

Meeting of the Council, Thursday, 21 June 2018

Questions Under Standing Order A13

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.

<p><b>Question (1) by Councillor Darling (M) to the Executive Lead for Adults and Children Services (Councillor Parrott)</b></p>	<p><b>How has the Local Education Authority promoted a zero tolerance approach to up-skirting in Torbay schools?</b></p>
<p>Councillor Parrott</p>	<p>The Local Authority works within the diverse provider landscape created by the recent education reform agenda in order to facilitate the flow of information provided to children and young people and ensure a consistent approach between maintained, academy and independent schools in Torbay. The Local Authority uses its position of influence and brokerage, rather than a statutory power of direction which is not available in this context.</p> <p>To develop an ethos that fosters mutual respect between pupils, pupils are taught Personal, Social, Health and Economic Education (PSHE). Through this curriculum element, pupils are taught appropriate barriers, acceptable behaviours and provided with opportunities to consider the impact of their own behaviour on others. It should be noted that PSHE along with Relationships and Sex Education (RSE) are not currently, mandatory elements within the curriculum and that the relevant DfE guidance dates back to 2000.</p> <p>In support of an effective educational offer, schools should have a behaviour policy that is consistently and fairly applied. Schools encourage good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils and between staff and pupils. The issue of up skirting falls within the scope of PSHE and RSE and will be a matter for individual schools to deal with through their behaviour policy.</p> <p>In March 2017, The Secretary of State for Education confirmed the Government's ambition to support all young people to stay safe and prepare for life in modern Britain. A key element within the DfE proposals will be to make Relationships Education, Relationships and Sex Education (RSE - Secondary) and Personal, Social, Health and Economic Education (PSHE - both) statutory in all schools, subject to the outcome of a thorough consideration of the subject. The government laid an amendment to the Children and Social Work Bill on 1 March 2017 which they intend to come into effect from September 2019.</p> <p>Torbay Education Officers, in Partnership with Public Health, CAHMS and Torbay Teaching School Alliance have been proactive in their collective response to the March 2017 proposals. The draft guidance has been used as</p>

	<p>a framework to create a PSHE network of schools and professionals to support the development of local syllabus. This will include reviewing and using best practice evidence for implementation across schools to deliver effective Relationships and Sex Education, which will have a significant weighting towards mutual respect and consent.</p>
<p><b>Question (2) by Councillor Lewis (B) to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b></p>	<p><b>As you are aware The Paignton Community Partnership and I are desperate for the improvement to the Shelters on Paignton Sea Front to take place, sooner rather than later! This is even more important following the March Storm which caused even more damage, they now need a complete refurbishment rather than a simple coat of paint.</b></p> <p><b>It is now time the Council, the Partnership and outside funders all came together to find a long term solution to the problem.</b></p> <p><b>Will the Portfolio holder please give me a full update, with timescales, on when we might see some action on the Shelters and for them to be restored to their former glory.</b></p>
<p>Elected Mayor Oliver</p>	<p>The shelters along both Paignton and Preston Beaches do not have a specified maintenance budget. A pooled budget exists for reactive repairs and programmed maintenance across a wide range of Council assets. This budget is under extreme pressure following years of austerity measures. As such the Council can only realistically afford a collaborative approach whereby paint and simple materials are supplied and volunteers or others undertake the work. In March 2018 Council Officers suggested to the Community Partnership that they could partner with South Devon College as they had previously assisted with the refurbishment of a shelter at Ilsham Marine Drive and this had been undertaken to a very high standard, at a cost of £4,500. Given that the academic year will soon end, the Community Partnership do not think that the College will be able to meet their required timelines. The Council is happy to assist the Community Partnership with its bid for up to £50,000 from the Coastal Revival Fund and has already sent a letter to them offering to be the accountable body for this process. This bid needs to be submitted by the Community Partnership on the 5<sup>th</sup> July 2018. Also the authority has identified £5,700 of Section 106 funding that could be used as a contribution to this worthwhile project. Given the timing of the bid process for the Coastal Revival Fund it is highly unlikely that these shelters will be refurbished in time for the summer season.</p>
<p><b>Question (3) by Councillor Robson to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and</b></p>	<p><b>The Torbay Air Show held earlier this month was highly successful in attracting visitors and was much appreciated by many residents in Torbay. Whilst final figures on its financial performance are I am sure not yet determined, revised budget figures presented to the Air Show Working Party on May 15th show that a significant deficit was expected beyond the level of financial commitment given by Council in July 2017. Do you consider that everything reasonably possible is being done to maximise income and minimise costs in order to keep the Council's financial commitment within budget.</b></p>

<b>Transformation (Elected Mayor Oliver)</b>	
Elected Mayor Oliver	<p>Whilst there are some final invoices to be processed, yes it is believed that the Torbay Air show was delivered within budget and was a significant success with record attendance of circa 165,000. We have received excellent feedback from the public, accommodation providers and coach operators that it was a brilliant, high quality event, one of the best free air shows in the UK that is attracting more and more people year on year.</p> <p>At the Torbay Airshow Working Party on 15th May a budget was presented showing the 'actual' funds in place at that time. It was explained at the working party that it was anticipated that the gap would be closed as outstanding trader payments and income were received. In addition, expenditure has continued to be managed downwards whilst not affecting the safety or quality of the event.</p> <p>Richmond Event Management have a five year contract, as agreed in line with the Council decision made in July 2017 and the process they undertake with officers is about constantly ensuring the financial commitment made by the Council is not exceeded, whilst delivering an event that is increasingly attracting visitors and placing Torbay firmly on the map to the rest of the UK as a great location to visit and enjoy.</p>
<b>Question (4) by Councillor Long to the Executive Lead for Planning and Waste (Councillor Mills)</b>	<b>In recent weeks residents have reported a number of missed collections by Tor 2, and one week where Tor 2 notified residents on social media of rearranged collections. What explanation is there for this ongoing issue?</b>
Councillor Mills	TOR2 are again experiencing problems with their household waste collections, mainly of their recycling material. The Authority is told that this is due to vehicles, that are in need of replacing, breaking down regularly and a shortage of trained drivers with the specific HGV qualification. A number of remedial actions are in hand, which include some new hired vehicles that will be delivered shortly and a clear intention to move some of the agency staff onto permanent contracts, together with the training of other drivers to the required standard for the operation of collection vehicles. Council officers recognise that this is not a good position to be in and the Authority is implementing the required performance deductions for the current level of missed collections, but the TOR2 Joint Management Team are currently reassured that a suitable recovery plan is in hand.
<b>Question (5) by Councillor Thomas (D) to the Executive Lead for Planning and Waste (Councillor Mills)</b>	<b>Residents in the Blatchcombe Ward have been reporting late collections of waste, both recycled waste and residual waste, over the past few weeks.</b> <p><b>I have also observed streets with recycled boxes filled with material outside of every house over periods of up to 3 days indicating a widespread absence of collections. Even on the run up to the Airshow weekend, I observed recycling boxes overflowing on Saturday and</b></p>

	<p><b>Sunday - not quite the right impression we are looking to set to visitors who may have been lured into the Bay for the first time to view the Airshow.</b></p> <p><b>The poor performance levels on waste collection have been observed for many months and residents across the Bay are unhappy that Torbay Council appears unable to make Tor2 deliver on its service commitments.</b></p> <p><b>Can you please tell me what the latest excuse is for this poor performance? Please supply a break down providing the number of missed collections alongside with the penalty charges we have imposed on a month by month basis for the past 12 months.</b></p>
Councillor Mills	<p>TOR2 are again experiencing problems with their household waste collections, mainly of their recycling material. The Authority is told that this is due to vehicles, that are in need of replacing, breaking down regularly and a shortage of trained drivers with the specific HGV qualification. A number of remedial actions are in hand, which include some new hired vehicles that will be delivered shortly and a clear intention to move some of the agency staff onto permanent contracts, together with the training of other drivers to the required standard for the operation of collection vehicles. Council officers recognise that this is not a good position to be in and the Authority is implementing the required performance deductions for the current level of missed collections, but the TOR2 Joint Management Team are currently reassured that a suitable recovery plan is in hand.</p> <p>For each day if TOR2 miss more than 25 houses, the Council can make an "A" deduction which equates to £1,100 pounds a time.</p> <p>Within the attached exempt spreadsheet (which was circulated separately to all Members) the totals include all the missed collections along with other deductions for spilled litter, late container delivery, assisted collections and sharps collections for all of last year and this year to date.</p>
<p><b>Question (6) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</b></p>	<p><b>Both Councillor Long and I have been in correspondence with the Torbay Council's Highways Team, following the recent fatality on the Great Hill Road /St Marychurch Road between Torquay and Newton Abbot. Can you please advise when the talks with Devon County Council will be concluded and when officers will be in a position to report back to members?</b></p>
Councillor Excell	<p>The issue of traffic using the Road between Great Hill Road, Torquay and Milber has been raised with Devon County Council and Officers have requested whether there has been any post South Devon Highway studies and whether there are any safety improvements being considered.</p> <p>There is no timescale for a response to this as Devon will more than likely wish to view any collisions in the area as part of any future site reviews. Officers have however requested that Torbay would wish to be advised of any outcomes once they are in a position to provide this information.</p>

<p><b>Question (7) by Councillor Mills to the Council's Representative on the Heart of the South West Joint Committee (Councillor Thomas (D))</b></p>	<p><b>I understand that Somerset County Council have applied to the Government to become a Unitary Council. How will this proposal impact on the Heart of the South West Joint Committee?</b></p>
<p>Councillor Thomas (D)</p>	<p>Somerset has only announced that it is to consult on the future Governance arrangements in Somerset. The outcome is far from certain!</p> <p>However, if this was to lead to the establishment of a new Unitary Authority in due course, then elected presentative(s) of the new Unitary Authority would represent the former County and Districts at the Joint Committee, as indeed Torbay and Plymouth Unitary representatives represent their respective constituents.</p>
<p><b>Question (8) by Councillor Pentney to the Executive Lead for Planning and Waste (Councillor Mills)</b></p>	<p><b>I understand that the Council can conduct post planning viability reviews of planning applications where applications have stated that they would need to reduce or forgo affordable housing contributions due to the unviability of the scheme. Please advise how many such reviews have been undertaken in the last four years, the schemes that were subject to these reviews and what changes to the affordable housing provision were made?</b></p>
<p>Councillor Mills</p>	<p>Two sites are currently under review with regards to the deferred housing contribution and these are White Rock in Paignton and The Pines in Torquay. At present there is no definite outcome as the relevant processes are still being worked through. Other sites within this time period have either completed within the timescales set out within the S106, have provided the full 30% or are still currently on site.</p>

## Second Round

<p><b>Question (9) by Councillor Long to the Executive Lead for Environment (Councillor Ellery)</b></p>	<p><b>A member of the public has advised me that the contractor the Council uses for grass cutting in the Barton and Watcombe area only employ 3 staff. Is this the reason why grass cutting has been so delayed this year?</b></p>
<p>Councillor Ellery</p>	<p>The contractor the council used for the Barton And Watcombe area has 9 staff available not 3 and uses them accordingly depending on demand. The cutting in Torbay started late as the ground was so wet and then the hot dry spell has seen a growth spurt with grass areas becoming overgrown very quickly. This has been a national trend but the crews are catching up as quickly as they can.</p>
<p><b>Question (10) by Councillor Darling (S) to the Executive Lead for</b></p>	<p><b>The Field in Trust deed for King George V playing fields off Teignmouth Road, Torquay has now been formally signed. When does the local Authority plan to reinstate the commemorative plaque that was stolen?</b></p>

<b>Environment (Councillor Ellery)</b>	
Councillor Ellery	The Fields in Trust deed does allow for a Plaque to be Reinstated, but this will not be of the quality of the one stolen because the cost of this could be up to £2k. I understand Councillor Steve Darling was looking to community funding so that a higher quality Plaque could be reinstated. This funding will need to come from the community or other sources as the council have no budget for a high quality replacement.
<b>Question (11) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>I understand the Council have conducted traffic counts before and after the completion of the South Devon Link Road, along Hele Road Torquay. Can you please provide me with a table that compares these counts?</b>
Councillor Excell	Traffic data gathered for Hele Road, Torquay has yet to be fully verified by officers and some further surveys may be considered. Officers will provide this data once they are satisfied that results are representative.

### Third Round

<b>Question (12) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</b>	<b>How many hours a week does Torbay's CCTV not have active supervision?</b>
Councillor Excell	Out of the 168 hours in any one week, the CCTV service is without active supervision for only 38 hours per week (Sunday to Thursday 0200-0800 and Friday and Saturday nights 0400-0800).
<b>Question (13) by Councillor Darling (S) to the Chairman of the Overview and Scrutiny Board (Councillor Lewis (C))</b>	<b>Earlier this year the Overview and Scrutiny Board agreed to hold a meeting with the Police to consider the reductions in uniformed police officers in Torbay. This has now dragged on for months, with fear of crime mounting and a lack of policing in Torbay impacting on our communities. Why have you allowed this meeting to hold the Police to account to drag on for months?</b>
	This question was withdrawn.