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Wednesday, 11 July 2018

Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 19 July 2018** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Steve Parrock".

Steve Parrock
Chief Executive

(All members are summoned to attend the meeting of the Council in accordance with the requirements of the Local Government Act 1972 and Standing Orders A5.)

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or language please contact:

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Meeting of the Council Agenda

1. **Apologies for absence**

2. **Opening of meeting**

3. **Minutes**

To confirm as a correct record the minutes of the extraordinary meeting of the Council held on 21 June 2018.

(Pages 4 - 25)

4. **Declarations of interests**

- (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.)

5. **Communications**

To receive any communications or announcements from the Chairman, the Mayor, the Overview and Scrutiny Co-ordinator or the Chief Executive.

6. **Members' questions**

To respond to the submitted questions asked under Standing Order A13:

(Pages 26 - 29)

7. **Notice of motions**

To consider the attached motions, notice of which has been given in accordance with Standing Order A14 by the members indicated:

- (a) B&Q Building, Torre, Torquay (Mayoral Decision)

(Page 30)

- | | | |
|------------|--|-------------------|
| (b) | Policy Framework Objection to current Investment and Regeneration Strategy (Council Decision) | (Page 31) |
| (c) | Felling of Trees by Network Rail (Mayoral Decision) | (Page 32) |
| (d) | Speeding on Great Hill Road (Mayoral Decision) | (Page 33) |
| (e) | Grit Bin on Southern Close, Torquay (Mayoral Decision) | (Page 34) |
| (f) | Oddicombe Cliff Road, Torquay (Mayoral Decision) | (Page 35) |
| 8. | Proposal to Vary Parking Charges
To consider the submitted report on the above. | (Pages 36 - 58) |
| 9. | Adult Social Care - Local Account
To consider the submitted report on the Adult Social Care Local Account and Multi-agency Safeguarding annual report. | (Pages 59 - 100) |
| 10. | Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee
To consider the submitted report on the establishment of a new Joint Scrutiny Committee. | (Pages 101 - 108) |
| 11. | Disposal of land at St Kilda's for affordable housing delivery and update on housing delivery
To consider the submitted report on the above. | (Pages 109 - 118) |
| 12. | Composition and Constitution of Executive and Delegation of Executive Functions
To receive details on the above. | (Pages 119 - 127) |

Note

An audio recording of this meeting will normally be available at www.torbay.gov.uk within 48 hours.



Minutes of the Council **(Council decisions shown in bold text)**

21 June 2018

-: Present :-

Chairman of the Council (Councillor Doggett) (In the Chair)

The Elected Mayor of Torbay (Mayor Oliver)

Councillors Amil, Brooks, Bye, Carter, Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, Morey, Morris, Parrott, Pentney, Robson, Stockman, Stocks, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard and Tyerman

28 Opening of meeting

Members observed a minute's silence as a mark of respect in memory of the late former Councillor Eileen Salloway who passed away on 10 May 2018 and will be greatly missed. The meeting was then opened with a prayer.

29 Apologies for absence

Apologies for absence were received from Councillors Barnby, Bent, O'Dwyer, Sanders and Winfield. It was noted that Councillor Morris would be arriving late and Councillor Carter needed to leave around 7.30 pm.

30 Minutes

The Minutes of the meeting the annual Council meeting held on 14 May 2018 and the adjourned annual Council meeting held on 14 May 2018 were confirmed as correct records and signed by the Chairman.

31 Communications

The Chairman referred to the successful ceremony and parade for RAF Brize Norton held earlier today.

The Overview and Scrutiny Co-ordinator reminded members of the Overview and Scrutiny Spotlight Review on Neighbourhood Policing meeting being held at the Town Hall, Torquay at 9.30 am on Monday, 25 June 2018 and encouraged as many Councillors to attend as possible.

Councillor Thomas (D) provided a report to the Council on his work as the Council's representative on the Heart of the South West Joint Committee and Torbay Together as attached to these Minutes.

32 Order of business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable: agenda Item 10 (Call-in of Elected Mayor's Decision on Future of Oldway Mansion) and Item 11 (Future of Oldway Mansion) to be considered after Item 7(a) (Petition – Oldway is not for sale).

33 Public question time - Licensing for Landlords

In accordance with Standing Order A24, the Council heard from Mrs Holbrook who represented Mrs Waugh who had submitted a question in relation to the Council's position on licensing for landlords. The Executive Lead for Housing, Councillor Stocks, responded to the question that had been put forward.

34 Petition - Oldway is not for sale

In accordance with Standing Order A12, the Council received a petition requesting the Council not to sell Oldway Mansion and estate and to secure a structured and considered long-term strategy for keeping Oldway at the heart of the community. The Chairman reported that 888 qualifying electronic signatures had been received by the deadline for submission of petitions to this Council meeting and that there were approximately 2501 signatures on the petition as at 12 June 2018.

At the invitation of the Chairman, Mr Hawthorne addressed the Council in relation to the petition.

It was noted that the matters set out in the petition were due to be considered at this Council meeting (please refer to Minutes 35 and 36 below).

35 Call-in of Elected Mayor's Decision on Future of Oldway Mansion

At its meeting held on 13 June 2018, the Overview and Scrutiny Board considered the Notice of Call-in of the Mayor's decision part (iii) to commence market testing to determine whether there is interest in securing the freehold or long leasehold disposal of Oldway Mansion. The Board resolved that, having listened to the advice of the Monitoring Officer, the Elected Mayor's decision was contrary to the Policy Framework as it did not believe that it made best effect of the Council's reducing resources (as set out the Corporate Plan). In accordance with Standing Order D10.3 the matter was referred to the Council for consideration.

The Council considered the submitted report on the findings of the Overview and Scrutiny Board and further information regarding the Elected Mayor's decision, along with the advice of the Monitoring Officer. They also received a record of decision setting out the Elected Mayor's response to the position of the Overview and Scrutiny Board.

Members firstly considered whether or not the Elected Mayor's decision was contrary to the Policy Framework.

Councillor Lewis proposed and Councillor Darling (S) seconded a motion, which was agreed by the Council (by recorded vote) as set out below:

that the Elected Mayor's decision is contrary to the Policy Framework (Corporate Plan) as it does not believe that it makes best effect of the Council's reducing resources.

A recorded vote was taken on the motion. The voting was taken by roll call as follows: For: Councillors Brooks, Bye, Carter, Darling (M), Darling (S), Doggett, Hill, King, Kingscote, Lewis (B), Lewis (C), Long, Morey, Morris, Pentney, Robson, Stubley, Skyes, Thomas (D), Thomas (J), Tolchard and Tyerman (22); Against: Elected Mayor Oliver and Councillors Ellery, Excell, Manning, Mills, Parrott, Stockman and Stocks (8); Abstain: Councillors Amil and Haddock (2); and Absent: Councillors Barnby, Bent, O'Dwyer, Sanders and Winfield (5).

In accordance with Standing Order D10.8, the Monitoring Officer advised that as the Council had determined that the Elected Mayor's decision was contrary to the Policy Framework, the decision was deemed as a recommendation to the Council. Elected Mayor Oliver proposed and Councillor Mills seconded a motion:

- (iii) that market testing commences now, through accredited agents, to see whether there is interest in securing the freehold or long leasehold disposal of Oldway Mansion and Estate. The marketing should engage with all interested parties, including charities, trusts, private individuals and commercial organisations, and for local community groups, such as the Friends of Oldway, the Community Asset Transfer Policy would be applicable;

During the debate Councillor Thomas (D) proposed and Councillor Robson seconded an amendment to the motion as follows:

- (iii) that market testing ~~commences now~~, through accredited agents, to see whether there is interest in securing the freehold or long leasehold disposal of Oldway Mansion and Estate **not be pursued**. ~~The marketing should engage with all interested parties, including charities, trusts, private individuals and commercial organisations, and for local community groups, such as the Friends of Oldway, the Community Asset Transfer Policy would be applicable;~~

The amended (substantive) motion was then considered by members, which was agreed by the Council as follows:

- (iii) **that market testing through accredited agents, to see whether there is interest in securing the freehold or long leasehold disposal of Oldway Mansion and Estate not be pursued.**

36 Future of Oldway Mansion

The Council received the report and recommendations of the Oldway Mansion and Estate Working Party, as set out in the submitted report. A revised Working Party recommendation was circulated on 20 June 2018. It was noted DCA consultants were appointed to produce an options appraisal and proposals for the future use of Oldway Mansion and estate, which were broadly agreed by the Working Party.

Councillor Robson proposed and Councillor Morey seconded a motion, which was agreed (by roll call) by the Council as set out below:

This Council thanks the Working Party for their work over the preceding months and DCA for their production of a comprehensive and enlightening report.

Council notes and supports paragraphs (i), (ii), (iv) and (v) of the Elected Mayors decision of 11 June 2018.

Whilst the Council supports the ambitions for the future restoration of Oldway Mansion, including the ideas contained in the DCA report, it recognises that it is not currently in a position to commit to funding its restoration, beyond that which is needed to deal this year with the dry rot.

Decision

- 3.1 That the Oldway Working Party's terms of reference be amended so as to include oversight in respect of:**
- 3.1.1 specifying, fully costing and prioritising the works identified in Phase 1 of the DCA report;**
 - 3.1.2 exploring with the community all potential sources of funding for the entirety of the Phases, including, but not limited to;**
 - Grant funding**
 - Fund raising events**
 - Crowd funding**
 - Business opportunities and investment**
 - Legacies**
 - Philanthropic contributions**
 - 3.1.3 production of a flexible programme of proposed delivery of restoration works which aligns with the availability of funding; and**
 - 3.1.4 strategic oversight of commissioning and delivery of any restoration works.**

A recorded vote was taken on the motion. The voting was taken by roll call as follows: For: Councillors Amil, Brooks, Bye, Carter, Darling (M), Darling (S), Doggett, Ellery, Haddock, Hill, King, Kingscote, Lewis (B), Lewis (C), Long, Manning, Morey, Morris, Parrott, Pentney, Robson, Stockman, Stocks, Stubley, Skyes, Thomas (D), Thomas (J), Tolchard and Tyerman (29); Against: (0); Abstain: Elected Mayor Oliver and Councillors Excell and Mills (3); and Absent: Councillors Barnby, Bent, O'Dwyer, Sanders and Winfield (5).

(Note: Councillor Carter left the meeting after discussion of this item.)

37 Members' questions

Members received a paper detailing questions, as set out at Appendix 3 to these Minutes, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Elected Mayor Oliver and Councillors Ellery, Excell, Lewis (C), Mills, Parrott and Thomas (D). It was noted that Question 13 had been withdrawn at the request of Councillor Darling (S).

Supplementary questions were put and answered by Councillors Ellery, Excell, Mills, Parrott and Elected Mayor Oliver, arising from their responses to the questions in respect of questions 1, 2, 3, 4, 5, 6, 9, 10, 11 and 12.

38 Notice of Motion - Provision of Disabled Toilet Facilities at Goodrington

Councillor Tyerman advised the Council that he wished the notice of motion in relation to the provision of disabled toilet facilities at Goodrington to be withdrawn as the matter had already been dealt with outside of the meeting.

39 Notice of Motion - Provision of Affordable Housing

Members considered a motion in relation to increasing the supply of good quality affordable homes in Torbay, notice of which was given in accordance with Standing Order A14. In accordance with Standing Order A14.3(b), the motion was dealt with by this meeting.

Councillor Thomas (D) proposed and Councillor Tyerman seconded the motion, which was agreed (unanimously) by the Council as set out below:

Over the past few years the number of affordable homes built in Torbay has failed to reach targets set by the Council and the availability of good quality homes available to rent at affordable prices has fallen short of meeting the level of demand in Torbay.

As an initial move to increase the supply of good quality affordable homes Council requests the Director of Adult Services and Housing to bring forward to Council, at the earliest opportunity and no later than 19 July 2018, proposals to deliver affordable housing schemes at locations which have no significant impairment to rapid delivery and which are assessed as being able to support financially viable

schemes, or which together, are able to support a collective package which achieves overall financial viability.

Sites to be considered for inclusion in the report must include but should not be limited to;

- (i) Redwell Lane
- (ii) Totnes Road
- (iii) St Kilda's

40 Notice of Motion - Transformation Project - Town Centre Regeneration

Members considered a motion in relation to the delivery of the Town Centre Regeneration Transformation Project and the Town Centre Regeneration Board, notice of which was given in accordance with Standing Order A14. In accordance with Standing Order A14.3(b), the motion was dealt with by this meeting.

Councillor Thomas (D) proposed and Councillor Haddock seconded the motion, which was agreed by the Council as set out below:

In June 2015 this Council established the Town Centre Regeneration Programme Board to deliver one of the Council's Transformation Projects.

The key objectives of Town Centre Regeneration Transformation Project are stated to be:

- (a) To deliver and enable significant and successful regeneration of Torbay's Town Centres as a key part of Torbay's overall growth and place making agenda; and**
- (b) To generate income to support the Council's budget in order to deliver local services.**

Further, in April 2017 Council approved as a policy framework document the "Transformation Strategy for Torbay's Town Centres" as an appendix to the "Torbay Economic Strategy."

Further still, in October 2017 Council agreed the following motion:

- (i) that prudential borrowing of £25 million be approved to create a Town Centre Regeneration Programme Fund that will support delivery of the projects identified within Phase 1 of the Town Centre Regeneration (TCR) Programme, as set out in the Council's Transformation Strategy for Town Centres, with any draw down against this sum being delegated to the Chief Executive in consultation with the Elected Mayor, Group Leaders and Chief Finance Officer, in accordance with the approved Business Case at (iii) below;**

- (ii) that any income (revenue or capital) from the projects within Phase 1 of the TCR Programme, in excess of the amount required to cover the prudential borrowing costs for the £25 million and sustain service delivery (including any increased service costs/forecast income), be re-invested into the delivery of the Town Centre Regeneration Programme;**
- (iii) that the Town Centres Regeneration Programme Board must submit for approval by the Chief Executive, in consultation with the Elected Mayor and Group Leaders, an initial 5 year Town Centres Regeneration Business Plan, including delivery timescales and interdependencies between the projects demonstrating how the prudential borrowing will be used. The Business Plan needs to be regularly reviewed, with the Board submitting amendments for approval. The Overview and Scrutiny Board will periodically review progress against the business plan;**
- (iv) that the Town Centres Regeneration Business Plan will include the delivery of at least two public realm projects, one for Paignton and one for Torquay, at a combined cost of approximately £3 million, and the delivery of a refurbished Lower Union Lane Multi Storey Car Park at a cost of approximately £3.5 million, subject to the completion of Heads of Terms and a signed Agreement to Lease for the development of student accommodation at Upton Place (or another project that can cover the prudential borrowing costs of the car park refurbishment and public realm projects), with detailed proposals to be included in the Business Plan as per (iii) above. Final approval of public realm schemes and car park refurbishment to be delegated to the Executive Head of Business Services in consultation with the Chief Finance Officer and the Chairman of the Town Centres Regeneration Board, with the drawdown of the Prudential Borrowing to be approved in accordance with (i) above;**
- (v) that, if necessary, the £25 million Town Centre Regeneration Programme Fund can be used to make strategic acquisitions of property, with the revenue and/or capital income from such purchases being reinvested into the delivery of the TCR Programme. The authority to make such acquisitions is delegated to the Executive Head of Business Services, in consultation with the Chief Finance Officer and the Town Centres Regeneration Programme Board, following assessment of a clear business case. The drawdown of the Prudential Borrowing to be approved**

in accordance with (i) above. Any purchase of property in excess of £5 million will need full Council approval; and

- (vi) that the outline business cases included as part of the submitted report (Appendices 1 to 4) are approved in principle and that authority to proceed with each project is delegated to the Executive Head of Business Services, in consultation with the Chief Finance Officer and the Town Centres Regeneration Programme Board, following an assessment of more detailed and complete business cases.

The Council notes the following:

1. a viable business plan, in line with the original objectives of the Town Centre Regeneration Programme, has not received the approval from the Chief Executive, as required in the decision taken by the Council in April 2017; and
2. the decision taken by the Elected Mayor to withdraw Councillor Haddock as his representative on the Town Centres Regeneration Programme Board, despite Councillor Haddock as Chairman of the Board, has been instrumental in promoting the schemes by the Board.

In view of the above, the Council therefore resolves:

- (i) that all responsibility for progressing and overseeing the Town Centre Regeneration Programme be transferred to the Investment and Regeneration Committee, with the Committee's terms of reference to be amended accordingly by the Monitoring Officer. Accordingly the Town Centre Regeneration Programme Board be discontinued;
- (ii) decision making responsibility for committing any element of the £25 million previously approved by Council, be placed with the Investment and Regeneration Committee and operated within the existing criteria contained within their Policy Framework, with detailed business cases being presented for approval by the Investment and Regeneration Committee;
- (iii) the £25 million of prudential borrowing for Town Centre Regeneration be in addition to such other sum agreed from time to time by Council for funding schemes and purchases within the Investment and Regeneration Fund Strategy, but the £25 million shall be specifically ring fenced for town centre regeneration;

- (iv) **the principle of permitting public realm projects and car park refurbishment, as specified in section (iv) of the Council decision taken on 19 October 2017, to be funded from surpluses generated by other projects, be retained within the Town Centre Regeneration Programme when transferred to the Investment and Regeneration Committee;**
- (v) **the Investment and Regeneration Committee may resolve from time to time to appoint working parties from amongst its members or any other member of Council to investigate individual projects and to monitor their progress; and**
- (vi) **that the Overview and Scrutiny Board be requested to regularly review progress of the Investment and Regeneration Committee in regard to its work in progressing Town Centre and other regeneration projects.**

41 Children and Young People's Plan

The Council considered the submitted report on a revised Children and Young People's Plan. It was noted the revised plan sought to integrate the Children's Plan within the Council's Policy Framework to ensure a continuous, coherent approach for the commissioning, planning and delivery of services for children and young people.

Councillor Parrott proposed and Councillor Stockman seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the Children and Young People's Plan 2018/2023 be approved as part of the Council's Policy Framework and that it be noted that final amendments may be made, in accordance with the Constitution, in light of the outcome of the Ofsted Inspection.

42 Statutory Officer Appointment

The Council was requested to confirm the statutory officer appointment for the Director of Children's Services.

Councillor Parrott proposed and Councillor Tyerman seconded a motion, which was agreed (unanimously) by the Council as set out below:

that Alison Botham be appointed as the Statutory Officer for the Director of Children's Services from 6 July 2018.

43 Community Governance Review

The Council resolved on 27 October 2016 to undertake a community governance review once the electoral review of ward boundaries had concluded. The electoral

review was due to conclude on 22 June 2018 and members considered the submitted report on when the review should be undertaken. It was noted the review would assist the Council to consider whether or not to form new town councils within Torbay. The financial pressures facing the Council in 2020 and a need to consider a wider review of local government reorganisation were highlighted at the meeting.

Elected Mayor Oliver proposed and Councillor Tyerman seconded a motion, which was agreed by the Council as set out below:

(i) given the severity of the financial projections identified by the Chief Executive and the Section 151 Officer for 2020 that the Chief Executive be requested to immediately review all local government reorganisation options, including Torbay Council reverting to a District Council. It is not envisaged that this review will change the five year contractual relationship with Plymouth City Council for the delivery of Children's Services;

(ii) that in reviewing the options as set out in (i) above, the Chief Executive shall engage with all relevant bodies, including, but not limited to:

- MPs
- Local Government Association
- Local Partnerships
- other Council's

and the Chief Executive shall involve the Elected Mayor and Group Leaders as appropriate; and

(iii) In light of (i) and (ii) above that Minute 92 of 27 October 2016 be rescinded.

44 Duration of Meeting

At this juncture, the Monitoring Officer reported that the meeting had exceeded four hours in duration and in accordance with Standing Order A11.2, the Chief Executive had indicated that the remainder of the business left on the agenda must be transacted at the meeting. Therefore, the meeting continued.

45 Establishment of a Standards Hearing Sub-Committee

The Council considered the submitted report on establishing the Standards Hearing Sub-Committee.

Elected Mayor Oliver proposed and Councillor Ellery seconded a motion, which was agreed by the Council as set out below:

(i) that, a sub-committee of the Standards Committee be established to comprise three Members of the Standards

Committee (and 1 Brixham Town Councillor if the complaint is about a member of the Town Council); and

- (ii) that the terms of reference of the Standards Hearing Sub-Committee be to consider any alleged breaches of the Members Code of Conduct or local protocols, as and when referred to it by the Monitoring Officer.**

46 Treasury Management Outturn 2017/2018 (subject to Audit)

Members noted the submitted report in respect of the Treasury Management Outturn for 2017/2018.

47 Budget Monitoring 2017/2018 - Quarter Four

The Council noted the forecast position for Revenue Budget for 2017/18 based on quarter four information, as set out in the submitted report.

48 Composition and Constitution of Executive and Delegation of Executive Functions

The Council received and noted the submitted report in respect of changes made by the Elected Mayor to his Executive.

49 Exclusion of the Press and Public

Councillor Ellery proposed and Councillor Mills seconded the motion, which was agreed by the Council (unanimously), as set out below:

that the press and public be excluded from the meeting prior to consideration of item 20 on the agenda on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

Prior to consideration of the items in Minute 50 the press and public were formally excluded from the meeting.

50 Transformation Project - Future of TOR2 Services (Strategic Delivery Model)

The Council considered the submitted exempt report on the future of TOR2 services.

The decision of the Council meeting is restricted due to exempt information contained within the decision.

51 Investment and Regeneration Committee Recommendation - Investment Opportunity

The Chairman reported that there were no recommendations from the Investment and Regeneration Committee for consideration at this meeting of the Council.

Chairman

Torbay Council representative on the Heart of the South West Joint Committee

Talking Points for the meeting of the Council held on 21 June 2018

Joint Committee

- The second meeting of the Heart of the South West Joint Committee was held on 25 May 2018 at Devon County Hall.
- Councillor David Fothergill, Leader of Somerset County Council, was unanimously re-elected Chairman of the Joint Committee and Councillor John Tucker, Leader of South Hams District Council, appointed Vice-chairman.

Productivity Strategy and Delivery Plan

- The Joint Committee considered framework for the Delivery Plan for the Heart of the South West's Productivity Strategy.
- The Delivery Plan will be based around a series of opportunities which will be delivered through a range of tools or investments:
 - Opportunities in our transformational sectors:
 - Digital – Creative, Big Data and Photonics
 - Advanced Engineering – Marine, Nuclear and Aerospace
 - Healthy Ageing
 - Opportunities in our bedrock sectors:
 - Agriculture, food and drink
 - High value tourism
 - Defence
 - Enabling Opportunities:
 - Construction
 - Housing
 - Energy
 - Infrastructure
- It is recognised that across these opportunities will have elements which impact on our rural and coastal communities and that sometimes these will need to be packaged distinctly.

- The Joint Committee recognise that we will need to stay agile in order to respond to new funding opportunities.

Peninsula Sub-National Transport Body

- The Joint Committee noted the work that is underway to establish a Sub-National Transport Body (STB) for the South West Peninsula. The emerging approach is for two STBs to be formed in the South West – Western Gateway covering BANES, Bristol, Gloucestershire, North Somerset, South Gloucestershire, Wiltshire, Bournemouth, Poole and Christchurch; and Peninsula covering Cornwall, Devon, Somerset, Plymouth and Torbay and potentially Dorset (after their reorganisation).
- The aim is to establish a Shadow Sub-National Transport Body in the Autumn of 2018.

Torbay Together – Jake Berry visit – Update by Councillor Thomas (D)

I have been requested to provide Council with an update on the recent visit to see Jake Berry (The governments' minister for growth) of Torbay's Strategic Partnership, known locally as Torbay Together.

For the benefit of members of the public gathered here this evening. The Conservative group brought a motion to Council approx. 2 years ago to set up a strategic partnership for the Bay. Basically a group of individuals from all walks of life who wanted to see the Bay move forward over the next 20 years. This group includes representatives from the NHS, Police, Fire, the Voluntary Sector, Business representatives, the Community Development Trust, the business forum and of course a representative from the Council, ie myself. It was and still is important that this body of people is not the Council, it is a partnership and the Council are just one of the players sat around the table.

It has taken approx. 18 months for the group to pull together it's vision for the Bay, it is no surprise this vision hangs and links into the economical strategies that exist for Torbay and the wider region including direct links into the Heart of the South West Local enterprise Partnership. The group has no power to create new policies or new directions of travel, but it does have the power of 'togetherness' something that this Bay has often been lacking over recent years.

With any new partnership or group, trust has had to be earned, gained and respected. However I do believe that Torbay Together is now on the very first rung of helping to drive the Bay forward with some of its ambitions.

To that end and working with our MP, Kevin Foster, he was able to pull together a meeting with the minister for growth, Jake Berry in London last week. We had 45 minutes to present our offer – this was not a begging bowl, this was a genuine 'deal' where with the government's investment we could genuinely progress some of the key ideas in the document to help deliver growth, prosperity for all, and a huge lift in the GVA of the Bay. Positive opportunities for all individuals in the Bay and a better place to live, work and play.

I don't have time this evening to go through the full plan, but to give you just one of the headlines. This includes an ambition for South Devon College to obtain University Status by 2025.

Anyway back to the visit – if you wish to have a blow by blow account of our day trip to London, I need to point you in the direction of the Herald Express, both Jim Parkers column (oh, By the Way – he is the chairman of Torbay Together) and page 35 give you a blow by blow account including the full story of Matilda the Torbay/Russian Doll, the meeting with no trouser belts and our 20 minute audience with the minister.

Mr Chairman, I am extremely conscious of the time – I simply wish to conclude by informing you that the meeting went exceedingly well, the minister was impressed with our presentation. I think he liked the Torbay Doll – at least he was prepared to have his photo taken holding her and he didn't call for security.

However, the most important part of the meeting and the serious part of our visit was to ask the minister to come to the Bay, to experience some of the issues first hand, See some of our proposals and learn how as a committed partnership we wanted to move the Bay forward. This approach has worked very well in Luton under the Luton One initiative and we wanted to replicate the same opportunities here in the Bay.

I am therefore delighted to inform Council this evening that the Minister is extremely interested, he does want to come down and see what we can do, he draws comparisons with Grimsby and their Town Deal, I believe there is an opportunity for a Torbay Town Deal – let's see what happens next. I will of course keep Council informed as we more along this very exciting journey.

Minute Item 37

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.

Question (1) by Councillor Darling (M) to the Executive Lead for Adults and Children Services (Councillor Parrott)	How has the Local Education Authority promoted a zero tolerance approach to up-skirting in Torbay schools?
Councillor Parrott	<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>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)</p>	<p>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.</p> <p>It is now time the Council, the Partnership and outside funders all came together to find a long term solution to the problem.</p> <p>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.</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 5th 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>Question (3) by Councillor Robson to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and</p>	<p>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.</p>

Transformation (Elected Mayor Oliver)	
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>
Question (4) by Councillor Long to the Executive Lead for Planning and Waste (Councillor Mills)	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?
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.
Question (5) by Councillor Thomas (D) to the Executive Lead for Planning and Waste (Councillor Mills)	Residents in the Blatchcombe Ward have been reporting late collections of waste, both recycled waste and residual waste, over the past few weeks. <p>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</p>

	<p>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.</p> <p>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.</p> <p>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.</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>Question (6) by Councillor Darling (S) to the Executive Lead for Community Services (Councillor Excell)</p>	<p>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?</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>Question (7) by Councillor Mills to the Council's Representative on the Heart of the South West Joint Committee (Councillor Thomas (D))</p>	<p>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?</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>Question (8) by Councillor Pentney to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>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?</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>Question (9) by Councillor Long to the Executive Lead for Environment (Councillor Ellery)</p>	<p>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?</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>Question (10) by Councillor Darling (S) to the Executive Lead for</p>	<p>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?</p>

Environment (Councillor Ellery)	
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.
Question (11) by Councillor Darling (M) to the Executive Lead for Community Services (Councillor Excell)	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?
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

Question (12) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)	How many hours a week does Torbay's CCTV not have active supervision?
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).
Question (13) by Councillor Darling (S) to the Chairman of the Overview and Scrutiny Board (Councillor Lewis (C))	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? This question was withdrawn.

Agenda Item 6

Meeting of the Council, Thursday, 19 July 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.

Question (1) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)	Can you please advise me of the numbers of vacancies in the planning department on a monthly basis over the last four years
Question (2) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)	Can you please advise me of the average processing time of major and minor planning applications in Torbay on a monthly basis over the last four years?
Question (3) by Councillor Darling (M) to the Executive Lead for Adults and Children Services (Councillor Parrott)	Children that receive free school meals due to low family income, significantly underperform compared to other children in Torbay schools. Within the Council plans and strategies to tackle this problem, can you advise me what S.M.A.R.T targets have been set?
Question (4) by Councillor Lewis (C) to the Council's Representative on the Police and Crime Panel (Councillor Excell)	It has been announced that Devon & Cornwall Police are considering merging with Dorset Police and are consulting on the proposal. Presumably this merger is designed to lead to an improvement in the operations of both forces with the ambition that this will increase the ability of the combined force to tackle crime rates and better serve our community. Could you please give your personal perspective on what the implications of such a merger would be on the style and standard of Policing in Torbay.
Question (5) by Councillor Barnby to the Executive Lead for Planning	In the past few weeks I have been contacted by several residents in my ward to say that recycling boxes have not been collected for 2, 3 or even 4 weeks.

<p>and Waste (Councillor Mills)</p>	<p>Therefore will you please supply me with an accurate list detailing all dates on which recycling collection have taken place for the months of May and June in the following locations.</p> <p>Clennon Heights Brantwood Drive Goodstone Way Lancaster Drive The Saddle Cliff Park Road York Road</p>
<p>Question (6) by Councillor Thomas (D) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>Further to the answer you supplied in Council last month regarding recycling penalties I made further enquiries. I learned that the fine is capped at £1100 pounds and that such a fine applies if 25 bins are missed. This means that the fine is no greater if 1000 bins are missed than if only 25 are missed. I have also learned that a grace period of 3 days is allowed before a missed bin is recorded for the purpose of providing statistics and triggering penalties. This definition of a missed collection is not in accord with what my residents would deem to be a missed collection and can hide the fact that the service is not operating smoothly.</p> <p>Being cognitive of resources I do not wish further officer time to be spent on this question. All I am asking today is “was the portfolio holder aware of these key relevant facts when he presented his answer last month”.</p>
<p>Question (7) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</p>	<p>Starpitten Lane West in Torquay has perhaps the worst example of grass verges that have been ploughed up due to vehicles parking on them. The situation has become so bad that it is impacting on the ability of vulnerable people living in the sheltered housing units on that road to get about. This situation would not be accepted if it was on the seafront. Will the Executive Lead meet myself and Councillor Darling (S) as Ward Councillors on site to see the reality of the situation and to discuss actions that the Council could take to resolve this matter?</p>
<p>Question (8) by Councillor Pentney to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation Elected Mayor Oliver)</p>	<p>Storm Emma resulted in approximately £650,000 worth of damage across Torbay, to date Torbay Council has not received any funds from the Bellwin Scheme. What representations have you made to the minister demanding Torbay receives such money?</p>

Second Round

<p>Question (9) by Councillor Carter to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</p>	<p>Can you please advise me of numbers and cost of agency workers used by the Planning Department, on a monthly basis over the last four years?</p>
<p>Question (10) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>How many planning enforcement cases are lodged with the planning department and how many have been progressed in the last 28 days?</p>
<p>Question (11) by Councillor Long to the Executive Lead for Adults and Children (Councillor Parrott)</p>	<p>The Healthwatch Torbay Feedback Report 2017/18 for Health and Social Care reveals concerns about ‘safety of care treatment’ about social care in Torbay, and also identifies concerns about safety and staffing levels in residential care.</p> <p>How are Torbay Council working to resolve these negative themes identified by Healthwatch?</p>
<p>Question (12) by Councillor Darling (M) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>I understand some local authorities set planning departments a target for the local of New Homes Bonus to be achieved. Why has Torbay chosen not to do this?</p>

Third Round

<p>Question (13) by Councillor Carter to the Chairman of the Development Management Committee (Councillor Kingscote)</p>	<p>When was the last time that three Development Management meetings were cancelled in succession apart from 2018.</p>
<p>Question (14) by Councillor Darling (S) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>Can you please advise me of the average length of time to respond to correspondence in the planning department on a monthly basis over the last 4 years?</p>
<p>Question (15) by Councillor Long to</p>	<p>Two negative themes identified by the Healthwatch Torbay Feedback Report 2017/18 for General Practice (GP) Services in Torbay were for</p>

<p>the Executive Lead for Health and Wellbeing (Councillor Stockman)</p>	<p>'booking appointments' and 'appointment waiting times'. How are Torbay Council working with Health and GP Partners in the Bay to improve the appointment booking process for local residents?</p>
<p>Question (16) by Councillor Darling (M) to the Executive Lead for Planning and Waste (Councillor Mills)</p>	<p>What targets have been set by the Local Authority for reducing those on the housing waiting list by building new homes?</p>

Notice of Motion

Council Meeting 19 July 2018

B&Q Building, Torre, Torquay

This Council notes that the former B & Q building in Torre, Torquay has remained empty for approximately eight years. We note with disappointment that the Conservative Elected Mayor has failed to act to deal with this blot on the landscape in Torquay. Therefore we instruct the Executive Head of Assets and Business Services to develop an options appraisal to deal with this matter urgently. As the recently approved planning permission has not been enacted the options appraisal should include compulsory purchase.

Proposer: Councillor Darling (M)

Seconder: Councillor Pentney

Notice of Motion

Council Meeting

19 July 2018

Policy Framework Objection to current Investment and Regeneration Strategy

That the Council formally objects to the current Investment and Regeneration Strategy on the basis that:

- a) it does not adequately or appropriately reflect the Council's objectives;
- b) it does not specify the means for bringing forward regeneration projects (including those which were contained within the Town Centre Regeneration programme) nor does it set out the requirements for delivery of the same; and
- c) Council believes that it needs to be amended to better reflect the objectives and operation of the fund in contributing to meeting the Council's need for raising income, for supporting economic growth in Torbay and achieving the outcomes of the Corporate Plan.

In accordance with the Constitution at F4.9, the Council therefore requires the Elected Mayor to consider this objection by 30 July 2018 either:

- a) submit a revision of the Investment and Regeneration Strategy with the reasons for any amendments to the Council for its consideration; or
- b) inform the Council of any disagreement that the Executive has with any of the Council's objections and the Executive's reasons for any such disagreement.

Proposed by Councillor Tyerman

Seconded by Councillor Thomas (D)

Notice of Motion

Council Meeting 19 July 2018

Felling of Trees by Network Rail

Torbay Council notes concerns expressed in the national media about Network Rail cutting down trees alongside their rail lines, and that local authorities across the Country have placed preservation orders on trees by rail tracks to stop them being felled unnecessarily.

In particular, this Council further notes from 'Devon Live' that Teignbridge District Council has stopped Network Rail felling trees on Network Rail land in the Teignbridge area, by placing a preservation orders on the trees and engaging in discussions with Network Rail on this issue to find a way forward.

Torbay Council calls on the Chief Executive to ensure that preservation orders are placed on trees that are on Network Rail land in the Torbay local authority area (whilst ensuring that the trees are appropriately managed to ensure that they do not affect the rail line), and to engage with Network Rail on this issue to avoid the unnecessary felling of trees.

Proposer: Councillor Long
Seconder: Councillor Carter

Notice of Motion

Council Meeting 19 July 2018

Speeding on Great Hill Road

Torbay Council notes the concerns of residents of Great Hill Road (and roads off) and Barton Hill Road about the increase in speeding vehicles. The increase in speeding appears to have followed the introduction of the new bypass which has led to fewer vehicles travelling both ways and using the St Marychurch Road to Newton Abbot, and the reduction in traffic has led to drivers being tempted to go faster.

Residents have advised councillors of a number of accidents happening on Great Hill Road and Barton Hill Road (including cars ending up upside down) - but these accidents apparently do not feature on the official Police statistics because no fatalities were involved, which perhaps means Council officials do not have a true picture of the problem.

This Council further notes the continued use of the St Marychurch Road to Newton Abbot (both ways) by vehicles that are too large for this route, such as coaches, whose drivers ignore the signs not to use that route.

It is also understood that there had been plans by Torbay Council to make the St Marychurch Road more unattractive to drivers in Devon wanting to commute to Newton Abbot following the bypass being brought into use, but that this does not seem to have come to fruition.

Residents are frustrated because Torbay Council asks them to direct their concerns to Devon County Council.

Torbay Council resolves that the Chief Executive arranges a meeting between the Highways Departments of Torbay Council and involving the Councillors for Watcombe and appropriate councillors and officers from Devon County Council so that a proposal can be brought forward to the Torbay Council meeting in November, outlining actions to reduce the speeding in this area and stop the use of the St Marychurch Road by large vehicles.

Proposer: Councillor Long
Secunder: Councillor Darling (S)

Notice of Motion

Council Meeting 19 July 2018

Grit Bin on Southern Close, Torquay

This Council notes that in recent years Grit Bins have been removed from several roads in Torbay, including Southern Close in Torquay. At a Councillors briefing following the 'beast from the east' bad weather, the impression was given that requests for Grit bins to be returned to areas where they had been taken away would be looked on sympathetically by the Council.

Residents of Southern Close have requested the return of a grit bin, not only in response to the recent bad weather but also because they get a lot of frost even in normal winters due to being higher up, so the grit bin would be used every winter.

Residents have advised that they would be willing to be responsible for the grit bin, eg holding a key for it etc.

This Council requests that the Chief Executive of the Council ensure that a Grit Bin is returned to Southern Close as a matter of urgency.

Proposer: Councillor Long

Secunder: Councillor Darling (S)

Notice of Motion

Council Meeting 19 July 2018

Oddicombe Cliff Road, Torquay

This Council notes the following freedom of information request in respect of Oddicombe Cliff Road.

“This bank holiday Monday afternoon there was a lot of irresponsible parking on this stretch of road from Babbacombe Downs to the Beach. Pedestrian footways were blocked by cars and vehicles had to drive on the pavement to gain access to the beach. As you know there is signage stating no parking beyond this point March to September.

1. Are these restrictions enforceable?

No. I believe these signs relate to the area which is not highway.

2. If yes, how many tickets have been issued at this location in the last 12 months?

N/A

3. What is the planned parking enforcement regime over this summer?

As advised above, parking restrictions are not in place to enable parking enforcement. If enforcement was to occur there will need to be a restriction. Also consideration as to how the beach land can be enforced. Colleagues in the Highways Team will be able to advise on the process to ensure this area of highway down to the beach can be enforced. I am aware this will require the writing of a traffic regulation order and consideration as to the signage and/or lines. The area which is classed as beach land can only be managed by locking the area to restrict access to vehicles.”

This Council understands that last summer on at least two occasions' emergency medical staff had to use the cliff rail way to gain access to a patient at Oddicombe Beach due to the road being blocked by inappropriately parked vehicles.

In light of the above this Council instructs the Executive Head of Assets and Business Services to review the parking regulations on the public highway leading to Oddicombe Beach and consult with Oddicombe Beach users/stakeholders regarding the introduction of enforceable parking regulations in the interests of public safety.

Proposer: Councillor Darling (S)

Secunder: Councillor Darling (M)



Meeting: Council

Date: 19 July 2018

Wards Affected: All Wards

Report Title: Proposal to Vary Parking Charges

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Executive Lead Contact Details: Councillor Excell, Executive Lead for Community Services, robert.excell@torbay.gov.uk

Supporting Officer Contact Details: Kevin Mowat, Executive Head of Assets and Business Services, 01803 208428, kevin.mowat@torbay.gov.uk

1. Proposal and Introduction

- 1.1 To introduce a new set of parking tariffs that will apply all year round across all parking places managed by the Council throughout Torbay.
- 1.2 At the present time there is a set of summer charges that typically apply between the 21st March and 31st October and a set of winter charges that typically apply between the 1st November and 20th March of each year.
- 1.3 The introduction of a new set of parking tariffs that will apply all year round will ensure that the charges remain consistent throughout the year and will remove the costs of re-programming the machines and changing the tariff signage twice a year.

2. Reason for Proposal

- 2.1 The setting of fees and charges is a Council decision and therefore, following the request of the Mayor, the matter has been referred to Council to make the final decision.
- 2.2 The current Traffic Regulation Order ensures if a decision is not made in time for fees and charges the current summer tariff will remain in place.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Chief Executive be requested to progress the publishing of a new Traffic Regulation Order to confirm the new year-round pay and display charges for on-street and off-street parking, along with the amended parking permit charges, as set out in Appendix 1 to the submitted report.

- 3.2 That the parking charges set out in Appendix 1 to the submitted report be implemented on the 1st and 2nd of November 2018 or as otherwise indicated by the new Traffic Regulation Order.

Appendices

- Appendix 1 Proposed new year-round pay and display charges for on-street/off-street parking and revised parking permit charges for November 2018
- Appendix 2 History of Parking Charges ~ May 2015 to date
- Appendix 3 Benchmarking

Background Documents

- Torbay Council's Parking Strategy - 2016 ~ 2021

Section 1: Background Information

1.

What is the proposal / issue?

To vary the on street and off street parking charges from November 2018 to remove the existing seasonal variations. This will make the parking charges easier to understand and avoid the annual misconception that these charges go up every March, when in reality they simply return to the summer rate.

The Council's medium term financial plan and therefore the Council's base budget assumes a 3% year on year growth in income associated with fees and charges across the authority.

The recommendations have proposed a variation to the parking charges that would see the removal of a seasonal tariff for on street and off street parking. This change would see the tariffs remain consistent across all Council operated off and on street pay and display spaces, throughout the year, with no seasonal summer/winter tariffs being implemented. This would reduce costs for tariff overlays and the significant staff time taken up by writing and uploading new tariffs to all 200 machines, two times a year. Furthermore, by adopting 'all-year-round' parking tariffs the Council will be providing greater clarity to users and will be following the approach used by the vast majority of other authorities.

Full details of the proposed tariffs can be found in Appendix 1.

2.

What is the current situation?

The Council approved summer and winter tariffs as part of the budget setting process for 2017/18 and at a meeting on the 19th October 2017 the Council agreed for the winter tariff to remain in place for the winter of 17/18. It was highlighted at the Council meeting in October 2017 that parking income may not reach target with the re-introduction of the winter tariff. During the debate Members were persuaded that income levels would be sustained and they therefore voted to keep the winter tariff in place.

The end of year finances for 2017/18 show that there was a shortfall in the pay and display income for off street parking areas of 1%. However, with the reduction of the annual permit charge there was a 40% rise in the permit income and the extra income generated equated to a further 1% increase in the overall income for car parks. Although this outcome managed to satisfy the income target for 2017/18 there is clearly a risk that this may not occur in future years where the expectation of a 3% year on year uplift remains.

It is the view of the Executive Head of Assets & Business Services that the current seasonal parking charges are confusing to the public who perceive the reversion to the summer tariff, each spring, as an increase in the charges. If the Council adopt a set of parking tariffs that apply all-year-round the system would be easier to understand for consumers and more efficient to operate for managers. It would reduce the need to re-programme all of the

	<p>parking machines twice a year and avoid the negative impact experienced at the beginning of the summer charges, each March. Seasonal charging is not common practice with neighbouring local authorities or indeed others across the country.</p>
<p>3.</p>	<p>What options have been considered?</p> <p><u>Recommended Proposal ~ All-Year-Round Tariff System</u></p> <p>This proposal would see a move away from the pattern of recent years whereby tariffs are different depending on the season. Higher in the summer and lower in the winter. The Council is recommended to adopt the tariff system set out in Appendix 1 and these will apply throughout the year.</p> <p>The current seasonal approach assumes that the entire winter period is one big promotion to encourage the use of parking facilities. However, with this recommended proposal the Council will be able to offer a reduced tariff in designated beach car parks during the winter and special promotions in any area by working in close liaison with local businesses in order to promote the Bay and in particular our Town Centres. If the Council accepts the recommendations, the new charges will be implemented on the 1st and 2nd November 2018. Torbay is being promoted as an all year round destination for visitors and therefore a consistency of charges will support this.</p> <p>Many tariff options have been considered at meetings with a range of stakeholders, which include Brixham Town Council, Paignton and Torquay Chambers of Trade, Torbay Business Forum and the English Riviera Tourism BID Company (ERTBID). All of these groups made comments and suggestions as to the possible tariff system and all have been considered in line with the budgetary requirements of the Council. It is important to note that all of the stakeholders accepted the need to move away from a seasonally based tariff system and they understood that a new unified set of tariffs would need to be pitched much closer to the summer rate due to the higher percentage of ticket sales during that period.</p> <p>The history of parking charges between 2013 and 2018 can be seen in Appendix 2. The Parking Review, which was completed in 2016, saw the cessation of different charging rates in different locations i.e. Beach car parks or Town Centre/Leisure car parks. When compared to the previous charging for Beach car parks, the prices in the summer have not increased since before May 2013. Also, the proposed one hour charge will only be 10p more than the 2015 tariff for a Town Centre car park. The recommendation is to decrease the all-day off-street charge to £8 compared with the existing summer tariff of £10.</p> <p>Currently the Council's parking permit prices are well below other comparative local authorities and the 'annual' permit offer provides the opportunity to park in all of the 38 Council off-street car parks for £1 per day. Similarly, the 'off-peak' permit allows for parking in 36 of the Council's pay and display car parks throughout the Bay for less than 17p per day (subject to time restrictions). In combination the 'annual' permit and the 'off-peak' permit provide local consumers with an extremely affordable option for parking their vehicles, whether it is for work or leisure.</p>

	<p><u>Do nothing</u></p> <p>This would see the existing permit charges and summer tariffs for on-street and off-street parking continue until a further Council decision is taken in respect of parking charges. The normal winter charges would not return without a further and different decision.</p>
<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</p> <p>Principles:</p> <ul style="list-style-type: none"> • Use reducing resources to best effect <p>Targeted actions:</p> <ul style="list-style-type: none"> • Ensuring Torbay remains an attractive and safe place to live and visit <p>Torbay Council’s Parking Strategy (2016 ~ 2021) includes a Strategic Action Plan. One of the objectives within that plan is to “Keep parking charges under review”, which includes the following Key Actions :-</p> <ul style="list-style-type: none"> • Parking tariffs for off-street to reflect the needs of long and short stay customers; within the context of this Strategy • Parking tariffs to factor in demand for parking and the charges set at levels that meet these requirements • Promote usage which will include summer and winter demands in line with budgetary requirements • Revenue growth to be increased by encouraging the use of both on and off-street pay and display parking areas and other income opportunities in the car parks • Set charges for reserved parking bays to reflect the demand and usage. Also, consider reverting to pay and display in reserved bay areas where demand is low • Review annual car park permit charges in line with the daily parking charges
<p>5.</p>	<p>How does this proposal contribute towards the Council’s responsibilities as corporate parents?</p> <p>This proposal has no direct link to the Council’s responsibilities as corporate parents.</p>
<p>6.</p>	<p>How does this proposal tackle deprivation?</p>

	This proposal provides a consistent approach across all Council car parks and on street parking.
7.	<p>How does this proposal tackle inequalities?</p> <p>Not applicable.</p>
8.	<p>How does the proposal impact on people with learning disabilities?</p> <p>Not applicable.</p>
9.	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>The following were consulted on the proposal to vary parking tariffs for on-street and off-street as well as the range of parking permits:</p> <ul style="list-style-type: none"> • Councillor Robert Excell, Executive Lead for Community Services • Mayor's Executive Group • Political Group Meetings • Brixham Town Council • Torquay Chamber of Trade • Paignton Chamber of Trade • Torbay Business Forum • The English Riviera Tourism BID Company (ERTBID) • Torbay Council's Senior Leadership Team (SLT) • Martin Phillips, Chief Accountant • Chief Executive officer
10.	<p>How will you propose to consult?</p> <p>The consultation has been concluded other than the formal process undertaken by the Traffic Regulation Order (TRO).</p>

Section 2: Implications and Impact Assessment

11.	What are the financial and legal implications? In order to implement change to parking charges the Council is required to draft a new Traffic Regulation Order (TRO) and lodge public notices with the Herald Express advising of the details and the date the new changes will come into operation. There is no appeal process for this. The Council's Medium Term Financial Plan, and therefore the base budget assumes a 3% year on year growth in income associated with parking fees and charges.
12.	What are the risks? If the Council does not support the recommendation set out in this report then Members will be accepting the risk that the annual income may well fall significantly short of the target and consequently place further pressure on the Council's revenue budget. The Council generates 75% of its parking income through the application of the summer tariffs and therefore the proposed year-round pay and display charges for on-street and off-street parking are pitched much closer to the summer rate than the winter rate. If the proposed year-round tariffs were to represent a considerable reduction on the existing summer charges then it is clear that such a decision would have a negative impact on income.
13.	Public Services Value (Social Value) Act 2012 Not applicable.
14.	What evidence / data / research have you gathered in relation to this proposal? Officers have analysed the parking income figures for the previous two years and the results clearly indicate that the proposed year-round pay and display charges for on-street and off-street parking, as set out in Appendix 1, should generate the income target.
15.	What are key findings from the consultation you have carried out? As part of the consultation feedback it was agreed that the Council will work with key stakeholder groups to consider promotional campaigns, rather than offering the winter period as one single campaign. The view was taken that a more targeted approach would help to drive footfall. Officers will work with business groups to identify the nature of such campaigns and everyone agreed that any marketing of parking services, including promotional offers, should be undertaken jointly. Community leaders were seeking a tariff

	<p>system that encouraged residents to make greater use of some of our beach car parks during the winter months and the proposals have incorporated this request.</p> <p>There was good support for the reduction of the 24 hour rate and for the permits charges to remain in line with the current prices with moderate increases.</p> <p>Brixham town centre has very little on-street parking nearby and it was therefore suggested that a half-hour tariff remains for the off-street Brixham Central car park only. This will ensure that there is the opportunity, as there is in Torquay and Paignton town centres through on-street parking, to visit one or two shops only using the half-hour tariff. Consequently this suggestion has been incorporated in the proposals set out in Appendix 1.</p>
<p>16.</p>	<p>Amendments to Proposal / Mitigating Actions</p> <p>The tariffs have been amended in light of the comments received during the consultation process as highlighted in 15 above.</p>

Equality Impacts

17.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people			There is no differential impact
	People with caring Responsibilities			There is no differential impact
	People with a disability			There is no differential impact
	Women or men			There is no differential impact
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact
	Religion or belief (including lack of belief)			There is no differential impact
	People who are lesbian, gay or bisexual			There is no differential impact
	People who are transgendered			There is no differential impact
	People who are in a marriage or civil partnership			There is no differential impact
	Women who are pregnant / on maternity leave			There is no differential impact

	Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact
16	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	None		
17	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	None		

Appendix 1 - Proposed new year-round pay and display charges for on-street/off-street parking and revised parking permit charges for November 2018

Off-Street Parking Charges

Current Car Park Winter Tariff 1 st Nov to 20 th March	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	Up to 24 hours	Overnight (available 6pm to 8am short stay only)
	50p	£1.00	£1.50	£2.00	N/A	£3.00	N/A	N/A	£5.00	£3.50
Percentage of use per tariff band	12%	31%	13%	24%	N/A	16%	N/A	N/A	3%	1%

Current Car Park Summer Tariff 21 st March to 31 st Oct	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	Up to 24 hours	Overnight (available 6pm – 8am short stay only)
	£1.00	£1.50	£2.00	£2.50	£4.00	£4.50	£5.50	N/A	£10.00	£2.50
Percentage of use per tariff band	12%	18%	17%	25%	14%	8%	4%	New	1%	1%

Proposed Year Round Tariff	Delete Except 60p Brixham Central only	£1.40	Delete	£2.50	£3.50	£4.50	£5.50	New £6.50	£8.00	£3.00	Forecast +3% Income Uplift

Winter Tariffs in the following Beach Car Parks only ~ 60p for half hour, £1.00 for 2 hours, £1.50 for 2 to 24 hours.

Torquay - Kilmoreie, Meadfoot Beach and Torre Valley

Paignton - Broadsands, Roundham and Cliff Park

Brixham - Breakwater

On-Street Parking Charges

Current on Street Winter Tariff 1 st Nov to 20 th March	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	Up to 24 hours	Overnight (available 6pm to 8am) Seafront areas only
	50p	£1.00	£1.50	£2.00	£3.00	£4.00	N/A	£6.00	£10.00	£3.50
Percentage of use per tariff band	19%	34.5%	11%	20%	10%	4%	N/A	No data as New Tariff	1%	0.5%

Current On Street Summer Tariff 21 st March to 31 st Oct	Up to 30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours	Up to 6 hours	Up to 24 hours	Overnight (available 6pm – 8am)
	£1.00	£1.50	£2.50	£3.00	£4.00	£5.00	N/A	£7.50	£10.00	£2.50
Percentage of use per tariff band	26%	30%	11%	18.5%	9%	3%	New	1%	1%	0.5%

Proposed Year Round Tariff	60p	£1.40	£2.40	£3.00	£4.00	£5.00	New £6.00	£7.00	£10	£3.50	Forecast +6% Income Uplift

Note - Commuter parking to remain the same

Parking Permit Charges

Current Permits	Three Day	Weekly	Monthly	Annual Off-Peak 3.00p.m. to 10.00a.m.	Annual All hours	Commercial Weekly
Current Charges	£20	£35	£50	£50	£365	£65

	Three Day	Weekly	Monthly	Annual Off Peak	Annual All hours	Commercial Weekly
Proposed Charges	£21	£35	£50	£60	£365 or £400 with direct debit option **	£65

** This extra £35 is required to ensure that this service can be offered as it is resource heavy. Work is required to set up each account, administer the monthly payments and deal with defaulted payments and any debt. There may also be a loss of monthly permit income.

Appendix 2 – History of Parking Charges ~ 2013 to 2018

Off-Street (2013~2018)

21st March 2018 to current

Up to 30 minutes	£1.00
Up to 1 hour	£1.50
Up to 1.5 hours	£2.00
Up to 2 hours	£2.50
Up to 3 hours	£4.00
Up to 4 hours	£4.50
Up to 5 hours	£5.50
Up to 24 hours	£10.00
Overnight (available 6pm to 8am)	£3.00

21st March 2017 to 20th March 2018

Up to 30 minutes	£1.00
Up to 1 hour	£1.50
Up to 1.5 hours	£2.00
Up to 2 hours	£2.50
Up to 3 hours	£4.00
Up to 4 hours	£4.50
Up to 5 hours	£5.50
Up to 24 hours	£10.00
Overnight (available 10pm to 8am)	£2.50

1st November 2016 to 20th March 2017

Up to 30 minutes	50p
Up to 1 hour	£1.00
Up to 1.5 hours	£1.50
Up to 2 hours	£2.00
Up to 4 hours	£3.00
Up to 24 hours	£5.00
Overnight	£3.50 (short stay only)

22nd March 2016 to 31st October 2017

<u>Beach Car Parks</u>		<u>Town Centre & Leisure Car Parks</u>	
1 hours	£1.50	30 minutes	70p
1.5 hours	£2.00	1 hour	£1.30
2 hours	£2.50	1.5 hours	£1.80
3 hours	£4.00	2 hours	£2.30
4 hours	£4.50	3 hours	£3.30
5 hours	£5.50	4 hours	£4.00
24 hours	£8.00	5 hours	£5.00
Overnight	£2.20	24 hours	£8.00
		Overnight	£2.20

2nd November 2015 to 21st March 2016

Up to 30 minutes*	50p
Up to 4 hours	£2.00
Up to 24 hours (Long Stay Only)	£3.00
Overnight charge	£3.00

2nd May 2015 to 1st November 2015

<u>Beach Car Parks</u>		<u>Town Centre & Leisure Car Parks</u>	
1 hours	£1.50	30 minutes	70p
1.5 hours	£2.00	1 hour	£1.30
2 hours	£2.50	1.5 hours	£1.80
3 hours	£4.00	2 hours	£2.30
4 hours	£4.50	3 hours	£3.30
5 hours	£5.50	4 hours	£4.00
24 hours	£8.00	5 hours	£5.00
		24 hours	£8.00

1st December 2014 to 1st May 2015

Up to 30 minutes	50p
Up to 4 hours	£2.00
Up to 24 hours	£3.00

1st May 2014 to 30th November 2014

<u>Beach Car Parks</u>		<u>Town Centre & Leisure Car Parks</u>	
1 hours	£1.50	30 minutes	70p
1.5 hours	£2.00	1 hour	£1.30
2 hours	£2.50	1.5 hours	£1.80
3 hours	£4.00	2 hours	£2.30
4 hours	£4.50	3 hours	£3.30
5 hours	£5.50	4 hours	£4.00
24 hours	£8.00	5 hours	£5.00
Overnight	£2.20	24 hours	£8.00
		Overnight	£2.20

1st November 2013 to 30th April 2014

All day	£2.00
Overnight	£2.00

25th April 2013 to 31st October 2013

<u>Beach Car Parks</u>		<u>Town Centre & Leisure Car Parks</u>	
1 hours	£1.50	30 minutes	70p
1.5 hours	£2.00	1 hour	£1.30
2 hours	£2.50	1.5 hours	£1.80
3 hours	£3.50	2 hours	£2.20
4 hours	£4.50	3 hours	£3.00
5 hours	£5.50	4 hours	£4.00
24 hours	£9.00	5 hours	£5.00
Overnight	£2.20	24 hours	£8.00
		Overnight	£2.00

On-Street (2015~2018)

22nd March 2017 to 21st March 2018

Up to 30 minutes	£1.00
Up to 1 hour	£1.50
Up to 1.5 hours	£2.50
Up to 2 hours	£3.00
Up to 3 hours	£4.00
Up to 4 hours	£5.00
Up to 6 hours	£7.50
Up to 24 hours	£10.00

2nd November 2016 to 21st March 2017

Up to 30 minutes	50p
Up to 1 hour	£1.00
Up to 1.5 hours	£1.50
Up to 2 hours	£2.00
Up to 3 hours	£3.00
Up to 4 hours	£4.00
Up to 24 hours	£10.00

23rd March 2016 to 1st November 2017

<u>Prime Locations</u>		<u>Town Centre Locations</u>	
30 minutes	£1.00	30 minutes	70p
1 hours	£1.50	1 hour	£1.30
1.5 hours	£2.20	1.5 hours	£2.00
2 hours	£3.00	2 hours	£2.50
3 hours	£4.00	3 hours	£3.50
4 hours	£5.00	4 hours	£4.50
24 hours	£10.00	24 hours	£10.00
Overnight	£2.50		

1st November 2015 to 22nd March 2016

<u>Prime Locations</u>		<u>Town Centre Locations</u>	
30 minutes	20p	30 minutes	50p
1 hours	50p	1 hour	£1.00
1.5 hours	£1.00	1.5 hours	£1.50
2 hours	£1.50	2 hours	£2.00
3 hours	£2.00	3 hours	£3.00
4 hours	£2.50	4 hours	£4.00
24 hours	£10.00	24 hours	£10.00
Overnight	£1.50		

2nd May 2015 to 31st October 2015

<u>Prime Locations</u>		<u>Town Centre Locations</u>	
30 minutes	£1.00	30 minutes	70p
1 hours	£1.50	1 hour	£1.30
1.5 hours	£2.20	1.5 hours	£2.00
2 hours	£3.00	2 hours	£2.50
3 hours	£4.00	3 hours	£3.50
4 hours	£5.00	4 hours	£4.50
24 hours	£10.00	24 hours	£10.00
Overnight	£2.50		

	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 6 hours	Up to 8 hours	Up to 12 hours	Up to 18 hours	Up to 24 hours
Bank Street	£2.50		£4.00	£5.00	£6.00	£8.00	£10.00	£12.00
Bethesda	£2.00	£3.00	£4.00		£6.00	£8.00		£12.00
Bloomfield Road		£3.50		£6.00		£10.00	£11.00	£12.00
Bolton Street		£3.50		£6.00		£10.00	£11.00	£12.00
Bonny Street	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00	£13.00	£14.00
Central	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00	£13.00	£14.00
Chapel Street	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00	£13.00	£14.00
Cocker Square	£2.50		£4.00	£5.00	£6.00	£8.00	£10.00	£12.00
Cocker Street	£2.50		£4.00	£5.00	£6.00	£8.00	£10.00	£12.00
East Topping Street	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00	£13.00	£14.00
Filey Place			£5.00		£10.00	£12.00		£13.00
Foxhall Village		£3.50		£6.00		£10.00	£11.00	£12.00
Gynn Square		£2.00	£2.50		£4.00	£6.00	£9.00	£10.00
Lonsdale Road		£3.50		£6.00		£10.00	£11.00	£12.00
Lytham Road		£3.50		£6.00		£10.00	£11.00	£12.00
Queen Street	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00	£13.00	£14.00
Seasiders Way		£3.50		£6.00		£10.00	£11.00	£12.00
South Beach		£5.00				£8.00	£9.00	£12.00
South Car Park		£3.50		£6.00		£10.00	£11.00	£12.00
South King Street	£2.50		£4.00	£5.00	£6.00	£8.00	£10.00	£12.00
Talbot Road Multi Storey	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00	£13.00	£14.00
Tower Street	£2.20	£3.20	£4.20					
West Street	£3.00	£4.50	£5.50	£7.50	£10.00	£12.00		£14.00
Wimbourne Place	£2.50		£4.00	£5.00	£6.00	£8.00	£10.00	£12.00
Average Cost	£2.69	£3.84	£4.64	£6.29	£8.00	£9.91	£11.15	£12.57

Up to 48 hours	Up to 72 hours	Up to 96 hours
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£16.00	£18.00	£20.00
£16.00	£18.00	£20.00
£16.00	£18.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£16.00	£18.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£16.00	£18.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£14.00	£17.00	£20.00
£16.00	£18.00	£20.00
£16.00	£18.00	£20.00
£14.00	£17.00	£20.00
£14.64	£17.32	£20.00

Summer charges - 1st April - 31st October

	30 minutes	Up to 1 hour	Up to 1.5 hours	Up to 2 hours	Up to 2.5 hours	Up to 3 hours	Up to 4 hours	Up to 5 hours
Pavillion Car Park		£1.00		£2.00		£3.50	£4.50	
Swannery Car Park		£1.00		£2.00		£3.50	£4.50	
Melcombe Regis Car Park	£0.70	£1.50		£2.50		£4.00	£5.00	£6.00
Park Street Car Park	£0.70	£1.50		£2.50		£4.00	£5.00	£6.00
Royal Yard car Park	£0.70	£1.50		£2.50		£4.00	£5.00	£6.00
Harbourside Car Park	£1.00	£2.00	£2.50	£3.00	£3.50	£4.00		
Cosens Quay Car Park	£0.70	£1.50		£2.50		£4.00	£5.00	£6.00
Magistrates Court Car Park		£1.00		£2.00		£3.50	£4.50	
Governors Lane Car Park	£1.00	£2.00	£2.50	£3.00	£3.50	£4.00		
Council Offices Car Park	£0.70	£1.50		£2.50		£4.00	£5.00	£6.00
Average Cost	£0.79	£1.45	£2.50	£2.45	£3.50	£3.85	£4.81	£6.00

Winter charges - 1st November - 31st March

Up to 6 hours	24 hours	Additonal hour	30 minutes	Up to 1 hour	Up to 1.5 hou	Up to 2 hours	Up to 2.5 hours	Up to 3 hours	Up to 4 hours
£6.00	£6.00								
£6.00	£8.00			£0.50		£1.50		£3.00	£4.00
		£2.00		£0.50		£1.00		£2.00	£3.00
		£2.00		£0.50		£1.00		£2.00	£3.00
		£2.00		£0.50		£1.00		£2.00	£3.00
			£0.70	£1.50	£2.00	£2.50	£3.00	£3.50	
		£2.00		£0.50		£1.00		£2.00	£3.00
£6.00	£8.00			£0.50		£1.50		£3.00	£4.00
			£0.70	£1.50	£2.00	£2.50	£3.00	£3.50	
		£2.00		£0.50		£1.00		£2.00	£3.00
£6.00	£7.33	£2.00	£0.70	£0.72	£2.00	£1.44	£3.00	£2.56	£3.29

Up to 5 hours	Up to 6 hours	24 hours	Additonal hour
	£5.00	£6.00	
£4.00	£5.00		£1.00
£4.00	£5.00		£1.00
£4.00	£5.00		£1.00
£4.00	£5.00		£1.00
£5.00		£8.00	
£4.00	£5.00		£1.00
£4.17	£5.00	£7.00	£1.00

Week day pricing

	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours	Up to 6 hours	Up to 9 hours	Up to 11 hour	Up to 12 hour	Up to 24 hours
Central Brighton									
The Lanes	£2.00	£6.00		£14.00		£20.00			£23.00
Regency Square	£2.00	£4.50		£10.00		£13.00			£18.00
Trafalgar Street	£3.00	£6.00		£9.00	£10.00	£12.00			£16.00
London Road	£1.50	£3.00		£6.00		£8.00			£15.00
Oxford Court		£3.00		£8.00		£10.00			£18.00
Hove									
King Alfred	£1.60	£2.00	£3.00	£4.00					
Norton Road	£1.00	£2.00		£3.20		£5.20		£6.00	
Kingsway (pay & display)	£2.00	£4.20		£6.20			£10.40		
Seafrost Brighton									
Black Rock	£1.00	£2.00	£4.00	£5.00		£6.00			
Kemp Town									
High Street		£4.20		£8.40		£11.00			£18.20
Rottingdean									
Rottingdean Marine Cliffs	£1.00	£2.00							
Rottingdean West Street	£1.00	£2.00							
Average Cost	£1.61	£3.41	£3.50	£7.38	£10.00	£10.65	£10.40	£6.00	£18.03

Weekend Pricing

Other charges

Up to 1 hour	Up to 2 hours	Up to 4 hours	Up to 6 hours	Up to 9 hours	Up to 24 hours	Evenings from 6 pm	Midnight to 11 am	Weekly	Quarterly season	Annual Season	Reduced rate annual
£4.00	£8.00	£15.00		£20.00	£25.00	£4.50	£5.00			£2,500.00	£1,500.00
						£4.50	£5.00		£300.00	£1,000.00	£750.00
£2.50	£4.50	£8.00	£10.00	£12.00	£18.00	£4.50	£5.50		£400.00	£1,200.00	£750.00
						£4.50	£5.00	£55.00		£1,200.00	£800.00
									£780.00		
£3.25	£6.25	£11.50	£10.00	£16.00	£21.50	£4.50	£5.13	£55.00	£493.33	£1,475.00	£950.00



Meeting: Council

Date: 08 June 2018

Wards Affected: All

Report Title: Adult Social Care – Local Account

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Executive Lead Contact Details: Councillor Parrott, Executive Lead for Children's and Adults Services, julien.parrott@torbay.gov.uk

Supporting Officer Contact Details: Caroline Taylor, Director of Adult Social Care, (01803) 208949, caroline.taylor@torbay.gov.uk

1. Proposal and Introduction

1.1 The Local Account for Adult Social Care sets out what we have achieved for local people in relation to adult social care and outlines our level of performance for last financial year and our commitment to future service delivery. The Government has asked that Local Accounts are put in place to offer councils the opportunity to share a common approach to the performance of adult social care. It also outlines the details of our multi agency approach to adult safeguarding. This reflects the view of government that adults safeguarding is on a statutory basis in the same manner that children's safeguarding is a statutory responsibility as outlined in the Care Act.

2. Reason for Proposal

2.1 To enable the Local Account to be published in accordance with Government requirements and for council to consider the adult safeguarding outcomes for the Bay.

3. Recommendation(s) / Proposed Decision

3.1 That the Local Account set out in Appendix 1 to the submitted report be approved and that the multi-agency safeguarding annual report set out in Appendix 2 to the submitted report be approved.

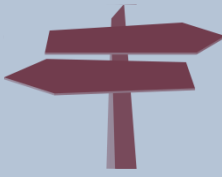
Appendices

Appendix 1: Local Account

Appendix 2: Multi-agency Safeguarding Annual report

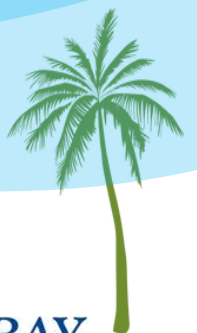
Background Documents

None



Adult Social Care Local Account

Torbay Annual Report 2017-18



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Foreword by Councillor Julien Parrott, Executive Lead for Adults and Children, Torbay Council



It would be easy to assume that on-going and hefty cuts to budgets would inevitably lead to failing services and low morale across the health and social care sector (indeed, the signs are the government has finally got the message that our sector deserves fairer financial treatment). However, that has very definitely not been the case in Torbay. But, how can this be?

The answer, as ever, has been the quality of the people dedicated to delivering care; public, private and voluntary providers alike. Over the past year this has ensured that on-going integration of health and social care has delivered to the satisfaction of residents, and caught the eye of both national commentators and our peers.

The recently published Healthwatch Feedback report is striking in the way that it records widespread satisfaction at the sharp end, of delivery; and in March this year the Trust and Torbay Council were joint winners of the prestigious Local Government Chronicle Award for Health and Social Care. The award recognised both the achievements of the ICO (Integrated Care Organisation) so far, and its huge potential for further innovation.

The metaphorical tectonic plates of our health service continue to shift as the Sustainability and Transformation Plan (STP) gather pace. This work sometimes causes very real and understandable concern for our local communities. However, the coming year should see the Local Care Partnerships taking shape to deliver ever more place based services. The driver has to be more accountable and focused support for communities.

The success or otherwise of STP is wholly dependent on the quality of the people involved. It has no statutory teeth, only the goodwill and determination of the health and care partners - both professional and political. I am convinced that we have got this far, and continue to look for ever more effective integration, because of the quality and dedication of the people who commission and deliver our care services.

Once again, I congratulate all who work at the delivery of integrated social care across the sector, you are highly regarded both by the residents who use your services, and those, like me, who have the pleasure of working with you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julien Parrott'. The signature is fluid and cursive, written over a horizontal line.

Councillor Julien Parrott
Executive Lead for adults and children, Torbay Council

Foreword by Sir Richard Ibbotson and Liz Davenport, Chair and Interim Chief Executive of Torbay and South Devon NHS Foundation Trust



Liz Davenport
photo here –
(awaiting new
photo from this
week)

Torbay is well known for ‘integrated care’ both in the UK and overseas. In 2005, adult social care transferred from the local authority into the NHS to create one of the first Care Trusts of its kind. Ten years later, 2015 saw the formation of our ‘Integrated Care Organisation,’ bringing acute hospital care, adult social care and community health care under one NHS organisation, serving our local population in Torbay (and also in South Devon). Financially, this was a risky move, but we and our partners signed a Risk Share Agreement, agreeing to work closely together with a pooled budget to best serve the needs of local people. We have since signed up for a further three years of this RSA (with a few refinements in light of lived experience), to 2021.

The result? - As an NHS we are now successfully moving away from bed-based care to community care, just as we promised we would, and have reduced our beds by nearly 100. This was made possible by strengthened partnership working, along with a committed and dedicated body of staff and volunteers. This past year 40 per cent more people have been supported in their own homes and communities.

We know that our integrated model is improving people’s experiences of health and social care, giving people more say in decisions about their care, supporting people to manage their own health and wellbeing, aiming to reduce health inequalities and develop services to meet the needs of an older than average population, often with complex needs. That we have come this far is a credit to us all, but we are not complacent and there is more we can and must do. In 2018 we and our partners are therefore poised to further strengthen our partnerships, to develop a Local Care Partnership, in the context of an emerging Devon Integrated Care System.

The past year has been very challenging: We have had to raise our operational escalation level to the higher levels more often than before, especially so during Winter; we had the ‘Beast from the East’ and all the associated disruptions to business as usual, all in the context of continued financial pressures. Yet we came through it, with the year culminating in receiving the Local Government Chronicle (LGC) Award in the Health and Social Care category for our achievements with our partners in delivering integrated care. It was an honour to have received this award, and we would like to express our deepest thanks to our staff, volunteers and partners for making it possible. As we move into the year ahead we remain as ever focussed on the task in hand – to work even more closely with our partners in order to deliver the best health and care to our local people.

Sir Richard Ibbotson

Liz Davenport



Introducing themes for Torbay Social Care for the next five years

A warm welcome to the 2017/2018 Local Account of social care services in Torbay. In the following pages you will see an account of the performance and use of resources within social care services in four themes: improving quality of life for all; integrated services to support independence at home; enabling a positive experience of care and working in partnership to keep vulnerable people safe.

In starting to think about the themes for the next 5 years, it has become even clearer the huge national challenge in maintaining and transforming the current adult social care system. Locally we have started to see the benefits of an integrated system with the NHS, but the collective challenges remain. The government has heard that challenge and is expected to consult on a green paper this summer which focuses on transformation and long term finance. The health and social care secretary recognised the “economics of the publicly funded social care market are highly fragile” and said care models needed to “transform and evolve”.

Communities do not understand why the NHS pays for some conditions which are free at the point of access and why social care, which is means tested, supports other conditions. The Minister has said he would look at making paying for social care fairer and less dependent on the “lottery of which illness” a person gets. The Kings Fund and ADASS (Association of Directors of Adults Social Services) has calculated that there is funding gap of £6 billion by 2030/31.

Although the national outlook remains challenging, Torbay and its partners in the NHS and the care sector remain positive that there is further scope to innovate in local services in order to meet future demands.

In the next few years we will continue our collaborative working and support **older people** in their own homes for as long as possible in order to support independence. We are working with the independent sector on new models of home care and with the care home sector in developing leadership and new business models to meet changing needs. This will include dementia care and support for those with mental health issues.

The work with **Ageing Well** led by the voluntary sector continues to be a part of ensuring that people are socially connected. We know that is partly how we retain independence in our later years and a richer quality of life.

We will continue our journey to increase the amount of **direct payments** and **personal budgets**, so people can choose personalised support to meet their needs. This builds on the work of My Support Broker and the development of a **personal assistants** market in the Bay.

What matters to the person is at the centre of care, and how they make choices for their life is at the heart of social care and health provision.

The solutions for all types of housing and tenure are part of supporting vulnerable people. We will build more extra care housing and benefit from the recent re-procurement of supported living. Across Devon we will work find solutions at scale where that makes sense to do so, and deliver locally where that supports the best outcomes for communities. We have worked collectively to define the housing and support needs of those with **learning disability, autism, and mental health** issues which we will deliver over the next few years.

We have developed more on line **information and advice** services so people can find an easy route to sourcing their support if they wish to. We need to improve the pace and scale of **technical innovation** as this gives people more options for support and greater choice to live independently, if we can enable people to engage with technical solutions now on the market. We know other countries such as Japan have used robotics to good effect in care settings. We are a long way from that future, but it must be part of the journey we are on.

For some people who are in placements outside of the Bay and Devon we will continue to safely support individuals to move back to their communities as part of the **Transforming Care Programme**. We have been successful in gaining grant for the right housing and support for a few complex individuals returning to the area to be nearer family support.

We have reviewed our **Carers Strategy** for the next 3 years and will support carers young and old to ensure caring does impact adversely on their own health. We will also be highlighting with businesses the increasing number of people who have caring responsibilities and how businesses need to have flexible support to keep these workers in the future. We will continue to test **intergenerational working** so the very young and very old have contact and shared spaces and get the benefits of each other. We continue to work hard improving transitions from younger people with care needs moving into adulthood with the right choices for jobs, education and housing.

Quality and safeguarding and our formal role in **safeguarding vulnerable people** will continue to be an overriding focus over the next few years. This includes checking quality in formal care setting, but also focusing on combatting modern slavery, supporting vulnerable rough sleepers into a better future, and ensuring people with learning disability, autism and mental health can take risks with the right balance of support.

All of this will not be delivered unless we can retain and recruit the right **workforce** for social care. Workforce sustainability, be that in NHS Local Government, the independent or voluntary sector is our biggest challenge over the next few years. We are collaborating across Devon and the south west to encourage people to work in the sector, but also to create new job roles and skill mixes. Best estimates say 105,000 more carers will be needed in 2027 due to a predicted shortfall in intergenerational care provided by children to their older parents. Torbay with key partners will continue to find new solutions to sustain the quality of services we commission and to meet the communities changing needs.

Caroline Taylor
Director of Adult Social Care Services
Torbay Council

Torbay Social Care in 2017/18

Adult social care is provided by Torbay and South Devon NHS Foundation Trust and commissioned by Torbay Council. We support adults who have care needs to be as safe and independent as possible



At a glance

Some of the ways we do this are:

Managing future demand for services by supporting schemes that prevent ill health, and reduce and delay the impact of long term health conditions

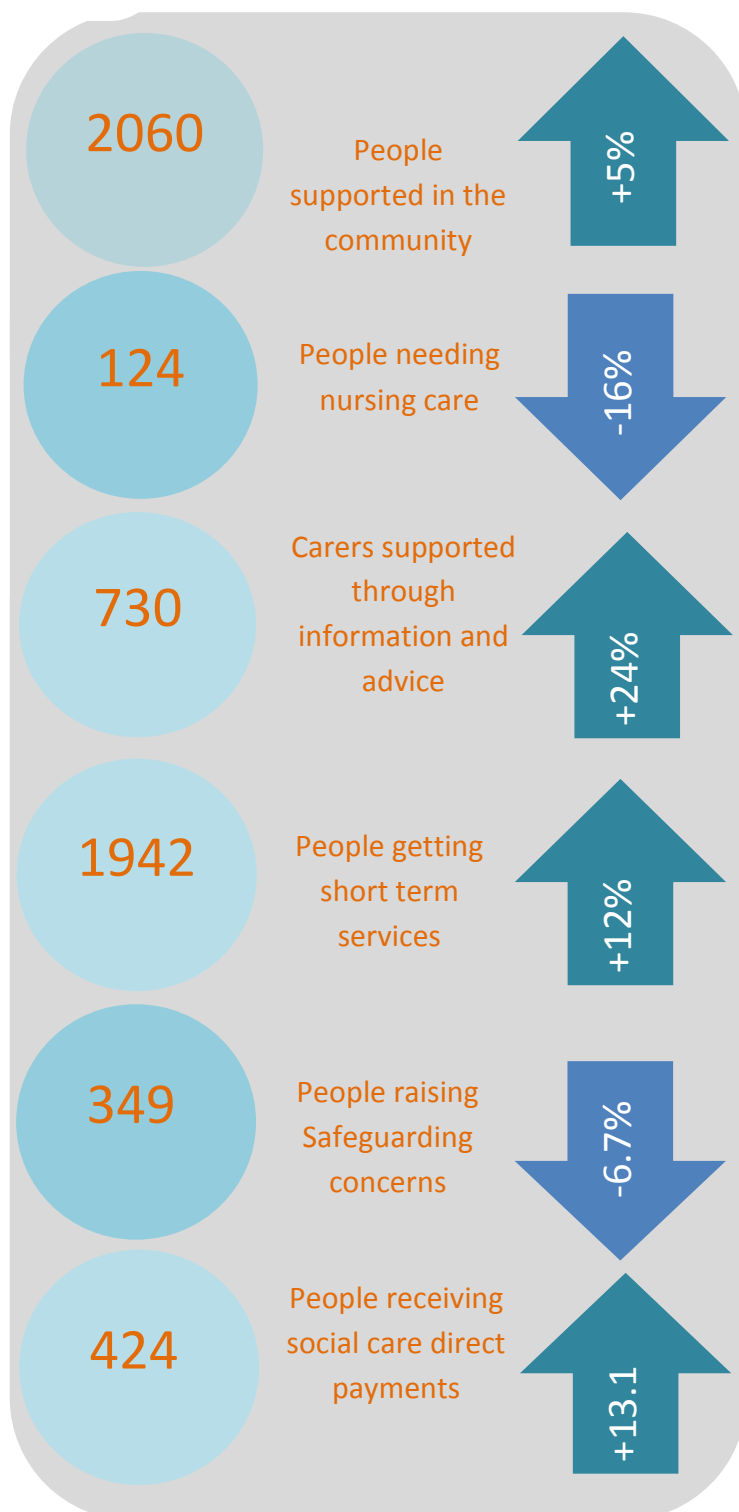
Providing Integrated Services with high quality community support with the voluntary sector, housing and enhanced intermediate care to help people return to health after illness or injury where possible in their own home.

Supporting carers offering information and advice to continue to support their loved ones in the community

Offering choices in how people want to live through adapting homes, using technology and the development of sheltered accommodation and extra care schemes and high quality residential and nursing care

Safeguarding people whose circumstances make them vulnerable to abuse or neglect

Helping people to direct their own care by offering personal budgets to people who want them



Outcome 1: Enhancing the quality of life for people with care and support needs

Our aim is for all adults in the Torbay community to be enabled to live their lives to the full, maintain their independence and receive the right level of high quality support. Often this is about providing services at the right time and in the right place to maintain the person’s desired quality of life.

How are we performing?

We have good performance in carrying out assessment of people’s needs in a timely way and keeping people informed about the proposed cost of care. We have stable performance in people receiving care in a timely way, and in arranging Direct Payments to people. Direct Payments give people the freedom to arrange to buy their own care instead of social care services, where people meet thresholds for financial assistance.

Working with partners in 2017/18, we are actively engaged in working to improve the quality of life and services for people in relation to wider determinants of health and wellbeing. Key areas of focus are promoting independent living and/or employment for people experiencing poorer mental health and a learning disability; supportive services for people with dementia and access to services for people with no current abode.

Focus on Mental Health

Simon’s Story in the case study on page 10 below shows how we have started to introduce individual personal care planning in Torbay to understand the needs of all adults in a more personalised way. In 2017/18 working together as partners within the Devon Sustainability and Transformation Plan, we have started to address the difficult but known barriers to employment for people experiencing poorer mental health; with a learning disability and autism. Partners include Job Centre Plus, Further Education colleges, the NHS, Learn Devon, and businesses. The aim is to increase opportunities for volunteering, apprenticeships and employment.

Focus on Learning Disability

Performance at a glance

Good

- The number of people informed about cost of care
- People receiving social care assessments within 28 days

Stable

- People receiving care within 28 days of assessment
- The number of people receiving direct payments
- The number of Adults with learning disabilities who live in their own home or with family

Needs Improvement

- Ensuring people in contact with mental health services are in paid employment and live independently with or without support
- Ensuring people receive a care support plan and a review with 18 months

As part of our focus on promoting the independence of adults with learning disabilities we will take actions to support more working age adults into employment. This will include a campaign to local employers to employ people with disabilities, promoting the value they can bring to businesses and to the local community across the Devon in 2018/19.

A new supported living service framework will be in place from 2018/19 and as a result people in supported living will be offered the equivalent of a “real tenancy”. This will enable more clarity in reporting performance targets and performance is expected to improve.

Focus on Dementia

In 2017/18 we started a new innovative project that focused on improving the quality of people’s lives with dementia in care homes. The case study below on page 10 describes the impact of this project and how it improved the quality of life for that person. The Care Home Education and Support Team (CHES) received an average of 27 referrals per month in 17/18. 62.5% of care homes surveyed said the CHES team had a positive impact on the person’s quality of life. 85% of care homes survey respondents said there was a positive impact on their knowledge of working with residents with dementia

In 2018/19 we expect to expand the project for the CHES team to work with people in their own homes supporting families and carers.

Focus on Homelessness

In 2017/18 a project started with social workers and partner professionals in Torquay which sought to work differently with people who have no registered abode to ensure we really are improving quality of life for all of Torbay’s community.

The project team developed an approach of outreach work on the streets to build trusting relationships with the homeless community. The project aims to remove barriers to homeless people accessing housing, health and care services and deliver improved integrated outcomes for this community. The story below at page 11 demonstrates how the team have started to do this. The team have helped 37 people in the first 6 months of operation in 2017/18. Of these 27 people were helped in the outreach setting; 10 people were housed; 5 were prevented from imminent homelessness and 9 were prevented from being admitted to hospital. In 2018/19, we will refresh resources for this team and expand this approach in light of renewed support from government.

In summary

Despite the challenges we face of an increasing older population and resultant social care activity, we have good and stable performance in timely assessment of needs and in people receiving the care they need. We will continue expand our approaches to improving the quality of life for all sections of the community demonstrated in our case studies below.

Case studies

Integrated Personal Commissioning

Simon is a 45 year old war veteran who lives alone and has struggled to adapt to civilian life turning to alcohol as a way to cope with his unresolved mental health issues.

Simon engaged in a 'what's important to me' conversation with his key worker and together they developed a care and support plan around the things that really mattered to him. As a result Simon started to attend a local fitness club to use the swimming pool and gym equipment and provided with transport to get him out and about.

At the 6 month point Simon was reporting improvements in his mental health and wellbeing and quality of life, his overall use and the cost of the services he required also declined dramatically. Simon believes that: *".....Having been in a hospital bed for 6 months, I lost the use of my legs causing muscle weakness/wastage. My keyworker arranged for me to go to a fitness club to do swimming to exercise my legs. My legs are now improving. It also gets me out of my flat and mix with other people, reducing my isolation.*

IPC has improved my life immensely with a focus on what is important to me and using a personal budget.....My objective is now to be back to normality by Christmas. I give a big thank you to the team for improving my life....."

CHES Team

Mrs Brown is a 91 year old lady with a diagnosis of vascular dementia and has been living in a care home for a year. The care home team were concerned about Mrs Brown's increasing agitation on at certain days/times and the impact it had started to have on her feelings of wellbeing, security and quality of life.

The CHES team advised the Care Home to complete behaviour charts. The charts revealed that Mrs Brown's behaviour changed on a Sunday Morning. Through educating the care home to understand Mrs Brown's behaviour and understand the context in a person centred way it was found the emphasis on people attending a religious service in the home was a trigger to this lady as she was an atheist. The CHES Team helped care staff to understand the behaviour triggers and focus on what is important and matters to Mrs Brown to reduce the escalation which was impacting on her wellbeing. A family member said "it seems to me that the staff have more time for the residents and are upbeat which helps".

Homelessness

As part of the campaign to end street homelessness, Torbay Housing, health and care providers have worked with the council on this project. Using this new way of working, a referral was received from Westward Housing Outreach Team, which raised concerns about a rough sleeper. The person was a 65 year old man, recently discharged from Hospital after pneumonia with continuing mobility issues and no current abode. This referral route and way of working allowed us to work with the person to address health concerns and find accommodation.

The project team befriended the person through outreach work on the streets to build trust and resulted in working as an advocate on behalf of the person with local housing provider and support to attend health appointments.

The outcome is this person moved into supported accommodation was assessed by an Occupational Therapist and his health improved.

Outcome 2: Delaying and reducing the need for care and support

Our aim is to give people the best opportunity possible to manage their own health and care independently and proactively in their own home wherever possible. To do this we aim to provide integrated services, which empower people to live their lives to the full. The knock on effect is that for some people dependency on intensive care services will be delayed or reduced.

How are we performing?

Performance within this area has been strong with the number of people able to live independently for longer increasing which reduces a small amount of pressure in the care home market.

Over the past three years the Trust, the Council and Voluntary Sector have worked closely together to improve services for people that help them stay in their own home. This has happened via the local Prevention Strategy and the development and implementation of the local integrated Model of Care that sees prevention and wellbeing services sit at the heart of everything that we do.

We have worked in partnership to develop the care sector and more integrated community multidisciplinary service provision. This helps people improve and regain their independence and prevent people from having to go into long term care.

Focus on the Care Sector

We continue to work in partnership with local providers of care and support through the Torbay Multi-Provider Forum. There are some exciting projects to improve quality and these include collaborations between care home residents, relatives, staff and artists to develop a shared view of good care in the Torbay Care Charter.

At 1st May 2018 out of 106 regulated care services in Torbay 3 were rated 'outstanding' and 86 as 'good' by the Care Quality Commission and we intend to maintain this position.

Performance at a glance

Good

- The number of people living permanently in a care home at 31st march is reduced, as a consequence of our strategy to support more people in their own homes

Stable

Needs Improvement

We have recently set up a leadership development group with local care providers. Working together with care providers, carers and other stakeholders we are shaping the local market. Key ways we have worked together in 2017/2018 are set out in more detail in Outcome 1 and in case studies below but the highlights are:

- Setting up the Trusts Care Home Education Support Team (CHES) supporting local care homes. See outcome 1
- Creating joint plans to support for people with poor mental health and learning disability with a focus on housing and employment. See outcome 1
- Developing a model of extra care housing further, so that people can live independently close to others with access to care and support on site. See the case Study at page 17
- Our work with care providers and other statutory partners as part of a national campaign recognises the need to develop and value our care workforce through initiatives such as proud to care. See the Case Study at page 16.

Focus on integrated Health and Wellbeing Centres

In 2017/18 we have developed health and wellbeing centres in Paignton and Brixham. The Paignton Health and Wellbeing Centre has been up and running for over a year and was recently commended a success in a Healthwatch report where the majority of patients felt it delivered a successful service. Paignton health and wellbeing centre brought together services that were previously provided at Midvale Clinic, such as podiatry and speech and language therapy and clinics that were running at Paignton Hospital to create a health and wellbeing centre. The centre provides access to a wide range of outpatient clinics, from pain management to child health services and lifestyles services. The health and wellbeing model has enabled people to access care closer to home and without having to travel to Torbay Hospital.

In Brixham a new day and health and wellbeing centre is being built on the hospital site which will also be location for the current clinics and inpatient services. The build is being funded by the Brixham League of Friends and will be run by the voluntary sector. Day care will be available as well as a whole host of other services that enable local people to live healthy and well lives. It is anticipated that the new centre will open in the early part of 2019. Over the next year the Trust will be looking at how it can continue to develop the offer for the people of Torbay. Through 2017/2018 we have further developed our services to be based around these centres including: enhanced intermediate care; supported living provision; wellbeing services with the voluntary sector and supporting people to broker care themselves.

Enhanced Intermediate Care

In 2016/17 we invested in Enhanced Intermediate Care services to help people stay independent at home longer. In 2017/2018 we have worked to ensure Enhanced Intermediate Care is fully embedded working with GPs and Pharmacists as part of the health and wellbeing teams within Torquay, Paignton and Brixham.

We have developed stronger links with the ambulance service and the acute hospital which means that patients experience a more seamless service between settings. In September 2017, we implemented a new Rapid Assessment and Discharge Team based within Torbay Hospitals Accident and Emergency department.

This team helps to support people to go home quickly when they do not need to be in hospital. Between September 2017 and March 2018 the team have supported 1,092 people, 67% of whom have been supported to go home on the same day.

The average age of people benefitting from this service is 83 years old. The deeper integration of these services has helped ensure people have shorter stays in hospital. The average length of stay for people admitted to Torbay Hospital in an emergency is amongst the lowest in the country and the number of people experiencing a delay in their discharge is minimal.

We are in the top third in the country for our performance here. The implementation of a 'discharge to assess at home' pathway has further developed the ability of the organisation to care for people at home – 'the best bed is you own bed'. Please see the case study of Mrs R and the impact enhanced intermediate care has had on her life on page 16.

Supported living provision

In 2017/18 there has been a continuation of the work to ensure that people have access to a range of accommodation that supports their needs to live as independently as possible. The case study on page 17 describes how someone was supported to move out of residential care. This approach has contributed to our good performance in reducing the numbers of people living in residential care. In 2018/19 we will consolidate the supported living provision available to enable more people to move out of residential care. Please see how extra care housing provision has supported a person in their 90's with Multiple Sclerosis (MS) on page 17.

Wellbeing services with the Voluntary Sector

Torbay partners have successfully attracted funding to introduce and evaluate a range of non-traditional wellbeing services over the last 2 years. One of these services is Wellbeing Co-ordination, working with the Ageing Well Project with partners, Age UK, Torbay Community Development Trust and Brixham Does Care.

Voluntary Sector Wellbeing Co-ordinators work with people over 50 to understand what matters to them and help them act to connect, be active, keep learning, give to others using the community resources available.

Shaun's story below at page 17 reflects our learning about the success of integrating non-traditional services into the Torbay Model of Care. This service has received 865 referrals

since its inception. The results show, like Shaun, people who have participated experience a 12% improvement in mental wellbeing, a 10% improvement in physical wellbeing and 58% increase in social participation to combat the increasingly pervasive issue of isolation and loneliness. This service has been funded across partners for a further 3 years due to its success, with the trajectory to become business as usual in Torbay.

Supporting people to broker care

MySupportBroker is a branded model of support brokerage which has been tried and tested in partnership with statutory, charity, community and advice organisations. There has been a unique collaboration to pilot this approach in Torbay with partners: Ageing Well Torbay programme (and the Big Lottery); Torbay Community Development Trust; the Trust and MySupportBroker Community Interest Company.

This year (2017/18) over 300 Support Plans were completed. MSB has been involved successful delivery of the Personal Support Assistant Model to improve people's experience of care and stimulate new entrants into the care field. The story of a customer with poor mental health demonstrates this improvement in experience of care at page 18.

The scheme has enabled Adult Social Care to start to develop in the way we do things and maximise opportunities for care planning led by what matters to the person. 94% of a small sample of people surveyed said their needs were met well or very well. There is also evidence that MSB slightly lowers cost in reviews/support plans by 1.5%, although the scheme has not yet achieved all expected benefits.

The project will continue in 2018/19 and based on evidence, will target people with complex primary health needs. This to focus on the non-clinical dimensions of care through Continuing Health Care service with the aim to maximise benefits for the person and the system.

In summary

We have performed strongly in this outcome through development of the care sector and development of health and wellbeing centres in Torbay. We are proud to have won the Local Government Award for integration of our services in recognition of this. We will continue expand our approaches to embedding high quality integrated and personalised care as demonstrated in our case studies below.

Case studies

Proud to Care

The Proud to Care South West (SW) initiative was set up to be a continuing campaign to help address the widening gap between demand for care sector services and the people skilled to work in the sector in the South West. The Council arranged to take part in the regional survey of partners in October 2017 and stakeholders in December 2017. The key actions to fully benefit from the Proud to Care SW were to encourage care providers to use and benefit from Proud to Care SW. The collaborative work and investment together produced:

- Increased buying power to ensure public money goes further by working together to deliver improved capacity in the sector
- A branded proud to care SW campaign web space to market the care sector and advertise job opportunities, please see <https://www.proudtocaredevon.org.uk/>
- An increased conversion rate from those looking at jobs through the campaign website to those clicking to apply (23.2% 15% is norm).
- Tools are available for providers through secure collaboration site e.g. values based selection tools to help providers chose the right people.

This work has strengthening our action on closing the gap between demand for services and people to deliver these services.

Enhanced Intermediate Care

Mrs R was referred to Intermediate Care multi-disciplinary team by her GP, following a fall at home. She had a Urinary Tract Infection (UTI) and was prescribed antibiotics. A health and social care coordinator rang Mrs R and found she had a limited support and was struggling to manage at home. The coordinator reassured her that the IC team would visit her within two hours. The Intermediate Care Nurse and Occupational Therapist arrived within two hours and identified Mrs R was in pain when mobilising, had low blood pressure and was struggling to manage her personal care and medication. A wheeled zimmer frame and commode was ordered and delivered that day. Our integrated multi-disciplinary team now includes a pharmacist and working together looked into Mrs R's medication rapidly which enabled us to advise the GP of the most appropriate pain medication. Rapid response was also arranged twice a day for a few days, until she improved. At this stage support workers visited daily to improve Mrs R's mobility, confidence and to help her monitor her own pain and take action. This enabled Mrs R to continue to live independently at home and make a quicker recovery than UTI patients that have a fall who have been admitted to hospital. The average length of stay avoided in this case study is 7.25 days, for admissions primarily due to a UTI.

Case studies continued

Extra Care Housing

This individual was diagnosed with Multiple Sclerosis (MS) in the early 90s and had a stroke in 2008. Prior to the stroke they lived a full and active life with many interests. Post stroke they moved into residential care. In 2011, with the opening of an Extra Care scheme, they were able to move out of long term residential care. Due to the accessible nature of the accommodation, the background support of 24 hour on-site care and support provision of Extra Care housing, the change of accommodation was a more cost effective option as well as improving the quality of life and independence for the person. They are enjoying their increasing independence: accessing the local community, going out daily, personalising their flat / surroundings and accessing the internet on a regular basis. All of which have contributed to obtaining greater control of their daily life resulting in improved health and wellbeing and quality of life.

Wellbeing Co-ordination

Shaun, a 52 year old man with degenerative spinal disease referred to this service from his GP. He lived in a care home for respite following a brain injury, caused by a fall. During this time, his personal life started to fall apart, his partner would not allow him to return to their home, he did not have access to his finances and was left with nothing but the clothes he was wearing. Because of the circumstances Shaun also had input from other agencies, including a Social Worker. Shaun was previously a very social man, his physical health had begun to improve but as he was in his 50's the care home was far from the ideal place for him to be. When our Wellbeing Co-ordinator first met him he struggled to speak about his situation. His Wellbeing Co-ordinator supported him to have his benefits returned to his control, to be back in touch with the outside world and go out. Shaun's Wellbeing Coordinator took him to our monthly lunch group and a few coffee groups and he made friends instantly. Shaun was also getting help with his housing and just before Christmas was able to move into a flat in a managed building. From a professional point of view we can evidence that Shaun's wellbeing is vastly improved, his GP visits have reduced and he no longer needs residential care. From a community perspective, Shaun has been encouraging his neighbours to improve their wellbeing by setting up a coffee morning providing support to vulnerable people. He is now providing support and a smile to others. Shaun is also training to become a peer mentor for others with another local charity after attending a mental health recovery course. Shaun says "Wellbeing Torbay supported me with my financial situation and introduced me to people locally and it has saved my life. I can now look forward and help others, I can't thank them enough."

Case studies continued

My Support Broker

Our case study focuses on a 67 year old person who has a Mental Health condition and limited mobility and is very isolated and limited social interaction. The person wanted to be a part of their community and wanted to give something back but just lacked the motivation to do so. Creatively the broker had identified that during a more positive phase of the person's life they had brought themselves a car to fight off the isolation and potential hold the key to for them giving something back to the community. The broker was able to identify the cost of car insurance as a block and recognised this as a key to change the current position. This was included in the person's budget and as well as being an enabler, it was in cheaper and more likely to be used then annual bus ticket and taxi's. This has improved 2 people's lives and the person is friends with a gentleman with a visual impairment, who has also benefitted as the person now plans to give the other gentleman a lift to the local support group they both attend.

Outcome 3: Ensuring people have a positive experience of care

Our aim is to ensure people and carers have the most positive experience of care and support possible and that people can easily access information and advice in a way that is sensitive to their needs.

How are we performing?

Our performance on the experience of Carers receiving assessments, reviews and information in a timely and relevant way remains good. People's satisfaction with care and support services is stable. The number of people who find it easy to find information about services in general needs improvement. Although this result exceeds the England average we are actively engaging in improving in this area. We will continue on our whole system journey to introducing more options for personalised planning based on people's strengths.

Focus on experience of care and support

Our strategy for improving people's experience of care and support is based on the recognition the need to work proactively with people on their wellbeing. It is about thinking in a personalised way about what matters to the person and how this will facilitate self-care and improve their experience of care and support. We seek to emulate Carers experience of care and support across whole population and system. In 2017/18 we have made progress in our whole system journey in moving towards more ways of working with people's strengths. We are further embedding integrated services which focus on people's ability to live life independently and planning in a more personalised way for living well: such as Enhanced Intermediate Care; Wellbeing Co-ordination and Mysupportbroker.

The Hope Programme

In 2017/18 we have started to introduce the next layer of this approach, an example is the HOPE programme. HOPE is stands for Help to Overcome Problems Effectively and is delivered by a range of people in the system, voluntary sector wellbeing co-ordinators and

Performance at a glance

Good

- Carers receiving an assessment, review, information and advice

Stable

- Satisfaction of people who use services for care and support services from our annual user survey

Needs Improvement

- The number of people who use services who find it easy to find information about services

peer supporters. It is a 6 week course, newly introduced in Torbay, which supports people to become more skilled and confident to better self-manage their conditions. It works by recognising that people have many assets of their own and by bringing groups of people experiencing similar issues together. The group: support, befriend and enable each other to develop the confidence and self-belief that they can improve their lives. HOPE is an example of the approach we intend to expand in Torbay. Please see Sarah's story on page 21. Sarah is not alone in her improved experience, below is a Wordle from a group experiencing hope after six weeks.



Focus on information and advice

Our strategy to improve the accessibility and co-ordination of information sources overall is to meet the needs of our population and build on the Carer's exemplar. We are actively engaged in developing a baseline publication with partners which will be widely available through hard copies and will be email-able. This will ensure people have more access to information about services in a co-ordinated way. The first publication is due for release in Quarter one of 2018/19. We will then look at how we can make this more IT enabled.

Carers Support

In 2017/2018 we have extended our range of information and advice for carers and created new suite of video resources in partnership, available online which built on the accessibility and co-ordination of information resources already available. Katy Heard, Carers lead for the Trust 'we are acutely aware that Carers who juggle their caring role with employment, find it difficult to access support at a time which suits them. The on-line resource, while it doesn't suit everyone, makes it significantly easier for working Carers to find out information. For Carers who do not find it easy to use IT, then voluntary sector partners who have signed up to the project can help Carers to access this resource. All in all, it is a great resource'.

In summary

Our performance is good on the experience of care and support and information sources for Carers within this outcome. We are stable in peoples satisfaction with services and will continue expand our approaches to embed personalised care experiences such as the HOPE programme. For more about the new online resource and Sarah's experience of the HOPE programme please see our case studies the next page.

Case studies

The Hope Programme

Sarah suffers from a debilitating condition which results in tiredness and diminished motivation levels. Her personal relationships have deteriorated through lack of understanding of her illness impacting on her ability to manage her job and social activities.

Sarah fully engaged in the HOPE programme, took it upon herself to help another participant attend and has volunteered to help run future HOPE programmes *“I feel much better in myself when I am able to give something...I am adopting the programme of hope into my everyday life.....I am getting there slowly but surely – and I’ve got a lot more confidence as well I ‘like me now’, and I didn’t like me or anybody for quite a long time really.”*

Carers Support Online Resource

In September 2017 we commissioned Health and Care Videos, a partnership with Torbay & South Devon NHS Trust, to undertake a project to support the informal carer community Commissioned through the Better Care Fund, the project aims to provide access to high quality health information videos and signposting to local resources that help better inform patients and carers, enabling them to self-manage their own care and feel supported.

The need for consistent and up-to-date information that is clear and easily accessible was fed back by a focus group held in February. As a direct result, 40 new support videos are now in production, covering adult learning disabilities, mental health and admission and discharge from hospital and will be added to the existing library of over 250 videos. The project has engaged with local VCSEs and given over 20 care organisations personalised online libraries so they can support their own communities. James Sparks, Brigham Does Care says ‘We see it as a vital resource that our carers will definitely benefit from’

Since the official launch on April 1st the sites have already collectively achieved in excess of 1000 hits. The next phase of the project involves a video based learning programme to encourage carers to develop their skills and look towards careers in social care. Take a look at the library of videos here at <http://healthvideos.torbay.gov.uk>

Outcome 4: Safeguarding people whose circumstances make them vulnerable and protecting them from avoidable harm

Our aim in the broadest sense is for the public, volunteers and professionals to work together to ensure everyone is treated with dignity and respect, and that people have choice, control and compassionate care in their lives.

‘Safeguarding’ is a term used to mean both specialist services and other activity designed to promote the wellbeing and safeguard the rights of adults where harm or abuse has or is suspected to have occurred. Our responsibilities within care services are to: make enquiries or cause others to do so where safeguarding concerns are identified; co-operate with key partner agencies, to carrying out timely Safeguarding Adult Reviews; to share information to meet the aim of protecting vulnerable adults and to train our staff to respond effectively to safeguarding concerns.

How are we performing?

Our performance on this outcome is good. The number of repeat referrals is down and immediate action was taken in 100% of the cases where people were considered to be in a situation where there was a high risk of harm or abuse.

The Trust’s work in this area primarily divides between the community operational teams who respond to safeguarding concerns and our Quality, Assurance and Improvement Team (QAIT) which works with care homes and domiciliary care providers to promote high quality care and proactively monitoring quality standards. We work closely with Devon and Cornwall Police both in causing enquiries to be made and maintaining strong local partnership arrangements.

Ultimate accountability sits with the Torbay Safeguarding Adults Board (SAB) a well-established group that provides a sound basis for the strategy on delivering these legislative requirements. Key strategic areas focus for the board are: Domestic Abuse, Modern Slavery/Human Trafficking and learning from experience together as partners.

Performance at a glance

Good

Performance at a Glance

months is down

- 100% of people with high risk concerns identified had immediate action taken

Stable

Needs Improvement

Focus on Domestic Abuse

In 2017/18 Domestic Abuse has been a concern for the Torbay Safeguarding Board, with the number of reported incidents rising and a shortfall in local services to tackle it. The majority of Domestic Violence cases do not fall within the Trust Safeguarding Team remit, however, we continue to review safeguarding procedures to ensure that they comply with best practice on Domestic Violence. In 2017/18 we conducted an audit against Nice Guidance on domestic abuse to assure compliance. This year the Safeguarding Board has recognized the need to fund a coordinator within the community safety partnership to improve the response to Domestic Abuse concerns. The Trust continues to take an active part as members of the local partnership steering group for domestic violence.

Focus on Modern Slavery & Human Trafficking

In 2017/2018 the Trust, as part of the Safeguarding Board has put in place further multi-agency policies and approaches to raise awareness of the framework for tackling situations involving: Modern slavery (when people from the UK and other countries are tricked, exploited or forced to work for someone or a group of people) and Human trafficking (people moved within the UK from other countries to be exploited).

In 2017/18 the local partner agencies worked together to develop a modern slavery toolkit which aims to provide consistency in how professionals respond to issues. The Trust makes a small but consistent level of referrals to the police and has identified a Modern Slavery Lead to support and advise staff. As part of improving the consistency of approach in March 2017, 20 people from the Trust were trained as First Responders in managing referrals to national specialist teams. Modern Slavery knowledge has now been embedded into the Trust Mandatory Training and the level 1 training module is 90.6% compliant.

Focus on learning from experience together as partners

The Safeguarding Board and others regionally have recognised the need to ensure that we learn lessons from things that go well - and change practice when things do not go as well as they could.

In 2017/2018 there have been 3 best practice forum workshops for staff. The key themes were: coercion and control; prevent and learning from Safeguarding Adult Reviews in the region. Up to 100 people across partners attended each forum. As part of these workshops people were asked to identify how best to disseminate future learning and there is now a newsletter which focuses on how partners learn from each other about continuously improving our approach to Safeguarding.

Deprivation of Liberty

This is a key Safeguarding issue where sharing experience together as partners is critical. Safeguarding in this context is about ensuring that those who lack capacity and are residing in care home, hospital and supported living environments are not subject to overly restrictive measures in their day-to-day lives, but the risk of high risk of harm is mitigated.

This is known as Deprivation of Liberty Safeguards (DoLS) Safeguarding - for example due to the serious onset of dementia an individual's capacity to act safely is significantly affected. In 2017/18 the Trust has ensured local care provider services networks were kept up to date with current national and local picture on issues, holding engagement sessions with providers and disseminating information on best practice and legal risks to provide updates.

In summary

Whilst our performance is good, we must constantly strive to understand emerging issues for Safeguarding Adults in Torbay and take action proactively to keep our performance good. A key message is that safeguarding is everyone's business. When adult abuse concerns are raised we work in a multi-disciplinary and multi-agency context to understand risk and ensure responses are person centred, include the right people and include the right partner agencies. The following case study on the next page provides an example of how this is put into practice on a day to day basis.

Case studies

Safeguarding with our partners

Harold is 78yrs, following a suspicious cash withdrawal, Harold's bank contacted Devon and Cornwall Police raising a concern that Harold may be being financially exploited by a person in their early 20's who had befriended him. Initial background information checks and contact with GP indicated that Harold may have Dementia.

Devon and Cornwall Police raised an adult abuse concern to Torbay and South Devon NHS Trust (the Trust) as the concern gave reason to believe that Harold appeared to have care and support needs, be at risk of or experiencing financial abuse and be unable to protect himself from the risk of or experience of financial abuse.

Immediate action was taken by Harold's bank in partnership with police to protect Harold from possible further financial abuse and an urgent welfare visit was undertaken during which Harold was deemed to be able to consent to a safeguarding enquiry and express his preferred outcomes.

An initial safeguarding multi-agency safeguarding meeting was convened which included Harold. A safeguarding plan was agreed with Harold that included on-going support from police and adult social care, preventing the alleged perpetrator from having further contact with Harold, advice and information on keeping finances safe and signposting to local charity befriending services. Harold also provided more information to Police so they could further pursue possible criminal enquiries.

An update meeting was convened with Harold who also chose to bring along a friend and relative to support him. Devon and Cornwall Police provided an update to Harold and he confirmed he had been kept informed by Police. In addition more protective factors were agreed such as increased support and vigilance from friends and relatives, crime prevention input, adult social care floating support and inclusion of Harold's GP.

On further review, Harold reported that the alleged perpetrator had not targeted him anymore, that he was feeling much safer and that no other finances had been lost. The additional support for Harold was working well and Harold had engaged with his relative about them becoming his lasting power of attorney to manage finances should he eventually not be able to do this himself. Harold confirmed that the response had enabled him to feel safer in his own home and that his finances were now better protected. The circle of support around Harold also provided an additional protective factor to him beyond the safeguarding intervention.

5. Financial position and use of resources

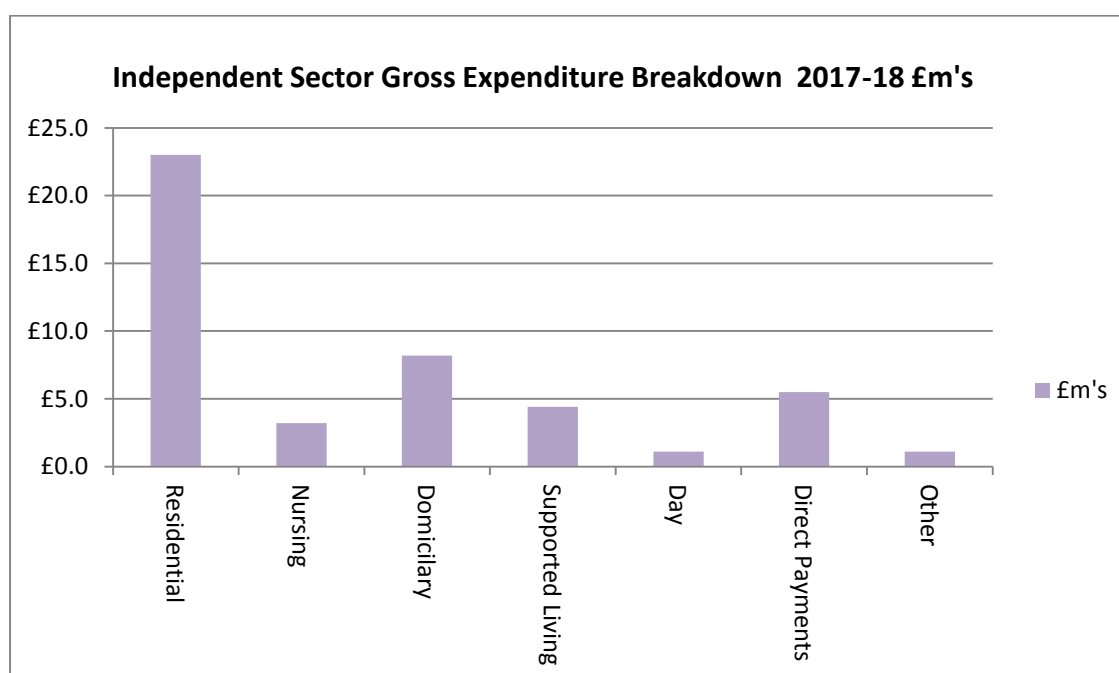
Our aim with this section of the review is to describe the financial resources available and how they have been used in the care sector. From the 1st October 2015 an Integrated Care Organisation (ICO) was formed and within this organisation remit was to provide Adult Social Care (ASC) on behalf of the population of Torbay. From a financial perspective the Councils role as a commissioning body is to provide a funding contribution to the overall running costs of the ICO. In 2017/18 this contribution was £44.1m.

The ICO provides a diverse range of services and ASC is a part of this. There is care management and social care support across Torbay; it includes the cost of social workers, community care workers, occupational therapists, physiotherapists, finance and benefit assessors and support service staff.

The vast majority of the total net spend on adult social care services is the purchase of care (including residential, nursing, day and domiciliary) from independent providers. The majority of this spend is with providers within Torbay but some specialist residential care is provided out of area. At any point in time there is on average around 2,200 people receiving a core service.

The net spend figure in the independent sector was £36.5m in 2017-18. However this is the figure after the contributions made by people receiving services were taken into account.

Under national legislation people assessed as needing social care services which are provided or arranged by the Council also receive an individual financial assessment and this can result in a them being asked to contribute towards the cost of their care provision. The income collected from people in Torbay in 2017/18 was £10.0m. The total (gross) expenditure on services was therefore £46.5m. The allocation of this gross expenditure across different types of services is illustrated in the chart below.



The age of the people receiving these ranged from 18 to over 100 years old and services were provided to clients with learning disabilities, mental health issues, dementia, sensory and physical disabilities, vulnerable people, and the frail and elderly.

Financial outlook for 2018-19 and beyond

At a national level there are continuing financial pressures across both adult social care and health services. Torbay is not immune to this and like other local authorities the Council has funding constraints.

The Council and South Devon and Torbay Clinical Commissioning Group acknowledge the tight financial constraints and jointly believe that the Trust, is best placed to continue to deliver the best possible care and support within these constraints. The Trust will achieve this through managing resources across health and social care to deliver a more efficient and effective profile of expenditure.

This will be dependent on how the overall funding envelope for the Trust can be best utilised to maintain a financially stable and sustainable health & social care system for the long term to improve people's experiences of health and social care. This will be done in consultation with the Council and, where it is necessary to make changes to the way services are delivered, consultation will take place with the people and carers who use those services.

6. Performance overview

Our aim with this section of the report is to provide an overview of performance and how we have performed by comparison to the average last year in England for each measure.

In overview, 80% of our performance is 'Good' or 'Stable', this importantly includes our performance on day to day delivery in assessing care needs and starting care provision in a timely way and people's satisfaction with services. It also includes indicators which tell us our strategy for integration to enable independence at home is starting to have impact with a reduction people placed permanently in residential home and care home use.

We will always actively engage in improving and have identified the main areas which need improvement as: the number of people receiving written care support plans and a review of that plan; supporting people with poorer mental health into independent living and employment and how easily people can find information about services. The table below shows how well the performance targets have been met using the following system:

Green	Exceeded, achieved or within 5% of the performance target
Amber	Narrowly missed performance target by between 5% and 10%
Red	Performance needs to improve, target missed by 10% or more

Measure	2017/18 Outturn (provisional)	2017/18 Target	2016/17 Outturn	2016/17 England average
Outcome 1: Enhancing the quality of life for people with care and support				
The proportion of clients informed about the cost of their care (self-directed support)	92.6%	92.0%	92.4%	89.4%
The proportion of clients who receive direct payments	26.2%	28.0%	24.9%	28.3%
Proportion of adults in contact with secondary mental health services in paid employment	0.9%	4.0%	3.7%	5.7%
Proportion of adults with a learning disability who live in their own home or with their family	75.4%	75.0%	77.1%	76.2%
Proportion of adults in contact with secondary mental health services who live independently, with or without support	52.7%	68.0%	62.0%	n/a
Proportion of clients receiving a review within 18 months	87.4%	93.0%	90.0%	n/a
Proportion of clients receiving a care support plan	83.5%	90.0%	86.2%	n/a
Proportion of assessments completed within 28 days of referral	79.0%	70.0%	71.2%	n/a
Proportion of clients receiving their care within 28 days of assessment	92.8%	94.0%	92.5%	n/a
Outcome 2: Delaying and reducing the need for care and support				
Number of people living permanently in a care home as at 31 March [a low value is better]	604	617	642	n/a
Permanent admissions to residential and nursing care homes for older people (65+), per 100,000 population [a low value is better]	467.9	599.0	493.7	610.7
Outcome 3: Ensuring people have a positive experience of care and support				
Overall satisfaction of people who use services with their care and support - from annual user survey	69.2%	70.0%	68.4%	64.70%
The proportion of people who use services who find it easy to find information about services - from annual user survey	75.4%	85.0%	77.3%	73.50%
Carers receiving needs assessment, review, information, advice, etc.	42.2%	43.0%	38.3%	n/a
Outcome 4 – Safeguarding people whose circumstances make them				
Proportion of repeat adult safeguarding referrals in last 12 months [a low value is better]	7.1%	8.0%	8.0%	n/a
Safeguarding Adults - % of high risk concerns where immediate action was taken to safeguard the individual	100.0%	100.0%	100.0%	n/a

7. Looking after information

Our aim in this section is to set out that we take our responsibility of safeguarding the information we hold very seriously. All incidences of information or data being mismanaged are classified in terms of severity on a scale of 0-2 based upon the Health and Social Care Information Centre *“Checklist Guidance for Reporting, Managing and Investigating Information Governance and Cyber Security Serious Incidents Requiring Investigation.”*

Risks to information are managed and controlled by applying a robust assessment against the evidence collected as part of the national information governance toolkit return. During the period 1 April 2017 to 31 March 2018 the following breaches of confidentiality or data loss were recorded by the Trust which required further reporting to the Information Commissioner’s Office and other statutory bodies.

Date of Incident	Nature of Incident	Summary of Incident	Outcome and Recommendations
1/06/17	Breach of confidentiality	Ex-member of staff accessed the building, contacted IT service desk to reset email password and then accessed email. Forwarded several emails with patient identifiable information attached to a personal email address.	Incident was investigated over a prolonged period. Delays were at an initial investigation stage and with the ICO, once the incident was reported to them. The response received from the ICO stated they planned not to take further action given; the time-lapsed, no complaints being received, the ex-staff member stating they did not hold the information, and the content of the emails sent. The Trust has reviewed its own internal processes and made changes.

Any other incidents recorded during 2017/18 were assessed as being of low or little significant risk. The Trust declared a level two compliance against the information governance toolkit requirements by 31 March 2018. A new action plan will be created to deliver improvements against the 2018/19 Data Security and Protection Toolkit and will be overseen by the Information Governance Steering Group which is chaired by the senior information risk owner (SIRO).

10. Overview and Scrutiny Board response to the Local Account 2017/2018

Torbay Council's Overview and Scrutiny Board is pleased to provide a response to the Local Account for 2017/2018 and add its appreciation for all the hard work, professionalism and dedication by the staff and volunteers, particularly when faced with the budget constraints across the public sector.

The case studies illustrate the benefits of integrated working by partners in delivering the best possible outcomes for those in receipt of the services. This has to be the most effective and efficient use of public sector resources.

The report acknowledges that there is still work to be done around "Enhancing the quality of life for people with care and support needs" and we would hope that the benefits of integration, so successfully illustrated elsewhere in this report, will deliver the best outcomes for those requiring the services in the future.

9. Healthwatch response to the Local Account 2017 -18

Healthwatch Torbay is the local consumer champion for health and social care. We ensure the voice of the consumer is strengthened and heard. We do this through a variety of methods including direct contact and the use of digital and social media. We use the knowledge we gain to report on the quality of the care people receive. We know that this is valued and used to improve future care.

We know that most people consider that those involved in providing our social care services are doing the best that they can. They look to this service to support them to remain safe and independent and to provide reliable support and information without delay and without confusion about the choices available as their need for care changes.

The Local Account/Annual report gives an opportunity for the public to gain a better understanding of what the service offers, how well it is performing now and what the future holds. Torbay NHS and Adult Social Care is well known for its commitment to working together with an aspiration for wrapping the service around the person. The real life stories described in the report explain how this is making a difference. They also explain how the system works, something which remains a mystery to most people until they are, themselves, the story. The report also highlights the introduction of new ways of working including implementation of changes in funding towards personal budgets, which will be unknown to many.

As part of our role in engaging with the public we have gained insight into the lives of carers and the experience of living in a care home or having care at home. We are in the process of finding out what it is like to be an adult with learning disability or a young person living in Torbay. We are asking questions about wellbeing, mental health and safety especially for older people. In listening to the views, opinions and experience of the public we are encouraged by recognising awareness of these same issues reflected in the intentions in this report.

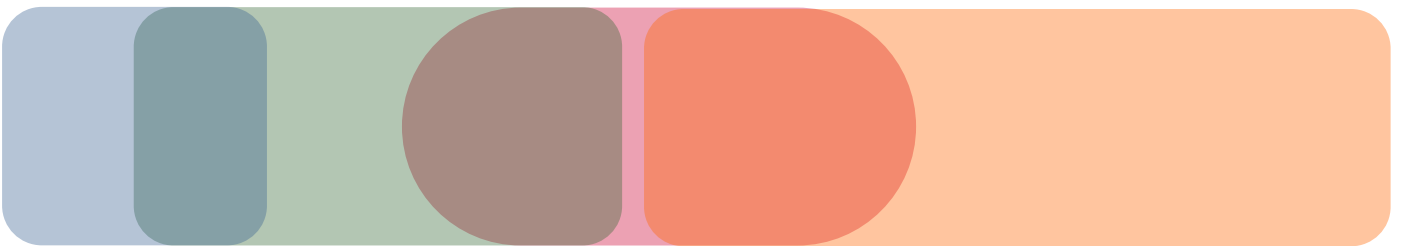
We do have our own challenge to the public. All our reports on the experience of using care are open to be read by the public. They are also read by our MPs and elected representatives. We challenge the commissioners to ensure that they listen to the public voice. More and more people are telling their stories about good and poor experiences in all areas of health and social care. The work that Healthwatch Torbay does “Starts with you”. We look forward to making your voice heard and will use it well.

Overall we consider that the Local Account presents a realistic overview of the performance and intentions for Adult Social Care and identifies appropriate internal controls and assurances.

Yours Sincerely,

Dr Kevin Dixon
Chair – Healthwatch Torbay

healthwatch
Torbay
Registered Charity No: 1153450
FREEPHONE 08000 520 029



Annual Report 2017/18



Introduction from the Independent Chair

This has been another productive year for the Safeguarding Adult Board in Torbay, with a continued commitment from our partners, good attendance and plenty of enthusiasm for anything which will increase the safety and wellbeing of vulnerable people locally. I should like to thank them for their fantastic efforts.



Business Plan - Key Achievements in 2017/18

Our three year Business plan reached an end in April 2018. It was ambitious and the reduced resource available across our partnership has meant that we have had to focus on the most pressing matters:

- Domestic Abuse - has been an issue of great concern in Torbay, with the number of reported incidents rising and a shortfall in local services to tackle it. By working together in Torbay, the urgent need to develop services has been recognised and a new Coordinator post has been funded by Torbay Council. The Board receives regular reports on progress in reviewing and commissioning services.
- Sexual Abuse - NHS England has commissioned new Referral Centres across the South West, starting in October 2018.
- Modern Slavery, Human Trafficking and Radicalisation - have been all been considered in detail to ensure that partners work together to identify issues and take action.
- Financial Scams - this is an increasing worldwide concern. The Board has sought to understand and raise awareness of the threats which can lead to depression and even suicide, as well as loss of money.
- Learning and Development - our Board and others across the South West has recognised the need to ensure that we learn lessons and change practice when things do not go as well as they could. A number of workshops for staff and a Board newsletter have been put in place to improve this. Across the partnership, a focus on training and awareness for staff has made significant progress.

Given the pressure on public service resources everywhere, this means that we need to develop a wider network of information and support across our community if we are to be effective in protecting people from both existing and new, increasingly sophisticated threats of exploitation, each of which requires new thinking and constant vigilance. Making sure that everyone has the awareness to act as our eyes and ears for vulnerable people is vital.

We have a new Business Plan for the coming three years with a new set of priorities reflecting this. (<https://www.torbayandsouthdevon.nhs.uk/services/safeguarding-adults/safeguarding-adults-board/tsab-purpose-principles-core-duties/>).

The work continues!

Julie Foster

Torbay Safeguarding Adults Board

The Board meets quarterly to oversee and develop services to protect adults at risk of abuse or neglect in Torbay. Most of the detailed work is done in sub committees which work across the whole of Devon, reporting to this Board.

Operational Activity

Adult abuse concerns continue to be reported to the Safeguarding Adult Single Point of Contact. The team triage all contacts and determine what action should be taken in response to concerns. This is often in partnership with health and social care practitioners and partner agencies.

In 2017-2018 the number of recorded adult abuse concerns was 387 – a fall of 7% on the previous year. However there was an increase of 78% in the number of these concerns proceeding under a statutory safeguarding process.

We are committed to the making safeguarding personal agenda and our systems and processes always focus on person centred not process driven responses. In 2017-2018 we started to review the way we capture the views of those who have experienced a safeguarding response to better understand and develop our systems and responses. We anticipate the new system will be implemented no later than October 2018.

During 2017-2018 the most common types of abuse reported were neglect (27%), emotional and psychological abuse (18%) followed by physical abuse (17%). There has been no significant change in the instances or numbers of abuse reported in the last year.

We continue to hold best practice safeguarding adult forums. In 2017-2018 we held 2 forums on Coercion and Control, and Prevent. We have also arranged for 'learning' from a safeguarding adult review forum which took place on 1st May 2018. These forums continue to be popular with up to 100 health and social care staff and partnership agencies attending and contributing to the development of safeguarding systems in Torbay.

We are also a member of the ADASS SW Editorial Group which aims to put in place consistent policy and practice guidance templates for local authorities across the South West Region. A key focus has been on self-neglect and template guidance will be circulated shortly.



Safeguarding Adult Review Group

The Care Act 2014 states that Safeguarding Adult Reviews are to be held whenever an adult dies as a result of, or has experienced, serious abuse or neglect and where there is concern that partner agencies could have worked together more effectively to protect them. The aim is to promote learning and prevention of future occurrences.

This Group has continued to meet quarterly to consider referrals for Safeguarding Adult Reviews. Few referrals are received and practitioners across all partner organisations will be encouraged to submit cases for consideration where concerns may exist.

Action has been taken with respect to recommendations in the Safeguarding Adult Review regarding Western Rise published in October 2016 but it is of great concern that similar issues have arisen again regarding the commissioning and monitoring of placements for very vulnerable people. A further Safeguarding Adult Review was commissioned in February 2018 to explore what went wrong, working across local authority and NHS organisational boundaries to prevent this happening again. An Independent Lead Reviewer and Panel have been appointed to lead this work. A report will be published on the Boards' website in due course.

The Board participated in a thematic review of Safeguarding Adult Review reports across South West England during 2017. The results are very valuable in improving the quality and usefulness of Reviews. Work will be done to incorporate the recommendations into local policy and procedures.



Joint Mental Capacity Act Sub Group

During 2017/2018 the Mental Capacity Act Sub Group to the Safeguarding Adult Board decided to focus on returning to a 'back to basic's' philosophy. The reason for this approach, 10 years after the Mental Capacity Act 2005 received Royal Assent back in 2007, was driven by a number of factors to indicate the basic's and key requirements that the Act continue, at times, to be largely misunderstood by those who have a legal duty to implement them within their professional or caring roles. Such factors have included the House of Lords Select Committee Report on the implementation of the Act in 2014 which clearly set out a lack of understanding nationally and more locally Serious Case Review outcomes also indicating poor understanding or implementation of the Act.

Therefore the MCA Sub Group developed a work plan to seek assurance from each partner member that the foundations upon which the Mental Capacity Act 2005 can be rightly applied are in place, relevant and accessible to support both their own staff and also to provide information to the wider population.

This included assurance that each organisation is able to:

- Provide clear policy, assessment tools and guidance documents to support staff in the implementation of the Act.
- Provide a training and awareness strategy aligned to set competencies which are designed to support staff in receiving the training they require to fulfil their role.
- Provide a suite of relevant information on a dedicated webpage available to both the general public and staff.
- Provide a robust audit tool to support on- going learning outcomes and continuous development

During the forthcoming months the Sub Group members will continue to remain committed and focused on supporting people who are or who may become vulnerable within our communities to safely achieve fulfilment within their lives.



Joint Learning and Improvement Sub-Group

The sub group has continued to focus on the four work streams that arose from the themes arising from the self- assessment reported on last year. These themes were; Multi-Agency Case Audit; Training and Competency framework review; DSAB commissioned training; Self-Assessment Tool.

Currently there are separate Multi-Agency Case Audit processes across both SAB areas as Torbay uses the Safeguarding Improvement group for this purpose. The Task and Finish developed a process for the Devon Safeguarding Adult Board, including participation of board members in the process. Learning from both processes is brought together within the Learning and Improvement Subgroup and have identified some areas, including Making Safeguarding Personal and application of the Mental Capacity Act, to be explored more thoroughly.

Comparison of the Bournemouth National Competency framework and the draft NHS England Safeguarding Adults: Roles and competences for health care staff 2016 have enabled DSAB to review the courses they commission against those provided by partner agencies. A current retendering programme is underway with full engagement from multiagency partners and to date two contracts have been awarded. Please note that NHS England have not yet published a final competency framework. Torbay and South Devon NHS Foundation Trust are using the Bournemouth Competency framework and initial analysis of training feedback have identified that a proportion of healthcare staff have been up skilled as a result and have become more confident in safeguarding adults. Discussions regarding competency frameworks have led to both Safeguarding Adults Boards agreeing a new work stream for 2018/2019 to focus more specifically on Professional Development and Learning into Practice. The self-assessment tool was redeveloped following feedback from last year and a peer review took place at the end of March. Feedback from this will be reported to both Safeguarding Adult Boards. An additional work stream has been agreed by both Safeguarding Adults Boards for 2018/19 relating to understanding and supporting professionals in understanding the relationship between Domestic Violence and Abuse and Safeguarding Adults. This will support both Safeguarding Adult Boards with this particular area of their Business Plans.

Attendees:	Role:	Organisation:
Julie Foster	TSAB Chair	Independent
Andi Colliver	Minute Taker – TSAB Coordinator	Torbay & South Devon Foundation Trust
Nick Meyer	Director	Care Homes
Vicky Bundy	Registered Manager, Three Corners	Care Homes
Supt. Jacqui Hawley	Commander for Torbay & South Devon	Devon and Cornwall Police
Julian Pezzani	Partnership Chief Inspector	Devon and Cornwall Police
Penny Rogers	Managing Partner for Safeguarding -	Devon Partnership Trust
Mandy Davies	Safeguarding Manager	Devon and Somerset Fire and Rescue Service
Huw James	Trading Standards Officer	Devon, Somerset & Torbay Trading Standards
Pat Harris	Chief Executive	Healthwatch Torbay
Steve Kimble	Senior Probation Officer	National Probation Service
Lyn Gooding	Criminal Justice, Commissioning & Partnership Manager	Office of the Police and Crime Commissioner
Delia Gilbert	Designated Nurse for Safeguarding Adults	South Devon and Torbay Clinical Commissioning Group
Lorraine Webber	Deputy Director of Quality Assurance & Improvement	South Devon and Torbay Clinical Commissioning Group
Si Langridge	Service Lead	SPOT/SPACE - Torbay
Cllr. Julien Parrott	Executive Lead for Adults	Torbay Council
Caroline Taylor	Director of Adult Services, Housing & Elections Returning Officer	Torbay Council
Fran Mason	Head of Partnerships, People & Housing Torbay Council	Torbay Council
Jason Preece	Domestic Abuse and sexual Violence Coordinator	Torbay Council
Jane Viner	Chief Nurse	Torbay and South Devon Foundation Trust
Jon Anthony	Safeguarding Adults Operational Lead	Torbay and South Devon Foundation Trust
Jo Williams	Deputy Director of Adult Social Services	Torbay and South Devon Foundation Trust
Nicky Griffin	Mental Capacity Act & Deprivation of Liberty Safeguards Lead Practitioner	Torbay and South Devon Foundation Trust

TSAB Membership 2017 – 2018

Business Plan 2018 - 2021

We are currently finalising our strategic business plan for the forthcoming 3 years.

Key priorities will include:

- Clear focus on making best use of learning from experience and reviews
- Building a network of information and support across the community
- Striving towards excellent care across all providers
- Building on all aspects of training in Mental Capacity Act 2005 and Safeguarding Adults
- Embedding learning from SARs
- Strengthen learning from feedback
- Experience and prioritise safeguarding the most vulnerable

Once the plan has been approved by TSAB, this will be published on the public webpage available at:

<https://www.torbayandsouthdevon.nhs.uk/services/safeguarding-adults/safeguarding-adults-board/tsab-purpose-principles-core-duties/>

Budget Information

The partner contributions for the TSAB Budget are outlined in annual agreement, overseen by the Board. Key partners contribute to a pooled budget, which in 17/18 amounted to £42,680:

Acronyms Glossary:

ADASS – Association of Directors of Adult Social Services

MCA – Mental Capacity Act

SAB – Safeguarding Adult Board

SAR – Safeguarding Adult Review

TSAB – Torbay Safeguarding Adult Board

DSAB – Devon Safeguarding Adult Board

TSAR – Torbay Safeguarding Adult Review



Meeting: Council

Date: 19 July 2018

Wards Affected: All wards in Torbay

Report Title: Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee

Is the decision a key decision? No

Supporting Officer Contact Details: Anne-Marie Bond, Director of Corporate Services and Operations, 01803 207160, anne-marie.bond@torbay.gov.uk

1. Proposal and Introduction

- 1.1 The Mary Ney report, [Review of Local Enterprise Partnership Governance & Transparency](#), was commissioned by the Government and published in October 2017.
- 1.2 Of particular note was the advice within that Report that Scrutiny arrangements should be in place to monitor decision-making and achievements of the Local Enterprise Partnership (LEP).
- 1.3 Whilst there is no current legislative framework, statutory guidance is anticipated in the next few months, but the final LEP review documentation is expected to better recognise the role of local authorities in scrutinising LEPs.
- 1.4 According to the Mary Ney Report, a number of LEPs, but not all, refer to the role of Scrutiny in overseeing their performance and effectiveness. Some LEPs are scrutinised from time to time by their accountable body Overview and Scrutiny function. The Mary Ney Report highlighted this issue as an area for further development in order to give an increased independent assurance and asked that LEPs reported on it as part of their annual assurance statement during the Annual Conversation process.

2. Reason for Proposal

- 2.1 To establish a Joint Scrutiny function for the Heart of the South West Local Enterprise Partnership in response to the LEP's Annual Conversation with Government.

3. Recommendation(s) / Proposed Decision

- 3.1 That the implementation of a Joint Scrutiny function (Committee) for the South West Local Enterprise Partnership (LEP) be approved and the Terms of Reference and Operating Procedures, as outlined in Appendix 1 to the submitted report, be endorsed, reflecting the new joint arrangements and Delegation of the Overview

and Strategic Scrutiny of the LEP functions (as outlined in the roles, duties and responsibilities of appendix 1);

- 3.2 That it be agreed that Devon County Council becomes the host Authority to support the new Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee, which will operate under the Standing Orders of Devon County Council; and
- 3.3 That Torbay Council's appointments to the Heart of the South West Local Enterprise Partnership (LEP) Joint Scrutiny Committee be made by the Overview and Scrutiny Board.

4. National Context

- 4.1 There is work continuing at a national level, for example County Council's Network (CCN) meeting with officials at MHCLG to discuss the ongoing LEP review.
- 4.2 Officials confirmed that the recommendations of interest to Counties will include:
 - Guidance on the role and remit of LEPs – defining the roles of LEPs and distinguishing them councils;
 - Revise LEP geographies – an invitation for areas to apply to propose a revised geography to remove overlaps with the intention to provide guidance to inform local discussions between partners;
 - Expectations for resourcing LEPs – both financially and in terms of expertise; and
 - Guidance on strengthening accountability – implementation of the recommendations arising from the Ney review.
- 4.3 Officials also clarified the intention for LEPs to be incorporated as limited companies, in order give them a common legal framework.
- 4.5 The CCN also made the case that Counties are integral to their success and put forward further supportive material that demonstrated this.

5. Local Context

- 5.1 Currently there is no collective local authority scrutiny arrangement in place for the HotSW LEP and therefore LEP activity falls to individual councils to scrutinise through their local scrutiny arrangements. This at best a 'piecemeal' approach and there is also currently no legislative requirement on local authorities to scrutinise LEPs.
- 5.2 However, the Annual Conversation process for the HotSW LEP with Government identified them as not being compliant in relation to Scrutiny. Of particular note was future LEP funding from Government depended on the LEP having compliant local arrangements in place in conjunction with local authorities and Scrutiny was identified as a key area for improvement. This led to the HotSW LEP's governance arrangements as 'Requiring Improvement'. This is therefore a key 'driver' in the absence of any specific legal requirement although it should be noted that there is little formal detail published in guidance as to what 'compliant' looks like.

- 5.3 The Government has said that the HotSW LEP could be considered compliant if the local authorities have a plan agreed for the implementation of joint scrutiny arrangements, even if the mechanism is not operational just yet.
- 5.4 Chris Garcia, Chief Executive of the HotSW LEP approached Somerset County Council as the administrative authority for the LEP, with a formal request that the local authorities within the HotSW area urgently address the lack of compliant scrutiny arrangements to ensure the continuation of LEP funding under the LEPs annual conversation process. Officers started work on receipt of this request and Somerset County Council gave assurance under the Annual Assurance process that adequate scrutiny arrangements would be established by autumn 2018. The matter is still, therefore, urgent.
- 5.5 At paragraph 4.1 above there is mention of the Government's on-going review of LEPs. The outcome of this review should be known at some point this year but the urgency of the local compliance issue explained above means that we cannot await the outcome of that review before putting in place a joint local scrutiny arrangement. The approach recommended is therefore designed to be a flexible solution which should be capable of being 'flexed' to meet any requirements coming out of the LEP review. It is therefore possible that further decisions may be required of the local authorities on this matter once the LEP review outcomes are known.

6. Options Considered

- 6.1 The most obvious option would have been to ensure LEP attendance at relevant existing Somerset County Council and Devon County Council Scrutiny Committees, but this is not considered sufficient by the Government under the Annual Assurance process.
- 6.2 The possibility of using the HotSW Joint Committee to scrutinise the LEP has been reviewed but such a mechanism will not meet the Government's requirements for LEP scrutiny. The reason for this is that the LEP and the Joint Committee are working on similar agendas to improve productivity and therefore both will hold the other to account for delivery of their responsibilities. However, both are decision making bodies with the local authority membership focused on Council Leaders and Cabinet members. This model of 'holding to account' therefore falls outside of local authority scrutiny arrangements.
- 6.3 There are, of course other potential models of joint scrutiny that could be established, but the approach recommended is intended to be a pragmatic solution recognising that the key focus will be on strategic scrutiny and therefore the county and unitary authorities within the HotSW area. The membership of the Joint Committee and delegation of functions to it is therefore focused on the authorities with strategic responsibilities. However, the interests of the district councils as key local partners are recognised in the proposal through an appropriate level of representation within the membership.

7. Aim

- 7.1 The aim has been to develop a proposal for a formal joint LEP Scrutiny arrangement with Elected Members involved in the Scrutiny function, but independent of existing Scrutiny Committees.

- 7.2 This means a sensible joint scrutiny arrangement with a focus on Strategic Scrutiny of the LEP and its strategies, therefore adding value.
- 7.3 It is also clear that local issues, for example, reviewing progress of local schemes (funded by LEP) to individual authorities must remain with local scrutiny committees, so there is no 'removal' of local scrutiny 'rights'.

8. Work to Date

- 8.1 Officers from Devon County Council, Somerset County Council, Plymouth City Council and Torbay Council met in April 2018 and proposed some potential terms of reference for how a joint Scrutiny Committee might work.
- 8.2 On 30 May 2018, Officers and Members from Devon County Council, Somerset County Council, Plymouth City Council, Torbay Council and West Somerset District Council held a meeting / review session at Devon County Council to consider and discuss the proposed terms of reference.
- 8.3 Following a number of small changes, the revised and proposed terms of reference and operating procedures as supported by the Members present at the review session are attached at Appendix 1.

9. Summary Conclusion

- 9.1 There is an urgent requirement to have arrangements in place to support local authority Elected Member Scrutiny of the Heart of the South West Local Enterprise Partnership, notwithstanding existing arrangements will not comply with the Governments requirements at this stage and also noting that Statutory Guidance is expected later in the year.
- 9.2 The current proposals are light touch and appropriate in the absence of any such guidance, but of course may need to be revisited in light of that additional guidance.
- 9.3 Similar recommendations are being made to the other strategic authorities with direct representation on the proposed Joint Committee. If the recommendations are agreed by the four councils, invitations will then be sent to the District Councils in both County areas to invite the appoint of district representatives in accordance with Appendix 1.

Appendices

Appendix 1: Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee Terms of Reference

Background Documents

The Mary Ney report, [Review of Local Enterprise Partnership Governance & Transparency](#),

Appendix 1

Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee Terms of Reference

1. Purpose

The Joint Scrutiny Committee will provide strategic overview and Scrutiny of the activities of the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) to complement the existing Council's Scrutiny arrangements.

2. Roles, Duties and Responsibilities

In meeting its purpose, the Joint Scrutiny Committee will be specifically charged with:

- The review of strategic decisions made by the LEP Board;
- The review of progress of programmes under the management of the LEP to identify barriers to progress, good practice and possible improvements to the LEP's programme management function, notwithstanding the ability of Local Authorities to scrutinise individual programmes of delivery which impact on their communities;
- Scrutiny of the delivery of the Strategic Economic Plan and the Productivity Strategy; and
- To review LEP performance and consider any comparative data the Joint Committee deems necessary.

3. Scrutiny Function

The Joint Scrutiny Committee will provide a new joint Scrutiny function and the Joint Committees constituent authorities will be asked to delegate the strategic overview of the LEP functions to the Joint Scrutiny Committee (this will not remove the right of local authorities to scrutinise matters relating to programme delivery that impact on the people within those communities).

4. Membership / Substitute Members

The membership of the Joint Scrutiny Committee will be:

Devon County Council	(4 Members)
Plymouth City Council	(2 Members)
Torbay Council	(2 Members)
Somerset County Council	(4 Members)
Devon Districts	(3 Members)
Somerset Districts	(2 Members)

In line with the requirements of the Local Government and Housing Act 1979, political proportionality has been considered and is not considered appropriate to apply to the collective membership of the Joint Scrutiny Committee. However, where a Council is appointing three or more Members, political proportionality will apply to those appointments in line with the legislation. For less than three, each constituent authority

will be free to consider their own political proportionality in making their appointments to the Joint Committee on an annual basis.

The level of representation proposed for the County authorities is considered appropriate because of their administrative authority duties in respect of the LEP.

Members of the Executive / Cabinet from constituent authorities are precluded from sitting as members of the Joint Scrutiny Committee.

District Council representatives should be appointed from authorities not already represented on the HotSW Local Enterprise Partnership Board and also should not be County Councillors.

Constituent authorities may make substitutions in accordance with their own procedures where one of their Members is unable to attend any meeting of the Joint Scrutiny Committee. Substitutes do not need to be named, but as a courtesy the administering secretariat should be advised of the name of the substitute at least 24 hours in advance of the meeting.

Reflecting the approach to engage with stakeholders across the LEP Area, the Scrutiny Committee will be able to invite to meetings witnesses which it considers will contribute to the delivery of an effective Scrutiny function.

5. Work Programme

The Joint Scrutiny Committee will maintain a work programme of activities.

Constituent Authority Scrutiny Committees may ask the Joint Scrutiny Committee to consider matters for inclusion in the work programme. The final decision will be a matter for the Joint Scrutiny Committee. District Council Scrutiny Committees not directly represented on the Joint Scrutiny Committee should do this through the District Councils Members appointed to the Committee.

6. Reporting Arrangements

The work and recommendations of the Joint Scrutiny Committee will be regularly reported to the Heart of the South West LEP Board.

Members may make reports to their “home” constituent authority in accordance with their own governance procedures.

7. Agendas, reports and minutes

The agenda and supporting papers will be published and circulated at least five clear working days in advance of meetings.

The minutes of any meetings will be published on the administering secretariat’s website and circulated to partner organisations as soon as practicable.

The Committee will operate under the Standing Orders of the administering authority.

The HotSW LEP will provide a link to the agendas and minutes of the Joint Scrutiny Committee on its website.

8. Frequency of meetings

The date, time and venue of meetings will be fixed in advance by the Joint Scrutiny Committee and an annual schedule of meetings agreed.

The Joint Scrutiny Committee will meet three times per year (March, July and November). Dates will be published on the website of the administering authority.

Additional meetings may be convened at the request of the Chair.

9. Election of Chair

The Chair will be elected on an annual basis by Members of the Joint Scrutiny Committee.

10. Quorum

The quorum of the Committee shall be one quarter of Members, equating to a quorum of 5.

11. Declarations of interest

Declarations of Interest will be made in accordance with the Government Guidance.

Joint Scrutiny Committee Members are subject to the Code of Conduct for Elected Members adopted by the Constituent Authority that nominated them including the requirement to declare relevant interests at formal meetings of the Joint Scrutiny Committee.

12. Voting

In principle recommendations will be reached by consensus, but if a vote is required it will be by a simple majority of all members present.

Where there are equal votes the Chair of the meeting will have the casting vote.

13. Duty to attend, cooperate and respond

The Joint Scrutiny Committee may require by invitation the Chair of the LEP Board and the Chief Executive of the LEP to appear before it to explain (in relation to all aspects of the Committee's work) the performance of the LEP and / or any particular decision or series of decisions. The Chair and Chief Executive have agreed to attend if so required, unless they have a legitimate reason for not doing so.

Following each meeting of the Joint Scrutiny Committee, the Committee's recommendations will be submitted to the LEP Board for consideration. The LEP

Board will be required to consider those recommendations at its next meeting, and respond to the Joint Scrutiny Committee indicating what (if any) action the LEP Board proposes to take. The response should be made within 28 days of the LEP Board meeting and will be published.

14. Code of conduct

Members of the Joint Scrutiny Committee are expected to observe the “Seven Principles of Public Life” (the ‘Nolan’ principles) and shall be bound by their own authority’s Code of Conduct in their work on the Joint Scrutiny Committee.

Members are expected to act in the interests of the Joint Scrutiny Committee, except where this would result in a breach of a statutory or other duty to their Constituent Authority or would be in breach of their Constituent Authority’s Code of Conduct.

15. Access to information

Joint Scrutiny Committee meetings are regarded as a Council Committee for the purposes of Access to Information Act.

Meetings will be open to the press and public and the Freedom of Information Act provisions shall apply to all business.



Meeting: Council

Date: 19 July 2018

Wards Affected: All

Report Title: Disposal of land at St Kilda's for affordable housing delivery and update on housing delivery

Is the decision a key decision? Yes

When does the decision need to be implemented? As soon as possible

Executive Lead Contact Details: Elected Mayor Gordon Oliver, Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation/Councillor Cindy Stocks, Executive Lead for Housing

Supporting Officer Contact Details:

Caroline Taylor, Director of Adult Services and Housing (Housing), (01803) 207336, caroline.taylor@torbay.gov.uk/Kevin Mowat, Executive Head of Business Services (Assets), kevin.mowat@torbay.gov.uk/Liam Montgomery, Director of Asset Management, Investment and Housing (01803) 208720

1. Proposal and Introduction

- 1.1 The report proposes that Torbay Council transfers the land and buildings at St Kilda's former residential care home to a Council owned subsidiary or company wholly owned by Torbay Council at Nil value to provide affordable homes for local people and help meet the objectives of the Housing Strategy as recommended by the Housing Committee.
- 1.2 Torbay's Housing Strategy 2015 – 2020 has a target to provide 70 affordable homes each year and by transferring this site and providing affordable housing it will go some way to helping the Council achieve this objective.
- 1.3 The preference and if possible, the site will deliver accommodation for older people or residents with care and support needs or local keyworkers.
- 1.4 Section 1 point 2 of the supporting information provides an update in response to the motion on the 21st June 2018.
- 1.5 Alternatively the Council could dispose of this asset on the open market and receive a capital receipt in accordance with the Council's Corporate Asset Management Strategy.

2. Reason for Proposal

- 2.1 In recent years the Council has been reliant on planning gain for the delivery of affordable housing. This method is completely reliant on the private sector build rates and the viability of individual sites and very rarely provides the size and type of accommodation for those with specialist requirements. By transferring this site to a Council owned subsidiary or company wholly owned by Torbay Council it can be used to meet those strategic needs that are not met through housing associations and the private sector.
- 2.2 There are currently over 1000 households on the housing register who require affordable housing in Torbay.

3. Recommendation(s) / Proposed Decision

- 3.1 That, subject to 3.2 below, the land at St Kilda's, shown edged red on the plan attached at Appendix 1 to the submitted report, be disposed of at Nil value to a Council owned subsidiary or company wholly owned by Torbay Council in return for nomination rights under the Local Government Act 1972: General Disposal Consent 2003.
- 3.2 That the Council enter into a satisfactory grant and nomination agreement with a Council owned subsidiary or company wholly owned by Torbay Council detailing what is to be provided on the land and the Council's nomination rights for 100% of the affordable properties on the site in perpetuity and to delegate authority to the Chief Executive in consultation with the Executive Lead for Housing to agree the detailed terms of this agreement.

Appendices

Appendix 1: Site Plan St Kilda's, Drew Street, Brixham

Background Documents

None included

Section 1: Background Information

1. What is the proposal / issue?

This report proposes that Torbay Council transfers the land and buildings at St Kilda's former residential care home to a Council owned subsidiary or company wholly owned by Torbay Council to provide affordable homes for local people and help meet the objectives of the Housing Strategy. The proposal is supported by the Council's strategic land task group and the Council's Housing Committee.

Proposed development programme

Task / deliverable	Instruction / start Date	Completion date
Detailed planning application		
Producing planning drawings	Jul-18	Sep-18
Topographical survey	Jul-18	Aug-18
Ecology Survey	Jul-18	Aug-18
Tree survey and root mitigation measures	Jul-18	Aug-18
Drainage and percolation testing	Jul-18	Sep-18
Demolition survey and quote	Aug-18	Sep-18
Planning Fee outline	Sep-18	Sep-18
Financial appraisal		
Prepare cost plan	Sep-18	Oct-18
Prepare business case	Sep-18	Oct-18
Approval of business case at Hsg Committee	10th Sept	19th Nov
Planning Permission		
Submit planning application	Nov-18	Nov-18
Validate planning application	Nov-18	Nov-18
Planning application decision	Feb-19	Feb-19
Land transfer		
Prepare grant and Noms agreement	Nov-18	Dec-18
Undertake legal land transfer	Dec-18	Dec-18
Contractor Procurement		
Agree detailed specification	Dec-18	Jan-19
Prepare tender documents	Jan-19	Jan-19
Undertake procurement	Feb-19	Mar-19
Contractor Selection	Mar-19	Mar-19
Hsg Committee Approval/Board approval to proceed	25th Mar 19	
Contractor Design Stage		
Undertake construction drawings	Mar-19	Apr-19
Approving/finalising detailed design process with Contractor	Apr-19	
Construction phase		
Mobilisation	Mar-19	Apr-19
Construction	Apr-19	May-20

2. What is the current situation?

The former 36 bed residential home was handed back to the Council from the Care Trust at the end of July 17. Subsequently it was declared surplus by the Council and identified as no longer being required for service delivery. It has been empty since this time.

While the property is empty the Council has to meet the void property costs including, but not limited to, rates, repairs and maintenance, void inspections and insurance.

There are currently over 1,000 households on the waiting list for affordable housing and providing affordable housing on this site will play a part in providing much needed accommodation for local people.

Design work is not yet underway but it is anticipated that the site will generate in excess of 20 homes.

There is the potential for the development on the St Kilda site to provide up to date facilities that will allow people with complex needs to be cared for within the area e.g. local people suffering with Mental Health, Dementia and other health related issues.

The redevelopment of this site will have economic benefits in terms of employment e.g. building/construction, care and associated support services. The construction contract will require the contractor to work with the Council to offer suitable work placement/apprenticeship programme for local people.

Through the Council owned subsidiary or company wholly owned by Torbay Council, Torbay Council will receive nomination rights to 100% of the affordable units delivered in perpetuity to help meet the needs of local people.

In response to a recent motion at Council 21st June 2018 and by way of an update the Housing committee and the Council has approved the decision to deliver affordable housing on sites at Redwell lane and Totnes Road. Work has commenced well and almost all of the necessary surveys have been completed. The design work is well underway with the target of submitting planning applications in August and September.

The following high level programme gives you an indication of the proposed timeline.

Task / deliverable	Totnes Road	Redwell Lane
Detailed planning application drawings and surveys		
Start date	May-18	June 18
End Date	Sept 18	Oct 18
Financial appraisal		
Start date	July 18	Aug 18
End Date	Oct 18	Nov 18
Approval of business case at Hsg Committee	Oct 18	Nov 18
Planning Permission		
Start date	Sept 18	Oct 18
End Date	Dec 18	Jan 19
Land transfer		
Start date	TBC	TBC
End Date	TBC	TBC
Contractor Procurement		
Start date	Dec 18	Jan 19
End Date	Mar 19	Apr 19
Hsg Committee Approval/Board approval to proceed	Mar 19	Apr 19
Contractor Design Stage		

	Start date	Mar 19	Apr 19
	End Date	Apr 19	May 19
	Construction phase		
	Start date	May 19	June 19
	End Date	Apr 20	May 20
3.	<p>What options have been considered?</p> <p>Disposal of the site at full open market value to maximise the capital receipt to help fund the Councils Capital programme.</p> <p>Disposal to a housing partner to maximise the affordable housing at either discounted or nil value.</p>		
4.	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</p> <p>A prosperous and healthy Torbay</p> <p><u>Principles:</u></p> <ul style="list-style-type: none"> • Using reducing resources to best effect • Integrated and joined up approach <p><u>Targeted actions:</u></p> <ul style="list-style-type: none"> • Protecting all children and giving them the best start in life • Working towards a more prosperous Torbay • Ensuring Torbay remains an attractive and safe place to live and visit • Protecting and supporting vulnerable adults 		
5.	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>Brixham Neighbourhood plan has included St Kilda's in the Brixham Neighbourhood Plan as an allocated site for affordable housing and so there is strong support from the community for this use.</p> <p>The proposal to dispose of this land to a Council owned subsidiary or company wholly owned by Torbay Council at Nil value was presented to the Councils Strategic Land task Group where the various options were considered and debated. The outcome was that the group supports the proposal to dispose of the site at Nil value for affordable housing.</p> <p>The proposal to dispose of this land to a Council owned subsidiary or company wholly owned by Torbay Council at Nil value was presented to the Councils Housing Committee where the various options were considered and debated. The outcome was that the group supports the proposal to dispose of the site at Nil value for affordable housing.</p> <p>If disposed of at Nil value then it will affect the Councils capital programme and will limit the Councils ability to deliver this programme. Therefore the Councils finance department are a key consultee. Their view is:</p> <p>Transferring the land to the housing company at nil value is contrary to two existing council policies:</p>		

	<p>1) In the approved Capital Strategy (Council February 2018)</p> <p>“The current policy is to pool all receipts from the sale of all assets sold to support the Capital Plan in line with funding the Council’s priorities. The current Capital Plan has a capital receipts target (£0.9m as at Quarter 2 2017/18) to support the approved Plan that has not yet been met. All capital receipts received should be allocated to support this target and not allocated to new schemes”</p> <p>The Council still has an existing capital receipts requirement to fund both fund previous capital expenditure and to part fund the council’s ongoing transformation programme.</p> <p>2) In the Housing Rental Company – Policy Framework Document (Council July 2017)</p> <p>“The business case/phase demonstrates long term viability and that it will be at least cost neutral to the Council over the lifetime of that home or group of homes</p> <p>Transferring the land at nil value is a cost to the Council in relation to the forgone capital receipt which is contrary to the “cost neutral” objective in the Policy Framework.</p>
6.	<p>How will you propose to consult?</p> <p>The site was part of the detailed consultation of the neighbourhood planning process. The consequence of this is that the site has been identified for housing within that plan.</p> <p>All affected departments within the Council have been consulted as part of the report drafting process.</p>

Section 2: Implications and Impact Assessment

7.	<p>What are the financial and legal implications?</p> <p>In making the decision to transfer at Nil value and not disposing of the site at full open market value the Council would be forgoing a capital receipt.</p> <p>This has an impact on the Councils capital programme which currently has insufficient funding.</p> <p>It is not possible to give an indication on the value that the Council would be foregoing by not selling the site for maximum value. The value that could be obtained is informed by what the site can deliver against the cost of delivering it.</p>
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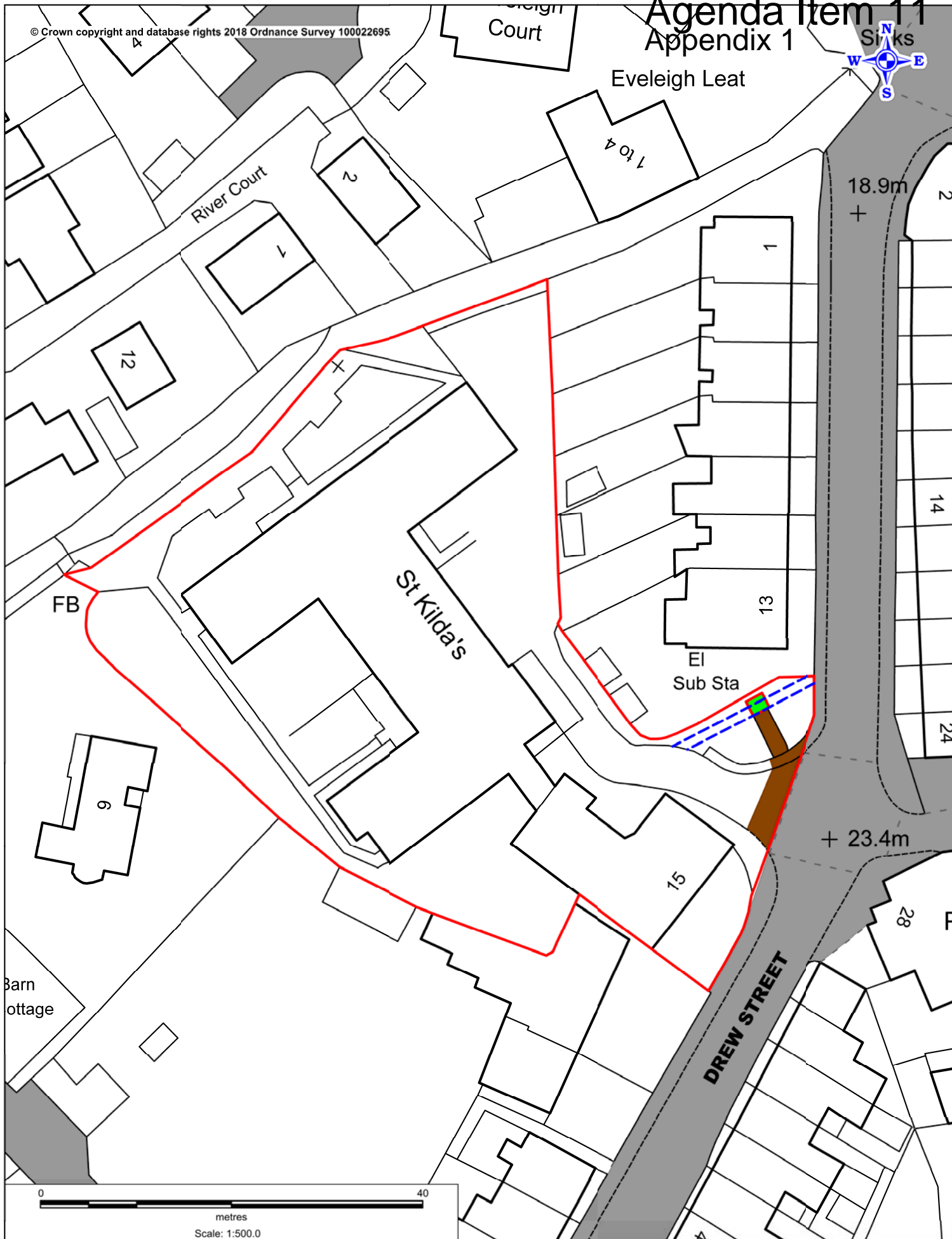
<p>8.</p>	<p>What are the risks?</p> <p>The detailed feasibility and appraisal work has not yet begun and there is a chance that the site may not be viable for an affordable use. The site sits within a conservation area and as such the redevelopment costs are likely to be more expensive than other areas.</p> <p>There is a risk that the site may not achieve the desired planning permission and the time taken to undertake this work will result in prolonged void management costs.</p> <p>Pre application advice and surveys would be undertaken to minimise this risk.</p>
<p>9.</p>	<p>Public Services (Social Value) Act 2012</p> <p>The redevelopment of this site will provide economic benefits to the community in terms of employment e.g. building/construction, care and associated support services. The construction contract will include the requirements for the contractor to have in place a suitable work placement/apprenticeship programme for local people.</p>
<p>10.</p>	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>Housing waiting list numbers from Devon Home Choice.</p> <p>Demand data for supported accommodation.</p>
<p>11.</p>	<p>What are key findings from the consultation you have carried out?</p> <p>There is an acute need for affordable housing in Torbay.</p> <p>There is a need to retain the income to help fund the capital programme.</p>
<p>12.</p>	<p>Amendments to Proposal / Mitigating Actions</p> <p>Providing both recommendations for Members consideration.</p>

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people			There is no differential impact
	People with caring Responsibilities			There is no differential impact
	People with a disability			There is no differential impact
	Women or men			There is no differential impact
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact
	Religion or belief (including lack of belief)			There is no differential impact
	People who are lesbian, gay or bisexual			There is no differential impact
	People who are transgendered			There is no differential impact
	People who are in a marriage or civil partnership			There is no differential impact
	Women who are pregnant / on maternity leave			There is no differential impact
	Socio-economic impacts (Including impact on child			There is no differential impact

	poverty issues and deprivation)			
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	There is no differential impact		
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	There is no differential impact		

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EM Plan No: EM2640
Date: 16th May 2018
Title: St Kilda's, Drew Street, Brixham.

Asset No: B3011
LR Title No: DN511100
Scale: 1:500
Area: 2,765.62m²



Schedule 5 - Scheme of Delegation of Executive Functions to the Executive, Committees of the Executive and Officers

This report is presented to the meeting of Council on 19 July 2018 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 of Part 3) of the Constitution of Torbay Council.

- The names, addresses and wards of the people appointed to the Executive by the elected Mayor are set out below:

Name	Address	Electoral Ward
Deputy Mayor and Executive Lead Planning and Waste- Councillor Derek Mills	5 Bascombe Close Churston Brixham TQ5 0JR (01803) 843412 or 07769369651	Churston with Galmpton
Executive Lead for Tourism, Culture and Harbours - Councillor Amil	c/o Town Hall Castle Circus Torquay TQ1 3DR 07815561301	Cockington with Chelston
Executive Lead for Housing – Councillor Cindy Stocks	27 Ellacombe Road Torquay TQ1 3AT (01803) 295702 07787 766544	Ellacombe
Executive Lead for Environment – Councillor Vic Ellery	3 Alma Road Brixham TQ5 8QR (01803) 854928	Berry Head with Furzeham
Executive Lead for Community Services - Councillor Robert Excell	Excell Studio 203 Union Street Torre Torquay TQ1 4BY (01803) 212377 07811965194	Tormohun
Executive Lead for Customer Services – Councillor Richard Haddock	Churston Farm Shop Dartmouth Road Brixham TQ5 0LL (01803) 845837 07836 584944	St Marys with Summercombe

Name	Address	Electoral Ward
Executive Lead for Adults and Children – Councillor Julien Parrott	51 Princes Road Torquay TQ1 1NW (01803) 389624	Ellacombe
Executive Lead for Health and Wellbeing – Councillor Jackie Stockman	Winsome Higher Furzeham Road Brixham TQ5 8QP (01803) 851255	Berry Head with Furzeham

2. The elected Mayor is responsible for the discharge of all executive functions (except as specified in paragraph 3. below). Executive Leads will have an advisory role in relation to the areas of responsibility set out below.

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Elected Mayor Gordon Oliver</p> <p>Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation</p>	<p>Transformation: Programme Management Project Management</p> <p>Economic Regeneration: TDA Commissioning</p> <p>Assets: Asset Management</p> <p>Business Services: Events</p> <p>Finance: Financial Services – Martin Phillips Creditors Debtors Payments Internal Audit Cashiers Procurement Systems Accountancy</p> <p>Governance and Corporate Services: Communications Coroner Governance Support (Democratic and Electoral Services) Registrars Human Resources & Payroll</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Chief Executive/Chief Executive TDA <input type="checkbox"/> Director of Corporate Services and Operations <input type="checkbox"/> Director of Commercial and Transformation <input type="checkbox"/> Head of Financial Services <input type="checkbox"/> Executive Head Assets and Business Services

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
	<p>Corporate Support (Freedom of Information and Performance) Legal Services Policy and Overview & Scrutiny Senior Leadership Team Strategic Support</p> <p>Business Development and Administration: JOT administrative & Technical Support JOT Contract Management: Leisure contracts Crematorium Waste Disposal Building Control Homes Improvement Agency Concessionary Fares Analysts</p>	
<p>Deputy Mayor and Executive Lead for Planning and Waste</p> <p>Councillor Derek Mills</p>	<p>Planning and Transport: Planning Applications, Appeals & Enforcements</p> <p>Business Services: TOR2 (Commissioning) & Service Delivery</p> <p><input type="checkbox"/> (Twinning)</p> <p>Delegated Decision: <i>Regeneration of the Castle Circus area of Torquay</i></p> <p>Delegated Decisions: <i>Executive functions in absence of Mayor (see paragraph 3(iv) below.</i></p>	<p><input type="checkbox"/> Director of Corporate and Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Executive Lead for Tourism, Culture and Harbours</p> <p>Councillor Nicole Amil</p>	<p>Business Services: Harbour Authority Resort Services (Beaches) Theatres Arts & Museums Culture</p> <p><input type="checkbox"/> (Armed Forces Champion) <input type="checkbox"/> (Heritage Champion)</p>	<p><input type="checkbox"/> Director of Corporate Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p>
<p>Executive Lead for Community Services</p> <p>Councillor Robert Excell</p>	<p>Community Safety: Corporate Health & Safety Emergency Planning Anti-Social Behaviour and Vulnerability (excluding town centres) Safer Communities (excluding town centres) CCTV & Security</p> <p>Business Services: Parking Services Sports Development</p> <p>Transport: Local Transport & Strategic Transport Highways & Street scene</p>	<p><input type="checkbox"/> Director of Corporate Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p> <p><input type="checkbox"/> Executive Head of Community Safety</p>
<p>Executive Lead for Adults and Children</p> <p>Councillor Julien Parrott</p>	<p>Children’s Safeguarding: Early Help Targeted Support Services Multi Agency Safeguarding Hub Single Assessment</p>	<p><input type="checkbox"/> Director of Adult and Housing</p> <p><input type="checkbox"/> Director of Children’s Services</p> <p><input type="checkbox"/> Assistant Director of Children’s</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 124</p>	<p>Children in Need/Child Protection Children Looked After/Care Leavers Children with Disabilities Fostering Adoption Independent Reviewing Youth Offending Services Integrated Youth Support Services Quality Assurance Professional Support to Torbay Safeguarding Children Board</p> <p>Education Learning and Skills: Early Years and Childcare Pupil Place Planning Special Education Needs & Disability School Admissions School Improvement and Commissioning School Transport Virtual School Children’s Centres</p> <p>Adult Services (NHS Trust Provider): Adult Mental Health Adult Safeguarding Care Homes Commissioning & Management Community Alarms Community Equipment Domiciliary & Day Care</p>	<p>Safeguarding</p> <p><input type="checkbox"/> Assistant Director Adults Services (NHS Trust Provider)</p> <p><input type="checkbox"/> Director of Public Health</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
	<p>Adult Social Care Commissioning: Community Engagement Healthwatch Housing Strategy & Development NHS Advisory Service Performance Management</p> <p>Public Health: Domestic Abuse</p>	
<p>Executive Lead for Customer Services Councillor Richard Haddock</p>	<p>Customer Services: Customer Services & Connections ICT Library Services Revenue & Benefits Print & post Room Website Support</p>	<p><input type="checkbox"/> Director of Corporate Services and Operations</p> <p><input type="checkbox"/> Executive Head of Customer Services</p>
<p>Executive Lead for Health and Wellbeing Councillor Jackie Stockman</p>	<p>Public Health: Health Improvement Strategy and Policy Intelligence</p>	<p><input type="checkbox"/> Director of Public Health</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
Executive Lead for Environment Councillor Vic Ellery	<p>Business Services: Flood Risk Management (client side) Natural Environment and Parks & Open Spaces</p> <p>Community Safety: Food & Safety Licensing & Public Protection Trading standards (DCC)</p>	<input type="checkbox"/> Executive Head of Assets and Business Services <input type="checkbox"/> Executive Head of Community Safety
Executive Lead for Housing Councillor Cindy Stocks	<p>Housing: Housing Strategy & Development Housing Options Housing Standards</p> <p>Community Safety: Anti-Social Behaviour and Vulnerability (town centres only) Safer Communities (town centres only)</p> <p>Delegated Decision: <i>contract for housing pathway for single vulnerable adults</i></p>	<input type="checkbox"/> Director of Adults Services and Housing <input type="checkbox"/> Executive Head of Community Safety

3.
 - (i) The Deputy Mayor (Councillor Derek Mills) will be responsible for the discharge of all executive functions relating to the regeneration of the Castle Circus area of Torquay as the elected Mayor owns properties in this area and has a pecuniary interest.
 - (ii) The Executive Lead for Housing (Councillor Cindy Stocks) will be responsible for the discharge of all executive functions relating to the contract for housing pathway for single vulnerable adults.
 - (iii) The Deputy Mayor will be responsible for the discharge of executive functions if the elected Mayor:
 - (a) is absent (e.g. on holiday) for a period of time or in cases of urgency where the Chief Executive is satisfied that the elected Mayor cannot be reasonably contacted;
 - (b) is incapacitated through illness; or
 - (c) has a pecuniary interest in any matter requiring determination.
 - (v) If the elected Mayor or the Deputy Mayor (Councillor Derek Mills) are unable to act on a matter requiring a decision then the Chief Executive shall have the power to determine any matter requiring a decision.
4. The elected Mayor has established two Executive Committees namely the Policy Development and Decision Group (Joint Operations Team) and the Policy Development Group (Joint Commissioning Team) which meet in public on a monthly basis in accordance with the Standing Orders – Executive, Committees, Access to Information and Budget and Policy Framework. Their membership and Terms of Reference are included in Schedule 4 – Terms of Reference of the Constitution.
5. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
6. The elected Mayor has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council's Standing Orders in relation to the Executive.
7. So far as the Constitution requires officers to consult with "the relevant member", the areas of responsibility of the Executive Leads are as set out paragraph 2 above.