

Minutes of the Overview and Scrutiny Board

2 October 2024

-: Present :-

Councillor Spacagna (Chairman)

Councillors Brook, Cowell, Mandy Darling, Fellows, Fox, Hutchings, Johns, Long and Tolchard (Vice-Chair)

(Also in attendance: Councillors Amil (virtual), Bye, Chris Lewis, Pentney, David Thomas and Jacqueline Thomas)

20. Apologies

It was reported that, in accordance with the wishes of the Conservative Group and Liberal Democrat Group, the membership of the Board had been amended to include Councillors Brook and Mandy Darling in place of Councillors Foster and Douglas-Dunbar respectively.

21. Minutes

The minutes of the meeting of the Board held on 4 September 2024 were confirmed as a correct record and signed by the Chairman.

22. Commercial Policy

The Board considered the submitted report on the updated Commercial Policy which had been rewritten to ensure that the Council's procurement and contract management activities were carried out lawfully and efficiently for the benefit of the Council and local residents. The Policy set out how the Council's Contract procedures would be implemented and was underpinned by a wider framework of guidance and training for officers. The report also set out a table (at Appendix 3) on where the recommendations from the Devon Audit Partnership, following a review of the Torbay Food and Music Festival, had been addressed within the Commercial Policy.

The Board asked a number of questions in relation to how much joint procurement was carried out with other local authorities who want to procure similar services; what was the reason that the equality impact assessment was not more positive around social value and local contractors; did sub-contractors need to be local; why was there no specific mention of community wealth building or reference to the overarching policy on community wealth building; what opportunities were there for local businesses to be involved and how was the application process being simplified for small businesses, particularly around social value; how would the Council monitor

how many small businesses had been successful in gaining contracts; had the system been trialled with small businesses to see if there were any issues; how does a supplier contact the Council to ask to be included on the suppliers' list; and what were the performance indicators for contracts.

In response to questions, Members were advised that the Council had a number of joint contracts with Devon County Council and Public Health also had a number of contracts around the wider Devon footprint, this included shared contracts for stationery. Before the Council goes to the market they will speak to other local authorities to see if there were some economies of scale for joint procurement if it meets the required timescales. A written response would be provided on the number of joint procurements.

The Board was advised that there was not detailed information on equality and diversity within the document as it was to ensure that the Council had the right systems in place in our procurement so that each element would be specific to each contract. Additional emphasis had been placed on local suppliers and there was an expectation that the Council would use local suppliers ourselves but the Council cannot make suppliers use local suppliers but do actively encourage this. This was in line with the Procurement Act 2023 which emphasises opportunities for local suppliers and how relationships were managed between suppliers and contractors. This included enabling supply chains to come to the Council as contracting authority if there were any issues.

Members were informed that the Commercial Services Team would be monitoring local spend on a quarterly basis and could look into procurements where there was an expectation for local suppliers to bid and could explore the reasons why they had not bid for a contract. Wider engagement with the market was proposed working with Devon and Cornwall Councils to present the new Procurement Act for new suppliers, which would focus on some of the responsibilities that sit with suppliers, due diligence and exclusions for higher value contract expectations. There would also be a series of events to develop the procurement documents with the market including small businesses. The Council had not yet tested the system with suppliers but would do so and had been testing internally with Council Procurement Champions who were going to shape the forms. Suppliers can email commercial.services@torbay.gov.uk if they want to be added to the supplier list and they would be contacted with advice. The website would be updated to include known procurement opportunities coming up over the next 18 months.

It was noted that there were not specific standard performance indicators for contracts as each one would need specific performance indicators to ensure the supplier was delivering what was expected from the contract. There were suggested performance indicators to help officers develop the correct ones. It was important that managers pick up early on any issues to enable them to be addressed with the supplier and to see if the Policy needed to be changed.

The Board welcomed the Commercial Policy which supported the use of local sub-contractors, where possible, and demonstrated that more robust due diligence would be carried out on future contracts, including financial checks on both the company and the company directors (and companies they were involved with) shown in the

Compliance Tracker Financial Standing Monitoring Document at Appendix 2. Members acknowledged that the recommendations raised by the Devon Audit Partnership had been addressed within the Commercial Policy and that lessons had been learned from the Torbay Food and Music Festival Review.

23. Torre Abbey Business Plan 2024

The Board considered the submitted Torre Abbey Business Plan for 2024 together with the details of performance against the previous Business Plan. Prior to the meeting Members had been given the opportunity to have a guided tour of Torre Abbey.

The Board asked a number of questions in relation to if the Council had looked into the background of the contractors doing the renovation works to see if they were stable; had the Torre Abbey Manager looked at other examples of where local authorities had been responsible for historic buildings; with the removal of the pitch and putt what measures had been put in place to replace the income from the lease; had the Council explored with the current leaseholder for the pitch and putt alternative locations; why was no public consultation undertaken of the removal of the pitch and putt; Torquay Museum had to close in the Winter it was believed due to not being viable, what measures had been taken to ensure that Torre Abbey doesn't come under the same restrictions; Page 33 did not mention about the Kickstart roles; when the café reopens would it be existing staff or new staff; and how was the Torre Abbey Development Foundation progressing.

In response to questions, Members were informed that the contractors for the restoration had been through proper procurement processes and they were brilliant. They have worked with Historic England with their relationship managed through the Conservation Architect with an archaeologist on site who had recently, whilst carrying out minor repairs, uncovered remains of a building that predated the Spanish Barn which the Council did not know was there. The Torre Abbey Manager advised that there was not that many local authorities that had such a large unique heritage asset as Torre Abbey but she had looked at properties owned by the National Trust and English Heritage.

In response to questions about the pitch and putt site, Members were advised of the current situation regarding income for the site and that an investigation had been carried out by the Leader of the Council. This information was exempt and was not discussed at the meeting. The current tenant had been offered three alternative sites for the pitch and putt but had declined them all 18 months ago. Members suggested the merit in exploring if another supplier would like to take on one of the sites as they recognised the importance of a pitch and putt course as part of Torbay's tourism offer. The Council had tried to find alternative solutions and had many discussions with the current operator. The Board was informed that the decision to stop the lease for the pitch and putt was a landlord decision and was taken to protect and preserve the scheduled ancient monument. The Spanish Barn was underused and the side where the pitch and putt was located had lots of holes which impacted on the ability to hire the space. The Council wants to encourage more events and provide opportunities for the community to use the space and bring people from the seafront up to the Abbey to increase footfall. Consultation with the public would be carried out on the

development phase on the future use of the site. This would involve engagement with stakeholders and a young person has been invited onto the Board to help with this.

It was noted that Torquay Museum was closing for a short period of time over the winter as they were replacing their boiler and it would be difficult to run the Museum whilst this work was being carried out. Therefore it had been a planned closure and was not as a result of lack of footfall and it was understood that it would be opened once the repairs had been completed. Due to the 30 year grants for the restoration of Torre Abbey it had to remain open but may close for two to three weeks when required. There had been a restructure of staff at the café with it being made a seasonal offer and the current Team was on a permanent contract with limited hours in the winter and increased hours in the summer. With the proposed changes and all year-round offer planned for Torre Abbey it was anticipated that the café would be open more when events were being held throughout the year.

The Board was informed that Kickstart was a scheme introduced by the Government to help get young people back into work but the funding had finished. Torre Abbey had several placements funded and all of the young people had gone on to employment including one working in the gardens at Torre Abbey. It was a successful initiative and gave young people opportunities to see the different roles that could be done at Torre Abbey in addition to heritage there were catering and gardening opportunities etc. and the Torre Abbey Manager would love to offer this again but does not have funding to do so.

It was noted that the Torre Abbey Development Foundation was progressing well with three Trustees being identified and currently going through the process to be set up as a Charity so that it could take over from the Friends of Torre Abbey. It was anticipated that it would be up and running by the end of 2024.

Resolved (unanimously):

1. that the Board acknowledges the hard work of the Torre Abbey Manager and her Team and supports the submitted Torre Abbey Business Plan and ambitions going forward; and
2. that the Overview and Scrutiny Co-ordinator be requested to write to the Local Members of Parliament for Torbay to request them to lobby the Government to replace the Kickstart Scheme to help young people back into work, noting the particular benefits highlighted by the young people who had placements at Torre Abbey all of whom have gone onto employment.

(Note: Prior to consideration of the item in Minute 23, Councillor Brook declared a non-pecuniary interest as a Board Member of English Riviera Business Improvement District (BID) Company.)

24. Annual Review of the Events Strategy as aligned with Destination Management Plan

The Board reviewed the submitted report on the annual review of the Events Strategy as aligned with the Destination Management Plan which also picked up the actions from the Overview and Scrutiny Review of Events, Culture and Tourism.

The Board asked questions in relation to if the Council was trying to encourage more cruise ships into Tor Bay; had the Council explored putting events on in schools that have large open spaces; should stand up padel (SUP) boarding be included in the headline events on page 83; if the increase in funding for the Events Team had been realised; if the 20 recommendations were deliverable due to capacity within the Events Team; what was being done to help Community Partnerships and other community members put on events and make the process simpler; how was the Council engaging with Sport Torbay on events; why the equality impact assessment only referred to key events when supporting those with a disability etc.; the thanks to the volunteers of the English Riviera Airshow was very welcomed, could this be widened out to other events to show appreciation to volunteers; would the focus on bigger events mean it would be harder for smaller events to be held in the community; and what plans were there to get more people on the ground to help support the Events Team.

In response to questions, Members were advised that additional money had been put into the 2025/2026 budget for Events which would help to bring money into Torbay for shops, restaurants and attractions. The Cruise Ships Co-ordinator goes to events to sell Torbay as a destination and promote our local events and encourage people to sign up to excursions. There was a glossy brochure that was available from the Tourist Information Centres. The sailings were booked two to three years in advance so it would take a while to see some of the impact. Representatives from the Council and English Riviera Business Improvement District (BID) Board (who was also responsible for promoting Torbay and invest £100,000 per year in key events) and Cockington welcome visitors when they come ashore and provide them with information and support to try to encourage those without pre-booked trips to go to our local attractions. The land train was also on hand to take them to attractions. Feedback was also sought, once back on the ship, on their experience. Part of the discussions at the Attractions Forum was around packages and experiences particularly at Torbay which were often pre-sold.

Members were advised that the additional funding had gone into the Culture and Events Team as it was a wider Team who were all involved in delivering key events which was in line with the budget proposals. There had been deficiencies in staff for a number of reasons which was why the Chief Executive was looking to provide wider support across the Council for key events e.g. English Riviera Airshow to help provide capacity within the Team as well as trying to expand the number of volunteers. The main focus for the Team was the key events but through reviewing and simplifying processes community events could still be delivered with less input required from the Team. The English Riviera Events Collective had come together with representatives from local events and the community and would be helping the Council to bring in as many people as possible to help with key events.

Members were informed that it was a Civic Mayor decision to thank the volunteers from the English Riviera Airshow which was a Council event. Future volunteer appreciation would need to be raised with the Civic Mayor and would also have to take account of available resources at the time.

Members welcomed the updated Events Strategy and supported the partnership working and seed funding opportunities to help launch new events that would become self-funding in the future as the way forward to help Torbay to be widely recognised as an events destination.

That the Cabinet be recommended to:

1. request the Director of Pride in Place to reference engaging Sport Torbay to encourage more land and maritime based sporting events across Torbay in the Events Strategy; and
2. provide assurance that the Events Team has sufficient capacity to deliver the recommendations included in the submitted report and what action they will take to ensure that the actions are delivered within the proposed timescales.

(Note: Prior to consideration of the item in Minute 24, Councillor Brook declared a non-pecuniary interest as a Board Member of English Riviera Business Improvement District (BID) Company.)

Chairman