

Meeting: Overview and Scrutiny Board

Date: 9 July 2025

Wards affected: All

Report Title: SWISCo Annual Report

When does the decision need to be implemented?

Cabinet Member Contact Details: Councillor Adam Billings, Cabinet member for Pride in Place and Parking, adam.billings@torbay.gov.uk

Director Contact Details: Alan Denby, Director of Pride in Place, alan.denby@torbay.gov.uk

1. Purpose of Report

- 1.1. This report presents an annual review of the operation and performance of the Councils wholly owned and controlled company SWISCo.

2. Reason for Proposal and its benefits

- 2.1. The aim of the annual review is to provide the Council with assurance and confidence, both as client and sole shareholder, that SWISCo is operating in a safe and efficient manner, is delivering the services that it is commissioned to do so by the Council and is offering the Council value for money.
- 2.2. The services delivered by SWISCo form an important part of the Council's Corporate and Community Plan 2023 – 2042 priorities of Community and People, Pride in Place and Economic Growth.
- 2.3. The SWISCo Annual Report (Appendix 1) provides an overview of achievements and performance of the business against the Business Plan (Appendix 2)
- 2.4. The SWISCo Performance Dashboard (Appendix 3) is reported to the client on a monthly basis and quarterly to Board and Shareholder Panel. The Dashboard covers all key areas of performance which are agreed on an annual basis.

3. Recommendation(s) / Proposed Decision

- 3.1. It is proposed that Overview and Scrutiny note the report and the achievements of SWISCo over the last 12 months and makes any recommendations to Cabinet.

4. Appendices

Appendix 1: SWISCo Annual Report

Appendix 2: SWISCo Business Plan

Appendix 3: SWISCo 24/25 Performance Dashboard

Appendix 4: SWISCo 24/25 Finance Report

5. Background Documents

Supporting Information

6. Introduction

- 6.1. Torbay Council established SWISCo in 2020 as a LATCo (Local Authority Owned Trading Company) following the end of TOR 2 which was a joint venture with Kier.
- 6.2. A review of governance and commissioning arrangements was undertaken in April 2024 and where possible in line with the capacity of the lead commissioner the recommendations have been included in the SWISCo Business Plan, Annual Review and ongoing liaison with the Client.

7. Options under consideration

- 7.1. Comments from the Overview and Scrutiny Board and consideration of alternative options are welcomed.

8. Financial Opportunities and Implications

- 8.1. The 24/25 financial performance of SWISCo and 25/26 agreed budget is provided in Appendix 4.

9. Legal Implications

- 9.1. In order to be compliant with the Teckal Principle under which it operates SWISCo must be wholly owned by the local authority and no less than 80% of turnover must come from the local authority. In 24/25 83.38 % of turnover was from Torbay Council.

10. Engagement and Consultation

- 10.1. The ongoing performance monitoring of SWISCo is undertaken via regular meetings (no less than monthly) between the Lead Commissioner (Divisional Director for Economy, Environment and Infrastructure) and the Cabinet Member for Pride in Place. Monitoring and evaluation is undertaken via the performance dashboard, based on agreed service levels and also through ongoing work programmes and project instructions.
- 10.2. The Board of Directors, (Director Pride in Place, Torbay Council, Director of Corporate Services, Torbay Council and Managing Director SWISCo) and the Shareholder Panel

(Leader and Deputy Leader of Torbay Council, Cabinet Member for Pride in Place and Cabinet Member for Housing and Finance, Deputy Section 151 Officer and Lead Commissioner) meet quarterly to review, comment and agree on performance, value for money and work programmes.

- 10.3. The operation of SWISCo is subject to a detailed Audit programme, provided by Devon Audit Partnership which is reported annually to the Client, Board of Directors and the Shareholder Panel.

11. Procurement Implications

- 11.1. SWISCo as a Local Authority Trading Company operates under the Teckal Principle which provides an exception to the general requirement that public authorities must tender contracts through a competitive process. It allows a public authority to award a contract to a company it controls without following the standard procurement procedures
- 11.2. Following consultation and discussions with the client the commissioning agreement was extended by 5 years.

12. Protecting our naturally inspiring Bay and tackling Climate Change

- 12.1. A key objective of the SWISCo Business Plan is to Limit the Environmental Impact of our Business with ambitions to promote the reduction of waste, consider alternative fuelled vehicles wherever possible and to reduce Carbon Emissions.

13. Associated Risks

- 13.1. As a result of the governance review a programme of risk management was established with SWISCo adopting the Council approach and holding and review Strategic, Corporate and Service risks. The Risk register is shared with the Lead Commissioner, Board of Directors and Shareholder Panel.

14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	Positive Impact		
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	Positive Impact		
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by</p>	Positive Impact		

	a physical or mental health condition or illness.			
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	Positive Impact		
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	Positive Impact		
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	Positive Impact		

Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	Positive Impact		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	Positive Impact		
Sex	51.3% of Torbay's population are female and 48.7% are male	Positive Impact		
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	Positive Impact		
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay,	Positive Impact		

	5.9 per cent of the population have previously served in the UK armed forces.			
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Positive Impact		
Public Health impacts (Including impacts on the general health of the population of Torbay)		Positive Impact		
Human Rights impacts		Positive Impact		
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	Positive Impact		

15. Cumulative Council Impact

15.1 None

16. Cumulative Community Impacts

16.1. None