

Tuesday, 30 July 2024

OVERVIEW AND SCRUTINY BOARD

A meeting of **Overview and Scrutiny Board** will be held on

Wednesday, 7 August 2024

commencing at **5.30 pm**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor Spacagna (Chairman)

Councillor Cowell

Councillor Mandy Darling

Councillor Douglas-Dunbar

Councillor Fellows

Councillor Foster

Councillor Hutchings

Councillor Johns

Councillor Long

Councillor Tolchard (Vice-Chair)

A Healthy, Happy and Prosperous Torbay

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Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

OVERVIEW AND SCRUTINY BOARD AGENDA

1. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Board.
2. **Minutes** (Pages 3 - 8)
To confirm as a correct record the minutes of the meeting of the Board held on 9 July 2024.
3. **Declarations of Interest**
 - 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.)
4. **Urgent Items**
To consider any other items that the Chairwoman decides are urgent.
5. **Performance Q1 Performance 2024/2025** (To Follow)
To consider the submitted Report on Performance for Quarter 1 2024/2024 and make recommendations to the Cabinet.
6. **Budget Monitoring Q1 2024/2025** (To Follow)
To consider the Budget Monitoring Report for Quarter 1 2024/2024 and make recommendations to the Cabinet.

Minutes of the Overview and Scrutiny Board

9 July 2024

-: Present :-

Councillor Twelves (Chairwoman)

Councillors Atiya-Alla, Cowell, Fellows, Foster, Fox, Hutchings and Tolchard (Vice-Chair)

(Also in attendance: Councillors Billings, Bye, Chris Lewis, Spacagna, David Thomas, Jacqueline Thomas, Tranter and Tyerman)

5. Apologies

It was reported that, in accordance with the wishes of the Liberal Democrat Group, the membership of the Board had been amended to include Councillors Mandy Darling, Fox and Atiya-Alla in place of Councillors Steve Darling, Law and Long. An apology for absence was also received from the Liberal Democrat vacancy. (Note: due to logistics Councillor Mandy Darling was unable to attend the meeting.)

6. Minutes

The minutes of the meeting of the Board held on 10 June 2024 were confirmed as a correct record and signed by the Chairwoman.

7. Torbay Place Leadership Board

The Board reviewed the submitted report and heard evidence from the Chairman of the Torbay Place Leadership Board, Jim Parker, and Director of Pride in Place, Alan Denby, on the work of the Place Leadership Board.

The Board asked a number of questions in relation to working with the new Members of Parliament for Torbay; the speed of delivery of the Town Deal and Future High Streets Funding; the impact of a proposed Place Leadership Manager for the Board; Torbay Champions and potential to charge a fee; progress of the Town Boards; what was being done to raise the profile of the Torbay Story and Place Leadership Board and when would the community be able to have confidence in the Torbay Story; and what were the barriers moving forward.

Members were advised of the previous success in working with Torbay's Local Members of Parliament (MPs) as well as Government Ministers which had helped to secure the Town Deal and Future High Streets Funding for Torquay and Paignton and were assured that work would continue with the new MPs and Government Ministers who had been appointed following the recent General Election. Clear messages around concerns over the lack of funding and the urgent need to regenerate Torbay

would be given as part of this ongoing work to try to secure further funding. The work of the Place Leadership Board also fed into the Devon Combined Authority and the bringing together of local businesses for the benefit of the Torbay and Devon area with a key focus on regeneration.

It was acknowledged that the delivery of the Town Deal and Future High Streets projects had not been delivered as quickly as desired but that this had been greatly impacted by Covid-19 and the cost of living crisis. Progress was now being made on The Strand due to the partnership with Wilmott Dixon and Milligan and they were also involved in supporting the delivery of other key Capital projects which would come through the governance process in due course.

The Board was advised that options were being considered in respect of a Place Leadership Manager and the associated costs to determine the best way forward looking at good practice from other Leadership Boards. The Place Leadership Board was a partnership which included the Council but was led by businesses, strategic partners and the wider community which helped to secure external investment in Torbay. If funding could not be identified resources would need to be diverted from Teams within the Council. The post would help to develop the three Town Boards as well as recruiting more Torbay Champions to help spread the word and message of the Torbay Story. It was felt that it would be difficult at this time to bring forward a paid scheme for Torbay Champions to help fund the Place Manager as other authorities had done.

Members supported the engagement with younger people with the suggestion of developing a Future Leaders' programme with support from South Devon College but also highlighted the merit of engaging with younger children on the Torbay Story as part of raising the profile and getting the message across with them also becoming Torbay Champions.

The Board was advised that the community would have confidence in the Torbay Story when they see delivery, projects such as The Strand was one example of this. The Government had just announced new proposed housing targets and there were brown field sites ready to go if funding was secured through the Place Leadership Board. If more people to sign up as Torbay Champions this would help raise the profile and make more people aware of the success of the Board.

Members were advised that work was underway on a number of schemes which were currently going through internal processes before they could be shared wider with a view to making a detailed pitch to institutional investors before Autumn 2024. There would need to be some compromises in order to bring forward these schemes.

Resolved (unanimously):

That all Councillors be encouraged to sign up to become Torbay Champions and encourage members of their communities to sign up – details can be found at <https://torbaystory.co.uk/champions/>.

8. Budget Monitoring - Outturn 2023/24

The Board reviewed and noted the submitted Budget Monitoring Outturn report for 2023/2024 which set out the final position in respect of the Council's Capital and Revenue Budgets for 2023/2024. The report would be presented to the Cabinet meeting on 11 July 2024 and the Council meeting on 18 July 2024 which was recommended to approve the allocation of the surplus of £0.678m and funding for the three proposed Capital projects.

The Board asked a number of questions in relation to the Council's investment portfolio and where the funding for lost rent came from; what was the risk to the Paignton and Preston Coastal Defence Scheme with nearly half the funding coming from the Environment Agency; the Brighter Bay project; and the levels of the collection fund.

Members were informed that a percentage of the income from each investment property was put into an Investment Fund Reserve (currently approximately £3m) which covered the loss from any rental income from the investment portfolio which was kept under regular review as well as looking ahead over the next few years. Surplus income of £4.6m was able to be put into the Revenue Budget to help deliver wider Council services. This had been previously reviewed by the Overview and Scrutiny Board.

The Director of Pride in Place gave assurance that he was very confident the Council would receive the funding for the Paignton and Preston Coastal Defence project and that the Council would receive confirmation in the next two to three weeks. Members welcomed this project which would also contribute towards the public realm of the area as well as providing sea defences and had been developed following significant consultation and engagement with the community.

It was noted that the Brighter Bay project would benefit both residents and visitors, which would help with the tourist industry which had been badly impacted by the cost of living and other pressures. The money would help to provide the right equipment and tools to get out in the community to improve the visual amenity of the area.

Members were advised that the collection fund was now back to pre-pandemic levels with process times having reduced from around six weeks compared to the 26 weeks backlog. The transition to the new method of Council Tax Support with the banded scheme had also gone smoothly.

The Board endorsed the submitted report and recognised the improvements in the performance of Children's Services and Adult Services budgets compared to previous years, including the work around temporary accommodation and also acknowledged the work of the Teams working with people to help prevent them from becoming homeless.

9. SWISCo Green Space Management and Engagement - Update

The Board reviewed the submitted report which provided an update on SWISCo green space management and engagement. The Cabinet Member for Pride in Place,

Transport and Parking, Councillor Billings, highlighted the importance of the friends groups and volunteers working with SWISCo and acknowledged that the relationships with the previous TOR2 were not as they should have been, but that the Managing Director of SWISCo, Matt Reeks, had reached out personally to all the friends groups to rebuild the relationships and make them aware that there was a need to work differently to ensure that everyone was kept safe. The relationships had been reset and a new Friendships Charter was now in place.

The Board asked a number of questions in relation to what the plan was to engage more with the friends groups; and gave examples of friends groups who still felt that responses to what they could and could not do were too slow.

Members were advised that several new members of staff had been recruited and it was expected that one would become the main point of contact for the friends groups. The Managing Director and his Team had been working closely with some of the members of the friends groups to develop the Friends Charter. There would be a dedicated email address monitored by one of the service co-ordinators but they were working proactively to eliminate the need for regular contact through a minimum of two site visits per year, where they would meet on site to agree a six month work schedule so that they were clear what work SWISCo would do and what work the friends groups could carry out themselves.

Resolved (unanimously):

That the Board supports the implementation of the Friends Charter.

10. Economic Growth Strategy Action Plan

The Board reviewed and noted the submitted report which provided an update on the delivery of the Economic Growth Strategy Action Plan up to 31 March 2024. The Cabinet Member for Place Development and Economic Growth, Councillor Chris Lewis, advised that the Action Plan was currently under review and would come back to the Overview and Scrutiny Board in September/October before it was presented to Cabinet in November 2024. Councillor Lewis advised that there had been more Levelling Up Funding which needed to be reflected as well as the impact that Covid-19 had on delivery.

Members noted the success of the EPIC building which was now full with further money from the Government for a new building to help businesses move on from EPIC. Support had been provided for lots of start-ups as well as small and medium businesses. There had also been funding for the extension to the Brixham Fish Market. The importance of skills was also highlighted with all the building works being carried out in Torbay and the Council was working with South Devon College on relevant training opportunities.

The submitted report covered four priority themes with evidence of delivery, it was acknowledged that there had been some good progress made but further work was required especially in respect of regeneration and the partnership with Wilmott Dixon and Milligan was crucial to help deliver this.

11. Performance Report - Quarter 4 2023/2024

The Board reviewed and noted the submitted report which set out the key performance indicators for the Council up to the end of 2023/2024. The Cabinet Member for Tourism, Culture & Events and Corporate Services, Councillor Jackie Thomas, highlighted the progress made towards the Council's priorities. 105 out of 175 indicators had an annual performance which could be compared to previous years with 60% having an improved direction of travel, 34% showing a decline and 6% having no change.

The Board asked a number of questions in relation to what had been done to prevent people from becoming homeless; what was the reason for loss of private rented accommodation; the Government identifying the need for 300 planning officers with funding to support this; there were 586 open enforcement cases what was the target (the Director of Pride in Place to provide a written response to the targets relating to planning enforcement); what was the reason for the high increase in entrants to the youth justice service; how was the staff sickness calculated; what action was being taken to address the low levels against the target for corporate complaints; what would the three top complaints be (the Director of Corporate Services agreed to provide a written response to this question); electric vehicle charging points was showing as red, what was the reason for this and why was it taking so long to install; and Torre Abbey's footfall had increased but events had decreased, what was the reason for this.

Members were advised that the level of prevention activity had decreased for when people were presenting to the Council as in crisis for accommodation, however there had been an increase in triage activity supporting people before they were in crisis using tools such as fix it fund spend and working with housing associations and landlords to support people to keep their tenancies. There had been an internal audit carried out on prevention with the biggest cause being the loss of private rented accommodation. Previously the loss had been caused by Air B&B and the financial crisis with landlords needing to increase rents due to increase mortgage rates, this had now moved to the affordability of tenants paying their rents. However compared to last year the pressure on discretionary housing payments had reduced, which may be due to the increase in housing benefits but still the level of homelessness was continuing with 27% in Torbay living in rented accommodation.

It was acknowledged that planning, particularly planning enforcement was a problem across the whole country, which was being constantly monitored. The proposed money from the Government would be useful but there was a national shortage of good quality Planning Officers and it was hoped that colleges and universities would train more people to join this sector. The Planning Service for the Future had been scrutinised in detail in May 2024 by the Board and a briefing would be provided to all Councillors on 30 July 2024 providing an update. Processing times had improved with extensions to time and changes to communication approaches, but the timeliness of responses still needed to improve. The new Enforcement Strategy had been drafted.

The Cabinet Member for Children's Services, Councillor Bye, advised that there had been a Chief Executive's Deep Dive into the Youth Justice Board that day together

with an emergency meeting with the Youth Justice Board as their performance was going in the wrong direction. Councillor Bye gave assurance that the statistics in the performance report for year end did not correlate with the current situation, which showed a more encouraging picture. There had been a peak last Summer and Autumn which had now fallen away but there had been a spike in the TQ3 area which had improved as a result of intervention work and support in the community with the Police and other agencies on diversionary activities in the area.

It was noted that the staff sickness levels were cumulative across the year but fluctuated depending on the number of staff employed at the time.

Members were advised that the Chief Executive and Directors were making a concerted effort to challenge performance on complaints, which had halved the number of days taken on average. Continued progress has been made since the report was written showing a slight levelling off and the number of complaints had decreased slightly. This action taken to date was being reviewed and alternative intervention measures were being explored as well as communication and praise to staff for all their good work.

The Board noted that the Council was working with the private sector to install electric charging points, which were mainly private initiatives put there for profit which requires companies to come to the Council with expressions of interest. The numbers of electric vehicles was not as high in Torbay, often they were purchased as a company car with the need for more employers having a policy on electric vehicles which was behind compared to other areas. The Council has entered into a partnership to provide electric charging in some of our car parks but the Council needs to ensure that the type of chargers we install were fast enough and good enough to keep up with the market.

It was noted that the increase in footfall at Torre Abbey was partly due to having more topic specific exhibitions e.g. Cary Exhibition and Paddington Bear with more events proposed throughout the year. The decrease in events was due to lack of volunteers required to safely run community events.

The Board would continue to monitor the performance of the Youth Justice Service as part of the next Performance Report as well as seeing an actual target for outstanding enforcement cases (as previously requested).

Chairman