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Dear Member

COUNCIL - THURSDAY, 5 DECEMBER 2024

I am now able to enclose, for consideration at the Thursday, 5 December 2024 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
8.	Members' questions	(Pages 3 - 22)

Yours sincerely

June Gurry
Clerk

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Meeting of the Council, Thursday, 5 December 2024

Members' Questions Under Standing Order A12

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

First Round

Question 1

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

I understand that the Friends of Oldway offered funds raised via the former tea rooms to help with the upkeep of Oldway, eg the fixing of the roof in the tea rooms. Why was this offer not taken up?

Answer to Question 1 provided by Councillor Chris Lewis

The offer of a financial contribution towards the roof repairs of the tea rooms was very well received. Members will be aware that there is significant works to undertake and the order and extent of these needs to be considered carefully as a programme rather than individually. As such we are not able to undertake piecemeal works of this nature. Planning and other stakeholders need to be engaged with and there is a need to look more comprehensively at the full repairs required. As it happens due to the condition of the spaces in question, they are currently unsafe to access and therefore other more significant works need to take place before we can access this space.

Question 2

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

Can the Cabinet Member for Place Development and Economic Development provide an update as to progress made to re-open Preston North and Corbyn Head toilets as promised in their 2023 election manifesto?

Answer to Question 2 provided by Councillor Chris Lewis

In July 2023 Cabinet agreed to proceed with seeking planning permission to support disposal of the sites and committed that future owners would be required to provide public toilet provision. Officers are looking into schemes that would be attractive to potential buyers.

Question 3

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

Can the Cabinet Member for Pride in Place, Transport and Parking please tell us what actions he has taken to get us closer to restoring a full bus service to the Fowey loop in Shiphay?

Answer to Question 3 provided by Councillor Billings

The majority of bus routes in Torbay are not commercially viable. Hence, their existence relies on public subsidy, either from central government financed by general taxation or by local government financed by Council Tax receipts.

One such non-commercially viable service was the Stagecoach route 35A/35C. From 28 May 2023, Stagecoach made the decision to divert this service away from Fowey Avenue, citing time saving and poor use as the reason for the timetable change, with numbers boarding and alighting at stops at 55% of pre-Covid levels.

In response, Torbay Council has worked with other operators. While more limited in terms of provision, the alternative services which have come forward have helped to mitigate for the loss. Torbay Buses have changed the days and times of its Sainsbury's shopper's routes SB1-SB6, with the SB6 service now routed via Fowey Avenue. The SB6 service provides connections to The Willows, Torbay Hospital, and Sherwell Valley. It operates Monday's, Wednesday's and Thursday's 3 times a day. In addition, the Country Bus 149 service provides connections to Marldon and Totnes. It operates 4 services in each direction Monday-Friday. However, this provision does mean there are no services on Saturday or Sunday's, or in the early morning or evening hours.

We know that central government have announced an increase in the revenue grant for Torbay. However, central government has not yet provided the full the details of that funding. Our current understanding is that the funding may be 1 year funding only. We are evaluating how best to invest that so that we avoid a repeat of the situation where we face service cuts and reductions because longer term funding is not available.

Our Bus Service Improvement Plan sets out the importance of ensuring bus services connect to our wider community and we are endeavouring to achieve the best outcomes we can in that regard across the whole of Torbay within the funding envelope.

Question 4

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

Does the Council have an estimate of how many Pensioners there are in Torbay who are eligible for Pension Credit but do not claim it?

Answer to Question 4 provided by Councillor Tranter

The information we have comes from Council Tax Support records. A person is eligible for pension credit if they are of state retirement pension age and have income less than their “applicable amount”. The applicable amount is the weekly needs allowance set by Parliament. The difference between actual income and the applicable amount should be the weekly Pension Credit entitlement.

There are at least 686 pensioner households in this category, but this number does not include the unknown number of people who have not claimed Council Tax Support.

We are writing to households to encourage them to apply for pension credit. We also would encourage everyone to check if they are eligible for Council Tax Support.

Question 5

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

How is Torbay Council working with local advice agencies (such as Disability Support Torbay; Citizens Advice and Age UK Torbay) to help residents apply for benefits they might be entitled to?

Answer to Question 5 provided by Councillor Tranter

Torbay Council works closely with a variety of Voluntary Organisations, and funds them to provide support for people to apply for the benefits to which they are entitled. Adult Social Care directly funds Citizens Advice, and other organisations via a range of grants and funded posts. These services are wholistic, offering support for what people need, but have support to maximise income and access benefits at their core.

These funds were used by local organisations to run services and fund staff.

We have also done a recent communications campaign to encourage people to claim Pension Credit.

Question 6

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

What 'warm spaces' will Torbay Council be providing for residents this winter, and how will the council be working with other organisations to also provide 'warm spaces'?

Answer to Question 6 provided by Councillor Tranter

Warm Spaces proposals are currently being finalised, with the intention of opening six Warm Spaces before Christmas. Under these proposals, funding will be allocated to three warm spaces in Torquay, two in Paignton and one in Brixham. These will, at a minimum:

- Provide advice support, a hot drink and snacks and located in the areas where they are most needed.
- Provide practical support to apply for pension credit and other benefits.
- Be located in places where they are accessible by public transport.
- Open a minimum number of hours.
- Sign up to a Warm Spaces Agreement, including basic data collection and communication requirements.

£20,000 will be allocated to Torbay Communities to administer funds, agree locations with the Community and Voluntary Sector and establish/advertise the Warm Spaces as quickly as possible.

Finally, our Library Service, provided through Libraries Unlimited is committed to the Warm Spaces initiative and has an active offering that started in October in all our libraries. This includes, amongst other beneficial offers, breakfast clubs at Torquay Library, sponsored by Wilmot Dixon, our regeneration partner.

Question 7

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

When does the Council plan to re-line the parking spaces at the Crown and Anchor car park in Paignton?

Answer to Question 7 provided by Councillor Billings

As they were not identified as a political priority in previous administrations, Road Safety markings have previously suffered from insufficient funding. This meant very little line-marking work was undertaken within Torbay and hence as the Cabinet member responsible for this area I have inherited a considerable backlog of work.

Following the election in May 2023, work has been undertaken to deliver on the manifesto commitment of increasing road safety. Using funding made available by the Brighter Bay initiative since April 2024, SWISCo have since been able to: (i.) purchase a new 12.5 tonne line-marking lorry; (ii.) recommission the original line-marking trailer which had been mothballed due to mechanical failure; and (iii.) recruit a highly skilled and experienced line-marking team.

The team have been working hard to address the inherited backlog. This year the team have delivered new Road Safety markings on over 8,000 metres of road. This work has been prioritised by the marking's contribution to road safety. Hence school markings, speed restriction markings and zebra crossings are all examples of high priority works.

Once these works have been completed, we will have the opportunity to focus on advisory line-markings which have a less pronounced safety impact, including those line-markings in our Torbay Council car parks.

The current rate of progress achieved by our in-house line-marking team is such that we should be able to move to tackle advisory line markings by calendar year 2026. That said, in order to maximise the efficiency of the team, whilst the team is in one geographic location other works may be undertaken as appropriate in the view of the scheduling manager. Therefore, we may well be able to undertake these works sooner at some point during 2025 but at this stage it is too early to say.

Question 8

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

When does the Council plan to re-line the parking spaces at the Shedden Hill car park in Torquay?

Answer to Question 8 provided by Councillor Billings

I refer to my answer to Question 7. Shedden Hill car park in Torquay and Crown and Anchor car park in Paignton are in the same group of work and hence the same time periods apply.

Question 9

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

A pedestrian crossing on Lymington Road in Torquay has become very faded on the road. When might this crossing be refreshed?

Answer to Question 9 provided by Councillor Billings

As they were not identified as a political priority in previous administrations, Road Safety markings have previously suffered from insufficient funding. This meant very little line-marking work was undertaken within Torbay and hence as the Cabinet member responsible for this area I have inherited a considerable backlog of work.

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SWISCo have also been able to deliver new Road Safety markings on over 17,000 meters of road via external contractors undertaking overnight works. This work has primarily focused on the major routes in the Bay as these routes are most suitable for types of specialist equipment the external supply chain most typically uses.

This approach was discussed during the most recent cross party Cabinet Road Network and Travel Working Party on 10th October 2024 and received endorsement from Members in attendance.

There is now a system in place whereby any Council or SWISCo service requiring line marking or identifying issues are able to log the work with the Highways team. These works are then coordinated and grouped to create a work programme that delivers best value in terms of the resources available yet is also reactive and flexible to accommodate urgent works and disruption caused to the programme through unforeseen circumstances such as 3rd party road works. In order to maximise the efficiency of the team, whilst the team is in one geographic location other works may also be undertaken as appropriate in the view of the scheduling manager.

As a result, I currently expect the pedestrian crossing on Lymington Road in Torquay to be refreshed some time in 2025.

Question 10

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

A Town Centre Manager in Torquay could help traders coordinate activities, help with promotion of the high street and with many other things - even encourage businesses to take part in the MyBay scheme. Why did the current administration not proceed to give the go ahead with the proposal for a Town Centre Manager as budgeted for by the previous Liberal Democrat/Partnership administration?

Answer to Question 10 provided by Councillor Chris Lewis

The role of the Town Centres Manager has been scoped by Cabinet Members with the Divisional Director of Economy, Environment and Infrastructure. Preparations for recruitment are well underway and the role will be advertised in January 2025.

Question 11

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

Many residents have been left frustrated, unable to progress applications for Controlled Parking Zones whilst a new CPZ policy is being reviewed. Residents of York, Westbourne, and Rowley Roads have been left in limbo, unable to solve parking problems whilst waiting for over two years for this policy. The new policy was discussed at the Transport and Parking Working Party in February but has still not been ratified, could it be confirmed with a fixed date when this will happen?

Answer to Question 11 provided by Councillor Billings

The CPZ policy will be ready to publish following completion of the Equality Impact Assessment which will be by end of the month.

Question 12

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

Following the fatal crash on the A379 between St Marychurch and Maidencombe, and several other crashes over recent weeks. What action is the Council taking to make-safe this dangerous section of road?

Answer to Question 12 provided by Councillor Billings

Every fatality on Torbay's network is a tragedy. That is why as Cabinet member I have been determined that our Council should fully engage in the Vision Zero South West project which has as its ambition to cut road deaths to zero by 2040.

The fatal collision on the A379 referred to is subject to an ongoing Police investigation. However, at this stage there is no indication that either road layout or excess speed were likely causes.

This section of the A379 has been subject to a number of improvements in recent years including improved signage and high friction surfacing in various locations. The Police, through Vision Zero South West, are also aware of community concerns and have been requested to include this as a targeted speed enforcement area.

Collision data across Torbay is monitored and analysed on an annual basis, following validation by the Department for Transport. Any collision cluster sites are reviewed for potential further engineering or enforcement interventions. This route did not appear as a cluster site in the most recent review.

Question 13

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

In light of the recent 500% increase in the bus grant. How does the council plan to consult further with our communities to enhance our bus services across the bay?

Answer to Question 13 provided by Councillor Billings

I would like to thank the Councillor for his question drawing attention to the need to provide the best possible bus services across the bay given how important these services are to our community.

This is why I was pleased that this administration has been able to increase the financial subsidy that Torbay Council provides to bus services through the base budget by almost 50%. Indeed, the funding of £150,000 per annum which was provided to subsidise bus services under the last administration, has been increased to £220,000 per annum under this administration. I was also pleased that this administration was able to secure £7.1 million from the previous government so that Stagecoach can provide a new zero-emission bus fleet for the bay.

I am similarly pleased that the funding Torbay Council receives from central government in the form of the annual revenue grant has now under the new government been increased by approximately 50% from circa £400,000 to circa £600,000, with additional capital funding of approximately £1.5m.

The full details of the funding from the new government are not yet known and I have written to our Members of Parliament asking when further information will be provided. We currently believe that the capital funding is 1 year funding only.

We are currently evaluating how best to spend the funding award to deliver our priorities as set out in our Bus Service Improvement Plan. As such, the priorities of that plan are being assessed and costed, working with our partner operators, so we can better understand what can be delivered within the funding envelope. We also want to try and avoid a repeat of the situation where we face service cuts and reductions because longer term funding is not available.

Any assistance our local Members of Parliament can provide to confirm whether the capital funding is just 1 year funding or whether it will be repeated in future years would be appreciated.

Second Round

Question 14

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

Can the Leader of the Council please itemise precisely the spend in promoting My Bay and what the full-time equivalent is for officer time in administering/promoting the initiative?

Answer to Question 14 provided by Councillor David Thomas

Advertisement/ Marketing	Comments/ Additional Information	Cost
Torbay Business Forum Breakfast Event on 3 Sept	Cost of attending the event for 1 person	£ 15.00
Riviera Connect Expo on 17 Oct	Total cost of two exhibition stands for TC at the expo split equally between the six initiatives incl. My Bay	£ 99.50
Marketing flyers for businesses	500 flyers at £48 2000 flyers at £137	£ 185.00
Marketing flyers for residents	2000 flyers	£ 137.00
Pull up banners	2 banners at £70 each	£ 140.00
Radio ads - Greatest Hits Radio Devon	Traditional airtime 12/09 - 20/10	£ 2,494.04
Torbay Weekly Newspaper Article	Page 3 - prime spot - full page, combination of articles and ads - 10 October 2024	£ 400.00

Administering and promoting the scheme = 1 FTE.

The scheme manager has been recruited and will start in post on 14th December.

Question 15

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

Can the Cabinet Member for Tourism, Culture & Events and Corporate Services please provide members with a detailed breakdown of the English Riviera Air Show budget?

Answer to Question 15 provided by Councillor Jackie Thomas

Total income including exhibitors and sponsorship £206,567 plus £100,000 Council budget

Total Expenditure £277,098. Cost to the council is £70,531. Which is £29,469 under budget.

Total Cost/Budget

Income and available budget	Actual 2023	Actual 2024
Exhibitors, traders, fair, bars and caterers	£57,375	£103,484
Ticketing and sales -programme, parking, seating etc	£9,762	£33,917
Sponsorship and partner support	£33,750	£61,750
Friends of Patrons and donations	£2,712	£7,416
Hospitality	£1,000	£0
Torbay Council allocation	£120,000	£100,000
Total income and council allocation	£224,599	£306,567

Expenditure	Actual 2023	Actual 2024
Flying assets	£67,850	£80, 890.91
Other flying costs (Display Dir., CAA, airport, insurance)	£36,622	£38,324
Accom. and subsistence (pilots and aircrew)	£9,618	£9,289
Other contractor costs	£2,098	£1,544
Hospitality (volunteers, dignitaries)	£5,947	£1,965
Traffic Management	£12,517	£9,953
Waste inc. litter picking (Swisco)	£7,651	£9,863
Health and safety (First aid, paramedic, SWAST)	£14,603	£7,774
Harbours and maritime (crewed support vessels)	£2,560	£3,398
Security and stewards, CCTV	£25,105	£24,760
Licensing	£0	£687
Sundries	£1,447	£946
General site costs	£816	£690
Structures (marquees)	£6,413	£7,514

Accessibility	£368	£0
Power	£11,155	£9,671
Water	£450	£0
Fencing, trackway etc	£4,083	£1,362
Toilets and cleansing **	£5,608	£10,094
Technical – I.T. (phones, internet)	£3,957	£2,314
Technical – Sound (P.A. POD)	£13,283	£12,400
Marketing and Comms inc. print and banners etc	£28,816	£16,682
Ground activities	£5,010	£1,410
Stage costs (stage, tech, acts, staff)	£0	£18,635
Merchandise and equipment	£0	£145
Project delivery inc. paid for advice and support	£40,000	£6,200
Other expenses - Civic reception for volunteers	£0	£588
Total expenditure	£305,977	£277,098

Question 16

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

Does the Council have an estimate of how much income it is losing in parking fees and enforcement due to parking spaces in car parks needing to be relined?

Answer to Question 16 provided by Councillor Billings

I would like to thank the Councillor for drawing attention to the important investment this administration is making in line-marking, both to provide important Road Safety markings and to provide advisory line-markings in our car parks.

My team of Parking Enforcement Officers and I are clear that enforcement for non-payment of pay and display fees and overstays continues regardless of any line marking.

However, I am aware that in some locations and in some circumstances the Council has been unable to issue tickets for inappropriately parked vehicles because of the faded state of the lines. This is, alongside my concerns over road safety generally, is why I was so concerned to inherit such a very considerable backlog of line-marking.

I am advised the Council does not capture data on tickets which have either (i.) not been able to be issued in the first place; or (ii.) have been successfully appealed, because a Parking Enforcement Officers did not consider the lines to be sufficiently visible. As a result, I am unable to provide any estimate for the lost income.

I am pleased that the current rate of progress achieved by our in-house line-marking team is such that we should be able to move to tackle advisory line-markings by calendar year 2026. That said, in order to maximise the efficiency of the team, whilst the team is in one geographic location other works may be undertaken as appropriate in the view of the scheduling manager. Therefore, we may well be able to undertake some of these works sooner at some point during 2025 but at this stage it is too early to say.

Question 17

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

It has become clear that important Council decisions have been made in Torbay without sharing with other elected councillors e.g former Crossways Shopping Centre becoming a temporary surface level car park, please can you explain why?

Answer to Question 17 provided by Councillor David Thomas

The Council has in place a variety of arrangements to ensure there is communication flow between Officers and elected Members. The following arrangements are used to ensure matters are given due consideration and dissemination:

- Written Officer briefings to ward Councillors on pertinent issues and topics affecting their wards.
- All Member Briefings.
- Council Leadership Group, where Group Leaders and their deputies attend, along with Senior Council Officers.
- Fortnightly 1:1's with Group Leaders and the Chief Executive. During these meetings, Group Leaders can request briefings on specific matters.
- Working Parties.
- Leaders' 1:1 sessions are also offered, but are not currently utilised.

As the Councillor will be aware, there is no requirement of Torbay Council, as the landowner, to consult on this specific operational matter. With the delivery of over 700 services every single day, it is impossible for all operational issues to be communicated, however, we do seek to identify key operational issues and communicate these. We are re-enforcing the need for this with all teams.

As with any regeneration site the Council can use this area for whatever meantime use we deem to be useful and socially necessary. An emerging issues paper on the subject was shared with Council Leadership Group in April, highlighting the need for additional temporary car parking in Paignton. Subsequently, two briefings papers were issued on both the specific and overarching temporary parking arrangements in Paignton.

The Council's Cabinet Capital Working Party is a particular meeting I would highlight and is one where this subject was discussed on 17 October this year. All elected

Members can attend these meetings, and Councillors may wish to do so, especially where there are matters of interest on the agenda. Members can contact the Governance Team to obtain dates of future meetings, if they have not already done so.

The Terms of Reference and Membership for the Cabinet Capital Working Party are:

‘To receive detailed briefings on capital projects, to ensure Members have up to date information on key capital projects and be aware of upcoming project milestones and future Council decisions related to the overall Programme and to allow officers to seek Members views (individual and collective) on certain project elements where options are available.’

The Membership is as follows:

3 Conservatives (to include the Cabinet Member for Finance (who will Chair the meetings)) Councillor Tyerman plus Councillor Chris Lewis and Tolchard

2 Liberal Democrats – Councillors Long and Carter

1 Independent – Councillor Cowell

I would add, that if there remains an issue on which a Councillor would want further information in the future, that they can raise this with their Group Leader who can then determine to take it as an item for discussion at the next Councillor Leadership Group meeting or during their fortnightly 1:1s with the Chief Executive.

Question 18

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

What preventative action is the Council taking to ensure that Christmas trees are not fly-tipped at the coach station in Torquay after Christmas?

Answer to Question 18 provided by Councillor Billings

This Christmas SWISCo will again be partnering with Rowcroft Hospice to promote a Christmas trees recycling service which also supports a local charity. Nearer the time there will again be a full media campaign to explain this recycling service to our community.

I can confirm Christmas tree collections will be taking place at both the Town Hall Car Park, Torquay and Brixham College, Brixham on Saturday 4th and Saturday 11th January 2025.

I am aware that in the past Christmas trees have been left outside of these dates at Lymington Road Coach Station. SWISCo will put signs at this location and Town Hall Car Park as per previous years, reminding residents that trees are not permitted to be left on days or at locations where the collections are not taking place.

With SWISCo's deployment of the new Neighbourhood Enforcement team we will be actively monitoring the Coach Station and other locations. If fly-tipping does occur SWISCo's average fly tipping response time is less than 24hrs.

I welcome additional suggestions of alternative or additional measures.

Question 19

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

I was shocked to hear the news of the proposed closure of the Paignton town centre main Post Office. This Post Office is crucial to the local businesses and residents. This Post Office can be used for banking, which is increasingly important as the banks that are still in Paignton are not open very long in the week and hardly any on Saturdays. This Post Office is also useful for so many other things such as road tax, passport checks, foreign exchange and sending parcels, to name just a few. It would be inconvenient and tragic to lose this main Post Office.

What engagement with the Post Office has the Council undertaken to try to stop the closure of such a vital asset?

Answer to Question 19 provided by Councillor David Thomas

To date the statement from the Post Office about their transformation plans does not name Paignton town centre Post Office as being designated for closure. However, the Press are reporting that this office is under threat of closure following a speech by the Post Office's Chairman along with a list of other offices. As the Ward Councillor, Councillor Carter has rightly taken the action available to her to represent her residents. I have signed the petition that former MP Kevin Foster is compiling to show the community backing for keeping this office open.

Torbay Council will be responding formally to any consultation that the Post Office undertakes on this matter in support of keeping this important community facility open.

Question 20

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

Does the administration agree with the Deputy Police and Crime Commissioner that car parking should be free to attract people into our town centres?

Answer to Question 20 provided by Councillor Billings

As the Cabinet Member I wholeheartedly agree that in an ideal world car parking should be free to attract people into our town centres. However, because we do not

live in an ideal world, in practice offering free car parking to attract people to town centres presents both benefits and challenges.

Free parking should attract increase footfall and boost local businesses by attracting more shoppers and visitors and attract longer stays. However, it would also significantly reduce income which is used to maintain off and on street parking including multi-storey carparks. This lost income would have to be made up from somewhere and it is most likely that Council taxes would rise and other critical services could be reduced. I do not believe our residents want us to raise Council taxes to subsidise car parking in our town centres. I note all previous recent Torbay Council administrations likely reached the same view, as had they thought differently, they could have implemented alternative policies.

Free parking could also increase traffic congestion, make it harder for people to find parking spots and discourage use of public transport thereby increasing carbon emissions in our town centres. There is also a risk that users might take advantage of free parking for long-term or non-shopping purposes, reducing availability for shoppers.

Balancing these benefits and drawbacks is crucial when considering parking policies. This is why this administration is pursuing a balanced and sustainable approach which includes: (i.) discounted parking for residents in all Torbay Council car parks through the MyBay resident's card which offers up to a 50% discount; (ii.) discounted parking in December in our main town centre car parks; (iii.) annual permits; (iv.) improved public transport; and (v.) electric vehicle parking and charging solutions.

Regarding the MyBay residents card, as Cllr Virdee you yourself run an important local business in Torquay town centre I really hope you will consider signing your business up to the scheme if you have not done so already.

Question 21

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

Regarding the Sladnor Park pre-application in Maidencombe, developers have suggested they met with the Leader of the Council around the 2nd of October, prior to the all-member briefing on the 17th October. It was implied that the leader was supportive of this development. Could it be confirmed whether support for the Sladnor Park development was given, and that this meeting complied with the LGA guidance, Probity in Planning?

Answer to Question 21 provided by Councillor Chris Lewis

No support for the Sladnor Park Development was given to the Developers by Cllr Thomas.

Cllr Thomas met with 'Meeting Place' on 2nd October when he discussed the planning process they were involved with.

They explained how they would be organising a residents community event, then engaging with Councillors and the Design Review Panel BEFORE they submitted a planning application to the Authority.

He confirmed that they seemed to have a strategy in place, and I welcomed the reasoning in early engagement with the local residents, local councillors, Planning Committee briefing and Design Review as this gave them an opportunity to take on board and ensure that any changes they were minded to bring forth could be included within a planning application that they submitted.

Question 22

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

The benches outside St Margaret's Academy in St Marychurch has fallen into a state of disrepair, with no clear funding to repair or replace it. A new bench policy has been suggested as a solution, could it be advised how close this policy is to being brought into effect and when it is likely to be so?

Answer to Question 22 provided by Councillor Billings

The benches referred to have recently been assessed by SWISCo and are considered safe to use. SWISCo are happy to work with both community and volunteer groups to provide tools and paint if required which would improve their visual appeal and contribution to the townscape.

Alternatively, should new replacement benches be instead considered to be a local priority within the ward by Councillor Harvey or others, there are two clear funding options in place. These are: (i.) the Memorial Bench policy; and (ii.) Community Ward Fund.

The Memorial Bench policy is adopted and SWISCo are aiming to advertise this in January 2025 and begin contacting those on the waiting list. The scheme will provide an information leaflet to the public, a sample of agreed bench styles, a new memorial plaque design and printing service, with clear timelines from dedication to installation of the new bench.

In accordance with our May 2023 manifesto commitment, each Councillor on Torbay Council has access to the Community Ward Fund of £2,000 per annum to spend in their ward. Many Councillors choose to spend these monies on repairs to important public facilities in their wards such as benches.

For example, my ward colleague Councillor Tyerman and myself conduct regular audits of the facilities in our Churston and Galmpton ward. Following one of these in March 2024, Councillor Tyerman allocated a total of £1,425 from his Community Ward Fund to repair a total of 7 benches including those at Fox Tor in Hookhills (1 bench); at Hookhills Community Centre (3 benches); at Cherrybrook Square (2 benches); and at the green near the top of Broadsands Park Road (1 bench).

I would encourage Councillor Harvey to give consideration with her ward colleagues to using the Community Ward Fund for this purpose should a memorial bench not currently be requested in this location. This is particularly the case when across the three St Marychurch Councillors over the lifetime of their likely current term of office they will have likely received a total Community Ward Fund allocation of £24,000.

Question 23

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

"Tired, malnourished and cold" that's how one head teacher at a primary school in Torbay described some of her pupils at a recent visit. What is Torbay Council doing to support youngsters in need in Torbay?

Answer to Question 23 provided by Councillor Bye

Torbay Children's Services have a duty to support those families in need that meet that statutory threshold as defined within section 17 of The Children Act 1989. Alongside this Children's Services also deliver support via targeted support services and those families who would benefit from early help and support. Within this year we have supported several families through not only the Children's Services section 17 budget but also through a number of associated government funding schemes.

Within the Family Hubs we run a number of sessions with colleagues across the Council to support our families with challenges due to the cost of living and the impact this is having on families within our communities. In June 2023 we set up Cost of Living Surgeries in each of our Family Hubs in each of the three towns. These are run by the DWP and housing officers due to the interdependencies between these two areas of need and take place monthly in each of our 3 hubs. In June of this year the number of sessions were increased in numbers due to the number of families accessing the support. Between May and September of this year we have supported 61 families who were in crisis.

Through the Family Hubs we also support families to access food vouchers as part of the funding which is through the Household Support Fund. To date we have spent £69,060 supporting 1,881 families. Torbay has also supported 286 families as part of the Supporting Families Programme

Alongside the Early Help offer to families we have also supported 31 16/17 year olds who were at risk of street homelessness.

As part of our statutory duties, in this financial year, we have supported 471 children post assessment as part of our duties under section 17 of the Children Act 1989 (last financial year 502 children) and spent £353,523 year to date, from a base budget of £480,000 budget. We have received 4,074 contacts to the MASH in this financial year of which 25% reach the statutory threshold for intervention and 25% were

redirected to Early Help. On average schools refer 18% of all referrals to children social care services.

Third Round

Question 24

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

In the Autumn of 2022, the then Leadership of the Council asked that Debenhams be demolished to reduce the business rate liability payable by the Council.

Please can you confirm how much has been paid to date in business rates since October 2022-2023, 2023-2024 and for 2024-25? In addition, any other costs incurred since October 2022 such as security and any other bills?

Answer to Question 24 provided by Councillor Chris Lewis

Presently, Business Rates continue to be payable on both Debenhams buildings. Across the three financial years 22/23, 23/24 and 24/25 these total:

10/10A - £74,100

12/14 - £224,000

In relation to 12/14 The Strand, we have an on-going appeal with the Valuation Office Agency (VOA) to have the property removed from the Rating List. The VOA follow a protracted Check, Challenge and Appeal process. Our grounds for appeal are based on the building being un-occupiable because of the presence of asbestos and the general level of disrepair. The appeal was back dated to 1st April 2023. The VOA have experienced a huge back log of appeals, with many errors and delays being experienced. In February 2024, we finally received notification the appeal had been lodged. We have not yet had confirmation as to the success of the appeal, however, given our grounds, we are hopeful it will be successful. The Business Rates position would therefore be backdated to April 2023.

Other holding costs for Debenhams units including utilities, building security, repairs and maintenance, emptying remaining debris etc are as follows:

22/23 - £25,806

23/24 - £24,953

24/ 25 - £1,652 (posted on FIMS to date)

Question 25

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

What scrutiny takes place by Torbay Council of Leasehold charges levied by Housing Associations and paid for by Housing Benefit on behalf of Torbay tenants to make sure that such charges are correct thus ensuring that public funds are protected?

Answer to Question 25 provided by Councillor Tyerman

We are not aware that this is an issue in Torbay.

Certain charges can be covered by Housing Benefit if paying them is a condition of occupying the property. This is governed by Housing Benefit Regulations. Housing Associations will have a leasehold holder policy that sets out leasehold functions and rights – this will be set at a corporate level. Leaseholders have certain statutory rights but the majority of the terms of their lease are determined within the individual lease agreement and so there is no role for the Council in this.

Leaseholders can refer any disputes or appeals to a First Tier Tribunal, which means that there is minimal influence available to the Council. There is a Leasehold and Freehold Reform Bill going through the House of Lords.

Question 26

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

Several residents within the St Marychurch Ward have concerns with regards to Next Steps properties being occupied beyond the maximum advised two-year tenancy. Could you kindly advise, across Torbay, what number and proportion of Next Steps tenants have become stuck, staying longer than the two-year period?

Answer to Question 26 provided by Councillor Tyerman

I am unable to release this information due to the small numbers of people involved – this would mean individuals could easily be identified and it would breach our statutory duties under data protection legislation.

Question 27

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

Earlier this summer I was assured that the public open space that is currently fenced off to the rear of Kingsley Avenue and Darwin Crescent would shortly be opened to the public. What clear date does the council have to open this green space?

Answer to Question 27 provided by Councillor Billings

I would like to thank the Councillor for the opportunity to again set out the progress this administration is making in improving the robustness of our Council by putting in place necessary capacity to deliver for our residents.

In my answers to questions 7, 8, 9 and 16 I referred to how our administration was addressing the under investment in Road Safety markings and that we now had a highly effective in-house team that was working through a substantial inherited backlog of work. The same is true in legal services. We have been recruiting for additional legal expertise to put in place necessary capacity to support front line services and our regeneration of Torbay.

The public green space to the rear of Kingsley Avenue and Darwin Crescent is being delivered by the land being transferred from the current owners Cavanna to the Council and hence there is a need to go through the conveyancing process.

Delays have also been caused because the vendor's solicitors initially provided incorrect "office copy entries" for the Land Registry Title and consequently an incorrectly drafted Transfer. We did revert to them accordingly and await a correctly drawn draft transfer.

The public interest in resolving this matter is fully understood and the relevant Officer in the Council is following up on this matter at regular intervals. However, at this stage as the matter also requires involvement by third parties, I am unable to give a date by which the transfer will be completed and hence when the public will have access to the green space.

Finally, the question quotes assurance that the public open space that is currently fenced off to the rear of Kingsley Avenue and Darwin Crescent would shortly be opened to the public. If I could be provided with a copy of such assurance separately, I will look into it. While that response will have been provided with the best intentions, from the way it has been relayed I feel we could benefit from reconsidering whether there was too much enthusiasm given to provide a date when it was not entirely in our gift as a Council to do so given certain matters which were required to happen were outside of our control. I would like to look into this.