time economy

ID	Name	Responses
101	anonymous	The need to continue to monitor, manage and try to alleviate the problems and challenges associated with undesirable behaviour related to abuse of alcohol is clear, and the regular review of the CIA is welcomed.
102	anonymous	I am a licensing law solicitor. My view is that there are enough other provisions within legislation and policies to provide adequate protection in the designated areas to remove the need for the Cumulative Impact Policy. CIA's are now very rare and not often seen in town and city centres.
103	anonymous	Alcohol should be banned from on streets from strand to Castle circus and fines issued to regular abusers
104	anonymous	More enforcement is needed throughout the CIA
105	anonymous	Both areas covered by the CIA have their social issues, these manifesting at differing times of day/night and affecting differing elements of the population. In both instances the presence of alcohol and other legal and illegal substances are a primary contributory factor in disturbances and criminal activities. With these factors in mind it is imperative that the council not only use their powers under a CIA to negate impact but also put it much more stringent measures, as the ongoing norm, to deal with anti social and criminal behaviour in these areas. Zero tolerance on alcohol and drugs in the street and also those under the influence is a must to keep the majority population safe from those who choose to behave in an anti social/ criminal manner. Whilst I do agree that those with dependency issues need support, this support must be offered in appropriate venues - NOT the town centre which only seems to encourage their presence and involvement in anti social and criminal activity - and NOT at the detriment of the wider population of the town as a whole. We, who do behave appropriately, conduct our lives within the bounds of the law and make a positive contribution to our local society, as well as funding our community through payment of our taxes should not be in a position where we feel threatened, frightened or unable to visit locations for fear of becoming innocent victims to those who behave criminally or anti socially.
106	anonymous	The problem can be drink bought in shops consumed on the street, not necessarily licensed premises themselves
107	anonymous	I think all the venues by the harbour and strand area should be aloud to operating longer than [REDACTED] should be not longer than midnight. Also the Council should take care of the drug problems and homeless around town Center and surrounding areas to help the businesses and communities around this places.
108	anonymous	I think it would be naive to think this alone will help address ASB behaviour. Businesses need support. It's a whole community effort not just licensing laws that need to be implemented. This could have the adverse effect and kill business. This is only reactive and not proactive to addressing the real issues within torbay that lead to excessive drinking, poor mental health etc. Need to be more creative. Better early help support alongside these schemes.
109	anonymous	The council needs to take whatever steps are necessary to reduce the "yobbish" behavior that is contributing to making Torquay an unpleasant place to be. It is time that profit take a lower priority to safety.

ID	Name	Responses
110	anonymous	Ban alcohol from all areas of Torbay streets and parks
111	anonymous	Castle Circus needs action asap
112	anonymous	Since excessive consumption of alcohol is a leading cause of both violent and sexual offences tight licensing conditions should at least be maintained, better still made more restrictive with earlier cut off times for drinking and more prosecutions for premises that allow underage drinkers to purchase alcohol either as cans/bottles or for consumption on the premises.
113	anonymous	It can be an area that feels unsafe when walking, particularly on an evening and certainly uncomfortable and unpleasant.

Table 1: Two written responses received in response to the CIA consultation

Number	Written response received
1	<p>The [REDACTED] should be shut down immediately and the licensee fined; it is a well known fact that criminals use this venue for the sale/purchase of illegal substances - the smell of cannabis is so strong when you walk along that part of Union Street. In addition, [REDACTED]</p> <p>[REDACTED]</p> <p>All establishments which deal with the public should have their licences reviewed on an annual basis; perhaps only then will Torquay return to the once loved, safe holiday resort Agatha Christie knew. Torbay is living on the historical reputation it once held; now it has become a seedy, crime and drug ridden centre for those elements of society, i.e. the residuum who choose to live from the profits of drugs/crime. Quality tourism will not return until the authorities gain back control from the criminals.</p>
2.	<p>Having looked at the Cumulative Impact assessment areas, I would like to point out that although the Assessment covers the top of the town center including Factory Row and Union Street, this particular area is becoming a big concern for anti-social behaviour, crime and disorder.</p> <p>Whilst I do not want to see anybody lose their license, there is extra concerns from my guests and staff of that particular area where people are doing drugs and drinking to excess.</p> <p>I feel that for public safety I would like to see extra measures put in place to curb the prevention of all public nuisances in this area.</p>

Record of Decisions

Budget Monitoring 2023/24 - April to Sept 2023 Revenue and Capital Outturn Forecast

Decision Taker

Cabinet on 21 November 2023.

Decision

That the Cabinet notes the forecasted revenue outturn position and recommends that Council approves:

1. The addition of the following new projects (full details in para 8.4) to the current capital programme:
 - Paignton Academy STEPS Relocation – project totalling £1,250,000.
 - EPIC Centre X-Ray equipment –A new project totalling £150,000.
2. The provision of a £60,000 grant to the Shoalstone Seawater Pool Community Interest Company, subject to them being successful in their funding bid to the Community Ownership Fund (COF). This match funding (from reserves) will provide support towards the costs of major repairs required to the pool.

Reason for the Decision

To ensure the Council operates in a prudent manner and works to maintain a balanced budget.

Implementation

The recommendation of the Cabinet will be considered at the Council meeting on 7 December 2023.

Information

The Budget Monitoring 2023/24 report set out a high-level budget summary of the Council's revenue and capital position for the financial year 2023/24, comparing budgets with year-end forecasts.

At the meeting, Councillor Tyerman proposed and Councillor David Thomas seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

There were no alternative options considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

24 November 2023

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Meeting: Overview & Scrutiny Board/Cabinet/Council **Date:** 8 Nov/21 Nov/7 Dec 2023

Wards affected: All Wards

Report Title: Budget Monitoring 2023/24 – April to Sept 2023 Revenue and Capital Outturn Forecast.

When does the decision need to be implemented? N/A

Cabinet Member Contact Details: Alan Tyerman, Cabinet Member for Finance
alan.tyerman@torbay.gov.uk

Supporting Officer Contact Details: Ian Rowswell, Deputy Director of Finance,
ian.rowswell@torbay.gov.uk,

1. Purpose and Introduction

- 1.1. This report provides a high-level budget summary of the Council's revenue and capital position for the financial year 2023/24, reviewing budgets and considering year-end forecasts. These forecasts are based on the levels of spend and financial information at the end of quarter 2 (up to 31 September 2023).
- 1.2. The Council continues to face significant external pressures due to the wide-reaching implications of the current economic situation. The levels of cost inflation are impacting the Council across almost every single service in terms of direct cost pressures. We are also seeing an impact on the levels of income received, with many projections being below the levels budgeted. This pressure is resulting in a year end forecast for 2023/24 of **£1.3m overspend**, a £200k reduction on the forecast made at quarter 1.
- 1.3. The Capital Plan is still under review and an updated forward looking capital programme will be included within the 2024/25 budget setting papers in early 2024. Whilst this review is in progress there are some decisions required to enable progress to be made on some specific projects.

2. Recommendations

Recommendations for Overview and Scrutiny Board

- 2.1. That the Overview & Scrutiny Board notes the Council's forecasted revenue outturn position and mitigating action identified and make any comments and/or recommendations to the Cabinet.
- 2.2. That the Overview & Scrutiny Board notes the additional new capital schemes and make any comments and/or recommendations to the Cabinet.

Recommendations for Cabinet/Council

2.3. That the Cabinet notes the forecasted revenue outturn position and recommends that Council approves:

2.3.1. The addition of the following new projects (full details in para 8.4) to the current capital programme

- Paignton Academy STEPS Relocation – project totalling £1,250,000.
- EPIC Centre X-Ray equipment –A new project totalling £150,000.

2.3.2. The provision of a £60k grant to the Shoalstone Seawater Pool Community Interest Company, subject to them being successful in their funding bid to the Community Ownership Fund (COF). This match funding (from reserves) will support towards the costs of major repairs required to the pool.

3. 2023/24 Budget Summary Position

3.1. Budget monitoring has identified a number of spending pressures and is initially forecasting a total overspend at year end 2023/24 of £1.3m, broken down between Council Directorates as follows:

Service	Current Budget £m	Projected Outturn £m	Outturn Variance Q2 £m	Outturn Variance Q1 £m
Adult Services	51.424	52.479	1.055	1.020
Children's Services	50.179	51.561	1.382	1.733
Corporate and Executive Services	12.245	12.694	0.449	0.201
Finance	-11,941	-13,941	-2.000	-1.600
Investment Portfolio	-4.134	-4.134	0	0
Place	22.727	23.160	0.433	0.124
Public Health	10.430	10.430	0	0
TOTAL	130.950	132.269	1.319	1.478

3.2. Appendix 1 provides a summary of the agreed budget savings for 2023/24, showing whether these saving proposals have been achieved. Further details of the savings can be found within the published budget papers - [proposals-for-efficiencies-income-generation-and-service-change.pdf \(torbay.gov.uk\)](https://www.torbay.gov.uk/media/1000000/proposals-for-efficiencies-income-generation-and-service-change.pdf). Almost 70% of the total savings have already been achieved by this point in the year.

3.3. Delivering a mitigated and reduced overspend by the end of the year will require robust financial management and control from all services across the Council. Overspend recovery plans have been completed by each Director and will continue to be reviewed by the Senior Leadership Team.

3.4. The following areas will require particular focus over the rest of the financial year due to the level of overspends being forecast.

- Increasing costs associated with homelessness prevention activity and the provision of Temporary Accommodation.
- Cost pressures being experienced by Councils around Childrens Services Placements, including caring for Unaccompanied Asylum-Seeking Children (UASC).
- The Dedicated Schools Grant and in particular the Higher Needs Block, which is not currently shown within the table above. Spend continues to be monitored as part of the safety valve agreement in order to facilitate the future write off of accumulated deficits of over £12m.

4. Service Budgets

4.1. The table below summarises the most material variances (over £100k) currently being forecast at the end of June 2023. Please note there are other smaller variances which are not highlighted within the table below.

Service	Current Budget £m	Projected Outturn £m	Outturn Variance £m
Adults Service - Housing (Temporary Accommodation)	1.565	2.585	1.020
Corporate and Exec Service - Legal services	1.327	1.837	0.510
Children's Services – Care placements incl. UASC	20.400	22.256	1.856
Childrens – Net staffing underspend across various CS teams/services.	19.200	18.632	-0.568
Childrens – Home to School Transport	3.792	3.949	0.157
Finance – Investments and borrowing	-1.927	-3.927	-2.000
Place - Income below target across services (<i>N.b figures relate to income only</i>)	-1.289	-0.645	0.644
Place - Waste disposal	4.453	3.983	-0.470
Place - additional management fee to TCCT	0.320	0.490	0.170
			1.319

Adult Services (incl. Community and Customer Services)

4.2. Within Adult Social Care the majority of spend is against a fixed price financial arrangement (contract) for the delivery of services provided by the Integrated Care Organisation (ICO). This agreement was uplifted by £5m in 2023/24, with a further £1.1m

agreed for the following year. A new arrangement will need to be negotiated for 2025/26 onwards and activity is well underway with partners to identify actions that can reduce spend and enhance financial sustainability for the future.

- 4.3. The **£1.020m** overspend currently forecast at Q2 is within our Housing Service and predominantly relates to increasing costs for both homelessness prevention activity and the provision of Temporary Accommodation. There continues to be considerable demand in this service, fuelled by the cost of living, which is impacting significantly on clients both financially and emotionally. The main reasons for homelessness is the loss of private rented accommodation and breakdown in family relations.
- 4.4. Since 2020, there has been a 64% increase in people presenting to the local authority as homeless and a 66% increase in those being provided temporary accommodation. Compared to this point in time in 2022 there has been a 40% increase in presentations. Increasingly, families are approaching the service, and overall complexity is increasing.
- 4.5. This is combined with low availability of temporary options for individuals and family groups in need of temporary accommodation. As at the end of September 2023 there were 153 households living in Temporary Accommodation, of which 67 were families, with a significant amount of prevention activity underway to mitigate the risk of numbers significantly increasing.
- 4.6. Throughout 23/24 there has been a focus on directly purchasing and leasing property to reduce the costs associated with spot purchasing and increase the stability of accommodation options available to the Housing Options team. As at the end of September 2023 26 properties have been purchased by Torbay Council, with 21 currently occupied by families, providing 160 bed spaces. This will help to stabilise costs and allow more work to be done to prevent homelessness and support households to find more permanent housing.

Corporate Services & Executive

- 4.7. An overspend of **£0.510m** is currently being forecast within Legal Services. This is a result of the difficulties the service faces in recruiting permanent staff to meet levels of demand. This has meant the service have had to use more expensive agency staff to continue delivering legal support to services across the Council.
- 4.8. The council have struggled to compete with the salaries paid by other organisations – both within the private and public sector. The service are now applying additional market factors in the hope this will make a difference to their ability to recruit and reduce their requirements of agency workers. However, it should be noted that recruitment of legal professionals in the public sector is a national issue.
- 4.9. Within Corporate and Executive Services, there are some underspends forecast across other teams and service areas, which are partially offsetting the overspend within Legal Services.

Children's Services

- 4.10. Overall Children's Services is experiencing significant financial pressures due to extreme external forces outside of the control of the Council. An overspend of **£1.856m** is currently being forecast across care placements, despite the overall numbers of cared for children being lower than previous years. Significant shortages of suitable available placements are driving up costs within the market, with price increases since 21/22 of over 30% in residential and unregulated/unregistered placements. The legislation on unregulated placements changed in September 2022 and is resulting in further pressure on this budget into 2023/24.
- 4.11. This is exacerbated by the demand arising from the cases allocated to Torbay through the National and Regional allocation of Unaccompanied Asylum Seeking Children (UASC). Costs of placement and support are in excess of the Home Office Funding, with current financial pressures arising from UASCs estimated at £0.781m and significantly contributing to the overspend.
- 4.12. All of this means that despite the continued oversight, challenge and support from colleagues, external factors are now significantly influencing spend.
- 4.13. There is also cost pressure within the Home to School Transport budget as a result of increasing costs. This now totals **£0.157m** and relates to the existing routes.
- 4.14. Offsetting some of these pressures are underspends in staffing budgets totalling **£0.568m** Agency costs have been a significant financial pressure in recent years, but following successful recruitment and retention within the service, the total agency costs are forecast to be £2.3m this year compared with spend in 2021/22 of £4.9m. This demonstrates that Torbay Council has achieved significant improvements to influence spend where it can. We are now seeing significantly increased salary expectations within the agency market and stiff competition from other Councils that are offering increased hourly rates to stabilise their own workforces.
- 4.15. Outside of Local Authority funded activities, the schools' higher needs block in the Dedicated Schools Grant (DSG) remains under financial pressure from continual referrals for assessment for higher needs support for children.
- 4.16. The Council is part of the Education and Skills Funding Agency (ESFA) and Department for Education (DfE) Safety Valve programme, which supports councils in achieving future financial sustainability in this area. If the council can deliver on its recovery plan and achieve a balanced higher needs budget, all of the historic DSG deficit will be written off, through additional funding by ESFA.
- 4.17. Torbay Council has already received £6.193m from the ESFA in response to its recovery plan, without which the DSG cumulative deficit was forecast to be £12.963m by the end of the financial year. For 2023/24 the DSG is forecasting an overspend of £929k at quarter 2, an improved position compared with the forecast deficit within the agreed safety valve plan of £1.263m. It is of importance to the Council's future budget position that the Council delivers its recovery plan.

Finance

- 4.18. A **£2.0m** positive variance is being forecast, mainly as a result of increased interest rates, being applied on council investments. This means the Council is forecast to earn higher levels of interest on its current cash balances than was budgeted. Given the current low levels of spend on Capital projects, there is also a saving on interest payable by the Council as lower levels of spend activity means lower amounts borrowed, therefore reduced interest paid by the Council.
- 4.19. As part of setting the 2023/24 budget a few centrally held contingencies, mainly linked to pay and inflation risks, were held under finance and will be released to contribute toward known cost pressures. A total of £0.489m has been released to date, addressing specific budget pressures identified within 2023/24.
- 4.20. The 2023/24 budget was based on a 4% pay award. Sufficient central contingency is being held back to fund any increases, following settlement of the final pay award.

Investment Portfolio

- 4.21. The Council's Investment Portfolio is forecast to contribute £4.134m towards Council activity – in line with budget. The investment property reserve is in place to cover lost rent and holding costs arising from empty units.

Place

- 4.22. Within the Place directorate an overspend of **£0.433m** is currently forecast, mainly due to levels of income being lower than budgeted.
- 4.23. Planning have highlighted that projected application fee income is £0.150m below target and building regulation applications are similarly projecting a £0.050m shortfall. In addition, a shortfall of £0.060m is forecast on income from local land searches. All three of these elements reflect the challenging economic position of the country and the region.
- 4.24. An overspend of £0.100m is forecast for Torre Abbey despite admission numbers being higher than this time last year. The Paddington Exhibition and planned events/activities had some positive impact on admissions, but income from the Café continues to be below budget.
- 4.25. Income from the Garden Waste service is projected to be short of the amount budgeted, with numbers of subscribers being lower than the levels anticipated. The shortfall is forecast to be £250k, after a contribution from reserves of £150k – as part of supporting the scheme's first year of operation.
- 4.26. The reduced Directorate levels of income are expected to be offset by an underspend within the waste budget. This is currently forecast at £470k due to disposal levels and associated costs being lower than forecast.

- 4.27. An overspend of £170k is being forecast in respect of the management fee paid to the Torbay Coast and Countryside Trust for management of land leased to the Trust by Torbay Council. This provides protection and enhancement of Torbay's natural heritage for the benefit of the community and visitors. The additional fee is to provide short term support, whilst the Trust implements a number of measures to improve its financial sustainability.
- 4.28. Currently Parking Services is forecast to break even, with forecast losses in parking income offset by increases in enforcement income.
- 4.29. Torbay Council have been approached by the Shoalstone Seawater Pool Community Interest Company, requesting match funding of £60k to support a major scheme of repairs, estimated at £850k. After a positive expression of interest submission to the Community Ownership Fund (COF), the charity are now working towards submitting a full funding bid in January 2024 for 80% of these costs, so approx. £680K.
- 4.30. After accounting for matched funding from reserves and funds raised from their 'Save Shoalstone from the Waves' campaign totalling £50k, there is an estimated shortfall of £120k. They are seeking half of that matched funding from Torbay Council in the form of a one-off grant, with a similar request for £60k made to Brixham Town Council.
- 4.31. We would look to fund this £60k from reserves with payment likely to be in 2024/25.

Public Health

- 4.32. Overall Public Health is reporting a balanced position within its ring-fenced grant. A significant amount of spend relates to the provision of 0-19 services, which is expected to see increased spending pressures in future years, because of inflation.

5. Collection Fund

- 5.1. Collection rates for 2023/24 are currently slightly below forecast levels, with the rising cost of living appearing to be having an impact. We continue to explore opportunities to increase our overall collection rates, whilst supporting residents and businesses. This will not have any impact on the 2023/24 financial year and the collection fund equalisation reserve is maintained to manage any impact in the following year.

6. Wholly owned companies

- 6.1. SWISCo. has been managing the financial pressures associated with rising costs, particularly fuel and materials. However, due to movements in the international markets, the value of recycled material resale has dropped considerably and a shortfall of £130k is now being forecast. SWISCo will continue to manage these pressures with the aim of returning to a breakeven position for 2023/24.
- 6.2. TDA divisional P&L account to the end of August 2023 reported a year to date surplus of £0.168m against a budget of £0.151m. Within the TDA Group, TorVista reported a loss

at the end of Sept 2023 of £0.258m against a budgeted loss of £0.194m. A specific budget code is being established to capture the transitional costs associated with managing the transfer of TDA to Torbay Council.

7. Statement of Accounts – 2020/21 and 2021/22

- 7.1. The Council's Statement of Accounts for 2020/21 were only signed off by Grant Thornton in April 2023, despite their findings being presented to Audit Committee in December 2021.
- 7.2. The Council's Statement of Accounts for 2021/22 remain unaudited by Grant Thornton and have not been signed off by the Government's Statutory deadline. This is a national audit issue, partly due to lack of capacity in the market. At the time of writing this report, Grant Thornton had just commenced auditing the 2021/22 accounts with the aim of completing that year, before progressing to the 2022/23 accounts in early 2024.
- 7.3. The protracted statement of accounts process has continued to put significant pressure on the finance team, who continue to work concurrently on multiple financial years.

8. Capital

- 8.1. The Council is seeing extreme cost inflation in respect of its Capital projects. As a result, several schemes that are in progress are facing rising costs, which are at variance to initial business cases and forecasts. The viability of schemes supported by prudential borrowing are further impacted from the recent rises in borrowing rates.
- 8.2. The revenue outturn position for 2022/23 enabled £0.4m surplus to be transferred to a specific earmarked Capital Reserve, which will assist the Council in the re-prioritisation, and ultimate delivery, of the Capital Investment Programme. Revenue costs will be required to continue with design and feasibility work for specific schemes alongside bolstering capacity, and skills, in project delivery.
- 8.3. The Capital Plan is still under review and an updated forward looking capital programme will be included within the 2024/25 budget setting papers in early 2024.
- 8.4. Following discussion and support at the Capital and Growth Board it's proposed that the following projects are added to the capital programme.
 - 8.4.1. Paignton Academy STEPS Relocation – A new project totalling £1,250,000 for the relocation of STEP's provision (enhanced resource provision which caters for secondary pupils with ASD) to Paignton Academy. *(£500k funding to be provided by the Thinking Schools Academy Trust and £750k grant funding allocated from Higher Needs Capital Fund.)*
 - 8.4.2. EPIC Centre – A new project totalling £150,000 for the purchase of specialist X-Ray equipment. *(Fully grant funded from the Heart of the South West Local Enterprise Partnership).*

8.5. The following improved capital grant allocations has been announced since figures reported at Q1.

8.5.1. Disabled Facilities Grant -Ministry of Housing Communities and Local Government have announced further funding of £185,749.

9. Risks & Sensitivity

9.1. There are a number of financial risks facing the Council as shown below:

Risk	Impact	Mitigation
Financial sustainability and write off of the DSG Deficit	High	The Council has a recovery plan approved with the Department for Education's Safety Valve programme.
Adult Social Care funding is not sufficient to meet forecast costs.	High	The Director of Adult Social Care is developing a range of intervention activity and savings plans, in collaboration with Health Trust colleagues
High inflation rates have a major impact on both revenue and capital costs.	High	The 23/24 budget includes a higher than usual allowance for inflationary pressures, with contingencies also held for revenue and capital. A strategic review of the capital programme has commenced.
The "cost of living" economic impact on the Council's residents from higher mortgage, rent, fuel and utility costs is likely to impact on both demand for council services and may result in reduced income from council tax.	High	The Council will continue to mitigate where possible the impact on council services and support/signpost residents to appropriate support.
Collection Fund shortfall	High	Additional resources allocated to support the Revenues & Benefits team and a review of debt recovery will be undertaken. End to end processes are being reviewed.
Unable to recruit staff and need to use agency staff.	High	Work continues to identify solutions to these challenges which seem to be on a national scale.
Delivery of Children's Services cost reduction plan	High	Meetings continue to monitor the current rate of delivery against the identified actions from the Sufficiency Strategy.

Investment Property Income changes	High	The Investment Board will continue to review future leases and manage any potential break clause implications – maintaining appropriate balances within the Investment Reserve
Temporary Accommodation – increasing demand and cost pressures within the local housing market.	High	Work is underway on directly procuring and leasing property to increase the stability of accommodation options available to the Housing Options team. The Council has also increased its focus and resources on preventive work.

APPENDIX 1

Monitoring of savings appearing on 23/24 published budget papers				
Description of saving/efficiency	Directorate	£m	Achieved?	Comments
Harbour Health and Safety post to be funded by Harbours	Adults & Community	-0.050	Partial	Part achieved - 80%
CCTV - contribution from Fleet Walk	Adults & Community	-0.050	Yes	Achieved - budget adjusted
Home to School Transport	Childrens	-0.067	No	Issues flagged and budget pressure in 23/24
Reduction in agency costs	Childrens	-0.030	Yes	Savings achieved
Removal of Transformation post	Corporate	-0.060	Yes	Achieved - budget adjusted
Digitalisation within electoral services	Corporate	-0.010	No	Not yet achieved
Use of MS365 - security	Corporate	-0.020	Yes	Savings from New E365 licences - from Jan 24
Town Hall - savings from reduced usage	Place/Corporate Services	-0.100	Partial	Behind target on achieving savings
Transport post funded from capital	Place	-0.050	No	Issues flagged and budget pressure in 23/24
SWISCO efficiencies	Place	-0.250	Yes	Achieved - budget adjusted
Climate change savings offsetting borrowing costs	Place	-0.060	No	Issues flagged and budget pressure in 23/24
Increased recycling reducing costs of waste disposal	Place	-0.055	Yes	Achieved - budget adjusted
Increased income from Section 38 highways works	Place	-0.010	Yes	Savings achieved
Marketing costs to be picked up externally	Place	-0.006	Yes	Budget adjusted and no issues
Increased income from events	Place	-0.033	No	Pressures emerging at Q1
Reduce net costs of Torbay Airshow - sponsorship	Place	-0.027	N/A	Additional budget found to reverse saving
TDA to fund borrowing costs of regeneration schemes	Finance	-0.200	N/A	Additional budget found to reverse saving
Total published savings		-1.078		
Savings achieved		-0.481	45%	
Savings n/a		-0.227	21%	
Savings partially achieved		-0.150	14%	
Savings not achieved		-0.220	20%	
		-1.078	100%	

Meeting: Council **Date:** 7 December 2023

Wards affected: All

Report Title: Proposed withdrawal and dissolution of the Heart of the South West Joint Committee

When does the decision need to be implemented? As soon as possible

Cabinet Member Contact Details: Leader of the Council, Councillor David Thomas, dave.thomas@torbay.gov.uk

Director Contact Details: Alan Denby, Director of Pride in Place, alan.denby@torbay.gov.uk

1. Purpose of Report

- 1.1 This report follows a steer from a number of Constituent Authorities for proposals to be brought forward to all Constituent Authorities to consider their withdrawal and dissolution of the Heart of the South West (HotSW) Joint Committee (the Joint Committee).
- 1.2 The proposals in this report specifically relate to the Joint Committee's governance arrangements only and do not cover the HotSW Local Enterprise Partnership nor the associated HotSW Joint Scrutiny Committee.

2. Reason for Proposal and its benefits

- 2.1 Changes in Government policy over the last five years, the development of the devolution deal and forthcoming integration of the HotSW LEP into local authorities means that the purpose of the HotSW Joint Committee has largely been superseded and other existing partnership arrangements between the Constituent Authorities can deliver their aims. The HotSW Joint Committee is therefore considered to be superfluous and not adding value to the Constituent Authorities.

3. Recommendation(s) / Proposed Decision

1. That Council agrees to serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

Appendices

Appendix 1: None

Background Documents

Heart of the South West Joint Committee – establishment report to all Constituent Authorities in November and December 2017

Heart of the South West Joint Committee Governance Arrangements – 27 September 2019 and Budget Update report in October 2020

Heart of the South West Constitution and Inter-Authority Agreement

1. Introduction

1.1 In 2015 the HotSW partnership (17 local authorities, two National Parks, the LEP and three clinical commissioning groups) submitted a devolution “statement of intent” to Government and began negotiations about a devolution deal. However, following the EU referendum in 2016, devolution was no longer a government policy priority and the HotSW partnership developed a Productivity Strategy. In March 2018 the partnership formalised the arrangements to establish the HotSW Joint Committee. Following the establishment of Somerset Council, the HotSW Joint Committee Constituent Authorities are now:

- Dartmoor National Park Authority
- Devon County Council
- East Devon District Council
- Exeter City Council
- Exmoor National Park Authority
- Mid Devon District Council
- North Devon Council
- Plymouth City Council
- Somerset Council
- South Hams District Council
- Torbay Council
- Teignbridge District Council
- Torridge District Council
- West Devon Borough Council

The Heart of the SW LEP and the NHS are co-opted members of the HotSW Joint Committee.

1.2 The Joint Committee was seen a partnership vehicle to provide a single forum for local authority engagement with the Heart of the South West Local Enterprise Partnership and Government.

The specific objectives of the HotSW Joint Committee in its Terms of Reference are to:

- (a) Improve the economy and the prospects for the region by bringing together the public, private and education sectors;
- (b) Increase our understanding of the economy and what needs to be done to make it stronger;
- (c) Improve the efficiency and productivity of the public sector;
- (d) Identify and remove barriers to progress and maximise the opportunities / benefits available to the area from current and future government policy.

1.3 Since its inception, the Joint Committee’s work has worked on issues covering the HotSW area as a whole such as: Local Industrial Strategy, Coastal Productivity Plan, Housing Task Force and regional imbalances.

1.4 The Joint Committee currently has a meeting cycle of two formal meetings a year and it is directly supported by Somerset Council

The case for change

- 1.5 Changes in Government policy over the last five years, the development of the devolution deal and forthcoming integration of the HotSW LEP into local authorities means that the purpose of the Joint Committee has largely been superseded and other partnership arrangements between the Constituent Authorities can deliver their aims with reduced duplication.
- 1.6 In relation to withdrawal from/dissolution of the Joint Committee, the inter-authority agreement states that:
- *A Constituent Authority wishing to withdraw from the Joint Committee shall give a minimum of 6 months' notice in writing to the other Constituent Authority via the Administering Authority. The Constituent Authorities shall co-operate with any such request.*
 - *If two or more Constituent Authorities give notice of withdrawal from membership of the Joint Committee in the same Financial Year, the Joint Committee shall consider and make recommendations to the remaining Constituent Authorities as to the future operation of the Joint Committee and, if appropriate, recommend any necessary amendments required to the Joint Committee's functions and operating arrangements.*
- Where a majority of the Constituent Authorities at any time agree (via formal resolutions) that the Joint Committee should be dissolved or terminated on a specified date then the Joint Committee shall cease to exist from that date.*
- 1.7 In December 2022, the scheduled meeting of the Joint Committee was adjourned as it was not quorate due to low attendance by Constituent Authorities. On 27 October 2023, the scheduled meeting of the Joint Committee was also not quorate and therefore unable to proceed due to only four of the fourteen Constituent Authorities attending the meeting.
- 1.8 It is likely that proposals will be brought forward during November and December 2023 by a majority of the Constituent Authorities for their councils to agree to serve notice and recommend the dissolution of the Joint Committee on 31 December 2023.

2. Options under consideration

- 2.1 The alternative option is that the Council does not agree to serve notice and continues to be a member of the Joint Committee. However, if the majority of Constituent Authorities serve notice then the Joint Committee will be automatically dissolved. As stated previously it is considered that the Joint Committee is superfluous and adds duplication to existing arrangements.

3. Financial Opportunities and Implications

- 3.1 The Joint Committee remains completely reliant on the Constituent Authorities for its budget and there are no obvious sources of additional funding to support running costs or delivery of its work programme. Joint Committee members' costs and expenses are funded and administered by each respective Constituent Authority.

3.2 The Administering Authority (Somerset Council) holds the balance of contributions from the Constituent Authorities. The current unallocated balance is £ 43,009. If the Joint Committee is dissolved, then any outstanding balance would be returned proportionally to each of the Constituent Authorities on the same percentage basis that they made contributions.

4. Legal Implications

4.1 The HotSW Joint Committee is established under Sections 101 to 103 of the Local Government Act 1972.

4.2 The review of the role and functions of the Joint Committee has taken account of the legal framework within which the Joint Committee operates. The proposed recommendations are in accordance with the Inter-Authority Agreement.

5. Engagement and Consultation

5.1 Engagement has been undertaken with the respective Constituent Authorities.

6. Purchasing or Hiring of Goods and/or Services

6.1 Not applicable.

7. Tackling Climate Change

7.1 No specific implications have been identified in relation to the proposed recommendations.

8. Associated Risks

8.1 The key risk is continuing with the Joint Committee and duplicating the work of existing partnership arrangements without adding any value. The recommendation in this report mitigate that risk.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
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Older or younger people			There is no differential impact
People with caring Responsibilities			There is no differential impact
People with a disability			There is no differential impact
Women or men			There is no differential impact
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			There is no differential impact
Religion or belief (including lack of belief)			There is no differential impact
People who are lesbian, gay or bisexual			There is no differential impact
People who are transgendered			There is no differential impact
People who are in a marriage or civil partnership			There is no differential impact
Women who are pregnant / on maternity leave			There is no differential impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None

Meeting: Council

Date: 7 December 2023

Wards affected: All Wards

Report Title: Review of Political Balance

When does the decision need to be implemented? Immediately

Director Contact Details: Matthew Fairclough-Kay, Director of Corporate Services,
matthew.fairclough-kay@torbay.gov.uk

1. Purpose of Report

- 1.1 This report sets out a review of the political balance of the Council to ensure places on Committees and Working Parties are allocated in accordance with the relevant statutory and Constitutional requirements. The report is presented following notification that Councillors Maddison and Joyce wish to be known as members of a new group named Prosper Torbay.

2. Reason for Proposal and its benefits

- 2.1 Following notification that Councillors Maddison and Joyce wish to be known as members of the Prosper Torbay Group, the political balance for the Council needs amending.

3. Recommendation(s) / Proposed Decision

1. That Council adopts one of the options for the overall political balance of the committees as set out at Appendix 1.
2. That, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 be approved.
3. That it be noted that the political balance of the Adult Social Care and Health and Children and Young People's Overview and Scrutiny Sub-Boards of the Overview and Scrutiny Board and the Harbour Appointments Sub-Committee of the Harbour Committee remain unchanged.

4. That the Overview and Scrutiny Board be requested to review the political balance of its Review Panels.

Appendices

Appendix 1: Political Balance of Committees

Appendix 2: Political Balance of Working Parties

1. Introduction

1.1 Following notification that Councillors Maddison and Joyce wish to be known as members of the Prosper Torbay Group, this has resulted in changes to the political make-up of the Council. There are now 17 members of the Conservative Group, 15 members of the Liberal Democrat Group, 2 members of the Independent Group and 2 members of the Prosper Torbay Group. The political balance is now:

Conservative Group	17 seats	= 47.22%
Liberal Democrat Group	15 seats	= 41.67%
Independent Group	2 seats	= 5.56%
Prosper Torbay Group	2 seats	= 5.56%

1.2 The notifications have resulted in a change in the political make-up of the Council with a recalculation of seats on Committees between political groups required as a consequence. There are a number of permutations for the proportional distribution of seats on Committees and options received in advance from the Political Groups are set out at Appendix 1.

1.3 Whilst not a legislative requirement, the Council has included in its Constitution that Council appointed Working Parties will also be politically balanced. Whilst again there are a number of permutations for the proportional distribution of seats on Working Parties is set out at Appendix 2 with no alternative options put forward by the Political Groups.

2. Options under consideration

2.1 The calculations for the options set out at Appendices 1 provide political balance of Committees in accordance with the principles set out in paragraph 4.1 below. The option which is set out at Appendices 2 provides for political balance of Working Parties.

2.2 It is possible for alternative arrangements to be considered which does not apply political balance principles however in order to do this a vote needs to be taken where no councillor voted against them.

3. Financial Opportunities and Implications

3.1 There are no financial implications.

4. Legal Implications

4.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all Members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:

(a) that not all seats on the body are allocated to the same group;

(b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;

(c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of Members of that group to the membership of the authority; and

(d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that group to the membership of the authority.

4.2 As a result of the change in membership of political groups, no group holds the majority of the Council's membership. Therefore, paragraph (b) no longer applies.

4.3 The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, there are many permutations for distribution which would be proportional, and those set out at Appendix 1 have been requested to be included by the Political Groups on the Council.

- 4.4 The allocation of seats includes a statutory bar on members of the Cabinet sitting on the Overview and Scrutiny Board and a local decision to exclude members of the Cabinet sitting on the Audit Committee.
- 4.5 Political balance requirements may be dis-applied under Section 17, Local Government and Housing Act 1989 and Regulation 20, Local Government (Committees and Political Groups) Regulations 1990. Any decision to dis-apply would require no councillor voting against such a decision.
- 4.6 In respect of Working Parties, the Council's Constitution states that Working Parties considering non-executive functions will be appointed in accordance with the principles of political balance. An option for distribution of Working Parties which would be proportional is set out at Appendix 2.
- 4.7 The political balance of the Adult Social Care and Health and Children and Young People's Overview and Scrutiny Sub-Boards of the Overview and Scrutiny Board and the Harbour Appointments Sub-Committee of the Harbour Committee remain unchanged (in accordance with Paragraph 15 sub section (2) and (3) of the 1989 Act – namely the application of principle (d) outlined above).
- 4.8 The Review Panels established by the Overview and Scrutiny are classed as Working Parties and the Overview and Scrutiny Board, as the appointing body, is requested to review the political balance of these following the Council's determination of this report.

5. Engagement and Consultation

- 5.1 The Group Leaders have been consulted on the political balance calculations of both committees and working parties and they have submitted the options as set out at Appendix 1 for committees for the Council to consider.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

7.1 No impact.

8. Associated Risks

8.1 There is a statutory requirement to undertake a review of political balance following a change in the political composition of the Council. This review has been completed. Therefore, there are no risks unless members fail to determine the matter.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people			There is no differential impact.
People with caring Responsibilities			There is no differential impact.
People with a disability			There is no differential impact.
Women or men			There is no differential impact.
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			There is no differential impact.
Religion or belief (including lack of belief)			There is no differential impact.
People who are lesbian, gay or bisexual			There is no differential impact.
People who are transgendered			There is no differential impact.
People who are in a marriage or civil partnership			There is no differential impact.

Women who are pregnant / on maternity leave			There is no differential impact.
Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact.
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact.

10. Cumulative Council Impact

10.1 None.

11. Cumulative Community Impacts

11.1 None.

Political Balance of Committees

Red text indicates changes

Option 1 – Conservative Group proposal:

Committee	Conservative Group	Liberal Democrat Group	Independent Group	Prosper Torbay Group	Total
Audit Committee (excluding Cabinet Members)	4 3	3	0	1	7
Civic Committee	3 2	2	0 1	0	5
Employment Committee (to include a Cabinet member)	3	2	0	0	5
Harbour Committee	4	3	0	0	7
Licensing Committee (excluding Cabinet Member with responsibility for Licensing)	6 5	5	0	1	11
Overview and Scrutiny Board (excluding Cabinet Members)	5 4	3 4	1	0	9
Planning Committee (excluding Cabinet Member with responsibility for Planning)	5	3	1	0	9
Standards Committee	3 2	2	0	1	5
Totals	33 28	23 24	2 3	3	58

Option 2 – Liberal Democrat, Independent and Prosper Torbay Joint Groups proposal:

Committee	Conservative Group	Liberal Democrat Group	Independent Group	Prosper Torbay Group	Total
Audit Committee (excluding Cabinet Members)	4 3	3	0	1	7
Civic Committee	3	2	0	0	5
Employment Committee (to include a Cabinet member)	3 2	2	1	0	5
Harbour Committee	4 3	3	1	0	7
Licensing Committee (excluding Cabinet Member with responsibility for Licensing)	6	5 4	0	1	11
Overview and Scrutiny Board (excluding Cabinet Members)	5 4	3 4	1	0	9
Planning Committee (excluding Cabinet Member with responsibility for Planning)	5 4	3 4	4 0	1	9
Standards Committee	3	2	0	0	5
Totals	33 28	23 24	2 3	3	58

Political Balance of Non-Executive Working Parties

Red text indicates changes

Working Party	Conservative Group	Liberal Democrat Group	Independent Group	Prosper Torbay Group	Total
Airshow Working Party	3 2	2	1	0	5
Community Asset Transfer Panel (including appropriate Cabinet Member)	3 2	2	0	1	5
Corporate Parenting Board	3 2	2	0	1	5
Harbour Asset Working Party (plus external advisors and membership restricted to Harbour Committee)	3	2	0	0	5
Harbour Budget Working Party (plus external advisors and membership restricted to Harbour Committee)	3	2	0	0	5
Oldway Mansion and Grounds Steering Group (Working Party)	3	2	0	0	5
Transport and Parking Working Party	4 3	2 3	1	0	7
Totals	22 18	14 15	4 2	2	37

Schedule 5 - Scheme of Delegation of Executive Functions to the Cabinet, Committees of the Cabinet and Officers

This report is presented to the meeting of Council on 7 December 2023 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 of Part 3) of the Constitution of Torbay Council.

1. The names, addresses and wards of the people appointed to the Cabinet by the Leader of the Council are set out below:

Name	Address	Electoral Ward
Cabinet Member for Place Development and Economic Growth and Deputy Leader – Councillor Chris Lewis	Torbay Council Town Hall Torquay TQ1 3DR	Preston
Cabinet Member for Pride in Place, Culture & Events and Parking – Councillor Billings	Torbay Council Town Hall Castle Circus Torquay TQ1 3DR	Churston with Galmpton
Cabinet Member for Housing, Finance and Corporate Services – Councillor Tyerman	Torbay Council Town Hall Torquay TQ1 3DR	Churston with Galmpton
Cabinet Member for Adult and Community Services, Public Health and Inequalities – Councillor Tranter	Torbay Council Town Hall Torquay TQ1 3DR	Goodrington with Roselands
Cabinet Member for Children’s Services - Councillor Bye	Torbay Council Town Hall Torquay TQ1 3DR	Wellswood

2. The Cabinet will carry out all the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution. Executive functions will be exercised collectively unless the Leader of the Council directs otherwise in accordance with Article 6.06 of the Constitution.

Cabinet Member	Service Areas
<p>Leader of the Council</p> <p>Councillor David Thomas</p>	<p>Oversight of all areas</p> <p>Strategy and Place Leader, Regional Policy and external relations</p>
<p>Cabinet Member for Place Development and Economic Growth and Deputy Leader</p> <p>Councillor Chris Lewis</p>	<p>TDA Services</p> <p>Economic Growth, Development Management, Strategic Planning (excluding Transport), Building Control, Tourism, Harbours, Beaches and Climate Emergency</p>
<p>Cabinet Member for Pride in Place, Culture & Events and Parking</p> <p>Councillor Billings</p>	<p>SWISCo Services</p> <p>Culture & Events Transport and Parking</p>
<p>Cabinet Member for Housing, Finance and Corporate Services</p> <p>Councillor Tyerman</p>	<p>Housing, Finance, Procurement, Debt Recovery, Council Tax, Business Rates, Legal, IT, Business Improvement and Change, Libraries, Coroner, Emergency Planning, Health and Safety, Policy, Performance and Community Engagement, Governance, Human Resources</p>
<p>Cabinet Member for Adult and Community Services, Public Health and Inequalities</p> <p>Councillor Tranter</p>	<p>Adult Social Care delivery Adult Social Care Inspection regime Market Management</p> <p>Customer Services Housing Standards Housing Options Anti Social Behaviour and Vulnerability</p> <p>Public Health Improvement Health Protection Equalities (Directorate crossing)</p>
<p>Cabinet Member for Children's Services</p> <p>Councillor Bye</p>	<p>Children's Social Care Education Youth Justice</p>

3. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
4. The Leader of the Council has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council's Standing Orders in relation to the Cabinet.
5. So far as the Constitution requires officers to consult with "the relevant member", the areas of responsibility of the Cabinet Members are as set out paragraph 2 above.