

Minutes of the Overview and Scrutiny Board

6 November 2024

-: Present :-

Councillor Spacagna (Chairman)

Councillors Cowell, Douglas-Dunbar, Fellows, Foster, Hutchings, Johns, Law, Long and Tolchard (Vice-Chair)

(Also in attendance: Councillors Billings, Brook, Bye, Barbara Lewis, Chris Lewis and Tyerman)

27. Apologies

Apologies for absence were received from Councillors David Thomas and Jackie Thomas who were represented by Councillor Chris Lewis.

28. Minutes

The minutes of the meetings of the Board held on 2 and 8 October 2024 were confirmed as a correct record and signed by the Chairman.

29. Safer Torbay Annual Review

Safer Torbay (Torbay's Community Safety Partnership) Overview

Victoria McGeough, Partnership Lead Manager, Torbay Council presented the submitted overview report which provided an update on the following work of Safer Torbay:

- Strategic Assessment
- Prevent
- Modern Slavery

In response to questions, Members were informed that there are clear pathways of support in place for young people who were at risk of terrorism which would lead to multi-agency support. Where online bullying was identified Members were told that appropriate responses were put in place by schools and where necessary Police and Children's Services. A lot of the work was identification around having conversations and identifying when behaviours or activities sounded like they had changed for the individual without explanation. When working with individuals in the Prevent space it was about challenging views and offering a counter narrative to address dangerous and or toxic narratives. Work with schools was good and Torbay's referral rates were

at the level expected and were appropriate as a result of the support that was in place. There is a programme called 'Act Early' where family and friends could find information and be aware of how to report concerns to prevent radicalisation and extremism by acting early (see <https://actearly.uk/>). It was noted that risk from radicalisation was a form of exploitation in its own right and individuals were often known to agencies through existing vulnerabilities and were often vulnerable to any form of exploitation including county lines, modern slavery and human trafficking. Torbay works in partnership with Devon on modern slavery and human trafficking with Plymouth and Cornwall joining to help increase awareness and support what people do moving forward. It was important to encourage people to understand what they were looking for and how to report, work has included campaigns for taxi drivers, hotels, leafletting and working with the Children's Services Exploitation Team. The charity 'Unseen' was the leading charity in this area and a key partner in this work (see <https://www.unseenuk.org/about-us/unseen-history>). The British Transport Police have carried out training for train workers, and have undertaken joint work with the Police and Children's Services, and taxis present at the train stations to raise awareness and identification of risks, particularly young people's movement around different areas. This was part of a positive partnership approach to challenges faced. Training was provided to schools via the Learning Academy. Schools also have good relationships with Children's Services and Community Safety, with Multi-Agency Forums including representatives from schools. The Multi-Agency Safeguarding Hub (MASH) was the place to refer concerns which were then reviewed by multiple partners within 24 hours with specialist referrals for certain crimes. This works to a National Standard which requires understanding if a child was being exploited. There was a perception that trafficking was for foreign nationals, but this was not the case it could be local e.g. people in the same street. It involves children and adults with the split of demographics depends on the type of modern slavery. Incidents of cuckooing were referred Police and to the single point of contact for Adult Social Care.

Members were advised that there was no evidence of higher toxic incidents towards women in Torbay compared to other areas. It was important to talk about how to change perceptions and have conversations around the topics and challenge some perceptions, including early conversations to mitigate gender-based violence.

Serious and Organised Crime

Superintendent Hayley Costar, Devon and Cornwall Police gave a verbal update on serious and organised crime. It was noted that this was nationally defined as individuals planning and co-ordinating or committing serious crime. The Police were mapping the problem and trying to understand what role people played within an organised crime group and the impact they have in Torbay. Not all people mapped to Torbay will commit crimes in Torbay. The proportion of crimes was mapped biannually. 50% of people impacted by organised crime related to drugs, 10% fraud, 10% exploitation and 30% serious violence and antisocial behaviour.

Members were advised that the Police work on a four 'P' approach: pursue, prevent, protect and prepare working together with partners. Torbay has strong partnerships and a Strategic Assessment which replicates the priorities for the area. Police hold a tactical co-ordination meeting each month, with monthly activity driven by the business to see sustained outcomes. This was measured in multiple ways including

conviction and disruptions to the person and the place involved, which helped to stop incidents happening where successful disruptions were achieved. Last year across South Devon there were 88 disruptions, £370,000 of drugs was seized, 89 weapons were seized, 88 arrests and £100,000 cash recovered. The cash was invested through a national pot and £20,000 was given back to the Police to invest in South Devon to support local communities. There were 5 convictions in the last twelve months totalling 19 years relating to three crime groups.

The Board noted the actions for the next twelve months were to continue the approach with regular weeks of intensification focussing on areas such as cyber-crime, knife crime week, sexual exploitation, county lines and business crime interventions on shoplifters.

Members asked questions in relation to what formula was used for the proceeds of crime for seized cash and was £20,000 fair for South Devon; how did the crime figures compare to last year; how do our statistics compare to the rest of the country; and how was harm measured.

In response to questions, Members were informed that some of the money from proceeds of crime funds economic crime staff and that £20,000 back to South Devon seemed fair. The crime figures were viewed in terms of the overall threat assessment type which had stayed the same as last year, but the impact of the crime had increased. Analysts had a harm index and also a recency, frequency, gravity matrix which provided a score of the harm being caused by the crime.

Domestic Abuse and Sexual Violence

Shirley Beauchamp, Domestic Abuse and Sexual Violence Commissioning and Strategy Lead outlined the submitted papers in respect of domestic abuse and sexual violence (DASV). The DASV Executive Group had agreed the following three priority areas for specific focus:

1. Communications

To develop a communications plan that raises awareness and also educates people about domestic abuse and sexual violence in the context of relationships; and ensures victims and survivors know where to get support and trust that they will be believed.

2. Workforce Development

To review the range of learning offers available, content and format. To identify, test solutions and make recommendations to address the challenges the system is experiencing in maximising uptake of learning offers.

3. Disruption

To focus on ways to identify and disrupt the person causing harm as early as possible. This included prevention and initiatives in communities (including in the Night Time Economy) as well as seeking resources to put in place sustainable

behaviour change interventions that are currently not available due to a lack of funding.

Prior to the meeting Members of the Board received a paper on funding for DASV services. Members acknowledged that a significant amount of funding for DASV services ended in March 2025 and until the Government had confirmed the allocation to Local Authorities, it was not clear how services would be funded in the future. This was also impacting on funding for support services, advocacy and criminal justice services which could take up to 18 months to get through if the perpetrator pleaded not guilty. Partners work with the Safer Rainbow Service on behalf of the whole of Devon and they have seen the complexity of cases referred to the service increasing month on month. Members also noted the submitted letter from the Chief Executive Officer from Devon Rape Crisis and Sexual Abuse Services raising concern over future sustainability of their services, which currently had an office in Torquay. The risks around future funding was included on the risk register and reviewed monthly.

The Board was concerned over the lack of certainty and sustainable funding for DASV services which impacted on the most vulnerable people in Torbay and their families and sought assurance that this would be escalated.

Members asked questions in relation to the impact on charities and organisations caused by lack of certainty around funding for DASV support services; what work was being done to show people what healthy relationships look like; were children able to be recognised as being victims of domestic abuse; and what was the best message Councillors could give around DASV.

Members were advised that there was a real risk to some organisations that would impact on critical services if they had to cut their costs and would have to give notice to staff which may result in services not being delivered locally.

In response to questions, Members were advised of the Healthy Relationship programme in schools, although there was a statutory requirement to allow parents to opt their children out of taking part. There was not a consistent approach across all schools and Officers would like to see this being consistent.

It was noted that Torbay Council enables a child in their own right to be referred to the Multi-Agency Safeguarding Hub (MASH) via the single assessment process if they were a victim of domestic abuse. They would also be a child in need for their legal status but would be seen as a victim of domestic abuse in their own right. This was also covered in the Risk Assessment for Children.

The Board was advised that there was an officer Domestic Abuse Champion who sits in the Safeguarding Hub and was available for consultation and to talk and engage with young people on how they respond and help young people to realise if they were a victim of domestic abuse.

Members were encouraged to challenge and use the bystander approach if they see any inappropriate behaviour, to work with their local primary and secondary schools to raise awareness and to consider the appointment of a Domestic Abuse Member Champion. There was an Interpersonal Trauma Response Service – Fear Free (see

<https://www.fearfree.org.uk>) based in GPs to help people affected by domestic and sexual abuse through trained practitioners which Members could also promote.

Torbay Drug and Alcohol Partnership

Lincoln Sargeant, Director of Public Health presented the submitted paper on the work of the Torbay Drug and Alcohol Partnership, which had been in operation for two years and had arisen from the Government's 10 Year Drug Strategy.

Members asked questions in relation to what work was being done around alcohol misuse; was there a link between people who abuse alcohol at home and domestic abuse; was the use of Buvidal combined with therapy; with the increased use of synthetic drugs and spice in vapes, had there been an increase in the number of people being spiked with them and was Torbay seeing a link with an increase in sexual violence towards girls as a result; would most of the drug alerts happen at the weekend; was there anything that could be done to encourage people to receive support and make them aware of the impact of drug and alcohol misuse on their family and children; was there evidence of alcohol misuse in young people; and were the assessments and treatments for drugs and alcohol still clinically based.

In response to questions, Members were advised that Torbay's Drug and Alcohol Strategy included alcohol as that was one of the challenges in Torbay with a lot of people being addicted to alcohol but not recognising it in the same way as people do for drugs. Often people who misuse alcohol drink at home and appear to be unaffected so may not be picked up until they visit their GP with liver or other health problems. Alcohol misuse was the focus of a previous Public Health Annual Report and outreach work was being used to bring people into the Service to receive support.

Members were informed that, although there was visible use of alcohol in the Town Centres with associated antisocial behaviour, alcohol treatment services could only help when people were ready to engage. People cannot be treated unless they were ready to receive support. Members were advised of the good partnership arrangements with Criminal Justice where courts may mandate as part of a person's sentencing that they have a treatment order which gets them engaged in support.

Addictions often develop in people who already have other issues and there was a wider need to help them manage their issues as well as their addictions. This could be seen particularly with Children's Social Services working with Youth Justice and Drug and Alcohol Treatment Services to address the complex needs of these young people who undertake therapy together, they make connections and then open up social connections. When people have criminal convictions and addictions, they find it difficult to secure employment and there was a need to try to help remove some of those barriers to help with their recovery and secure employment. When people from different socioeconomic backgrounds undertake therapy together, they can make connections and open up positive opportunities as a result.

The Board informed that the use of Buvidal was combined with other therapy in the same way that methadone was prescribed as part of a treatment package. Part of the reason for the Government's 10 Year Drug Strategy was due to the increase in drug related deaths which have increased year on year since 2012. The risk of drug

related death was now heightened further, due to the presence of synthetic opioids being identified within the drug supply nationally. Some variants have been found to be much stronger than traditional opioids, increasing the risk of adverse reactions and/or overdose. There was further danger as naloxone which was given to reverse the effect of opiate overdose would be required in higher volumes to be effective at reversing an overdose. There have been incidents of this in Bristol, Plymouth and North Devon but not yet in Torbay.

During working hours there was a system to send an alert to key partners when there were concerns about potential harms due to drugs and this was co-ordinated between Police, Drug and Alcohol Services, Public Health and community safety. It was acknowledged that the current alert system was not set up to respond out of hours, and as such a contingency was being explored for this. The Jatis Project provide 24-hour support for adults in Torbay who had experienced drug and alcohol problems and the Council was exploring a mechanism for how Jatis staff could help communicate the threat and harm reduction advice to vulnerable people out of hours. This process also relies on Torbay's out of hours emergency helpline, delivered by SWISCO to act as a conduit for communicating the alert and the viability of this was currently being explored. The Police on the beat were being trained to administer naloxone and to carry packs with them. There was no evidence to support that alerts would most likely occur out of hours - they could happen at any time.

It was noted that the majority of drug and alcohol assessments and treatments took place in clinics but more outreach was being explored, where appropriate. Members noted the Multiple-Complex Needs Alliance was responsible for drug and alcohol services and additional funding from Government had been available through the Supplemental Substance Misuse Treatment and Recovery (SSMTR) grant. The Alliance would have to look at how grant funded services would be delivered if grant was not extended.

Members were informed that the vast majority of children and young people who use drugs and alcohol do not have an addiction. Many young people experiment with alcohol as they grow up. However, a young person who has a lot of personal issues may be at greater risk of having a drug and/or alcohol problem. There were risk markers and some of those who had engaged with Council Services often engage in multiple risky behaviours. Ketamine was emerging as substance of abuse because it was cheap compared to others and cannabis use could be a gateway to harder drugs in at-risk young people. Public Health was working with Trading Standards around alcoholic ciders etc. and there was a need to support families to help inform them and young people about the harms of alcohol and drugs and how to deal proportionately and sensibly with these concerns. There was also work with schools. Substance misuse was a concern for Torbay but not out of proportion in comparison to other areas with similar characteristics. Members noted the problems with misuse of prescription drugs being higher than illegal drugs and the need for better awareness and communication between partners to support people affected.

Resolved (unanimously):

1. that the Overview and Scrutiny Board notes the updates provided at the meeting in respect of Safer Torbay and continues to receive an annual update each year;
2. that the Safer Rainbow Group be requested to present to an all Member briefing on their work;
3. that the Cabinet be advised of the concerns of the Overview and Scrutiny Board on the lack of sustained funding for Domestic Abuse and Sexual Violence (DASV) as part of their budget build to support services after April 2025, that the Priority and Resources Review Panel be requested to consider the funding for Domestic Abuse and Sexual Violence Services as part of the budget review for 2025/2026 and that Domestic Abuse and Sexual Violence Commissioning and Strategy Lead be requested to provide Members with appropriate background information on the service providers;
4. that the Adult Social Care and Health Overview and Scrutiny Board be requested to add a key line of enquiry around women's safety as part of their work on the Public Health Annual Report Focussing on Women's Health;
5. that the Democratic Services Team Leader be requested to progress the Bystander training scheduled a part of the Member Development Programme for 2024/2025;
6. that the Cabinet be recommended to appoint a Domestic Abuse and Sexual Violence Member Champion; and
7. that the Overview and Scrutiny Co-ordinator be requested to write to the local Members of Parliament to ask them what the proposals are around the base funding for Domestic Abuse and Sexual Violence services from 2025/2026 and raise awareness of the risk of loss of critical services in Torbay.

30. Special Educational Needs and Disability (SEND) and work with Local Government Association

Councillor Bye - Cabinet Member for Children's Services, Nancy Meehan – Director of Children's Services, and Hannah Baker - Head of Special Educational Needs and Disability (SEND) and Inclusion outlined the submitted report which provided an update on the direction of travel for SEND and the work of the Local Government Association (LGA) following the Local Area Inspection of SEND in 2021 and the subsequent Written Statement of Action.

Members noted the advice from the LGA, set out in exempt Appendix 1 to the submitted report, which sought to reduce and simplify the approach to making improvements for young people and their families around SEND.

It was noted that there would be a Peer Review of SEND taking place in November 2024 at the same time as a lot of reforms taking place locally including a Locality

Model, which was currently out to consultation, changes to governance arrangements with the SEND Local Area Improvement Partnership Board (SLAIP) being at the heart of the system, the Safety Valve Agreement with the Government around funding and the Dedicated Schools Grant Management, as well as a change to the Ofsted Inspection framework requirements.

Members acknowledged the work undertaken to date and the direction of travel set out in the submitted report and questioned what action was being taken to get school leaders involved in the process.

The Board was advised that school leaders representing secondary, primary and further education would be part of the SLAIP and would be part of the strategic visioning moving forward. Previously there were lots of pillars and activities with each priority group having up to 30 people involved. The Integrated Care Board (ICB), teachers and others were in the room but not getting anything out of it. It was important to get the right people round the table at the top level to drive improvements forward. This would feed into the safety Locality Model, Schools Forum, Safety Valve and Local Improvement Board to ensure school leaders feel they have a voice in and want to be part of the visioning and not just listening. This would give school leaders ownership and engagement into the new system to help give support to children at the earliest opportunity without the need to get an education and health care plan (EHP).

Resolved (unanimously):

1. that the Overview and Scrutiny Board note the contents of the submitted report, and the progress made to date; and
2. that the Overview and Scrutiny Board continue their oversight of the SEND improvement and preparation work.

31. Performance Monitoring Quarter 2 2024/2025

Councillor Lewis, Deputy Leader of the Council and Cabinet Member for Place Development and Economic Growth provided an overview of the submitted report which set out details of the Council's performance against the priorities in the Community and Corporate Plan as at Quarter 2 for 2024/2025.

Members asked questions in relation to page 43, how the projects relate in the different columns under community and people; what were the projects under BPO4 – Percentage of contacts to Children's Services progressing to early help services in the period on page 44 and why were they not on target; BP07 what was the reason for the percentage of cared for children in the period with three or more placements in the last 12 months being so high; it was positive to see 305 carers signed up to MyBay discount scheme, what was being done to increase numbers; what was the long term action plan to improve the average customer wait time when contacting Customer Services by phone as this was much worse than target; when would BP47 percentage of weed spraying schedule due, to be achieved during the quarter be back on track; what action was being taken to improve the timescale for determining planning applications and reduce the number of appeals being upheld; Torquay Museum holds

nationally important collections could the Council do more to support them; how would the decision to turn down the YMCAs proposal for new housing impact on the delivery of new housing; clarification on if the timeline for Brixham Car Park had been met; page 53 decarbonisation refers to political support was needed for the priorities, a list had been previously provided, what was the current situation; and a lot of emphasis was put on enforcement cases, at the end of last year there were 586 cases and now there were 664 cases, when was it expected to get down to the target of 450 cases.

In response to questions, Members were informed that that each column in the tables needed to be read separately as they do not relate to each other. Namely Projects, milestones due in 2024/2025 and performance indicators for each service area.

Members noted that BP04 percentage of contacts to Children's Services progressing to early help services was being reviewed by the Children's Services Continuous Improvement Board. It was noted that there was additional wording around BP04 on page 61 of the report. BP07 percentage of cared for children in the period with three or more placements in the last 12 months was much worse than target due to the numbers involved, however, the Cabinet Member for Children's Services (Councillor Bye) explained that the Council does the best for each individual child but sometimes it was in their best interest to bring them back from placements to foster carers.

It was noted that the MyBay resident's discount scheme was being promoted through the Carers' Newsletter which goes out to a wide range of Carers and their social media, Carers Right's Day on 25 November 2024. The number of Carers signed up had increased to 460. Overall 1200 residents had signed up.

The Board was informed that there was an improvement plan in place to reduce the amount of time people waited when phoning Customer Services, with volatile peaks when letters were sent out e.g. Council Tax Single Person Discount, which could be overwhelming, the timing of such communications would need to be balanced in the future. Part of a move to a target operating model, Officers were working with the Department and would be reviewing all processes early in the New Year to try to digitise more and include a customer satisfaction survey.

Members were advised of the issues relating to the electric quad back and the impact that it had on grass cutting which had caused a backlog and there was a desire to link the timing of grass cutting with weed spraying utilising a weed ripper to remove the dead weeds. It was anticipated that there would be a greater improvement in the Spring for this target area. A concern was raised about the use of glyphosate weed sprays, but it was explained that this was the most suitable chemical to use and with the use of the weed ripper it had a longer lasting effect on weeds.

In response to questions around planning, Members were advised that the Cabinet acknowledged there had been some improvements but there was a long way to go, a new Interim Director of Pride in Place (Anthony Payne) had been appointed and was working with the Divisional Director of Planning, Housing and Climate Emergency (David Edmondson) to encourage pre-applications and looking at capacity in the Team and how this could be improved. Members were reminded to encourage people to enter into pre-application discussions to aid the processing of their planning applications. The enforcement performance had been impacted by staffing with

numbers of cases continuing to increase. A new Enforcement Strategy had been agreed as well as in-year funding for two additional members of staff and the member of staff who had been off sick had returned to work. It was anticipated that the new working practices and available staff would help get numbers down so that they could then focus more on new cases.

Members were advised that ongoing discussions were being held with Torquay Museum around support and funding.

The Board was advised that Officers were working with the YMCA to try to help them secure future sites to deliver the much needed housing for our care leavers and young people to help support delivery of the Council's housing targets.

It was noted that Brixham Car Park had been put on hold pending the confirmation of funding from the Government, who had announced last week that they would not be clawing back any funding. The next item on the agenda would include a request for extra funding to be added to the Budget Monitoring Report to cover the feasibility study for this project.

Members were informed that the priorities for decarbonisation needed to be further reviewed by the Cabinet so that they could determine which priorities the Council could afford to take forward.

It was noted that the Long Term Plan for Towns (LTPT) referred to on page 53 had not been discontinued it was £20m over 10 years but the Council did not yet know the detail and was waiting for confirmation from the Government.

Resolved (unanimously):

1. that the content of the submitted Performance report be noted; and
2. that the Director of Corporate Services be requested to include more detail within the performance report under the sections where the performance is not meeting its target.

(Note: prior to consideration of Minute 31, Councillor Douglas-Dunbar declared a non-pecuniary interest as a Trustee of Torquay Museum Society.)

32. Budget Monitoring 2024/2025 April to September 2024 Revenue and Capital Outturn Forecast

The Cabinet Member for Housing and Finance, Councillor Tyerman and the Director of Finance, Malcolm Coe outlined the submitted revised Quarter 2 Budget Monitoring Report for 2024/2025, which showed an overall end of year forecast of £0.292m overspend.

In addition to the report the Board was advised that the following items would be included in the Capital section of the report to the Cabinet and Council:

	Q2 £000	6 Nov £000	Variance £000
Oldway Mansion – Phase 1 of masterplan	330	7,554	7,224
Victoria Centre demolition	Q2 funding sufficient		
Brixham Port Infrastructure	75	171	96
Brixham Town Centre Car Park	0	114	114
Tor Hill House Lighting	29	200	171
	Addition to Q2 Report		7,605

Members asked questions in relation to where the £7.554m was coming from for Oldway; concern over the potential increase in spend for Adult Social Care and the impact on the budget; what was the reason for the £180,000 from Children’s Services Higher Needs Capital Funds for YMCA Capital improvements (a written response would be provided to this question); what was the reason for the waste disposals being significantly higher than last year and was there a corresponding increase or decrease in recycling; the content of the Budget Digest; assurance around 33 agency full time equivalent agency staff in Children’s Services and if this was going to reduce; the Dedicated Schools Grant and the Safety Valve and the agreed payback; and what was the governance around the decision to vire money from the Town Deal Fund to fund the Harbour Public Realm (a written response would be provided to this question).

In response to questions, Members were advised that the £7.554 for Oldway would be drawn down from Government capital funding with the Director of Finance being authorised to draw down funding to ensure the Council was spending to meet the grant conditions.

Members noted that the Council had negotiated a new deal with the Integrated Care Organisation from 1 April 2025 and know what the financial liability for Adult Social Care was and how much to put in, any overspend was held with health colleagues. Wider Adult Services the additional money put into temporary accommodation and homelessness were now meeting demand as well as the additional money in Children’s Services, which was looking like a balanced budget would be delivered by the end of the financial year.

The Board was advised that the waste product from the recycler’s market value had declined bringing in less income but for a better quality product. The levels of waste being sent to incineration and recycling goes up and down. It was noted that the Waste and Recycling had not been over budget since Torbay became part of the South West Waste Partnership. Members were advised that they could visit the site to see how our waste was managed and to let the Governance Support Team know if they wanted to organise a visit.

It was noted that there was still upwards pressure on the Higher Needs Block of the Dedicated Schools Grant, however, interventions such as the proposed Locality Model and the need to make different decisions would help longer term. The Director of Finance gave assurance that the Director of Children's Services was looking at the sustainability of staffing for Children's Services.

Members were advised that the recent Budget Digests did not include the traditional savings plans and targets that had been previously used but focussed on areas to ensure they were addressing the costs e.g. Home to School Transport.

Resolved (unanimously):

1. that the Overview and Scrutiny Board notes the Council's forecasted revenue outturn position and mitigating action identified in the submitted revised report;
2. that the Overview and Scrutiny Board notes the updates to the Capital Investment Plan and the revised budget for 2024/25 as set out in the submitted revised report;
3. that future Budget Monitoring reports include more detail on the Higher Needs Element of the Dedicated Schools Grant and Safety Valve; and
4. that the Director of Children's Services be requested to provide a copy of the recovery plan for agency workers to Members.

Chairman