

URGENT ACTION REQUIRED: TO AVERT A MAJOR PLANNING CASTASTROPHE

FOR THE URGENT ATTENTION OF:

CEO Torbay Council: Anne, Marie Bond

Copy to: Head of Devon Audit Partnership, David Rose

Our correspondence address: 77 Barcombe Road, Paignton, TQ3 1QB

Our electronic correspondence address: information@sevenconcernedcitizens.co.uk

Date 20th September 2023

RE: CLIMATE EMERGENCY PLAN

Letter 5 of 5: **FORMAL NOTICE TO RECTIFY - MAJOR ORGANISATION FAILURES**

Firstly, our appreciation to you and to your colleagues for your co-operation in providing a prompt and informative freedom of information service in response to our previous four letters relating to the climate emergency and accelerated carbon reduction policy.

After scrutinising the information provided, we can only conclude that the Torbay Council organisation is **not fit for the purpose of conducting emergency planning and execution** relating in part to the climate emergency. Furthermore, **the present organisation system left un-corrected poses a significant, elevated and imminent threat of harm to the wellbeing of the region and its people. The likely impacts, risks and unintended consequences arising from the policies and strategies being developed through the current organisation system will have catastrophic implications lasting for generations.**

To avoid such a planning and policy related catastrophe we hereby **formally notify you and your board members that urgent and immediate rectification action is necessary.**

Accompanying this letter is a report of our findings: *(electronic report copies supported by a video can be viewed on our website www.sevenconcernedcitizens.co.uk)*

Our report highlights **significant institutional failures, deficiencies and gaps** relating to the strategy and organisation approaches surrounding the climate emergency and accelerated carbon reduction plans. These can be grouped into the following five categories:

- Advisory
- Institutional bias and pre-determination
- Strategy & planning
- Organisation systems
- Audit & governance

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Notably, four years since declaring ‘an emergency’ audit, advisory and governance systems have all failed to identify, intervene and address these issues. This constitutes a major failure of the non-executive function of Torbay Council.

Three root causes of the failures are suggested, namely:

- Organisation complexity
- Strategic risk management
- Organisation design & development

In essence, Torbay Council are operating together with their regional partners through an organisation system with capabilities that have not been designed or developed to effectively tackle the complex nature of the declared emergency. Advisory, audit and governing systems have repeatedly failed to identify, intervene and correct the issues. The primary failures are institutional blind spots in strategic risk management and a category of internal risk relating to perceptions, patterns of thinking and organisational processes.

To address these organisational failures and deficiencies it is necessary to undertake informed and urgent strategic re-appraisals of:

1. The climate emergency & net-zero policy
2. Advisory and audit needs
3. Open & independent validation of our report and its findings
4. The emergency planning, capability & execution system
5. Effectiveness of Torbay Councils non-executive function

Finally, the report offers suggestions and a pathway towards fast-track rectification which include:

- Appointment of an ‘independent & trusted’ inclusion advisor / facilitator
- Engaging advisors with opposing views relating to climate change
- Scenario planning
- Commissioning thorough risk, value, impact and option assessments

These are necessary and critical precursors to rigorous strategic planning and decision making that then properly informs balanced public / councillor consultation.

Furthermore, by adopting these suggestions there is a positive opportunity for Torbay Council to become a leader / pathfinder demonstrating ‘critical voice’ inclusion.

The momentum of policy rollout for this ‘declared emergency’ is rapidly accelerating. Therefore, the gravity, urgency and emergency nature of rectification should overshadow all other risks and executive level concerns across Torbay Council and the region at this time.

To avoid further escalation measures, from us, we request that within 20 working days that you supply details of how you intend to address this situation taking account of and making provision for:

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- a) The issues identified, and suggestions offered in our report.
- b) Escalation with immediate effect to the highest / most appropriate levels of governance and public scrutiny.
- c) It is in the public interest to have **full transparency** and therefore a **direct, open and 'informed public engagement' with the auditors and their advisors throughout the rectification process, the scoping of proposals and corrective monitoring.**
- d) **To avoid organisational inertia**; supply proposals and assurances that appropriate and timely action will be taken and maintained without the unfortunate need for additional escalation measures, by us and the wider public, to hold the council, its executives and officers personally to account.
- e) A reminder that as public servants; you have a **responsibility first and foremost to cause no harm**, to act objectively using the best evidence without discrimination, bias or pre-determination solely for the public interest and the needs of the people of Torbay. There is a duty of care on public authorities and their officers to consider or think about how their policies, organisation systems and decisions affect the people and the wellbeing of this region (*see addendum item 4*).

We reiterate that our objective, as concerned citizens (*see addendum*), is to inform and support the council, its officers, councillors and partners. Our intention is to avert an imminent planning and organisation related catastrophe associated with emergency declarations, strategic planning and execution, in part related to the climate emergency.

On behalf of the growing numbers of informed and concerned citizens across this region, we look forward to receiving your response.

Signed:

 GRESHAM KIDBY	 JANE PERRY	 MATTHEW SYKES
 GLYN OWEN	 LEIGH CARRUTHERS	 SUSAN ROBINSON
 JULIE ADAMS		

Addendum to letter Nr 5.

1. WHO ARE WE

We are a group of extremely concerned citizens worried about the adverse implications from the accelerated Devon Climate Emergency Programme and where this will lead society. Our concerns fall into three significant categories which were presented at our meeting with four Torbay officers on the 31st January 2023:

- The adverse implications of the plans
- Council planning systems being 'fit for purpose'
- The validity and pragmatism of the Climate Emergency & Carbon policies

We made five presentations that highlighted deep concerns regarding the significant detrimental impacts of the proposed Devon Carbon Plan on the people, businesses and standards of living of this region. These presentations with supporting information by 'independent' climate science experts can be found on: www.sevenconcernedcitizens.co.uk

From our position and perspective, it is essential that balanced scientific information is presented and communicated to better inform councillors, officers and the general public in dialogue and decision making. This requires an understanding of the complexities, potential threats and risks associated with these policies and an assurance of the organisation and planning rigour needed to execute these policies without causing harm and detriment to our quality of living.

2. WHY WE ARE ENGAGING THE EXECUTIVE BOARD

On 31 January 2023 we made presentations to four officers at Torbay Council. Subsequent to the meeting, then a ten-week delay and despite repeated attempts we had been unable to secure a follow-up meeting or any meaningful dialogue with the officers.

Due to the urgency, gravity and systemic nature of this issue our only recourse is to escalate to the Executive Board of Torbay Council.

3. A KEY CONCERN: COUNCIL PLANNING SYSTEMS BEING 'FIT FOR PURPOSE'

In 2019 Torbay Council declared a 'climate emergency' of such gravity as to initiate accelerated plans and aggressive targets for CO₂ reduction measures.

We are a group of concerned and informed citizens that perceive a significant and imminent threat of harm to the wellbeing of this region and its people. The adverse effects of this institutional / systemic risk, if realised, could initiate a full spectrum social, environmental, technical and economic catastrophe impacting the region and its people for generations.

Our objective is to avert the risks of such a planning & organisation related catastrophe.

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Previously, we highlighted and referenced that many independent 'expert' climate scientists and advisors strongly refute the notion of a climate crisis and sternly warn about the significant adverse impacts to standards of living, social, and economic wellbeing from pursuing accelerated and systemically incoherent CO₂ reduction strategies.

We have concerns that the Emergency Climate and accelerated CO₂ policies if driven and executed through the present council planning and organisation systems will highly likely result in and exasperate a catastrophic risk event for this region.

As concerned citizens we are seeking assurances from the Executive Board that Torbay Council's planning and organisation systems, including its governance, are 'fit for the purpose' of emergency planning and execution, in part relating to the climate emergency.

We question; whether rigorous strategic process, transparent and non-biased advisory practices have informed the formulation, roll out, consultations, decision making, and procurement activity associated with the Climate Emergency and Devon Carbon Plan (DCP).

4. A REMINDER OF YOUR PUBLIC STANDARDS OF DUTY

The seven principles of public life: You have a responsibility first and foremost to act, objectively using the best evidence without discrimination or bias solely for the public interest and the needs of the people of Torbay. There is a duty of care on public authorities and their Officers to consider or think about how their policies, organisation systems, institutional behaviours and decisions affect people of this region.

Environmental Information Regulations: The public have enhanced rights to participate in environmental matters, such as the climate emergency, and public authorities have less grounds to withhold any information.

Our community right to challenge: As a community we are asking, do the emergency climate and accelerated CO₂ policies and plans:

- truly serve the priorities, best interests, maintenance of living standards, freedoms and wellbeing of the people of Torbay?
- contain predetermination, advisory bias and institutionalised organisation process bias?
- possess the potential for harms that have not been adequately assessed, understood, communicated and mitigated?
- truly provide resilience, sustainability and the best return on public sector procurement / investment and effort pursuant to the healthy development, wellbeing and growth of all aspects of life in this region?

Beyond corporate law and its regulations: As a U.K. Citizen under common law and a sovereign human being abiding by natural law; there is a duty of care to do no harm.