

Monday, 5 July 2021

CABINET

A meeting of **Cabinet** will be held on

Tuesday, 13 July 2021

commencing at **5.30 pm**

The meeting will be held in the Town Hall, Torquay, TQ1 3DR

Members of the Committee

Councillor Steve Darling (Chairman)

Councillor Carter

Councillor Long

Councillor Cowell

Councillor Morey

Councillor Law

Councillor Stockman

Together Torbay will thrive

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Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

CABINET AGENDA

1. **Apologies**
To receive apologies for absence.
2. **Minutes** (Pages 4 - 19)
To confirm as a correct record the Minutes of the meeting of the Cabinet held on 15 June 2021.
3. **Disclosure 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.)
4. **Communications**
To receive any communications or announcements from the Leader of the Council.
5. **Urgent Items**
To consider any other items the Chairman decides are urgent.
6. **Matters for Consideration**
7. **Notice of motions** (Pages 20 - 21)
To consider the attached motions, notice of which has been given in accordance with Standing Order A14 by the members indicated.
8. **Exploring a Torbay Climate Partnership** (Pages 22 - 38)
To note a report that sets out the progress being made to establish a Torbay Climate Partnership.

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|-----|--|-------------------|
| 9. | <p>Prioritised Council Business Plan 2021/2022
To consider a report that seeks approval of the prioritised Council Business Plan 2021/2022.</p> | (Pages 39 - 73) |
| 10. | <p>SWISCO Business Plan 2021-23
To consider a report that sets out the proposed Business Plan for the Company for the forthcoming two financial years (April 2021 to March 2023).</p> | (Pages 74 - 160) |
| 11. | <p>Budget Monitoring 2020/21 - Quarter Four - Outturn
To consider a report that provides a high-level budget summary of the Council's final revenue and capital position for the financial year 2020/21.</p> | (To Follow) |
| 12. | <p>Torquay Town Deal - Business Cases
To consider a report on the above.</p> | (To Follow) |
| 13. | <p>Lease Arrangements for Medical Tuition Service
To consider a report that seeks approval for a 25 year peppercorn lease to be granted to the Medical Tuition Services (MTS) for a lease of MyPlace, Parkfield Torbay, Colin Rd, Paignton.</p> | (To Follow) |
| 14. | <p>Children's Services - Sufficiency Strategy
To consider a report that provides an update on the progress of the Children's Services Sufficiency Strategy (2019) and present the updated 3 year sufficiency Strategy 2021/24.</p> | (Pages 161 - 209) |
| 15. | <p>Gambling Act 2003 - Draft Licensing Statement of Principles 2022 to 2025
To consider a report that seeks approval to commence public consultation on the Draft Licensing Statement of Principles 2022 to 2025.</p> | (Pages 210 - 261) |

Minutes of the Cabinet

15 June 2021

-: Present :-

Councillor Steve Darling (Chairman)

Councillors Carter, Cowell, Law, Long, Morey and Stockman

(Also in attendance: Councillors Barnby, Brooks, Bye, Mandy Darling, Douglas-Dunbar, Foster, Hill, Johns, Chris Lewis, Loxton, Manning, Pentney, David Thomas and Jacqueline Thomas)

207. Minutes

The Minutes of the meeting of the Cabinet held on 25 May 2021 were confirmed as a correct record and signed by the Chairman.

208. Communications

The Cabinet Member for Finance, Councillor Cowell advised that due to the Covid-19 Pandemic there was a significant reduction in the number of bus journeys last year, resulting in a £950,000 underspend on the Concessionary Bus Fare Grant. Therefore proposals will be presented to Council in July to allocate these funds.

The Cabinet Member for Children's Services, Councillor Law informed Members that she had received a letter of thanks from the Chair of Governors for Torquay Academy in respect of the food vouchers provided to families during the Easter Holidays.

The Cabinet Member for Instructure, Environment and Culture, Councillor Morey, informed Members that the Council were investing an additional £33,000 in modernising public toilets across Torbay for this summer season. The aim was to increase capacity, improve cleanliness, accessibility and surveillance to tackle anti-social behaviour. The public were also being asked to respect staff during this period of high demand, additional cleaning staff will be employed with toilets also remaining open until 10 pm during the summer months.

The Leader of the Council, Councillor Steve Darling congratulated the following local Members of the Public on being bestowed a Queens Honour:

- David Cox - for services to the community in Teignbridge during Covid-19;
- Hilary Ann Walden - of Paignton for services to Basket Making and Heritage Crafts;

- Nina Pierson - of Paignton for services to the community in Devon during Covid-19 (Eat That Frog);
- David Musgrove - Co-founder and Chair, British Disabled Water Ski Association. For services to Disabled People in Torbay; and
- Trevor Staveley - Co-ordinator, Torbay Street Pastors. For services to Vulnerable People & to the Promotion of Safer Streets in Torbay.

209. Urgent Items

The Cabinet considered the item in Minute 220, and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arising since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

210. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions and recommendations to Council) are set out in the Record of Decisions appended to these Minutes.

211. Oldway Mansion, Estate and Gardens**212. Leasehold disposal Pier Point Restaurant and Retail Unit, Torbay Road, Torquay****213. Torbay Growth Fund****214. DHSC COVID Funded Project Delivery**

This report was noted.

215. Social Value Procurement Policy**216. Customer Relationship Management System****217. Community Safety - Update on Violence Against Women and Girls****218. Sexual Health Prevention Service**

Chairman/woman

Record of Decisions

Oldway Mansion, Estate and Gardens

Decision Taker

Cabinet on 15 June 2021.

Decision

- i) That 'The Oldway Trust', a Charitable Incorporated Organisation (CIO), which is now registered with the Charities Commission, be confirmed as the Council's community partner in respect of Oldway Mansion, the estate and gardens; and
- ii) That the Council will collaborate and consult with the 'The Oldway Trust', seeking advice and funding support, as the Council leads on the repair, restoration and redevelopment of Oldway Mansion, the wider estate and gardens.

Reason for the Decision

To formally identify a community partner.

Implementation

This decision will come into force and may be implemented on 28 June 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

On 21 June 2018 the Council received a report and a set of recommendations from the Oldway Mansion and Estate Working Party. The Council meeting agreed to note and support paragraphs (i), (ii), (iv) and (v) of the Elected Mayor's decision of 11 June 2018. Progress has since been made in respect of the recommendations and funding bids, albeit unsuccessful, had been submitted to the National Lottery Heritage Fund 'Heritage Horizons' grant programme. A further expression of interest had been made to the National Lottery Heritage Fund 'Resilience Fund'. It had become clear that it would be helpful to identify a community partner and was recommended that this should be the Oldway Trust.

Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

There were no alternative options considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

Councillor Cowell declared an interest as a Member of the Oldway Trust.

Published

18 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Leasehold disposal Pier Point Restaurant and Retail Unit, Torbay Road, Torquay

Decision Taker

Cabinet on 15 June 2021.

Decision

- i) That the Cabinet decision made on 15 December 2020, as set out in Minute 148 'That the Director of Place, in consultation with the Interim Chief Executive, be authorised to enter into an Agreement for Lease to allow the existing tenants of the Pier Point Restaurant and retail unit to carry out works to extend the ground floor and to create a first floor to the existing premises and, upon completion of these works, to grant a 125 year lease to the existing tenants on terms previously agreed.' be rescinded; and
- ii) That the TDA Director of Asset Management, Investment and Housing, in consultation with the Chief Executive, be authorised to enter into an Agreement for Lease to allow the existing tenant of the Pier Point Restaurant and retail unit to carry out building improvement and refurbishment works and to merge and extend the ground floor of the existing premises and, upon completion of these works, to grant a 28 year lease to the existing tenant on terms previously agreed.

Reason for the Decision

To enable the current tenant to invest in the asset that will result in the building being improved and refurbished in return for a new lease. Upon completion of the redevelopment the asset will help secure new jobs and enhance Torquay seafront.

Implementation

This decision will come into force and may be implemented on 28 June 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet at its meeting on 15 December 2020, made the following decision:

'That the Director of Place, in consultation with the Interim Chief Executive, be authorised to enter into an Agreement for Lease to allow the tenant of the Pier Point Restaurant and retail unit to carry out works to extend the ground floor and to create a first floor to the existing premises and, upon completion of these works, to grant a 125 year lease to the existing tenant on terms previously agreed.'

However, the requirement to complete the works to the ground floor and first floor, as a condition to be satisfied prior to the granting of a 125 year lease was rejected by the tenant on the grounds that funding for the redevelopment would not be forthcoming from lenders. After taking time to reconsider the options the Tenant had decided to pursue a ground floor refurbishment of the existing structure.

It was now intended that upon practical completion of the proposed refurbishment of the ground floor the Council would grant a new, single 28 year lease which was the residue of the

restaurant lease.

At the meeting, Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

18 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Torbay Growth Fund

Decision Taker

Cabinet on 15 June 2021.

Decision

That:

- (i) the Torbay Growth Fund criteria as set out at Appendix 1 to the submitted report be approved;

That Cabinet recommend the Council:

- (ii) to approve the removal of the Investment and Regeneration Fund Strategy from the Policy Framework; and
- (iii) to approve moving the outstanding balance from the £25m allocated to town centre regeneration to the newly re-named 'Torbay Growth Fund' (former Torbay Economic Growth Fund).

Reason for the Decision

The reasons for the decision are summarised below:

- To enable the Council to remove the existing Investment and Regeneration Fund Strategy from the Council's Policy Framework;
- To widen the criteria for the Torbay Growth Fund; and
- To enable a fit and proper revised set of criteria to be used for the assessment of suitable investments.

Implementation

Recommendation (i) will come into force and may be implemented on 28 June 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Recommendation (ii) and (iii) of the Cabinet will be considered at the Council meeting on 15 July 2021.

Information

At the Council meeting on 18 July 2019, the Council agreed to establish a Torbay Economic Growth Fund of up to £100 million of prudential borrowing for the progress of a range of capital projects for economic growth and regeneration within Torbay and, to be funded from the future income from those projects.

The introduction of the Torbay Economic Growth Fund had enabled the Council to propose that the Investment and Regeneration Fund Strategy be removed from the Policy Framework as this document was no longer relevant or required due to the changes to the Public Works Loans

Board no longer allowing borrowing purely for investment yield. Also, the Torbay Economic Growth Fund criteria had been reviewed and it was proposed that it be renamed the 'Torbay Growth Fund'. The criteria had been widened to cover the relevant areas from the Investment and Regeneration Fund Strategy (e.g. town centre regeneration) as well as other areas covered by the Community and Corporate Plan and/or the Council's Economic and Tourism Strategies.

At the meeting Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

None.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

18 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Social Value Procurement Policy

Decision Taker

Cabinet on 15 June 2021.

Decision

That the Social Value Procurement Policy be approved.

Reason for the Decision

The Social Value Procurement Policy ensures that all our procurement activity contributes to the social, economic and environmental wellbeing of Torbay.

Implementation

This decision will come into force and may be implemented on 28 June 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Social Value Procurement Policy ensures that the responsibilities and requirements under the Public Services (Social Value) Act 2012 are incorporated into all aspects of our commercial and procurement activity where it is practicable to do so. To maximise the opportunity Social Value has to contribute to the delivery of the Community and Corporate Plan and Community Wealth Building in Torbay it was proposed to go beyond the requirements of the Act and mandate that a minimum of 10% of the overall evaluation score is allocated to all procurements over the value of £50,000.

At the meeting Councillor Cowell proposed and Councillor Long seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

25 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Customer Relationship Management System (CRM)

Decision Taker

Cabinet on 15 June 2021

Decision

i) That Civica be approved as the preferred supplier; and

That Cabinet recommends to Council:

ii) that £400,000 from the 2020/21 council underspend is allocated to the project for implementation costs; and

iii) That Council notes that the profiling of spend over future years will be confirmed with the supplier once appointed and that the Council's future year budget proposals will need to reflect the additional costs of the new system. This depends on our ability to terminate other contracts and their ability to provide support, both of which require dovetailing. Current cost detail is contained within the relevant sections of business case at Appendix 1.

Reason for the Decision

To modernise, simplify and standardise how the Council works in order to support the communities of Torbay and build a resilient council fit for the future.

Implementation

Recommendation (i) will come into force and may be implemented on 28 June 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Recommendation (ii) and (iii) of the Cabinet will be considered at the Council meeting on 15 July 2021.

Information

'Customer relationship management' involves dealing with queries, complaints and specific requests and demands, with accurate information. To support this a CRM system can be used as an effective and efficient interface with its customers across several delivery channels (face to face, telephone, internet websites, texting and emails).

The council has an existing partial CRM system although it has been identified that this is not fit for purpose. It was proposed that the Council procures a new CRM system so that we can build a better picture of why customers contact us and improve service delivery.

Councillor Carter proposed and Councillor Morey seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

Two options were considered within the business case and summarised as follows:

- Option one – do nothing
- Option two – procure and implement a new CRM system provided by Civica.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

18 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Community Safety - Update on Violence Against Women and Girls

Decision Taker

Cabinet on 15 June 2021.

Decision

That:

- i) The contents of the report be noted and future updates requested to monitor progress;
- ii) The Director of Place work with Cabinet Member for Infrastructure, Environment and Culture to continue to pursue future funding opportunities to improve the street lighting infrastructure and the Director of Place to come back in September with a clear action plan to tackle any significant backlogs of works that need factoring into our future capital plans; and
- iii) The Assistant Director of Education, Learning and Skills promote best practice within our school communities to encourage a consistent approach to the delivery of the Domestic Abuse and Sexual Violence taking into consideration the recommendations in the Ofsted Review of Sexual Abuse in Schools and Colleges published 10 June 2021.

Reason for the Decision

To ensure that Torbay remains a safe place where residents feel able to live their lives without fear of violence.

Implementation

This decision will come into force and may be implemented on 28 June 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In light of the issues arising from the murder of Sarah Everard, the Cabinet wanted to take the opportunity to review community safety within Torbay. At the Cabinet meeting on 23 March 2021 Members considered a report and requested that a further update be presented to Cabinet post the Community Safety Partnership meeting on 29 April 2021.

The subsequent report of the Community Safety Partnership highlights work being undertaken under the direction of the Community Safety Partnership and by Torbay Council's Safer Communities Team. The report also provides an update on the ongoing work regarding street lighting infrastructure by the Natural Environment and Highways Teams.

At the meeting Councillor Carter proposed and Councillor Stockman seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

None.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

18 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Sexual Health Prevention Service

Decision Taker

Cabinet on 15 June 2021.

Decision

That Northern Devon Healthcare Trust and The Eddystone Trust be directly awarded the contract to deliver a sexual health prevention service, from 1 July 2021.

Reason for the Decision

Due to an ongoing delay which was beyond the Council's control the Council had to adopt a Torbay-led solution. By making a direct award to the local providers, it enables a high degree of value for money by not having to launch a full procurement for what would only be a 12-18 month service delivery period.

Implementation

The decision in respect of the Sexual Health Prevention Service will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Public' and Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 14 June 2021.

Information

A full procurement for the Sexual Health Prevention Service had been attempted in partnership with Devon County Council but for a range of reasons beyond the control of Torbay Council, a full procurement had failed since 2017-18. Since that time, services had been continuing but were unfit for purpose. Current contracts all expired on 30 June 2021, after which time there would be no prevention or HIV support services for any Torbay resident unless a direct contract award could be made.

The decision to direct award would support renewing and refreshing this service and make it fit for the future, including immediate COVID recovery. It would also bring the timing of the contracts in line with the main clinical contract, allowing for smarter re-procurement in 2023.

At the meeting Councillor Stockman proposed and Councillor Long seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

A wide range of options had been considered, as reflected in the three consultations delivered during 2017, 2019 and 2021. The alternative options to a full procurement process were to either cease the services completely or to direct award. No further contract extensions could be granted, and the specifications underpinning these were outdated.

If a full procurement process was initiated by Devon County Council and Torbay Council now, it would take 6-18 months. This was disproportionate to both the contract value and the time available – a full re-procurement was planned for 2023.

The preferred option, to direct award, accounts for the time available, builds on existing partnerships and willingness of providers as well as enabling some stability in terms of recruitment, future planning and consistency.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

18 June 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Cabinet

13 July 2021

Climate and Ecological Emergency Bill

Parliament declared a Climate Emergency back in 2019 but actions haven't matched their words. An emergency requires strong, decisive action to reverse the climate and ecological crisis. The Climate and Ecological Emergency (CEE) Bill was drafted last summer by scientists, legal experts, ecological economists and environmentalists to reverse the climate and ecological breakdown we face.

The Bill asks the UK to take responsibility for its fair share of greenhouse gas emissions, to actively restore biodiverse habitats in the UK and to stop damage to the environment through the production, transportation and disposal of the goods we consume.

Objectives of the Bill:

- *For the UK to do its fair share to limit global heating to 1.5°C*
- To do so, the UK must reduce its emissions drastically; take account of its entire carbon footprint, domestically and internationally; and circumscribe reliance on speculative future carbon capture technologies.
- *Conserve the natural world*
- This requires the UK to focus on restoring biodiversity, soils, natural carbon sinks; to take steps to mitigate the damage to nature caused by UK supply chains, domestically and internationally; and account for the UK's entire ecological footprint.
- *Giving people a real say, supported by experts*
- An emergency Citizens' Assembly working with experts will empower MPs to make tough decisions, and give ordinary people a real say, based on the science, on the pathway forward for a fair and just transition to a thriving zero-carbon society.

Therefore this Council resolves to:

1. Support the Climate and Ecological Emergency (CEE) Bill;
2. Inform the local media of this decision including sharing information on social media;
3. Write to local Members of Parliament asking them to support the CEE Bill; and
4. Write to the [CEE Bill Alliance](#), the organisers of the campaign for the Bill expressing our support (campaign@ceebill.uk).

Proposer Councillor Kennedy
Seconder Councillor Dart

Cabinet

13 July 2021

Planning Reforms

Council notes:

The significant public concerns over the Government's Planning Reforms, in particular concerns about their reduced ability to object to building works under Permitted Development Rights which have been extended under this Government.

Widespread concerns and condemnation of the Planning White Paper proposals have also been expressed across Local Government, The Planning and Architecture Sector, and organisations concerned with protecting green spaces and heritage.

Cabinet is concerned that:

- Government proposals to deregulate planning will remove the rights of residents to influence or object to inappropriate development where they live.
- The Government's proposals will decimate the character of Torbay and give carte blanche to developers to build what they please without needing planning permission.

Cabinet believes that residents have the right to a say over development that will change the area they live in. Local councils, in consultation with their businesses and residents are best placed to understand the issues in their area and respond with a spatial strategy tailored to that area.

Cabinet therefore requests the Leader of the Council to write to the Secretary of State for Housing, Communities and Local Government calling for the Government to scrap its Planning White Paper and instead

- Undertake a wholesale review of Permitted Development Rights
- Make the Bristol-based Planning Inspectorate more accountable to local people
- Implement stronger controls to ensure Ministers making decisions on planning applications are not connected either financially or personally with the developers or related parties to the application.

Proposer Councillor Long
Secunder Councillor Cowell

Meeting: Cabinet

Date: 13 July 2021

Wards Affected: All

Report Title: Exploring a Torbay Climate Partnership

When does the decision need to be implemented? Immediately

Cabinet Member Contact Details: Mike Morey, Cabinet Member for Infrastructure, Environment and Culture, mike.morey@torbay.gov.uk

Director/Assistant Director Contact Details: David Edmondson, Assistant Director Planning, Housing and Climate Emergency, david.edmondson@torbay.gov.uk

1. Purpose of Report

- 1.1 Torbay Council declared a Climate Emergency in June 2019. A range of actions are already being taken, including the actions as outlined in the recently approved Initial Carbon Neutral Torbay Action Plan (2021/22). However, tackling the Climate Emergency requires everyone to play a part and to work together.
- 1.2 A climate partnership/similar is needed to co-design, accelerate and coordinate actions across Torbay's businesses, communities and with our residents. We also want to do it in a way that allows Torbay to thrive now and in the future. This paper is an update on the work to date to explore a Torbay-wide climate partnership, including an informal meeting held with partners on 4 June 2021.
- 1.3 Cabinet is asked to note the progress being made to establish a Torbay Climate Partnership/similar.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 Climate change is having a major impact on our planet, and locally in Torbay. Our planet is warming, and we are seeing a range of impacts. It is no one person or organisation that can solely tackle climate change.
 - 2.2 Local authorities have significant scope to influence emissions in buildings, surface transport, and waste, which together account for 40% of UK greenhouse gas emissions. Reducing local authority own emissions is also important and can account for up to 5% of their area's emissions. It also demonstrates leadership in their local area.
 - 2.3 Torbay Council cannot deliver carbon neutrality across Torbay on its own. It will need significant system level changes and require our partners, businesses, communities, and residents to all act. A partnership, with representatives from Torbay's key organisations, businesses and communities is essential in order to meet Torbay's carbon neutral 2030 target.
 - 2.4 There are many benefits to tackling climate change through a climate partnership. Carrying out immediate actions and developing long term action plans will ensure Torbay can work together to help create a climate resilient, carbon neutral Torbay.
-

3. Recommendation(s) / Proposed Decision

- (i) That the progress being made to develop a climate partnership be noted.
- (ii) That the Council continue to explore with partners the creation of a Torbay Climate Partnership, building on the discussions at the meeting held on 4 June 2021 (outlined in paragraphs 1.12 – 1.14 in this report).

Appendices

Appendix 1: Options for Climate Partnership.

Background Documents

[Interim Climate Change Emergency Task and Finish Report February 2021](#)

[Cabinet Report – 23 March 2021: Carbon Neutral Torbay Approach](#)

Supporting Information

1. Introduction

- 1.1 There is a clear and compelling rationale to mitigate and adapt to a changing climate, which is why Torbay declared a climate emergency in June 2019 and committed to, in Torbay's Community and Corporate Plan (2019-2023), becoming a Carbon Neutral (CN) council and working with others to create a CN community by 2030.
- 1.2 A range of actions have been carried out to date by Torbay Council, partners, community groups and individuals. However, this alone is unlikely to achieve carbon neutrality by 2030.

- 1.3 To achieve this will require everyone in Torbay to play a part, as well as central government and key regional/national/international partners. To ensure progress that gives Torbay the best chance of meeting its carbon neutral target, Torbay needs a coordinated, prioritised approach with some kind of strategic body/partnership/board/working group that that can oversee and accelerate local action.
- 1.4 On 23 March 2021 Cabinet approved the following:
- An [Initial Carbon Neutral Torbay Action Plan](#) (2021/22).
 - The development of the Carbon Neutral Council Action Plan by April 2022
 - The co-design and development with partners of the Carbon Neutral Torbay Action Plan by April 2022 (and refresh of the Energy and Climate Change Strategy 2014 – 2019).
- 1.5 Through the work of Overview and Scrutiny’s Climate Change Emergency Review Panel a recommendation was also proposed to Cabinet on 23 March 2021 to establish a cross party climate change emergency working group.
- 1.6 Cabinet appreciated the work Overview and Scrutiny have done during the Climate Change Emergency Review and recognised that their work had concluded as the approach moves to delivery and implementation of the action plan. However, Cabinet is aware that across the country there are a number of models for working groups. Cabinet therefore requested officers to present a further report for Cabinet’s consideration on the different models of working groups, the membership and terms of reference. This report is an interim update to this request.
- 1.7 In addition, and to meet Torbay’s Community and Corporate priority to make Torbay thrive, a “just transition” – making sure that nowhere and no-one is left behind in the transition to a net zero carbon economy – is also vitally important. At the heart of the just transition is participatory justice that focuses on the critical importance of those impacted by decisions being involved in their formation, especially at the community level. It also has a distributive dimension ensuring the interests of the most vulnerable are centre stage.
- 1.8 There are a range of different models that have been set up to govern local climate action. In a recent report by PCAN (Place-Based Climate Action Network) on trends in local climate action in the UK (March 2021) three types of local climate change partnerships have been identified. These are:
- Independent Climate Partnership
 - Local Authority Initiatives
 - Third Sector initiative
- 1.9 These partnerships all have varying aims and objectives. They all include a cross section of local and regional partners, businesses and community groups. Many oversee the development, coordination and delivery of local action plans and try to add additional capacity to help local authorities deliver actions. More recently some are independent of local councils, whilst others are either advisory or part of the council’s formal governance structures. All partnerships/similar are bespoke to their local area and are increasingly trying to have representatives from across the whole area, including the communities they are serving. This is to ensure a just transition. Community participation in various forms is a vital and common element to all partnerships, with many delivering a range of participatory approaches to gain their communities consensus on how and what to tackle in their communities. Such methods include climate assemblies and juries.

- 1.10 See appendix 1 for a summary presentation of the three partnership options.
- 1.11 There are a range of benefits to having a climate partnership. These are highlighted below.



- 1.12 On 4 June 2021 an informal meeting was held to explore the idea of a Torbay Climate Partnership or similar. The Council convened this initial meeting and invited a cross section of partners from across Torbay including Torbay Community Development Trust, Devon Climate Emergency, South West Energy Hub, Exeter Community Energy, Stagecoach, Torbay and South Devon NHS Trust, University of Exeter, Torbay Coast and Countryside Trust, Geopark, Environment Agency, Spark, Brixham Town Council, Brixham Chamber of Commerce and Torbay Council.
- 1.13 Just under 30 partners attended the meeting. The following is a summary of the outcomes of the meeting:
- The Group want to continue to explore a partnership for Torbay
 - It could be a partnership with key partners and an impartial chair with ongoing operational support from Torbay Council. It was felt that there was no capacity within the third sector to operate a third sector-led partnership.
 - The group spent a lot of time discussing the importance of community engagement.
 - If an independent partnership is preferred, the partnership's route to making recommendations to the council would be via the Overview and Scrutiny Board. This Board is advisory to Cabinet/Council but can make recommendations to Cabinet/Council as required. A new partnership would not need to be part of the council's formal governance structures.
 - Some partners suggested a hub and spoke operational model. This would include a new strategic central board (hub) and then existing key community

groups (spokes) utilised to engage, understand and empower local community projects that the community want.

- The group needs to investigate a few other partnerships for advice on terms of reference and governance structures before confirming the approach.
- The Group agreed to meet again and continue to develop ideas in July.
- The Group also agreed to map out the existing work of partners and to carry out stakeholder engagement mapping.

1.14 The full costs of establishing a new partnership are unknown at this early stage. The Council will, if required, initially provide administrative support and the assistance of the Council's Climate Emergency Officer. This in-kind support will equate to helping set up and administer quarterly meetings (although it is expected that there may need to be more frequent meetings in this first year as the Partnership establishes its own priorities and action plan). It is also hoped that this partnership will, with the support of the Council's Climate Emergency Officer (and other officers), lead the development of the CN Torbay Action Plan (see para 1.4).

2. Options under consideration

2.1 Members can consider:

2.2 Option (i) - do not continue to explore a partnership. This is likely to result in Torbay-wide actions developing on an ad-hoc basis. Due to the uncoordinated nature of this option, there will be no overall plan across Torbay with prioritised actions capable of making significant progress towards 2030. This option is therefore not recommended.

2.3 Option (ii) is to continue to explore options with partner. It will provide Torbay with the best chance of working effectively with partners, communities and residents towards its CN targets.

2.4 It will take longer to develop option ii, however, it greatly increases the chances of working towards and meeting the Community and Corporate Plan's CN targets. There is risk that the commitment to develop a CN Torbay Action Plan by April 2022 may be delayed given the time taken to establish an effective partnership.

2.5 Option ii is the recommended option.

3. Financial Opportunities and Implications

3.1 At this stage there are no immediate financial opportunities or implications. There is capacity to support the newly formed group through the Council's Community Engagement Team and with support from the Climate Emergency Officer. This support will equate to administering quarterly meetings.

4. Legal Implications

4.1 There are no legal implications at this stage.

5. Engagement and Consultation

5.1 Para 1.12 outlines existing engagement with a range of partners.

6. Purchasing or Hiring of Goods and/or Services

6.1 At this stage there are no procurement issues.

7. Tackling Climate Change

7.1 This paper proposes to establish a climate partnership that will co-develop, coordinate and deliver Torbay-wide actions to tackle the Climate Emergency.

8. Associated Risks

8.1 If option ii is not approved there will be no overall partnership capable of making significant progress towards carbon neutrality by 2030. This would risk failure to meet the Community and Corporate Plan's priority to become a CN council and community. Having declared a climate emergency and publicly committed to achieving carbon neutrality this will put the Council at great reputational risk.

8.2 Option i may also risk the implementation of actions that will not deliver the best carbon and wider societal outcomes and could risk directing currently limited resources to less beneficial actions/actions that actively increase greenhouse gases.

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups		
	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	.		No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
People with caring Responsibilities			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
People with a disability	.		No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
Women or men			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.

Religion or belief (including lack of belief)			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
People who are lesbian, gay or bisexual			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
People who are transgendered			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
People who are in a marriage or civil partnership			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
Women who are pregnant / on maternity leave			No direct impacts at this stage. Once established the new partnership will try and include representatives from this specific group / umbrella organisations representing this group.
Socio-economic impacts (Including impact on child poverty issues and deprivation)			No direct impacts at the stage.
Public Health impacts (How will your proposal impact on			No direct impacts at this stage.

	the general health of the population of Torbay)				
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	n/a			
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	n/a			

Climate Partnership – Introduction

- Can not achieve this on our own.
- Agreed to establish a cross party climate change emergency working group
- No one size fits all
- PCAN identifies 3 main types emerging
 - Independent Climate Partnership
 - Local Authority Initiatives
 - Third Sector Initiative

Independent Climate Partnership

- Area-wide partnership – City or District
- People from the **public, private and civic** sectors who **work collaboratively with the local** authority to help drive climate action.
- Independent bodies that **complement the activities of local government**
- Research and roadmaps and action based work
- Community focussed & support community involvement in decision making Climate Jury/assemblies
- Chair and vice chair and ~20 commissioners
- Supported by local university
- Range of subgroups but are now prioritising

Examples:

Leeds, Belfast, Edinburgh

Independent Climate Partnership Leeds Climate Commission

- Net Zero Carbon Roadmap
- Subgroups
- Citizens Jury
- Climate Action Readiness Assessment

Page 33



Source: Leeds
Climate
Commission

1. To connect and mobilise local actors, promote partnership working and the co-production of climate action, and to extend the reach and capacity of local government;
2. To promote inclusive processes that involve and empower local actors, support meaningful representation of different groups and work towards fair/legitimate outcomes;
3. To build a sense of common ownership and shared responsibility, helping to turn an over-whelming challenge into practicable, deliverable activities;
4. To serve as an independent and trusted voice in the area, building climate/carbon literacy, acting as a critical friend and a focal point/clearing house for information;
5. To be a positive voice, emphasising how climate action can be an opportunity to deliver on other social, economic and environmental objectives;
6. To strengthen the evidence base and commission, prepare, support and/or promote the adoption and delivery of local climate action plans;
7. To inform, guide, support and track progress towards appropriate local climate targets and promote transparency;
8. To review current activities, celebrate successes and promote the replication/scaling up of different forms of best practice;
9. To provide neutral spaces for the review of different issues, and publish position papers on contentious issues to support informed, balanced debate;
10. To provide on-going, longer-term support for climate action that spans electoral cycles and variations in public awareness and business support

Source: Leeds
Climate
Commission

Local Authority Initiatives

There are a range

- Councillor led groups with cross party representation and supported by a range of officers.
- Mixture of council and key partner organisations, with a range of officer support.
- New partnerships with the council and key partners but with an independent Chairperson.
- Independent v advisory to councils
- Secretariat support by the council
- Priorities and keeping focussed
- Examples: Portsmouth, Telford and Wrekin Borough Climate Change Partnership, Bradford

Aims:

- Share best practice and look for opportunities to develop joint initiatives
- Develop and own a carbon baseline for the Borough
- Develop and own a Carbon Neutral Action Plan for the Borough
- Promote the existing Climate Change initiatives going on in the community
- Encourage organisations from different sectors to commit to reducing carbon emissions
- Engage with different parts of the community to gather new ideas on climate change initiatives
- Organise a number of community events/action days.

Third Sector Initiatives

- Third sector led
- Independent bodies that complement the activities of local government
- Extend their reach and build capacity
- More community focussed and hold a range of participatory sessions to support community involvement in decision making.
- Strong focus on social justice and just transition
- Examples: Somerset Climate Action Network or the North of England Climate Coalition

Conclusion

- No right answer - needs to be bespoke
- Mobilise key players – not too many
- Resources to establish and maintain partnership
- Prioritise
- Community participation is key – get mandate for the work
- Just Transition
- Work with Torbay and not do it to Torbay

Meeting: Cabinet

Date: 13 July 2021

Wards affected: All Wards

Report Title: Prioritised Council Business Plan 2021/2022

Cabinet Member Contact Details: Councillor Steve Darling, Leader of the Council, steve.darling@torbay.gov.uk

Director/Assistant Director Contact Details: Kate Spencer, Head of Policy, Performance and Community Engagement, kate.spencer@torbay.gov.uk

1. Purpose of Report

- 1.1 One Torbay: Working for all Torbay – the Council’s Community and Corporate Plan – was agreed by Council at its meeting on 27 February 2020 and a Delivery Plan was agreed by Cabinet shortly afterwards.
- 1.2 This year’s delivery plan, which takes a different format, in line with the agreed Performance and Risk Framework, as a Council Business Plan was approved by Cabinet on 18 May 2021. As part of the consideration on 18 May 2021, Cabinet recognised the need to identify the key priorities contained within the Business Plan.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report help us to deliver this ambition by ensuring that there is a planned approach to the delivery of the Community and Corporate Plan over the next 12 months and beyond.
- 2.2 The Business Plan sets out details as they relate to each of the visions within the Community and Corporate Plan.
- 2.2 The reason for the decision is to ensure that the whole organisation knows the key actions which need to be taken to deliver the Council’s ambitions and have been prepared following the opportunity for input across the Council. Further detail of how the actions will be

delivered will be included within the Business Plans for each business unit across the Council.

3. Recommendation(s) / Proposed Decision

3.1 That the Prioritised Council Business Plan for 2021/2022 be approved.

Appendices

Appendix 1: Prioritised Council Business Plan 2021/2022

Background Documents

None

Supporting Information

1. Introduction

- 1.1 One Torbay: Working for all Torbay – the Council's Community and Corporate Plan – was agreed by Council at its meeting on 27 February 2020. There are a number of plans and strategies which sit below One Torbay: Working for all Torbay. Each one of these provides further details of the Council is working towards meeting its ambition of a Thriving Torbay.
- 1.2 In order to provide focus, the Cabinet approved a Council Business Plan which sets out the specific actions which will be undertaken over the next 12 months to deliver against the Community and Corporate Plan and this was approved by Cabinet on 18 May 2021, however this further update has been prepared in order to identify which of the actions are key priorities, upon which the Cabinet will have an absolute focus with Officers on delivering, whilst working on the entirety of the actions contained therein. The key priorities have been developed following an opportunity for input across the Council.
- 1.3 As actions are delivered, the next iteration of the Business Plan will be developed in accordance with the Performance and Risk Strategy.

2. Options under consideration

- 2.1 The actions included within the Business Plan have been developed collaboratively between the members of the Cabinet and the Senior Leadership Team.
- 2.2 The key priorities have been identified by the Cabinet from the totality of the Business Plan actions, as those matters upon which the Cabinet will have an absolute focus with Officers upon delivering, whilst working on the entirety of the actions contained therein.
- 2.2 An alternative would be to develop a separate document only those actions which are highlighted as priorities. However, the Business Plan enables the Council to reflect on the achievements of the past year and to set the entirety of the planned actions in context.

3. Financial Opportunities and Implications

- 3.1 The actions within the Business Plan will be taken into account as part of the Council's financial planning. Any actions which are not currently funded will be subject to the usual decision making processes when the financial implications are fully considered.

4. Legal Implications

- 4.1 The legal implications of the actions within the Business Plan will be consider through the appropriate decision making process.

5. Engagement and Consultation

5.1 As plans are progressed as outlined within the Business Plan the appropriate engagement and consultation will take place.

6. Purchasing or Hiring of Goods and/or Services

6.1 Any consideration under the Public Services Value (Social Value) Act 2021 will be taken into account in the decision making around each action within the Business Plan.

7. Tackling Climate Change

7.1 One of the visions with the Community and Corporate Plan is to tackle climate change. As such, there are specific actions included within the Business Plan on this issue.

8. Associated Risks

8.1 The risks of the actions within the Business Plan will be considered through the appropriate decision making process.

8.2 The risk of not agreeing the Business Plan is that the Council's resources are not utilised effectively and efficiently in delivering our ambition.

Equality Impacts

9. Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The aim of the Plan is to have a positive impact on this group.		
People with caring Responsibilities	The aim of the Plan is to have a positive impact on this group.		
People with a disability	The aim of the Plan is to have a positive impact on this group.		
Women or men	The aim of the Plan is to have a positive impact on this group.		

People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)	The aim of the Plan is to have a positive impact on this group.		
Religion or belief (including lack of belief)	The aim of the Plan is to have a positive impact on this group.		
People who are lesbian, gay or bisexual	The aim of the Plan is to have a positive impact on this group.		
People who are transgendered	The aim of the Plan is to have a positive impact on this group.		
People who are in a marriage or civil partnership	The aim of the Plan is to have a positive impact on this group.		
Women who are pregnant / on maternity leave	The aim of the Plan is to have a positive impact on this group.		
Socio-economic impacts (Including impact on child poverty issues and deprivation)	The aim of the Plan is to have a positive socio-economic impact.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	The aim of the Plan is to have a positive impact on the general health of the population of Torbay.		

10. Cumulative Council Impact

- 10.1 One of the aims of the Business Plan is to ensure that the cumulative impacts of the Council's strategies, policies and plans have a positive impact on the area and its residents.

11. Cumulative Community Impacts

- 11.1 The Council is continuing to work with its partners across the public sector to ensure a positive cumulative impact on the area and its residents.

Business Plan 2021-2022

July 2022

Contents

One Torbay: Working for all Torbay	3
Our Ambition	5
Our Mission	5
Four Visions	5
Thriving People	5
Thriving Economy	6
Tackling Climate Change	6
Council Fit for the Future	6
Thriving People	7
Last year's achievements	7
Our focus for the next two years	8
Our Priority Actions for 2021-2022	10
Outline Actions for 2022-2023	13
Thriving Economy	14
Last year's achievements	14
Our focus for the next two years	14
Our Priority Actions for 2021-2022	16
Outline Actions for 2022-2023	18
Tackling Climate Change	20
Last year's achievements	20
Our focus for the next two years	20
Our Priority Actions for 2021-2022	21
Outline Actions for 2022-2023	23
Council Fit for the Future	25
Last year's achievements	25
Our focus for the next two years	26
Our Priority Actions for 2021-2022	26
Outline Actions for 2022-2023	28

One Torbay: Working for all Torbay

As a partnership leading Torbay Council, our ambition is a thriving Torbay, turning the tide on poverty despite the challenges of a global pandemic. We are delivering investment in our economy, our climate and our people.

In April 2020, across the country, people were told to stay at home and, for most of our staff, that is what they did. As an organisation, however, we continued to operate to provide existing and new services to our communities. Thanks to our investment in technology there was a seamless transfer from working in the office to working from home. We worked across organisations and sectors to provide assurance, practical assistance and financial support. Across Torbay, voluntary organisations, businesses, communities and neighbourhoods stepped up and together we responded to the Covid-19 pandemic.

Our day-to-day work has also continued with our improvement programme in Children's Services making a difference in the lives of our children and young people. We have set up a Strategic Housing Board with an independent Chairman to drive delivery of our Housing Strategy. We have also established TorVista Homes to maximise the supply of social and affordable housing in Torbay whilst also helping to meet our wider strategic housing needs. TorVista has recently achieved Registered Provider status which means it is able to access additional funding to increase the supply of social and affordable homes.

We have been allocated funding from both the Towns Fund and the Future High Street Fund which will see us revitalise Torquay and Paignton. As part of our plans, we purchased the Debenhams building in Torquay and served a Notice of Compulsory Purchase on Crossways in Paignton.

A new wholly owned Council company – SWISCo – was established in summer 2020 which is providing a range of frontline services as part of our vision of improving Torbay. The work of the grounds maintenance teams was enjoyed by residents and visitors alike when we were able to meet again in our parks and gardens.

We have ambitious plans for the coming year and into 2023. Our Children's Partnership Early Help Model will provide better integration between services, promoting more joined up support for families. Fostering a community-led approach to Early Help will provide a sense of a child friendly Torbay where communities are provided with the support they need to help each other.

We will build on the success of the Torbay Help Line as we develop a single route of referral for all adult social care requests.

Our plans for regenerating our town centres and seafront areas are being put into place with projects such as redevelopment of The Strand in Torquay and replacement of the festoon lighting in Paignton and Torquay.

At the same time, we will work to increase the levels of skills within our community, supporting people into employment.

We will be working with all our partners and our communities to develop a new carbon neutral action plan for Torbay. In particular, we want to set out how our tourism offer can be shaped to make the most of the natural beauty of Torbay – developing the eco-tourism offer. Hand-in-hand will go our work to enhance the biodiversity in Torbay.

Our work to continue to strengthen links with the community, enabling and empowering us to all act together will be an ongoing theme over the coming year. This will be through both community-led projects, encouraging a diverse base of suppliers and using the skills across our workforce to provide support to projects and initiatives within the community.

This Business Plan sets out in much more detail what we have achieved, together, over the past year and the priorities that we want to deliver over the next year, into 2023. We fundamentally want to do things differently, working with individuals, communities and partners. Together we can create One Torbay: Working for all Torbay.



Councillor Steve Darling

Leader of the Council



Councillor Darren Cowell

Deputy Leader of the Council
and Cabinet Member for Finance

Our Ambition

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

Our Mission

In achieving our Ambition, we will be a Council that supports, enables and empowers our residents, our communities and our partnerships, and we will do this by an approach of:

- Enabling our communities
- Using reducing resources to best effect
- Reducing demand through prevention and innovation
- Taking an integrated and joined up approach

Four Visions

The Council's Community and Corporate Plan sets out four visions to the achievement of our Ambition, namely:

Thriving People

We will turn the tide on poverty

- Protect and involve children and young people
- Reduce levels of deprivation in the Bay
- Improve the delivery, affordability and quality of housing
- Make greater use of our natural assets and cultural offer

We will have high aspirations for all of our residents

- Support healthy, physically active lives for all
- Promote good mental and physical health, reducing the occurrence of preventable illnesses
- Reduce reliance on addictive substances

We will build safer communities

- Work with partners to tackle crime, including exploitation, and its effects
- Work with partners to reduce offending and reoffending and its impacts
- Work with partners to tackle domestic abuse and sexual violence and its effects

Thriving Economy

We will create an environment in which businesses and jobs can grow and where we have a local economy which is successful and sustainable

- Capitalise on the unique strengths of our economy
- Focus on areas of significant deprivation
- Build community wealth
- Support the creation of University College South Devon
- Close the educational attainment gap and broaden the skills base within the workforce
- Protect and accelerate the development of employment space to accommodate business growth

We will be the premier tourist resort in the UK

- Regenerate and re-invent our town centres
- Capitalise on our unique heritage

Tackling Climate Change

We will become a Carbon Neutral Council and work with other to create a carbon neutral community

- Increase recycling rates
- Reduce Torbay's carbon footprint
- Encourage a sustainably developed built environment
- Implement re-wooding and rewilding
- Address flooding risks
- Improve communications and transport connectivity and sustainability

Council Fit for the Future

We will create a culture of partnership between the Council and communities

- Use technology to drive change
- Promote community resilience
- Become an enabling Council

This Business Plan sets out what has been achieved over the last 12 months in respect of each of the Visions, and details what we seek to achieve going forward. The Council or its wholly owned companies (including TDA, SWISCo and Tor Vista Homes) will deliver the actions within this Plan in accordance our mission and approach set out in the Community and Corporate Plan.

Within each section of the Business Plan, the Priority Actions which are shown in **bold** are those which the Cabinet (alongside Council officers) will have an absolute focus upon delivering over the course of the year, whilst also working on the entirety of the actions.

Thriving People

Last year's achievements

We've supported and worked with Torbay Food Alliance (made up of community and voluntary sector organisations) which was set up as a direct response to the Covid-19 pandemic, with a common goal to ensure that no-one in Torbay went hungry during the crisis.

Our Children's Services Learning Academy launched in September 2020 so that we can develop our social workers of the future, and we have now partnered with South Devon College to support our Community Care workers to undertake the Level 4 apprenticeship in 'Working with Children, Young People and Families'. Both are part of our "grow your own" initiative offering various routes into social work.

Part of the adult social care precept was used to fund a range of community and voluntary sector projects including:

- helping local communities take their own social action in their neighbourhoods,
- developing the support for the learning disability community,
- supporting the Torbay Helpline, and
- developing much needed mental health services.

The Autumn for All Ages programme currently includes fifteen care homes engaging in visits and activities with early years providers across the bay. Once lockdown restrictions were imposed the majority of this stopped, but some settings and childminders continued to contact care home residents for chats and updates online or to 'window wave' or chat through a safety barrier.

We approved a record number of new fostering families in the past year, bringing the total number of fostering households in Torbay to 86. Giving a child a home in the place where they grew up, means they get to stay in Torbay and remain in their school with their friends.

Backed up by financial investment, we have made significant changes in the management and practice around Children's Services. We are now seeing improvements in the outcomes for our children as well as delivering an overall financial benefit.

We have introduced Family Group Conferences which are attended by children, young people and their parents, in which they get to play a full part in deciding, with key professionals, what support services they will receive. The aim is to build, strengthen and repair relationships between children and their families.

We have made significant improvements within Children's Services, with our Government-appointed Commissioner describing the service we provide to children as "unrecognisable" from where it was. As a result, we are no longer under the scrutiny of a children's appointed commissioner and are supported by an improvement advisor.

We are delivering £8 million of investment in Torbay's schools, including St Cuthbert Mayne School, Paignton Academy, Brunel Academy and Burton Academy.

We have established a new Strategic Housing Board, which held its first meeting on 1 March 2021 with Alistair Allender as its independent chairman. The Board will work collaboratively to identify issues, gather data, explore solutions and implement change; sharing learning and experience to assist the Council to deliver its Housing Strategy.

Case Study

Over the past year, the Council supported and facilitated the Torbay Food Alliance - a consortium of 12 food banks and community voluntary organisations as a response to the Covid-19 pandemic.

The Alliance united around a common goal: to ensure that no-one in Torbay goes hungry during the crisis.

It brought together community food resources and fundraising efforts, providing co-ordinated support to people who struggled to access food, helping the poorest and most vulnerable in Torbay.

Building on this approach we are now co-operatively developing a strategic food partnership for Torbay, which will take a long-term collaborative approach - creating a resilient local food system. We will tackle food system issues and work in partnership to explore creative, innovative solutions to establish a vibrant resilient food system, where good, healthy and sustainable food is available to all.

The food partnership is multi-sector, with a systems-approach that involves and connects key actors across all parts of the food system. It will take a strategic and co-operative approach to good food governance, with the following priorities:

- Tackling food poverty, diet-related ill-health and access to affordable healthy food – prioritising the immediate issue of school holidays,
- Supporting the creation of a vibrant, prosperous and diverse sustainable food economy,
- Tackling the climate emergency through an end to food waste, and
- Build public awareness, active food citizenship and a local good food movement.

This example of our co-operative approach embodies how we are committed to the principles of co-operation, social responsibility, solidarity and equality.

Our focus for the next two years

The last year has been dominated by the Covid-19 pandemic and the response to it. As we move into the next phase of living with Covid-19 we can anticipate new challenges that we need to address. Equally the pandemic has strengthened partnerships and accelerated new ways of working that will continue to benefit our residents.

The Children's Partnership Early Help Model has been developed and well-received and with its package of initial deliverables it will go live on 4 May 2021.

The new but established Early Help Implementation Board has made strong strategic links made with the 0-19 Partnership to avoid duplication and is aligned with the Council's Sufficiency Board to ensure accountability.

The model itself is predicated on partnership locality teams / networks with key links to the voices, needs and desires of the local communities. The networks / teams will be focussed on maximising resources in the three localities of Torquay, Brixham and Paignton, and across Torbay itself, as well as identifying local needs or gaps and suggesting how community strengths may address them.

The model also includes the intention to work with the Community Hubs via Adult Services to build in services for families of children and young people, increasing the access to and visibility of services, supported by a range of identifiable “spokes” to the hubs in the community. The Early Help Implementation Board is overseeing these developments and has incorporated the principles and intent of the Torbay Promise in an enhanced Early Help Plus offer to families in a defined geographical area, providing particular support to the first 1001 days of an infant’s life.

We will continue to strengthen and develop our responses to child exploitation with partnership arrangements in place to both identify and safeguard victims of exploitation and a strong commitment to disrupting perpetrators of exploitation.

Children deserve a safe place to grow up and live and therefore we are making a commitment to support children so that they have access to local parks, local leisure, learning, play and culture. We want children to be part of their local community. We recognise that there are real challenges around housing and poverty and we will work with housing colleagues to support families to live in good quality accommodation. This would involve a different way of working that becomes a more family friendly approach. We have established a Housing Board and will to bring together the people and place aspect of housing. we want to work with housing associations and private landlords and build on existing arrangements, how they support families and recognising additional care needs.

We will embed a culture of recognising and responding to our cared for and care experienced young people as corporate parents. We want to enhance our role and accountability and have expanded the vision of Corporate Parenting to look at how we support this in the community, through building support in the community and increasing relationships with local business to expand this support across the whole of Torbay.

We will focus on the mental and physical health of our residents as we emerge from Covid-19 restrictions and will continue to build on our relationship with schools and South Devon College to provide supportive environments for children and young people. We will also co-produce a strategy with people with Learning Disability, focussing on independence, health and employment

We will further strengthen and develop our responses to child exploitation with partnership arrangements in place to both identify and safeguard victims of exploitation. There is a strong commitment to disrupting perpetrators of exploitation.

We will be developing an exploitation strategy with full partnership involvement to give us clear steer and direction in making Torbay a safer place for children, families and communities with a zero tolerance of exploitation. The strategy will not only protect children and families but will ensure that those children approaching their 18th birthday will have identified packages of support into adulthood where they have continued risk of exploitation.

We will deliver against the Housing Strategy, in particular on delivering housing on the sites we have already identified, with a focus on social and affordable housing and improving access to temporary housing. It is important that when people find themselves in need we can provide suitable emergency accommodation for them or better still prevent them from losing their home. Work will focus on ensuring sufficient properties are available and that we have mechanism in place to enable people to move on to permanent homes as quickly as possible. Access to affordable accommodation is an imperative to prevent homelessness.

The Future Front Door project, part of the Adult Social Care Improvement Plan, will develop a single route of referral for all adult social care requests, creating one clear picture of demand and capacity for commissioned services. The aim is to create a deeper connection to our community and further support the established integrated approach of health and social care. We will develop a holistic approach to the future use of community centres, based around mutual support and shared experience, to extend the wider community benefits.

A strategic food partnership for Torbay will be developed which will take a collaborative approach to create a more resilient local food system, which is good for both people and the planet. The partnership will look to enable access to cheap, healthy food, fairly.

Our Priority Actions for 2021-2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
1. Deliver and update our Housing Strategy Action Plan, including working with developers to encourage sites to be brought forward, to ensure a five-year housing land supply, thereby protecting our green spaces.	Economic Regeneration, Tourism and Housing	Assistant Director – Planning, Housing and Climate Emergency	In progress with work ongoing to April 2022
2. Continue to work to enable work to start on stalled development sites across Torbay.	Economic Regeneration, Tourism and Housing	Assistant Director – Planning, Housing and Climate Emergency	In progress with work ongoing to April 2022
3. Develop a sufficiency strategy approach to reduce the need for temporary accommodation.	Economic Regeneration, Tourism and Housing	Assistant Director – Community Services	In progress with completion by July 2021
4. Working with Registered Providers across Torbay, facilitate the availability of social and affordable accommodation to enable people to move on from temporary	Economic Regeneration, Tourism and Housing	Assistant Director – Community Services	In progress with completion by July 2021

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
accommodation including 'next steps' accommodation.			
5. Plan and deliver a programme of work to improve the standard of accommodation in the private rented sector through, empowering residents, enforcement and an area-based intervention program.	Corporate and Community Services	Assistant Director – Community Services	In progress with completion by June 2021
6. Building on the Torbay Community Helpline, implement a new “front door” to adult social care.	Adults and Public Health	Director of Adult Services	In progress with completion by October 2021
7. Build on our positive relationship with schools as we develop programmes to deliver out educational disadvantage strategy focussing on raising attainment whilst strengthening emotional and well-being support.	Children's Services	Assistant Director – Education, Learning and Skills	In progress with completion by July 2022
8. Deliver aspirational and efficient services for children and young people with special educational needs and disabilities.	Children's Services	Assistant Director – Education, Learning and Skills	In progress with completion by July 2022
9. Work with schools to ensure a zero-tolerance approach to bullying (in all its forms).	Children's Services	Assistant Director - Education, Learning and Skills	In progress with completion by July 2022
10. Reposition our night-time economy through the implementation of the Evening and Night Time Economy Strategy.	Corporate and Community Services	Assistant Director – Community Services	In progress with completion by October 2021
11. Identify and implement temporary traveller stopping sites within Torbay.	Economic Regeneration, Tourism and Housing	Assistant Director – Planning, Housing and Climate Emergency	In progress with completion by May 2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
12. Plan and establish a programme for delivery of Extra Care Housing.	Adults and Public Health	Director of Adult Services	In progress with completion by July 2021
13. Deliver the vision for adult social care, including the development of a local outcome framework (in line with the anticipated, revised Adult Social Care Outcomes Framework).	Adults and Public Health	Director of Adult Services	In progress with completion by April 2022
14. In collaboration, finalise and progress the Torbay Mental Health and Suicide Prevention Alliance Action plan with work-streams including: <ul style="list-style-type: none"> • developing community and voluntary sector mental health network/s • supporting implementation of the community mental health framework • improving access to information for the public and professionals to support mental resilience to the effects of pandemic. 	Adults and Public Health	Director of Public Health	In progress with completion by April 2022
15. Agree recommendations from the Torbay On The Move appreciative inquiry.	Adults and Public Health	Director of Public Health	September 2021
16. Seek funding for Safer Towns Initiative to improve perception and safety in Torquay town centre and surrounding area.	Corporate and Community Services	Assistant Director – Community Services	June 2021
17. Deliver the new integrated Domestic Abuse and Sexual Violence Strategy.	Adults and Public Health	Director of Public Health	In progress with completion by April 2022
18. Work with the community and voluntary sector to assess the capacity, role and future of our community centres.	Adults and Public Health	Director of Adult Services	In progress with completion by January 2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
19. Develop a strategic food partnership for Torbay to take a collaborative approach to create a more resilient local food system.	Adults and Public Health	Director of Adult Services	In progress with completion by September 2021

Outline Actions for 2022-2023

Outline Action	Cabinet Portfolio	Senior Officer
20. Continue the work with the community and voluntary sector to enhance our community centres so that they can continue to provide a vital role within their communities.	Adults and Public Health	Director of Adult Services
21. Completion of Torre Marine extra care housing.	Adults and Public Health	Director of Adult Services
22. Agree the definitive approach for the re-procurement of the commissioned elements of the Lifestyles Service.	Adults and Public Health	Director of Public Health
23. Complete procurement of the Multiple Complex Needs Alliance.	Adults and Public Health	Director of Public Health
24. Build on our relationship with Torbay and South Devon NHS Foundation Trust to see the delivery of the new hospital.	Leader of the Council	Chief Executive

Thriving Economy

Last year's achievements

Since the start of the Covid-19 pandemic, we have paid out £93 million of grants to businesses across Torbay which were impacted by the pandemic.

Working across the public and private sectors, we launched our Wealth Building Programme, encouraging Torbay's larger companies and anchor institutions to invest more in the local economy. This will build on the community cohesion evident during the lockdowns and amplify the Keep It Local initiative.

The English Riviera UNESCO Geopark was awarded another four years membership of the expanding Global Geoparks Network. We are one of 161 Geoparks in 44 countries supported by United Nations Educational, Scientific and Cultural Organisation.

The new beach hut style public toilets at Preston Green were opened as part of a £2 million investment. Working with Healthmatic, and in partnership with the Beach Hut Users Group and local NHS, they include a defibrillator to support emergency service response times.

We have been offered a Town Deal for Torquay and will submit detailed business cases to unlock an incredible £21.9m investment from the Towns Fund to drive economic regeneration in the town.

As part of our plans to regenerate Torbay's town centres, we have purchased a prime retail site on the Strand at Torquay. The buildings are expected to be vacated by Debenhams in the near future and we will be seeking to obtain planning permission for a mixed-use development which will benefit economic and housing growth.

The Notice of Compulsory Purchase has been served on Crossways in Paignton and planning application for its demolition has been submitted.

We have been allocated Future High Street Funding for Paignton which will kick start regeneration around the town centre in Paignton Station Square, Torbay Road, the Victoria Centre and Crossways.

Case Study

TDA works closely with local businesses to understand their growth ambitions and what barriers are preventing that growth. One of the frequent challenges that businesses face is finding the right type of space for their business within the local area. In mid-2019 TDA sought permission from the Council to develop 1200 square metres of new employment space at Torbay Business Park in Paignton. The Council agreed and provided loan finance for TDA to develop this space. Despite the pandemic the scheme was 50% let on completion in March 2020 and is now fully let with the tenant businesses in new good quality space.

Our focus for the next two years

Before the pandemic Torbay was beginning to take greater steps to address the economic challenges that the community faces. The Council has worked with partners locally to attract

significant funding to provide momentum to the town centre transformation plans especially in Paignton and Torquay and there will be a focus until 2024 on the development and delivery of the projects that will bring about change across our towns and create the space and opportunities for Torbay to thrive.

With funding secured for the programmes in Paignton and Torquay there will be a focus on how key projects that will provide similar opportunities in Brixham can be delivered. The Council will continue to work with partners including the Town Council to identify investment opportunities and, in particular, to bring forward an extension of the fish market and town centre regeneration.

While the pandemic has hit many local businesses hard, there is a steady interest for more space from businesses, growing local businesses and businesses who want to be in Torbay. The Council will work with partners, including Neighbourhood Forums, to identify employment space and will take an active role in bringing schemes forward to support business and employment growth.

The physical regeneration of the place will be supported through work to help local businesses connect with markets and customers. The Council will commission support to help businesses in the visitor economy and independent retail businesses improve their digital presence so that visitors and residents are more aware of the range of fantastic local businesses and better able to buy locally. Torbay's tourism sector is very important, the Council has taken a lead role regionally in championing the need for support for tourism across the Heart of the South West and will continue to make the case for government to support the sector's recovery with a development plan that will help Torbay and other places demonstrate to international and domestic visitors the world class natural environment and the emerging cultural offer of Torbay.

Together with the public sector partners, the Council will deepen Torbay's commitment to a local wealth building programme working with South Devon College and the Torbay and South Devon NHS Foundation Trust to understand the collective buying power of these organisations and supporting local businesses in raising their awareness of opportunities to supply the public sector and improving their ability to bid. Using "social value" consistently across this partnership will create more employment opportunities for local people.

Supporting people into employment and raising the overall level of skills within our community is another key theme. Torbay's economy has some strengths and is better positioned to support people's career ambitions than is commonly understood whether through the visitor economy, construction or through electronics and photonics. The Council will work with its partners to extend the Ready for Work project and to create better routes into these key sectors for young people as well as those considering career changes or outside of the labour market.

Bringing these themes together we will work with Torbay Together partners to continue making the case to Government and other investors on why Torbay is a great place for them to invest and where their investment makes a difference for this place and this community.

Our Priority Actions for 2021-2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
25. Agree the potential programme of works for the restoration of the Pavilion, Torquay.	Economic Regeneration, Tourism and Housing	Director of Place	In progress with completion by December 2021
26. Replace the ornamental/festoon lighting at Paignton and Torquay Seafront.	Infrastructure, Environment and Culture	Chief Operating Officer – SWISCo	In progress with completion by July 2021
27. Review event space investment options at Paignton Green and Torre Abbey Meadows.	Infrastructure, Environment and Culture	Director of Place	In progress with completion by December 2021
28. Agree and commence delivery of the Heritage Strategy Action Plan	Infrastructure, Environment and Culture	Director of Place	September 2021
29. Develop an emerging strategy for the future of Oldway Mansion and apply for grant funding.	Infrastructure, Environment and Culture	Director of Place	In progress with completion by October 2021
30. Submit Torbay's application for Levelling Up Funding and ensure delivery of projects.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)	Autumn 2022
31. Acquire Crossways Shopping Centre in Paignton to facilitate the regeneration of the area.	Economic Regeneration, Tourism and Housing	Director of Asset Management, Investment and Housing (TDA)	By October 2021
32. Commence delivery of projects as part of the Getting Building fund (Lymington Road and enabling works at Edginswell).	Economic Regeneration, Tourism and Housing	Director of Asset Management, Investment and Housing (TDA)	June 2021

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
33. Completion of purpose-built manufacturing facility at Claylands, Paignton.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)	August 2021
34. Achieve 75% occupation at EPIC	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)	By March 2022
35. Identify the opportunities for the regeneration of Brixham Town Centre.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)	In progress with completion by December 2021
36. As part of the Economic Repositioning Plan, implement Build Torbay which will raise awareness of opportunities in the construction sector locally and increase the supply of, and skill levels, of local people into the sector.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)	September 2021
37. Commence work on the redevelopment of 12-14 The Strand (former Debenhams building).	Economic Regeneration, Tourism and Housing	Director of Asset Management, Investment and Housing (TDA)	In progress with completion by December 2021
38. Continue with design work on Edginswell Station project as part of Torquay Town Deal.	Director of Place	Director of Economic Strategy (TDA)	In progress with work ongoing to March 2022
39. Update the English Riviera UNESCO Global Geopark Management Plan.	Infrastructure, Environment and Culture	Director of Place	June 2021 – March 2022
40. Identify capital investment to improve the ornamental/festoon lighting at locations other than Paignton and Torquay Seafront.	Infrastructure, Environment and Culture	Chief Operating Officer – SWISCo	In progress with completion by December 2021
41. Obtain Blue Flag status on at least six beaches.	Infrastructure, Environment and Culture	Director of Place	By May 2021

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
42. Endeavour to create a Beach Management Forum	Infrastructure, Environment and Culture	Director of Place	May 2021 – July 2022
43. Develop and implement a Changing Places policy in order to promote, create and maintain changing places toilets.	Adults and Public Health	Director of Adult Services	In progress with completion by December 2021
44. Develop an emerging strategy for the future of the Parkfield estate in Paignton.	Infrastructure, Environment and Culture	Director of Place	May – October 2021

Outline Actions for 2022-2023

Outline Action	Cabinet Portfolio	Senior Officer
45. Build the business case for the Northern Arm, Brixham	Infrastructure, Environment and Culture	Director of Place
46. Review existing Beach and Promenade Bye Laws and consider applying for updated Bye Laws.	Infrastructure, Environment and Culture	Director of Place
47. Secure funding to enable the extension of the fish market at Brixham Harbour.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)
48. Commence delivery of regeneration projects in Brixham Town Centre.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)
49. Continue delivery of Torquay Town Deal projects, namely the Pavilion, Coastal Pinch Point and Torquay Town Centre.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)
50. Commence work at Station Square, Paignton as part of the Future High Streets programme.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)

Outline Action	Cabinet Portfolio	Senior Officer
51. Commence work at Torbay Road, Paignton as part of the Future High Streets programme.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)
52. Commence delivery of projects within the Edginswell employment space.	Economic Regeneration, Tourism and Housing	Director of Asset Management, Investment and Housing (TDA)
53. Support the Council's tenants at the Living Coasts site in Torquay and help them identify a long-term solution.	Economic Regeneration, Tourism and Housing	Director of Place

Tackling Climate Change

Last year's achievements

We continue to offer energy saving advice and some grants to improve homes through Exeter Community Energy.

During the summer, we used funding from the Emergency Active Travel Fund to widen pavements and create shared spaces for cyclists and pedestrians. This was to help maintain social distancing and to reduce overcrowding on public transport.

We established SWISCo, a new wholly owned company to provide a range of frontline services such as waste, recycling, highways, street scene and grounds maintenance services. SWISCo's vision is to improve and sustain where we live and work by transforming service delivery.

Since 1 July 2020, more than 5 million waste and recycling collections have been made and we are now looking to increase our recycling rate to 50% by 2023.

The team at SWISCo have worked throughout the pandemic to maintain the parks and open spaces throughout Torbay. They have sowed Urban Flower seed mix in seasonal flower beds across Torbay, including Abbey Park and Higher Furzeham, Brixham. The displays were stunning as well as having huge benefits for pollinating insects.

We have secured just over £3m from the Environment Agency for a new sea defence wall at Paignton and Preston. The proposed wall will help protect over 350 properties from rising sea levels and increased storms.

Case Study

In May 2020, our gardeners completed the planting of annual flower seeds in some of the flower beds around Torbay. Whilst the beds at first appeared just to have bare soil, by the summer the seeds bloomed into an array of bright colours from 14 different species including marigolds, poppies and cornflowers.

Particularly impressive were the flower beds in the Italian Gardens on Torquay seafront with residents and visitors alike enjoying the vibrant, long lasting annual display. The use of this type of planting provides a habitat for bees and butterflies as part of our commitment to improve biodiversity across Torbay.

Our focus for the next two years

We want to Torbay to thrive now and for future generations which is why we will continue to play our part in addressing climate change.

Over the course of the coming year, we will deliver immediate action to tackle climate change and refresh and develop longer term plans to work towards creating a carbon neutral Council and wider Torbay by 2030.

We will deliver our recently launched Carbon Neutral Torbay Initial Action Plan which focusses on short term actions that will be delivered in 2021/2022. The Council will also develop a new carbon neutral Council programme, focussing on working towards decarbonising our estate, operations and services. We have just nine years to deliver carbon neutrality which will be a highly challenging target to meet. It will require all directorates and services to work together. We will establish a cross directorate officer group to better coordinate and accelerate action.

We will also work with the community to co-design a new carbon neutral Torbay action plan for 2022 onwards – working towards achieving carbon neutrality by 2030. We will develop these plans in 2021 through significant community-led engagement including climate conversations and the establishment of a new climate community partnership/group. As the international and national spotlight is focussed on climate change during the 26th UN Climate Change Conference of the Parties (COP26) (hosted in Glasgow), we will ensure that the local spotlight is also on the part we can all play in tackling climate change. Initiatives will include plastic-free Torbay, developing an eco-beaches project and promoting community litter picking. We will work with the Torbay Business Improvement District Company to develop an eco-tourism offer across Torbay.

We will work to enhance the biodiversity, and tackle species decline, across Torbay, through our tree planting programme (which will also have a positive impact on our carbon neutral approach) and reviewing how our grass verges can be used to encourage wild flowers and other bee-friendly options.

Over the longer term, we will implement our new Council and Torbay wide carbon neutral plans. Actions have not yet been identified, however, they are likely to prioritise rapid acceleration of a range of actions to scale up and accelerate programmes to decarbonise our homes, businesses and transport networks, actions to generate more renewable energy and to green Torbay.

We want to support Torbay to recover from COVID-19 by building back greener. A lot of the actions we will take to tackle climate change can also create a range of economic and social benefits like job creation, new training opportunities and help us tackle health and social issues such as fuel poverty and poor quality housing. We will maximise these opportunities over the next two years and beyond.

Our Priority Actions for 2021-2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
54. Deliver effective tree planting schemes as part of a new three-year funded i-tree 2 initiative, including community participation and the launch of a supportive Tree Warden scheme.	Infrastructure, Environment and Culture	Chief Operating Officer – SWISCo	June 2021 – March 2022
55. Help residents to recycle more of their waste, focussing initially on their food waste and then through the introduction	Infrastructure, Environment and Culture	Chief Operating	In progress with work ongoing to March 2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
of a new charged-for garden waste collection service.		Officer – SWISCo	
56. Continue to deliver energy saving advice to homes in fuel poverty and establish an advice portal to help residents across Torbay to make energy efficient changes to their homes.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	In progress with work ongoing to March 2022
57. Bring electric vehicle charging points to selected car parks in Torbay and develop a plan for longer term implementation	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	Autumn/Winter 2021/22
58. Commence delivery of the new Carbon Neutral Council Programme, including finalising a new Carbon Neutral Council Policy and Action Plan.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	In progress with completion by April 2022
59. Develop a new Open Spaces Strategy to ensure there is a clear approach to how we manage our open spaces.	Infrastructure, Environment and Culture	Director of Place	June 2021 – March 2022
60. Obtain planning permission for the development of two solar farms in Torbay.	Infrastructure, Environment and Culture	Director of Asset Management, Investment and Housing (TDA)	By October 2021
61. Finalise and adopt Local Cycling and Walking Infrastructure Plan alongside the Local Transport Action Plan and commence delivery of at least £120,000 of walking and cycling/E bike projects.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	In progress with completion by April 2022
62. Working with the Environment Agency, communities and businesses, identify a solution to reduce the number of properties	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing &	In progress with work ongoing through to March 2023

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
at risk from flooding along Paignton and Preston sea fronts.		Climate Emergency	
63. Install £1.8m of energy and carbon saving measures at Torbay Leisure Centre	Infrastructure, Environment and Culture	Director of Place	In progress with completion by March 2022
64. Co-design with our communities and partners (across the public, private, community and voluntary sectors) a new Carbon Neutral Torbay Action Plan.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	In progress with completion by April 2022
65. Issue a guidance document setting out how policies in the Local Plan relate to climate change and how they should be complied with.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	By April 2022
66. Set up an Enhanced Partnership between the Council and local bus operators alongside a Bus Services Improvement Plan	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency	Winter 2021/22

Outline Actions for 2022-2023

Outline Actions	Cabinet Portfolio	Senior Officer
67. Deliver prioritised actions as identified in the Carbon Neutral Council Action Plan, including short and long term plans to explore how to decarbonise our estate, operations, services and council fleets.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency
68. Deliver prioritised actions as identified in the Carbon Neutral Torbay Action Plan, including exploring how to accelerate programmes of support the decarbonisation of our homes, businesses and transport networks	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing &

Outline Actions	Cabinet Portfolio	Senior Officer
		Climate Emergency
69. Continue delivery of walking and cycling initiatives as outlined in the finalised Local Cycling and Walking Infrastructure Plan.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency
70. Widen delivery of electric vehicle charging points.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency
71. Implement proposals set out in the Bus Services Improvement Plan.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency
72. Continue to deliver effective tree planting schemes as part of i-tree initiative, including the planting of over 350 over three years.	Infrastructure, Environment and Culture	Chief Operating Officer – SWISCo
73. Maximise the subsidy from the Decarbonisation Fund for replacing heat sources using fossil fuels.	Infrastructure, Environment and Culture	Assistant Director - Planning, Housing & Climate Emergency

Council Fit for the Future

Last year's achievements

We handed over the keys of the Tea Rooms at Oldway Mansion to a group of volunteers. Working with the Friends of Oldway is just one of many examples of how the council is working with the local community to improve the area. Last year more than 100 volunteer gardeners came forward when an appeal was put out for help with maintaining the grounds at Oldway Mansion.

We have worked with Groundwork South to encourage local people to come forward and volunteer in their parks and green spaces.

Despite the Covid-19 restrictions, we held our second Community Conference with 119 participants taking part on Zoom. We were able to celebrate the fantastic community and partnership response to the pandemic and heard about the opportunity for investment through LocalMotion.

We are using a range of communications channels to reach as many of our residents as possible. One of these is Facebook Live and, over the past year, we have run four 'Ask Us' events. These popular events have seen residents ask us questions on our response to Covid-19 and our proposals for our Budget for 2021/22.

We are continuing with our Council Redesign Programme so that we can modernise, simplify and standardise how we work so we can support the communities of Torbay and build a resilient Council. We are working to build a co-operative partnership with our communities.

Over the past year and with the Covid-19 pandemic providing a further catalyst, the Council has moved to agile working. This has included the roll out of a new telephony system meaning that the contact centre can provide support to residents remotely, as well as laying the foundations for the move to Microsoft 365 which has, for instance, meant that our Children's Services and Legal teams can continue to safeguard children through the court system.

Case Study

On Thursday 18 June we hosted a Facebook Live "Ask Us about Covid-19" with a number of our partners. We wanted to provide our community with the opportunity to ask us questions about how we have been, and were continuing to respond to the pandemic.

Along with Cllr Steve Darling, the Leader of Torbay Council, the panel included:

- the Director of Public Health for Torbay;
- the Assistant Director for Education, Learning and Skills at Torbay Council;
- the Chair and Chief Executive for Torbay and South Devon NHS Foundation Trust;
- a representative for Torbay Police and
- the Lead Officer for the Torbay Community Development Trust.

The format enabled questions to be answered covering a wide range of areas as well as compliments being received around how our schools were opening safely and the great partnership working that had taken place during the initial Covid-19 lockdown. We also received

feedback that people would like to see more of these events in the multi-agency/partnership format.

Within 24 hours of the event starting, it had reached 36,271 Facebook accounts. This is the highest reach the council has received on all the Ask Us events we have held. During the event, there was a peak of 185 people watching at the same time with 192 comments received, 182 reactions and at least 36 shares.

Our focus for the next two years

We will seek to further strengthen our relationship with the community and voluntary sector, with a focus on developing a relationship of equals with everyone in our community. We will continue to work to develop trust and embed the principles of co-operation into all of our work, recognising the breadth of the community, voluntary and social enterprise sector within Torbay.

Torbay’s communities have really come together during the Covid-19 pandemic and we’ve established a stronger relationship and understanding of what we can achieve together. This includes individuals supporting their neighbours, small groups working on a common goal and larger voluntary sector groups.

Community led projects will be developed using the strengths of local people and services with the learning used to roll out neighbourhood regeneration across the bay. For instance, within the Melville Project we will work on community and neighbourhood regeneration, with a focus on addressing key social problems via community engagement and co-production. The project will provide an opportunity to address issues such as poor private sector rented housing, use of public space and poverty, mental health, and concentrated substance misuse problems.

We will explore how the Council can use the skills of its workforce to make a difference in communities through opening up volunteering opportunities for its teams. Building on the Ward Facilitator scheme, we want to make sure our staff are connected to our communities as part of our overall approach to how we improve the Council’s engagement across Torbay. We will also explore the Cities of Service model of social action, whereby as a whole community we focus our efforts and activities on the things which matter the most to us.

Our Social Value Policy will seek to encourage a more diverse base of suppliers, promote fair employment practices, maximise opportunities for Torbay organisations to participate in our supply chains and promote greater environmental sustainability.

Our Priority Actions for 2021-2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
74. Implement a Customer Relationship Management system with the first iteration going live in January 2022 and developments over time to increase digital services and encourage channel shift	Corporate and Community Services	Assistant Director of Corporate Services	In progress with completion by January 2022

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
whilst building a supportive digital advocacy service. Funding for this action is to be sought once a preferred supplier is identified.			
75. Agree a robust three-year financial plan to ensure a sustainable future for Torbay Council.	Finance	Director of Finance	In progress with completion by October 2021
76. Use the Community Fund to support individuals, not-for-profit organisations and small businesses that want to undertake projects which improve the lives of Torbay's residents, as well as the environment of Torbay itself.	Corporate and Community Services	Chief Executive	In progress with completion by April 2022
77. Through the Community Wealth Building Board, develop a joined-up procurement approach for anchor organisations to make it simpler for local businesses bid for work.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)	In progress with completion by January 2022
78. Implement the Performance and Risk Framework to enable the Council to deliver against its priorities and put in place appropriate mitigation against the risks to its ambitions.	Leader of the Council	Chief Executive	In progress with work ongoing to March 2022
79. Continue to work with the community to deliver the Melville Project aimed at addressing issues of poor housing, use of public open space and concentrated substance misuse problems.	Adults and Public Health	Director of Adult Services	In progress with completion by April 2022
80. Deliver improvements within the Planning Service ensuring improved responsiveness and accessibility together with a proactive approach.	Infrastructure, Environment and Culture	Assistant Director – Planning, Housing and Climate Emergency	In progress with completion by December 2021
81. Work across the Council and with our partners to ensure we are the best Corporate Parents possible.	Leader of the Council	Chief Executive	In progress with work

Priority Action	Cabinet Portfolio	Senior Officer	Indicative Date
			ongoing to March 2022
82. Ensure greater focus on being an active partner on a regional basis, including working as part of the Integrated Care System and leading the delivery of the Heart of the South West Coastal Productivity Plan, as we build a positive national profile.	Leader of the Council	Chief Executive	In progress with work ongoing to March 2022
83. In accordance with the Events Strategy, facilitate the use of Council land for community events.	Infrastructure, Environment and Culture	Director of Place	May 2021 onwards
84. Review and update www.torbay.gov.uk with a focus on enabling users to self-serve and providing information and data which empowers users.	Corporate and Community Services	Assistant Director – Corporate Services	In progress with completion by December 2021
85. Develop and deliver the Workforce Plan for the Council with the aim of being an employer of choice within Torbay with inclusive and flexible work practices, leading by example through initiatives such as Kick Start.	Corporate and Community Services	Chief Executive	In progress with completion by April 2022

Outline Actions for 2022-2023

Outline Action	Cabinet Portfolio	Senior Officer
86. Develop the Customer Relationship Management system in order to increase digital services and encourage channel shift to the provided web portal and, concurrently, develop the digital advocacy service to avoid digital exclusion.	Corporate and Community Services	Assistant Director of Corporate Services
87. Prepare the groundwork for a 'care co-op' that would provide a better solution in Torbay for the delivery of services to meet the needs working age adults (primarily those needs pertaining to independent living, integrated into the community).	Adults and Public Health	Director of Adult Services
88. Embed the Performance and Risk Framework ensuring that the Council is using appropriate data and analysis to drive service change and policy development.	Leader of the Council	Chief Executive

Outline Action	Cabinet Portfolio	Senior Officer
89. Using the feedback our customers, continue to develop www.torbay.gov.uk to enable digital access to more services.	Corporate and Community Services	Assistant Director of Corporate Services
90. Work with partners, including the Torbay Community Development Trust and the Integrated Care Organisation, to jointly develop and implement a volunteer strategy for Torbay.	Corporate and Community Services	Chief Executive
91. Submit bids to the Community Renewal Fund and the UK Shared Prosperity Fund.	Economic Regeneration, Tourism and Housing	Director of Economic Strategy (TDA)
92. Embed our approach to long term financial planning.	Finance	Director of Finance

This document can be made available in other languages and formats.
For more information please contact engagement@torbay.gov.uk

Meeting: Cabinet

Date: 13th July 2021

Wards Affected: All Wards

Report Title: SWISCO Business Plan 2021-23

Cabinet Member Contact Details: Cllr Mike Morey, Cabinet Member for Infrastructure, mike.morey@torbay.gov.uk Tel. 01803 853316

Director/Assistant Director Contact Details: Kevin Mowat, Director of Place, kevin.mowat@torbay.gov.uk Tel. 01803 208433

1. Purpose of Report

- 1.1 SWISCo (South West Integrated Services Company) Limited is the Council's wholly-owned arms-length company responsible for the delivery of all functions and services associated with:
- Waste & Recycling
 - Highways, Fleet & Transport, and
 - Parks & Green Infrastructure
- The Company also carries out work for other public and private organisations to provide added value and improve the cost effectiveness of universal services provided to all residents on behalf of the Council.
- 1.2 This report sets out the proposed Business Plan for the Company for the forthcoming two financial years (April 2021 to March 2023) for approval by Cabinet.

2. Reason for Proposal and its benefits

- 2.1 The Company Business Plan sets out the proposed business strategy including priority actions for service change and improvement during the forthcoming period.
- 2.2 The Plan includes a Mission Statement for everyone in the Company to "Make Torbay the best place to live, work and play" and 16 strategic objectives in support of the Council's Corporate Plan priorities:

Waste & Recycling:

Increase the recycling rate towards the 50% target identified in the Resource & Waste Strategy and Action Plan

Gain the confidence in all of Torbay's residents to work in partnership with SWISCo, by providing a regular, consistent recycling and waste collection service

Identify clearly from waste minimisation and recycling service enhancements, how we have positively contributed to Torbay Council's climate change objectives, by reducing carbon emissions

Show the efficiency benefits of sorting materials in the right containers at the kerbside and recycling centres, which have been promoted through a comprehensive education programme delivered both directly to the customers at home and via social media

Highways, Fleet & Transport:

Increase the level of planned highways works undertaken by SWISCo to enable delivery of Torbay Council's Asset Management Strategy and Local Transport Plan

Implement a strategy to upgrade and modernise the SWISCo and Torbay Council vehicle and plant fleet to support the business needs of the company and to support Torbay Council's carbon reduction targets

Improve the co-ordination and management of works undertaken on the highway by the introduction of a dedicated streetworks team and the implementation of a streetworks permit scheme

Deliver Torbay Council's Highways Annual Maintenance Programme in accordance with a revised Asset Management Strategy to provide a more effective and efficient service

Parks & Green Infrastructure:

Deliver an award-winning service that promotes public value and biodiversity through the development and implementation of Park Management Plans in collaboration with Friends of Groups

Deliver a stronger approach to community working by establishing at least ten Parks Friends of Groups, delivering over 3000 hours of Community Support and at least 3 community education talks

Deliver an inclusive green infrastructure service by effectively engaging with communities, education and establishing working partnerships

Deliver a Torbay Local Environmental Quality Action Plan

Business & Commercial Services:

Achieve an accreditation in customer service excellence

Achieve accreditation for our OHSE (Occupational Health, Safety & Environment) and Wellbeing Management Systems

All staff will have clear understanding of SWISCo's Mission and be working to our Values

We will increase our third party revenue by at least 30%

- 2.2 The Council's approved Financial Strategy includes annual Commissioning Fee allocations to fund the activity set out in the Plan. The approved Commissioning Fee for 2021-22 is £12.158M.

- 2.3 Individual Service Strategies and Action Plans as well as the Commissioning Fee for 2022-23 will be the subject of further reports to Cabinet for approval in due course.
- 2.4 The services outlined in the Plan affect all Wards and this report setting out the overall business strategy for the Company is not considered to be a Key Decision.

3. Recommendation(s) / Proposed Decision

- 3.1 That the SWISCo Business Plan 2021-23 as outlined in this report is approved.

Appendices

Appendix 1: SWISCo Business Plan 2021-23

Background Documents

None.

Supporting Information

1. Introduction

- 1.1 SWISCo is a wholly-owned Torbay Council 'local authority trading company' established in July 2020 after the end of the 'TOR2' partnership contract with Kier.
- 1.2 Between December 2020 and February 2021, further 'client side' services were transferred into the new company and SWISCo now provides the full range of functions and services discharging the Council's statutory duties and obligations across the three service areas: Waste & Recycling; Highways, Fleet & Transport; and Parks & Green Infrastructure.
- 1.3 An initial Business Plan was developed for the launch of the Company in July 2020, however significant change in the business environment as a result of the COVID19 pandemic plus the expansion of the company's functions and services and appointment of a new senior leadership team have provided strong justification for the development of a new Business Plan as outlined in this report.

2. Options under consideration

- 2.1 A new Business Plan has been developed due to the level of change in the business environment since the first (July 2020) Plan. The decision was made to proceed with a Plan covering two financial years (to March 2023 rather than March 2022) due to its strategic nature and the lead-in time for many of the Actions in the Plan.
- 2.2 The Plan has been developed in a more graphical appearance and software format to assist internal staff briefings and the dissemination of the Plan to all employees in the company.

3. Financial Opportunities and Implications

- 3.1 The Company employs approximately 300 permanent employees and receives a core Commissioning Fee from the Council to deliver all functions and services which for 2021-22 is £12.158M.
- 3.2 The Company is currently working in a financial deficit position and a key aim of the Business Plan is to deliver service change and improvement that enables this deficit to be significantly reduced. In the current year 2021-22, a one-off sum of £800k has been set aside in the Council's approved Financial Strategy to underwrite this deficit position if required.

4. Legal Implications

- 4.1 SWISCo Limited has been established as a Local Authority Trading Company (LATCo) and receives direct funding and work from the Council under the 'Teckal

exemption rule' (work can be directly awarded as long as at least 80% of activity relates to the Council).

- 4.2 SWISCo incorporates the former Highways, Natural Environment and Waste client side functions and is responsible for discharging important statutory functions and duties on behalf of the Council, for example those relating to Highway Authority and Waste Collection Authority.

5. Engagement and Consultation

- 5.1 The change and improvement activity outlined in the Plan is consistent with the Council's Community Engagement and Empowerment Strategy, and the Council's Policy, Performance & Engagement Team provide resource and expertise to the company via a Support Service Arrangement.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 A condition of the Commissioning Agreement between the Council and SWISCo is that the company's approach to the procurement of goods/ services is consistent with the Council's Procurement Policies and Procedures. The Council's Procurement Team provides resource and expertise to the company via a Support Service Arrangement.

7. Tackling Climate Change

- 7.1 The Plan contains key strategic objectives relating to waste recycling/ minimisation and fleet management that will make a significant contribution towards Climate Change objectives on behalf of the Council.

8. Associated Risks

- 8.1 Failure to have a coherent business strategy in place for the Company presents the risk of not achieving the key Corporate Plan priorities that the company contributes to.
- 8.2 A significant delay in the development and approval of the Plan presents the risk of delaying projects that contribute financial efficiencies to the business and therefore increase the likelihood of the company not reducing the current financial deficit as planned.

Equality Impacts

9.	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
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	None.	
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	None.	



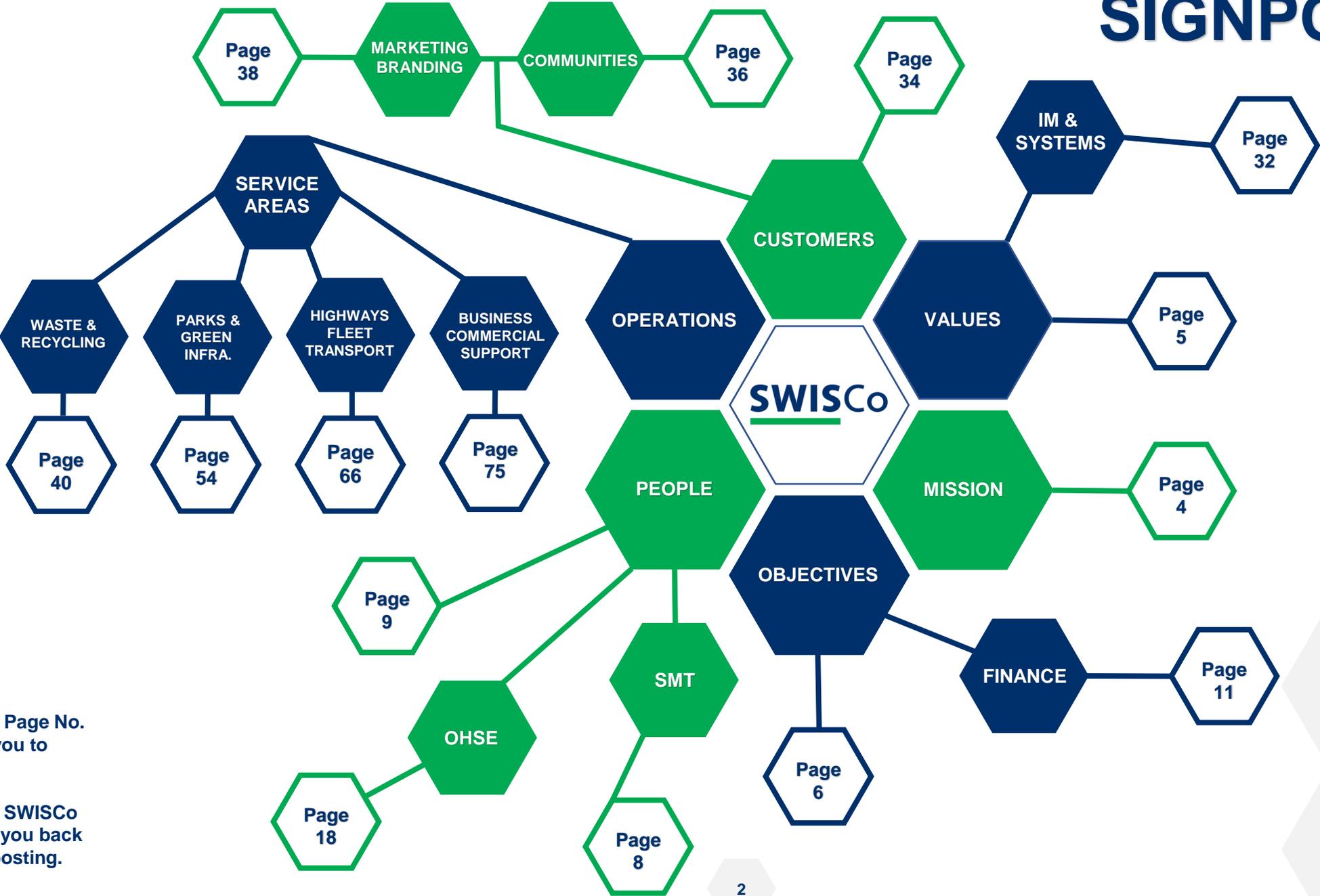
BUSINESS PLAN 2021-23

Page 81

Agenda Item 10
Appendix 1

SIGNPOSTING

Page 82



Click on Page No. to take you to page.

Click on SWISCo to bring you back to Signposting.

EXECUTIVE SUMMARY

Since the formation of the Company and first Business Plan in July 2020, SWISCo has expanded its work for the Council further by transferring in Highways and Natural Environment client teams and these new colleagues are welcomed to the SWISCo business.

This 'thin client' commissioning model is presenting real opportunities to improve the quality of service for our customers and overall business efficiency, by breaking down barriers and enabling more joined up processes between the previous client and operational teams.

The model will undoubtedly help the company to keep its focus on the 'end result' of better outcomes for the people who 'live, work and play' in Torbay. However it is understood that in tandem with these over-arching outcome-focused responsibilities which include discharging important statutory duties and responsibilities for the Council, there also needs to be a framework of strong governance and performance accountability to suit.

A key challenge for this next Business Plan period to March 2023 will undoubtedly be to improve the financial efficiency of the Company and minimise the additional financial support required from the Council. To do this we will be developing the commercial side of the business which has already got off to a good start and by placing the customer 'at the heart of everything we do', we want to be seen as the provider of choice for residents and businesses alike and help to strengthen the reputation of the Council as our 100% shareholder.

By the end of the Plan period it is hoped that the Company will have matured sufficiently to generate a financial surplus which can then start to be reinvested to the benefit of the residents and communities of the Bay.

Our key business improvement themes for this Plan are therefore to:

- Improve the financial efficiency of the business to minimise the level of support required from the Council;
- Strive for top-quality customer focused services that enhance the reputation of the Council and Company and support 'work winning' and commercial success; and
- Continue to develop and strengthen the model of governance and performance accountability to highlight the benefits and give confidence in the 'thin client' approach

Mark Smith, Chief Operating Officer May 2021

The logo for SWISCo, featuring the company name in a bold, blue, sans-serif font with a green horizontal line underneath the 'i'.

VALUES

MISSION

OBJECTIVES

MISSION

MAKING TORBAY THE BEST PLACE TO LIVE, WORK & PLAY

THIS IS WHY WE EXIST, WHY WE DO WHAT WE DO



SWISCo

MISSION

SWISCo

VALUES



SAFETY FIRST



**CUSTOMER
FOCUSED**



EMPOWER



COLLABORATE



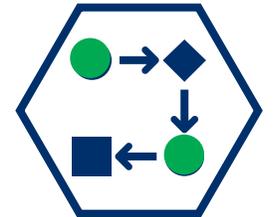
INNOVATION



**SOCIAL
RESPONSIBILITY**



GROWTH



PROCESS DRIVEN

VALUES

STRATEGIC OBJECTIVES

By March 2023 we will...

SWISCO

OBJECTIVES

Page 55

HF1

Increase the level of planned highways works undertaken by SWISCO to enable delivery of Torbay Council's Asset Management Strategy and Local Transport Plan

HF2

Implement a strategy to upgrade and modernise the SWISCO and Torbay Council vehicle and plant Fleet to support the business needs of the company and to support Torbay Council's carbon reduction targets

HF3

Improve the coordination and management of works undertaken on the highway by the introduction of a dedicated street works team and the implementation of a street works permit scheme

HF4

Deliver Torbay Council's Highways annual Maintenance programme in accordance with a revised Asset Management Strategy to provide a more effective and efficient Service

WR2

Gain the confidence in of all Torbay's residents to work in partnership with SWISCO, by providing a regular, consistent recycling and waste collection service

WR3

Identify clearly from waste minimisation and recycling service enhancements, how we have positively contributed to Torbay Council's Climate change objectives, by reducing Carbon emissions

WR1

Increase the recycling rate towards the 50% target identified in the Resource and Waste strategy and Action plan, giving the complimentary benefit of reducing disposal tonnages and costs.

WR4

Show the efficiency benefits of sorting materials in the right containers at the kerbside and recycling centres, which have been promoted through a comprehensive education programme delivered both directly to the customers home and via social media

PG1

Deliver an award-winning service that promotes public value and biodiversity through the development and implementation of Park Management Plans in collaboration with Friends of Groups

PG2

Deliver a stronger approach to community working by establishing at least ten Parks Friends of Groups, delivering over 3000 hours of Community Support and at least 3 community education talks

PG3

Deliver an inclusive Green Infrastructure Service by effectively engaging with Communities, promoting education and establishing working partnerships

PG4

Deliver Torbay's Local Environmental Quality Action plan

BC1

Achieve an Accreditation in Customer Service Excellence

BC2

Achieve Accreditation For Our OH&S, Environment and Wellbeing Management Systems to ISO-45001, 45003 & 14001

BC3

From Top to Bottom, All Staff will have clear understanding of SWISCO's Mission and be working to our Values

BC4

We will increase our 3rd Party Revenue by at least 30%

STRATEGIC MEASURES

By March 2023 we will...

SWISCO

OBJECTIVES

HF1

Increase in Revenue from Planned Work passed through SWISCO

HF2

Fleet Replacement Strategy Delivered and Action Plan. CO2 Measure.

HF3

Highways Street Works Team in Place and Issuing Street Works Permits under the Schemes Terms of Reference.

HF4

Highways Maintenance Programme delivered in line with Asset Management Strategy

PG1

Delivering Parks Management Plans working with the Friends of Groups, Achieve Five Green Flag Awards and Professional Status.

PG2

Establishing more than ten constituted Parks Friends of Groups, delivering over 3000 hours of quantified Community Support hours and more than 3 community education talks per year.

BC1

Accreditation Award through CFA/institute for Customer Service

BC3

Employee Survey responses captured for Mission & Values.

PG3

Delivering the Green Infrastructure Strategy and Action Plan (Open Spaces Strategy) and publication of the Tree and Woodland Framework policy.

BC4

Track Profit & Loss for 3rd Party growth using LOGI

WR2

Missed Bins, Phone Call Data & Residential Survey for W&R Service

WR4

Recycling Pass Rate for Container Collection, based on Benchmarked data before education programme and after

BC2

Achieve Accreditation For Our OH&S, Environment and Wellbeing Management Systems to ISO-45001, 45003 & 14001

WR1

N192 – Quarterly Recycling Rate from Waste Data Flow, using Weighbridge Tonnage Data

WR3

Fleet Management System data sets, milage, CO2 Measure. Masternaut data

PG4

Local Environmental Quality Action Plan Implemented and Actions Tracked

SENIOR MANAGEMENT TEAM

<p>INTERIM COO</p>  <p>PARK SMITH</p>	<p>HEAD OF WASTE & RECYCLING</p>  <p>IAN HARTLEY</p>	<p>HEAD OF PARKS & GREEN INFRASTRUCTURE</p>  <p>NEIL COISH</p>	<p>HEAD OF HIGHWAYS & TRANSPORT</p>  <p>IAN JONES</p>	<p>HEAD BUSINESS, COMMERCIAL & SUPPORT SERVICES</p>  <p>PAUL LUSCOMBE</p>
<p>PROJECT, INNOVATION & SYSTEMS MGR</p>  <p>JOHN GREAVES</p>	<p>SENIOR HR ADVISOR</p>  <p>KIM SMITH</p>	<p>O.H.S.E. OFFICER</p>  <p>PAUL REYNOLDS</p>	<p>FINANCE MANAGER</p>  <p>DAVID SHORE</p>	



Page 8

PEOPLE MANAGEMENT

Our Company Ethos

SENIOR HR ADVISOR
 
KIM SMITH

Page 89



WE ARE AN EMPLOYER OF CHOICE



WE RECRUIT GREAT PEOPLE



WE RETAIN, REWARD & RECOGNISE



**WE SUPPORT ORGANISATIONAL
DEVELOPMENT**



**WE CONTINUOUSLY IMPROVE & INTEGRATE
HR SYSTEMS & PROCESSES**



SMART Action Plan

Theme 1: HR STRATEGIES

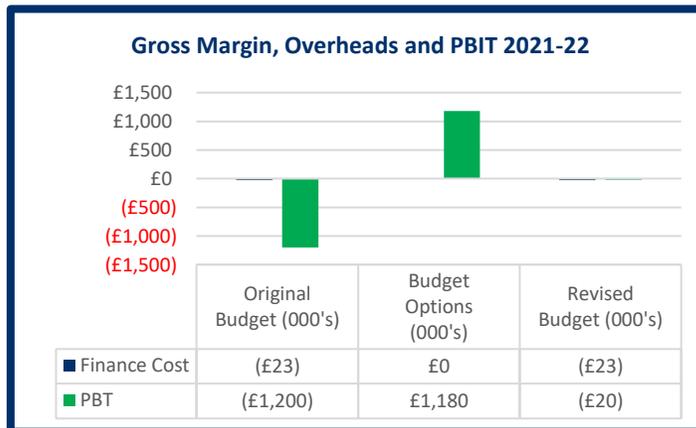
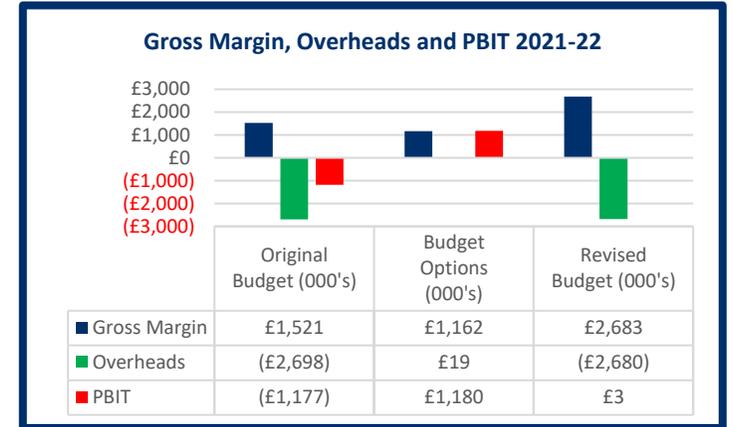
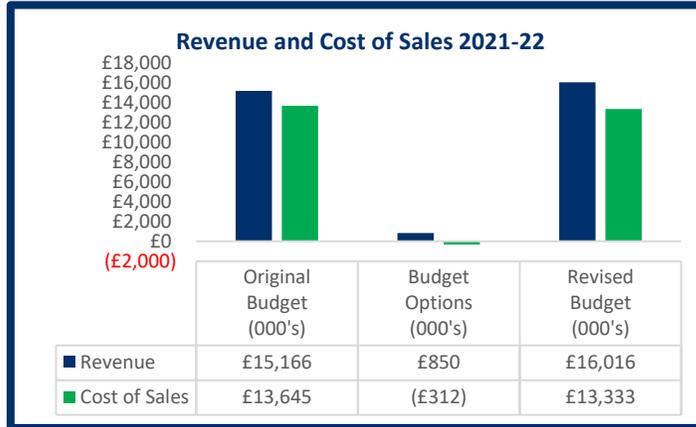
STRATEGY DEVELOPMENT

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop a People Strategy - High Performing work force. Right People – in the Right Role – with the Right Skills – and at the Right Level of Responsibility – at the Right Level of Pay	Strategy Action Plan	Senior HR Advisor	Yes	May 21	Sep 21
Develop a Work Force Planning Strategy – Cover areas Workforce plans, retaining skills, apprenticeships, kickstart scheme, cross training, agile working, upskilling and Succession Planning.	Strategy Action Plan	Senior HR Advisor	Yes	May 21	Sep 21
Develop Employer Branding – Including Website, recruitment strategy, demonstrate Employer of Choice – Promoting our offer. Review of T&C's, organisational development strategy and career development and progression	Strategy Action Plan	Senior HR Advisor	Yes	May 21	Jan 22
HR Systems development – greater efficiency through technology, cradle to the grave approach, My View development, smart tech to allow all staff access to people related data & policies.	Strategy Action Plan. Number of Users	Senior HR Advisor	Yes	May 21	Oct 21
Organisational Development Strategy – including access to training/upskilling, online & face to face. L&D offer, career development and progression opportunities.	Strategy Action Plan. Training numbers	Senior HR Advisor	Yes	May 21	Jan 22
Develop a Health & Wellbeing Strategy. Include Policy development, Supportive management, Managing attendance, Wellbeing initiatives, Imbedding wellbeing practice and support, Coaching ethos, Work life balance, Employee assistance programme, Flexible working & Remote/agile working	Strategy Action Plan.	Senior HR Advisor	Yes	May 21	Jan 22
Recognition & Reward Scheme – to promote motivation and engagement	Number of rewards & submissions. Workforce survey	Senior HR Advisor	Yes	May 21	Jan 22
Implement the Middle Management Restructure	JD's, Adverts, recruit/slot process	Senior HR Advisor /COO & HoS	Yes	May 21	Jul 21



FINANCIAL MANAGEMENT

Budget Summary 2021-22



Vehicle Capital Strategy

SWISCo

Page 92

FINANCE

VEHICLE & PLANT REPLACEMENT

£1M CAPITAL LOAN



■ Drawdown ■ Remaining

Agreed
Annual
Interest
Rate on
Capital
Loan

2.5
Percent

SWISCo have currently drawn down £0.37m of this loan to cover the cover the purchases of a Caterpillar 938M Wheeled Loader and a Liebherr LH18M Shovel, currently in operation at the Transfer Station



- Over the coming year a review of all 'Owned' Vehicles and Plant will be undertaken assessing their current condition.
- Where repairs are deemed no longer cost effective and a replacement is necessary a Capital Business case will need to be completed.
- This review should also compare the cost of long-term hire against outright purchase also considering any maintenance agreements that would apply.

Financial Reporting & Monitoring

Our Approach

SWISCo

Page 93

FINANCE

Monthly Management accounts review is a standing item on the SMT agenda



Our 'LOGI' Reports have been designed to incorporate the Original Budget and one Reforecast.



Our Performance reports can be selected from 'Cost Centre' level up to 'Company' level. In Summary or Detailed formats



We have detailed Trial Balance and Balance sheet reports available for review.



We have made all Cost Centre levels available for selection, so Head of Service can review their Teams



We use Debtor and Creditor LOGI reports in summary or detail format, to review outstanding & overdue invoices.



Financial Management Objectives

By March 2023 we will...

SWISCo

Deliver the achievable 21-22 year 'Budget Options' position of circa £0.4m

Develop and perform mid-year reforecast excise assessing Service Areas performance and ongoing business changes with the aim to calculate a revised end of year financial position.

FINANCE

Page 94

SMART Action Plan

Theme 1: FINANCE STRATEGY

STRATEGY DEVELOPMENT

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Communicate with our Internal Auditors (Devon County Council) and our External Auditors (Bishop Fleming) ensuring that all concerns, recommendations and practices are adhered to.	Audit Plan	Finance Manager	Yes	May 2021	Mar 2023
Ensure that the full list of Financial SLA's which SWISCo are responsibly for are followed and achieved.	SLA Agreements	Finance Manager/ HoS Business Commercial & Support Services	Yes	May 2021	Mar 2023
Achieve the Budget Options of £0.4m that have a Good 'Confidence level of delivery' (as they are within the Company's direct control)	FIMS	Finance Manager	Yes	May 2021	Mar 2022
Using the current suite of 'LOGI' and Excel driven reports ensure that the monthly result is fully communicated to the COO and Heads of Service complete with a detailed explanation of major variances against Budget in the month. This process will also assist in the reforecast exercise to highlight areas of concern or betterment.	FIMS/LOGI	Finance Manager	Yes	May 2021	Mar 2023

Theme 2: FINANCE REFORCAST

STRATEGY DEVELOPMENT

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
A full Company Reforecast exercise will be undertaken each 6 months so that any changes to the full year position is communicated and uploaded in FIMS. The process will also ensure that the SWISCo Service Managers are fully involved and Torbay Council are kept informed as to the forecast value required to 'Under-write' the SWISCo business at the end of March 2022. A similar process to the Budget is adopted using current year 'run-rates' and up to date operational information gathered from the 4 Heads of Service.	FIMS/LOGI	Finance Manager	Yes	May 2021	Mar 2022

SWISCo

Page 95

FINANCE

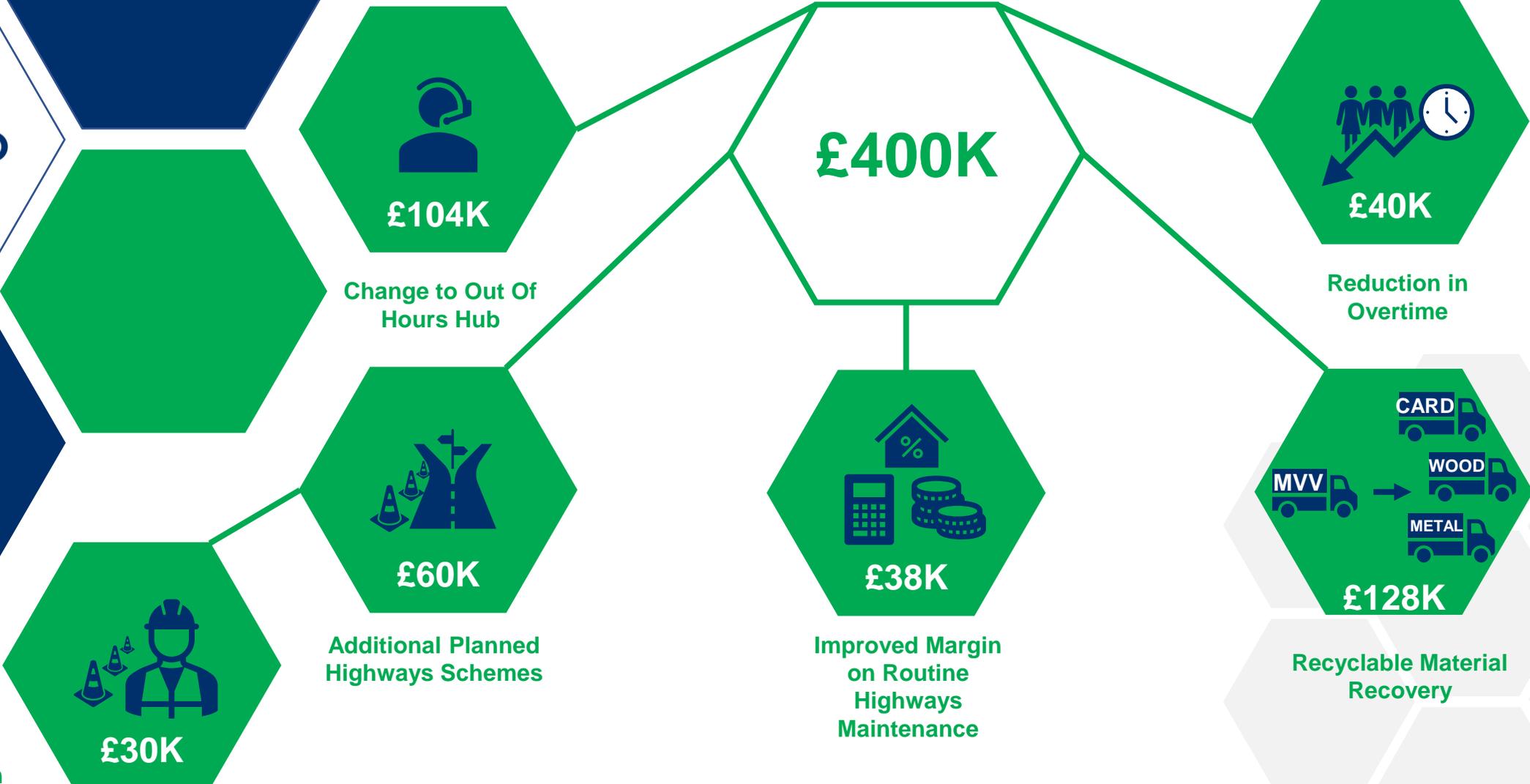
£400K Action Plan

SWISCo

Page 96

FINANCE

Claimed Supervision on Highways Schemes



Financial Management Risk & DCA

Risk Register for £400k Action Plan

Risk	Impact	Likelihood	Score	Action	Who	When	Impact	Likelihood	Score
New Out of Hours processes continue to require resources across the company making financial saving unachievable	4	2	8	Robust Process Mapping Stage in advance of the project going live.	HoS Business, Commercial & Support.	Jul 21	4	1	4
Budget for Additional Highway Schemes is not approved	4	2	8	Gain appropriate Council Approval/Endorsement for the Highways Capital Programme	HoS Highways Fleet & Transport	Sept 21	4	1	4
Fluctuation in value of recyclables end-markets result in income not being achieved	4	2	8	Continue use of Plan B to gain optimal value for recyclables.	HoS Waste & Recycling	May 21	4	1	4
Feedback during the HR Consultation process makes the projected overtime targets unachievable	3	3	9	Robust Plan for Union & Staff Engagement.	Senior HR Advisor	Jul 21	3	2	6

Delivery Confidence Assessment for £400k Action Plan

Delivery of £400k of Action Plan savings 21-22				>75	>45	<45
SWISCo Team	Description of Savings	Revised value £'000	% Confidence of Delivery	Owner		
Support Hub	New delivery of out of Hours Call Centre Service	104	85%	Paul Luscombe		
All	Reduction in annual Overtime costs by 6%	40	80%	All Teams		
Highways	Delivery of additional Planned Highways Schemes £403k at 15% margin	60	75%	Ian Jones		
Highways	Claim Supervision fees on additional LTP projects (Fee between 1% - 7%)	30	80%	Ian Jones		
Transfer Station	Improvements in Materials quality/price/Weighbridge	128	80%	Ian Hartley		
Highways	Improved margin on Routine Highways Maintenance (4.3% to 11.4%) £540k turnover	38	90%	Paul Luscombe/Ian Jones		
Total Saving		400				

OCCUPATIONAL HEALTH, SAFETY & ENVIROMENT (OHSE)

Our Company Ethos



860698



WE ARE OHSE LEADERS AT ALL LEVELS OF THE BUSINESS



WE PROMOTE HEALTH & SAFETY WORKING PRACTICES & WORKPLACES



WE PROMOTE GOOD ENVIRONMENTAL PRACTICES & CARE ABOUT OUR IMPACT ON TORBAY



WE ARE DEDICATED TO ACHIEVE A CARBON NEUTRAL POSITION BY 2030



WE CONTINUOUSLY IMPROVE & INTEGRATE OHSE SYSTEMS & PROCESSES



SMART Action Plans

Theme 1 : Achieve Accreditation to ISO 45001 & Implement 45003 Guidance

Headline Action: Implement a Plan, Do, Check, Act Compliant System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Plan – Determine and assess the OH&S risks, opportunities and other risks and other opportunities, establish OH&S objectives and processes necessary to deliver results in accordance with SWISCo’s OH&S policy:					
Plan – Establish, implement and maintain an OH&S Policy for SWISCo and ensure that the responsibilities and authority for roles within the OH&S management system are assigned and communicated at all levels within SWISCo.	Policy document	Board of Directors, SMT & OH&S Reps	Yes	July 2020	Ongoing
Plan – Complete, implement and maintain OH&S corporate level risk assessments for global risks and create, implement and maintain a corporate OH&S Risk Register, identify hazards within the business including those that could cause an emergency situation and give rise to business interruption.	Risk Assessment Module SHE-Assure	COO, SMT & OHSE Officer	Yes	July 2020	Sept 2021
Plan – Complete assessment on the health hazards present within the business and identify the health surveillance requirements for the staff of SWISCo and implement the programme for H.S.	Health Surveillance Module – SHE Assure	OHSE Officer	Yes	July 2020	Aug 2021
Plan - Complete OHSE operational and service area OH&S risk assessments for specific tasks, assets and personnel	Risk Assessment Module SHE-Assure	Heads of Service	Yes	April 2021	Sept 2021
Plan – Documented System, produce, implement and maintain an OH&S legal register as well as the required subject policies and arrangements documents for the Management System and a system for document and version control.	Legal register & document completion programme	OHSE Officer	Yes	April 2020	Dec 2021
Plan – SWISCo will establish, implement and maintain processes and governance arrangements for consultation and participation of employees at all levels and from all service areas and use nominated representatives in the development, planning, implementation, evaluation and review of the OH&S management system and performance outcomes.	SWISCo and Service area OH&S committees	COO, SMT, HR & OHSE Officer	Yes	May 2021	Oct 2021



SMART Action Plans

Theme 1 : Achieve Accreditation to ISO 45001 & Implement 45003 Guidance

Headline Action: Implement a Plan, Do, Check, Act Compliant Management System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Plan – Each service area within SWISCo shall complete mental health and stress risk assessments for their organisation with specific attention paid to psychosocial wellbeing of personnel.	Risk Assessment Module SHE-Assure	Heads of Service	Yes	Jan 2022	Sept 2022
Plan – SWISCo shall establish corporate OH&S objectives and these will be cascaded down to relevant service areas and functions so that every employee within the Company has OH&S within their performance and appraisal scheme.	Annual performance scheme and appraisal monitoring	COO, SMT, HR, Managers, Supervisors and OHSE Officer	Yes	April 2021	Ongoing
Plan – SWISCo shall establish a safety and technical competency (STC) framework for its service areas and every primary job role shall have a Training Needs Template created for both statutory and non-statutory OHSE training; Fulfilment of training and certification requirements shall have a process for monitoring implemented.	SHE-Assure People Module – TNA sub-module	COO, SMT, Managers, Supervisors and OHSE Officer	Yes	June 2021	Ongoing
Do – Implement the processes and arrangements as planned.					
Do – SWISCo shall establish, implement and maintain processes for the elimination of hazards and reduction of OH&S risks using a hierarchy of control measures based on the ERIC-PD (Eliminate, Reduce, Isolate, Control – PPE & Discipline) principle	SHE-Assure Risk Assessments & incident rates	COO, SMT, Managers, Supervisors and OHSE Officer	Yes	June 2021	Ongoing
Do – SWISCo shall establish a strategy to the management of employees mental health and wellbeing and appoint mental first aiders and wellbeing champions to support the implementation and maintenance of this strategy.	Wellbeing & psychosocial strategy & arrangements	COO, SMT, HR & OHSE Officer	Yes	Oct 2021	March 2022
Do – SWISCo shall establish, implement and maintain processes to control planned permanent and temporary business changes that impact OH&S performance.	Incident rates	SMT	Yes	May 2021	Ongoing



SMART Action Plans

Theme 1 : Achieve Accreditation to ISO 45001 & Implement 45003 Guidance

Headline Action: Implement a Plan, Do, Check, Act Compliant System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Do – SWISCo shall establish, implement and maintain a procurement process that takes into account the principles it has set out in its OH&S policy and ensure that products and services, acquired by the business, conform to the management system.	OH&S Audit	Head of business, commercial and support services	Yes	May 2021	Ongoing
Do – SWISCo will ensure that the management of contractors and sub-contractors is controlled and the arrangements in place align themselves to the management system. The type and degree of control to be applied to these organisations shall be set out within the documentation element of the management system.	OH&S Audit & Inspection	Heads of Service	Yes	May 2021	Ongoing
Do – SWISCo shall establish, implement and maintain systems and processes needed to prepare for and respond to emergency situations as identified within our planning phase including those that have the potential to cause business interruption.	Testing and exercises on emergency response.	OHSE Officer	Yes	May 2021	Ongoing
Check – Monitor and measure activities and processes with regard the OH&S policy and OH&S objectives and report the results					
Check – SWISCo shall establish, implement and maintain processes for monitoring, measurement, and evaluation of performance.	SHE-Assure dashboards	OHSE Officer	Yes	April 2020	Ongoing
Check – SWISCo shall establish, implement and maintain a process for evaluating compliance with the required legal requirements of the business in relation to OH&S	Inspection and testing results internal audit	Head of business, commercial and support services	Yes	April 2020	Ongoing
Check – SWISCO shall establish a method for assessment and monitoring of the workforces mental health and stress inducers and act on the findings of the assessment	Assessment results	OHSE Officer and HR	Yes	July 2021	Ongoing
Check – SWISCo shall programme and conduct internal audits at pre-determined intervals to provide information on whether the OH&S management system conforms to the requirements set out in the policy and other arrangements.	Audit programme and results	SMT & OHSE Officer	Yes	Aug 2021	Ongoing



SMART Action Plans

Theme 1 : Achieve Accreditation to ISO 45001 & Implement 45003 Guidance

Headline Action: Implement a Plan, Do, Check, Act Compliant System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Check – SWISCo's senior management team plus other key internal stakeholders including OH&S representatives, shall undertake a complete review of the management system, at planned intervals, to ensure its continuing suitability, adequacy and effectiveness.	Management review timetable and outputs.	SMT, OHSE Officer and OH&S reps	Yes	Dec 2021	Ongoing
Act – take actions to continually improve the OH&S performance to achieve the intended outcomes					
Act – SWISCo shall establish, implement and maintain a process, including reporting, investigating and taking action, to determine and manage incidents and nonconformities.	SHE-Assure incident module	OHSE Officer	Yes	April 2020	Ongoing
Act – SWISCo shall continually improve the suitability, adequacy and effectiveness of the OH&S management system by: - <ul style="list-style-type: none"> Enhancing OH&S performance Promoting a culture that supports an OH&S management system Promoting inclusion and participation Communicating effectively with all employees relevant results from the OH&S management system, and Maintaining and retaining documented information 	OH&S rates, surveys, two way comms, external monitoring and management review outputs.	COO, SMT, HR, Managers, Supervisors, OH&S reps, OHSE Officer and external auditors	Yes	May 2021	March 2023
Headline Action: SWISCo accreditation to ISO 45001					
Select an accredited certification body through a transparent selection process and instigate a pre-certification audit to identify any management system gaps.	Tender exercise & External audit findings	OHSE Officer	Yes	Nov 2022	Dec 2022
Obtain certification to ISO 45001 from an accredited certification body	Certification process	COO, SMT and OHSE Officer	Yes	Jan 2022	March 2023

Page 102



SMART Action Plans

Theme 2 : Achieve Accreditation For Our Environmental Management System to ISO-14001

Headline Action: Implement a Plan, Do, Check, Act Compliant System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Plan – Determine and assess the environmental impacts, opportunities and other risks and other opportunities, establish environmental objectives and processes necessary to deliver results in accordance with SWISCo’s environment policy:					
Plan – Establish and maintain an Environmental Policy for SWISCo and ensure that the responsibilities and authority for roles within the Environmental management system are assigned and communicated at all levels within SWISCo.	Environment Policy document	Board of Directors, SMT & OH&S Reps	Yes	July 2020	Ongoing
Plan – Establish and maintain corporate level procedures to identify environmental aspects of SWISCo’s activities and services over which we have control and are able to influence. Calculate the impact of these aspects and formulate and maintain a corporate environmental risk register.	Environment Module SHE-Assure	COO, SMT & OHSE Officer	Yes	July 2020	Sept 2021
Plan – Establish and maintain environmental aspects and impacts assessments for specific tasks, assets and services within all the functions of SWISCo.	Environment Module SHE-Assure	Heads of Service	Yes	April 2021	Sept 2021
Plan – SWISCo shall establish and maintain documented environmental objectives using the aspects and impacts identified at corporate and functional level to inform these. These will be cascaded down to relevant service areas and functions so that every employee within the Company has environment within their performance and appraisal scheme.	Annual performance scheme and appraisal monitoring	COO, SMT, HR, Managers, Supervisors and OHSE Officer	Yes	April 2021	Ongoing
Plan – Documented System, produce, implement and maintain an environmental legal register as well as the required subject policies and arrangements documents for the Management System and a system for document and version control.	Legal register & document completion programme	OHSE Officer	Yes	April 2020	Dec 2021
Plan – SWISCo will establish, implement and maintain processes and governance arrangements for consultation and participation of employees at all levels and from all service areas and use nominated representatives in the development, planning, implementation, evaluation and review of the environmental management system and performance outcomes.	SWISCo and Service area environment committees	COO, SMT, HR & OHSE Officer	Yes	May 2021	Oct 2021



SMART Action Plans

Theme 2 : Achieve Accreditation For Our Environmental Management System to ISO-14001

Headline Action: Implement a Plan, Do, Check, Act Compliant Management System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Plan – SWISCo shall establish a environmental technical competency (ETC) framework for its service areas and every primary job role shall have a Training Needs Template created for environmental training and competency; Fulfilment of training and certification requirements shall have a monitoring process implemented.	SHE-Assure People Module – TNA sub-module	COO, SMT, Managers, Supervisors and OHSE Officer	Yes	June 2021	Ongoing
Do – Implement the processes and arrangements as planned.					
Do – SWISCo shall establish, implement and maintain processes for the elimination of adverse environmental impacts using a hierarchy of control measures based on the ERICAD (Eliminate, Reduce, Isolate, Control – PPE & Discipline) principle	SHE-Assure Environment module & incident rates	COO, SMT, Managers, Supervisors and OHSE Officer	Yes	June 2021	Ongoing
Do – SWISCo shall establish, implement and maintain processes to control planned permanent and temporary business changes that impact environmental performance.	Incident rates	SMT	Yes	Sept 2021	Ongoing
Do – SWISCo shall identify those operations and activities that are associated with the identified environmental aspects in line with its policy, objectives and targets and ensure that working procedures are in place and implemented to stipulate the operating parameters to be followed.	SHE-Assure Environment	Heads of Service	Yes	Sept 2021	Ongoing
Do – SWISCo shall establish, implement and maintain a procurement process that takes into account the principles it has set out in its environmental policy and ensure that products and services, acquired by the business, conform to the management system.	Environmental Audit	Head of business, commercial and support services	Yes	Sept 2021	Ongoing
Do – SWISCo will ensure that the management of contractors and sub-contractors is controlled and the arrangements in place align themselves to the environmental management system. The type and degree of control to be applied to these organisations shall be set out within the documentation element of the management system.	Environmental Audit & Inspection	Heads of Service	Yes	Sept 2021	Ongoing



SMART Action Plans

Theme 2 : Achieve Accreditation For Our Environmental Management System to ISO-14001

Headline Action: Implement a Plan, Do, Check, Act Compliant System

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Do – SWISCo shall establish, implement and maintain systems and processes needed to prepare for and respond to environmental emergencies as identified within the planning phase including those that have the potential to cause business interruption.	Testing and exercises on emergency response.	OHSE Officer	Yes	May 2021	Ongoing
Check – Monitor and measure activities and processes with regard the OH&S policy and OH&S objectives and report the results					
Check – SWISCo shall establish, implement and maintain processes for monitoring, measurement, and evaluation of environmental performance.	SHE-Assure dashboards	OHSE Officer	Yes	June 2021	Ongoing
Check – SWISCo shall establish, implement and maintain a process for evaluating compliance with the required legal and permitting requirements of the business in relation to environmental compliance	Inspection and testing results internal audit	Head of business, commercial and support services	Yes	April 2020	Ongoing
Check – SWISCo's senior management team plus other key internal stakeholders including environmental representatives, shall undertake a complete review of the management system, at planned intervals, to ensure its continuing suitability, adequacy and effectiveness.	Management review timetable and outputs.	SMT, OHSE Officer and OH&S reps	Yes	Dec 2022	Ongoing
Check – SWISCo shall programme and conduct internal audits at pre-determined intervals to provide information on whether the environmental management system conforms to the requirements set out in the policy and other arrangements.	Audit programme and results	SMT & OHSE Officer	Yes	Jan 2022	Ongoing
Act – take actions to continually improve the OH&S performance to achieve the intended outcomes					
Act – SWISCo shall establish and maintain procedures and processes for defining authority for handling and investigating nonconformances, taking action to mitigate any impacts caused and completing corrective and preventative action.	SHE-Assure incident module	SMT & OHSE Officer	Yes	July 2020	Ongoing
Act – SWISCo shall establish and maintain procedures and processes for the identification, maintenance and disposition of environmental records. These records shall include training records and the results of audits and reviews.	SHE-Assure People and Environment modules	SMT & OHSE Officer	Yes	May 2021	Ongoing



SMART Action Plans

Theme 2 : Achieve Accreditation For Our Environmental Management System to ISO-14001

Headline Action: SWISCo Accreditation to ISO 14001

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Select an accredited certification body through a transparent selection process and instigate a pre-certification audit to identify any management system gaps.	Tender exercise & External audit findings	OHSE Officer	Yes	Nov 2022	Dec 2022
Obtain certification to ISO 14001 from an accredited certification body	Certification process	COO, SMT and OHSE Officer	Yes	Jan 2022	March 2023



SMART Action Plans

Theme 3 : Embed Our Electronic OHSE Tool, SHE-ASSURE, Into All Our Operational, Mobile and Back Office Work Settings

Headline Action: Configure and Implement System Modules

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Configure and populate incident module and reporting systems for SWISCo operations and services	SHE-Assure Incident module	OHSE Officer	Yes	April 2020	June 2021
Configure and populate people module and reporting systems for SWISCo operations and services	SHE-Assure Risk module	OHSE Officer	Yes	Oct 2020	June 2021
Configure and populate risk module and reporting systems for SWISCo operations and services	SHE-Assure Risk module	OHSE Officer	Yes	Oct 2020	June 2021
Configure and populate asset module and reporting systems for SWISCo operations and services	SHE-Assure Asset module	OHSE Officer	Yes	Nov 2020	Sept 2021
Configure and populate environment module and reporting systems for SWISCo operations and services	SHE-Assure Environment module	OHSE Officer	Yes	May 2021	Sept 2021
Configure and populate audit module and reporting systems for SWISCo operations and services	SHE-Assure Audit module	OHSE Officer	Yes	Aug 2021	Nov 2021
Configure OHSE dashboards for SWISCo board, SWISCo SMT and service area OHSE management information reports	SHE-Assure dashboards	OHSE Officer	Yes	April 2020	Dec 2021
Configure SWISCo portal and Assure Go mobile applications and IQ templates	SHE-Assure mobile system	OHSE Officer	Yes	June 2021	Dec 2021
Train all levels of SWISCo staff in the SHE-Assure system	SHE-Assure system usage and records	OHSE Officer	Yes	April 2020	Dec 2022



SMART Action Plans

Theme 4 : Have Been Externally Recognised For Our OH&S, Wellbeing & Environmental Performance

Headline Action: Achieve external recognition for safety OHSE performance

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
				Start	Finish
SWISCo will be registered as a member of an external OH&S body such as ROSPA and will apply to have its OH&S and wellbeing performance recognised; achieve gold medal level standard.	External award	OHSE Officer	Yes	Jan 2023	March 2023
SWISCo will achieve recognition for the way it manages lone worker safety through achieving the Suzi Lamplugh charter mark	Suzi Lamplugh trust charter confirmed	OHSE Officer	Yes	Jun 2022	Dec 2022
SWISCo will achieve an external environmental sustainability award for its environmental performance from a recognised body such as IEMA	External award	OHSE Officer	Yes	Jan 2023	March 2023

Page 108



SMART Action Plans

Theme 5 : Have A Programme To Achieve A Carbon Neutral Position By 2030

Headline Action: Carbon Neutral Strategy and Action Plan

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
				Start	Finish
SWISCo will measure its carbon footprint and inputs and outputs to establish a baseline level, this will include the carbon footprint of its supply chain partners where this is deemed to be within the control of SWISCo	Baseline data measurements	COO, SMT, Managers, Supervisors and OHSE Officer	Yes	May 2021	May 2022
SWISCo will develop a strategy, impact assessment and best endeavours costed programme with action plan in partnership with Torbay Council's climate emergency officer	Action plan	COO, SMT, Managers, Supervisors and OHSE Officer	Yes	May 2021	Sept 2021

Page 109



SMART Action Plans

Theme 6 : Have an accurate and contemporary COMPANY asset register and cost effective arrangements for all OHSE in-service inspections and tests

Headline Action: Company Asset Register and Legal Compliance

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
SWISCo will identify, record on a register and update, as required, all Company assets and ensure they are correctly allocated to an equipment family and issued with a unique asset reference number	SHE-Assure Equipment register	Heads of Service and OHSE Officer	Yes	Nov 2020	Aug 2021
SWISCo will identify all statutory and non-statutory inspections, tests and thorough examinations required for the Company's assets and appoint competent persons to undertake these validations and ensure that it has a robust system in place to identify when these are due and maintain records of their outcomes.	SHE-Assure Asset Module	Heads of Service and OHSE Officer	Yes	Nov 2020	Sept 2021

Theme 7 : Have ensured that all major, landlord responsible, property works, are completed and compliant.

Headline Action: Agreed programme of works

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
<p>Agree a schedule and programme of works to complete the major landlord responsibility tasks that have been identified since SWISCo assumed responsibility for the repair and maintenance leases on the operational sites: -</p> <ol style="list-style-type: none"> 1. Aspen Way office roof. <ol style="list-style-type: none"> i. Examination of garage and workshop roof 2. Salt Barn structural integrity 3. Salt Barn drainage and surface water system 4. Fixed electrical wiring defect rectification 5. Tor Park Road drainage remediation works 	Agreed programme of works	Head of business, commercial and support services	Yes	July 2020	March 2022



SMART Action Plans

Theme 8 : Have an Asset management plan for all asset types

Headline Action:					
Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
SWISCo shall establish, implement and maintain an Asset Management strategy and plan that encompasses all categories of assets from buildings down to hand-tools. The plan will set out how SWISCo will manage all areas of compliance and a strategy for procuring specialist support services	Agreed programme of works	Head of business, commercial and support services	Yes	July 2021	March 2023
SWISCo shall establish, implement and maintain a procurement policy, system and procedures, for its assets, that prioritise on the basis of low OH&S impact e.g. in terms of potential health hazards such as vibration, noise, ergonomics etc...	Procurement policy and systems		Yes	July 2021	March 2023
SWISCo shall establish, implement and maintain a procurement policy, system and procedures, for its assets, that prioritise on the basis of zero, or as low as reasonably practical, carbon impact e.g. electrically powered			Yes	July 2021	March 2023

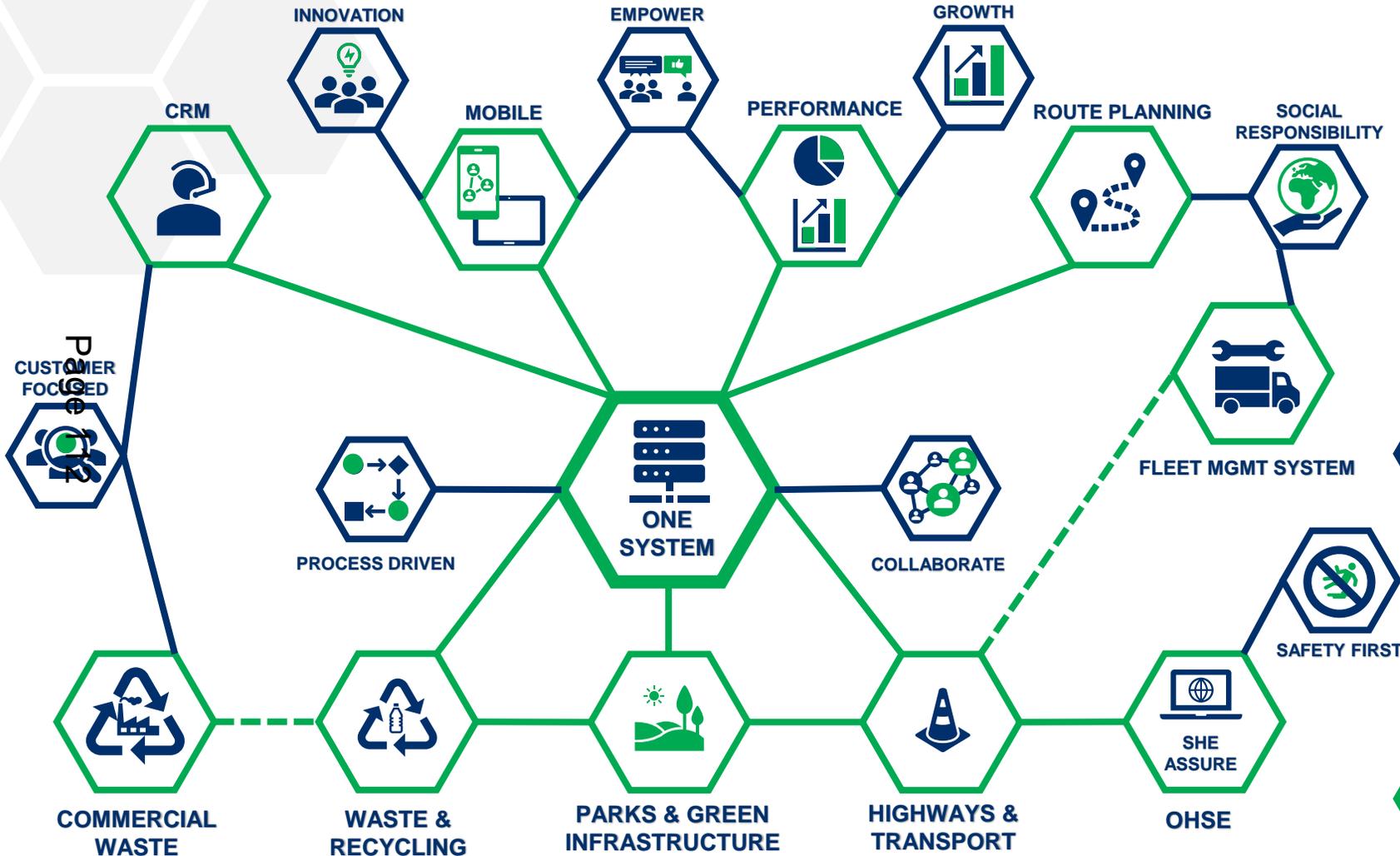
Theme 9 :Have an agreed investment and construction plan with our landlord for site serviceability improvements

Headline Action: Long term plan for serviceability of SWISCo operational sites					
Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
SWISCo, in conjunction with Torbay Council, the landlord, shall establish, implement and maintain an Asset Management strategy for the future serviceability and operational capability for all its major sites. The strategy shall include an agreed investment plan which will be informed by the carbon neutral and sustainability targets of the business and Local Authority.	Asset Management strategy	Head of business, commercial and support services	Yes	July 2021	March 2023



INFORMATION MANAGEMENT & SYSTEMS (I.M.S.)

Our Company Ethos



SMART Action Plan

Theme 1: ONE SYSTEM

STRATEGY DEVELOPMENT

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop Expression of Interest covering SWISCo front line services and submit to Procurement	EOI	Project, Innovation & Systems Manager	Yes	May 21	May 21
Work with Procurement to select the right product for SWISCo and use the G-Cloud framework	Procurement Framework	Project, Innovation & Systems Manager	Yes	May 21	Jun 21
Work with Heads of Service, IT and COO to prioritise roll out of the ONE SYSTEM working on areas where contract run out in 2021.	Project Plan	Project, Innovation & Systems Manager	Yes	Jun 21	Jul 21

Page 113



CUSTOMER FOCUS

Our Company Ethos



Be professional and positive in our approach

Treat everyone fairly and equally with respect and dignity.

Be courteous, helpful, open and honest in delivering high quality services

Be well informed, so that we can help customers

Use language that is clear and easy to understand

Get things right first time, take ownership and collaborate effectively to provide seamless customer service

Listen and respond to customers when they have a query, are dissatisfied or complain

Promote personal responsibility and accountability for dealing with issues

Always look to acknowledge and respond to enquiries and complaints within agreed timescales

Regular Performance monitoring by the Senior Leadership to ensure a consistent high standard of customer service

“Working to Torbay Council’s Customer Care Standards”

SWISCo

CUSTOMERS

SMART Action Plans

Theme 1: CUSTOMER FOCUS

STRATEGY DEVELOPMENT

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop and implement the Company Customer Service Protocol	Approval Document	COO	Yes	May 21	July 21
Roll out 'Customer Shoes' training/guidance linked to launch and promotion of Company Business Plan and Annual Employee Appraisals/Reviews	Staff Presentations	COO	Yes	June 21	Oct 21

Page 115



WORKING WITH OUR COMMUNITIES

Our Company Ethos



Page 116



SMART Action Plan

Theme 1: COMMUNITY ENGAGEMENT

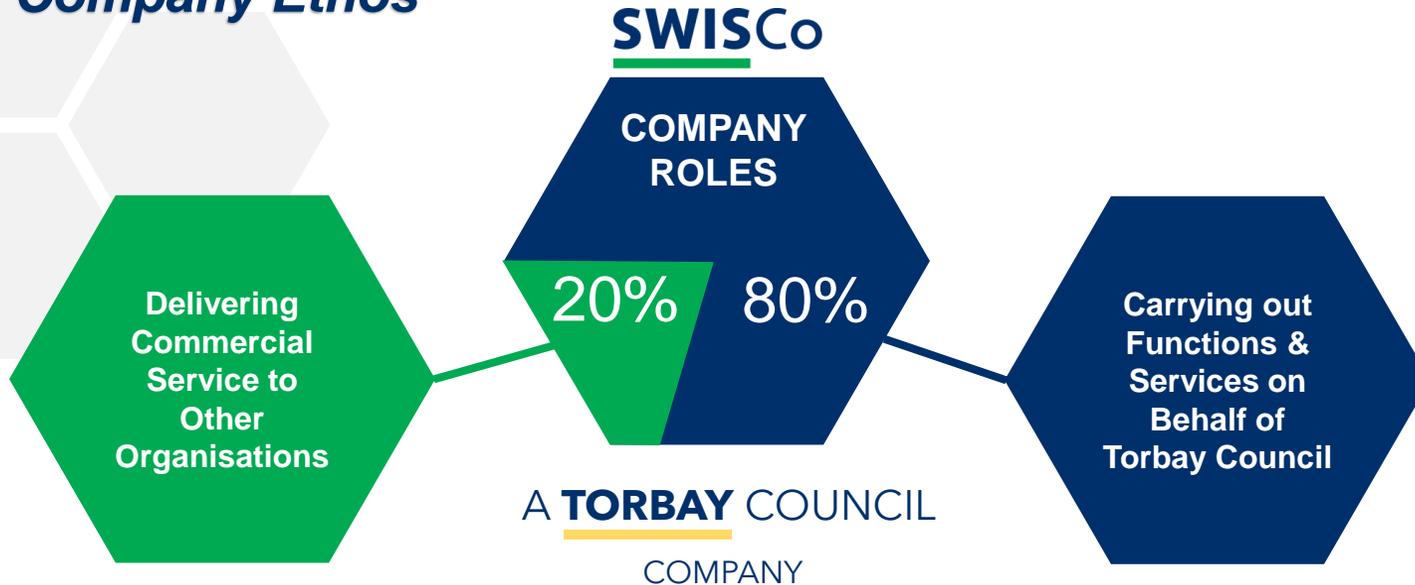
COMMUNITY ENGAGE PLAN 2021

Specific Action	Measurable – What dataset	Achievable – Who is responsible in SWISCo	Relevance – Type of Work	Time bound – Start & Finish	
Keep Britain Tidy Great British Spring Clean	Torbay Council Engagement Plan	SWISCo Team	Campaign	28 May	13 Jun
Open Spaces – Torbay Green Space forum		Head of P&GI	Engagement	May 21	May 21
Recycling – Information for Schools		Head of W&R	Campaign	24 May	24 May
Open Spaces – Blue Flag and Seaside Award Announcements – One Torbay, Spaces to Thrive, Blue Flags		Head of P&GI	Campaign	Jun 21	Jun 21
#PlasticFreeJuly		Head of W&R	Campaign	Jul 21	Jul 21
Open Spaces – Torbay Green Spaces Forum		Head of P&GI	Engagement	Aug 21	Aug 21
Recycle Week		Head of W&R	Campaign	21 Sep	27 Sep
First Planting of Trees under Tree Warden Scheme		Head of P&GI	Comms	Sep 21	Sep 21
Paignton & Preston Sea Wall – Ahead of Start of build in Autumn		Head of H&F	Engagement	Sep 21	Sep 21
Approval of Torbay-wide Draft Carbon Neutral Plan		SWISCo Team	Comms	Oct 21	Oct 21
Draft Torbay-wide Carbon Neutral Action Plan		SWISCo Team	Consultation	Nov 21	Apr 22
Open Spaces – Torbay Green Space Forum		Head of P&GI	Engagement	22 Nov	22 Nov



MARKETING & BRANDING

Our Company Ethos



Page 118

- Service requests come through Company website, Council website to have references to Company and divert this activity
- All business-to-business and commercial service information to be on Company website only
- All associated marketing material, third party work case studies etc to be Company branded
- Vehicle livery, uniforms and other company assets to be Company branded

- Operational service requests come through Council website, references to SWISCo but usual Council branding of web pages and forms
- All resident-facing information to be on Council website only
- All marketing material and social media content and campaigns to be Council branded
- Signage for public facilities/ services to be Council branded
- Principles to apply to any sub-contractors



SMART Action Plans

Theme 1: MARKETING & BRANDING

STRATEGY DEVELOPMENT

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop & Implement Marketing & Branding Strategy for Council Functions & Services including website development	Revision of Website	COO	Yes	May 21	July 21
Develop & Implement Marketing & Branding Strategy for Commercial Services including website development	Revision of Website	COO	Yes	May 21	Sept 21

Page 119



WASTE & RECYCLING SERVICE ACTION PLAN

Principles

Reflecting on the principles with the Community and Corporate Plan, our approach in delivering our Resource and Waste Management Strategy is described below.

- ◆ **Enable our communities:** We will involve and empower Torbay's residents to take positive action to reduce the amount of waste we generate, increase the reuse of products and increase our recycling rates.
- ◆ **Use reducing resources to best effect:** We will work to reduce the amount of waste that we generate in Torbay, reusing goods and materials wherever possible.
- ◆ **Reduce demand through prevention and innovation:** We will put in place initiatives and mechanisms (including improved education, engagement and communication) which aim to reduce the amount of waste we generate, in particular reducing the amount of residual waste that we dispose of.
- ◆ **Integrated and joined up approach:** We will work to meet the Government's plans for resource and waste management and will seek to enable adoption of new legislation as and when it is introduced. We will work to ensure consistency of collections across neighbouring local authorities, aligning our Strategy with the Devon Resources and Waste Strategy and providing opportunities for partnership working towards shared objectives.

HEAD OF WASTE
& RECYCLING



Page 120

HARTLEY



WASTE & RECYCLING SERVICE ACTION PLAN

Aims

In implementing the Strategy, Torbay Council aims to:

- ◆ Encourage positive behaviour change in order to facilitate management of waste further up the waste hierarchy within Torbay's households.
- ◆ Increase the recycling rate and contribute towards the national targets of 55% recycling by 2025 and 60% by 2030.
- ◆ Reduce the amount of waste sent for energy recovery and disposal, thereby reducing carbon emissions and the associated financial costs
- ◆ Develop a resilient service which can adapt to new technology and changing legislation.

HEAD OF WASTE
& RECYCLING



Page
121

HARTLEY



SMART Action Plans

Theme 1 : Increased Education, engagement and communication

Headline Action: Deploy Recycling Support Co-ordinators (RSC's)

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Using the Recycling Support Co-ordinators, identify from round participation monitoring which households are not recycling to their full capacity or at all, especially concentrating on Food waste. Use intelligence already available from round data and crews, where to concentrate most effort. This will show quickest gains not only for increased recycling, but also help collection crews speed up collections.	Participation monitoring data	Strategy & Performance Manager	Yes	01/12/2020	31/12/2022
From the participation monitoring data specifically advise the relevant households which materials they need to present	Participation monitoring data	RSC's	Yes	01/12/2020	31/12/2022
Then Sticker the residual bins where no food waste is being presented letting the householder know that food waste should not be put in the residual bin. At the same time leaflets will be delivered explaining the benefits of food waste recycling, not only for Climate change, benefits to the Council, but that it can be a significant cost saving exercise for the household to review how it manages food use and its subsequent disposal.	Participation monitoring data	RSC's	Yes	01/12/2020	31/12/2022
Where the issue is not just food waste but with the dry recycling presentation, this will again be explained with a delivered leaflet and recycling box stickers to help the resident not only recycle more, but ensure that they put the right material in the right box.	Participation monitoring data	RSC's	Yes	01/12/2020	31/12/2022
Clarify the importance of putting the right material in the right container. The right material in the right box message is to help efficiency for the collection crews so they can reduce collection times, as well as reduce contamination issues with the recycled material collected.	Participation monitoring data	RSC's	Yes	01/12/2020	31/12/2022
Identify other front line Council/partner workers who can spread the message (health visitors/carers/GPs re nappies and adult sanitary products). Clearly explain on Torbay's website and distributed literature that if any household has containment issues due to nappies or adult sanitary products then a solution will be found to help them.					



SMART Action Plans

Provide clear information explaining the variety of materials that can be recycled

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
SWISCo website to be developed (and Torbay Council website content confirmed)	Website	TC web team	Yes	Apr-21	Sep-21
Article included in Torbay Weekly, detailing what can be recycled	Number sent	Comms team	Yes	Complete for 2021, but do annually	
Leaflets clarifying what can be recycled in your specific household to be included with Council Tax bills. These are currently with in-house design team, being updated so that they can be sent out with Council Tax bills in March 2021	Number sent	Torbay Council	Yes	Complete for 2021, but do annually	
Recycling box stickers re-issued again to the specific households that have a kerbside sort collection from boxes.	Number issued	RSC's	Yes	Continuous	
Use the RSC's and communications team to relaunch the home composting offer that Torbay currently advertises on its website	Number issued	RSC's and Comms	Yes	May-21	ongoing
In areas where it is not clear which property has or has not presented recycling for collection, such as flats and buildings of multiple occupancy, tailor the communications sensitively so that householders that have presented correctly, do not feel they are being wrongly targeted.	Properties/roads identified	RSC's and Comms	Yes	May-21	ongoing
Draft a Business case to appoint further Recycling support co-ordinator (RSC) posts to help to speed up the education programme. Once the performance of the current employed RSC's can be evaluated, it will be clear what benefit further staff would give to the business in the form of recycling gains and Climate change improvements	RSC' programme and performance measurement	Strategy & Performance Manager	Yes	01/04/2021	31/12/2021
<ul style="list-style-type: none"> · Increase in awareness levels by residents for key issues around Contamination and Recycling/Composting · Increased levels of Home Composting and reduction of Food Waste · Increased capture of Recyclable and Compostable materials from the residual waste stream · Reduction in Contamination of collected Recyclable and Compostable material · An overall increase in the recycling rate in the respective Councils' low to medium performing areas · A decrease in the overall waste arising's in each of the Councils' low to medium performing areas · Decrease in Residual Waste from households · Increase awareness levels of carbon savings benefits of waste prevention, reuse and recycling. 	Qtr. Reports from DCC	Strategy & Performance Manager	Yes	01/04/2021	31/03/2023
This will be achieved by continued door knocking methodology, and once COVID 19 permits and so far this has resulted in over 3000 households visited over a period of 4 years with over 1000 recycling containers issued and over 5000 contact cards issued where residents weren't home.					



SMART Action Plans

School Education Programme					
Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
COVID 19 permitting, re-engage with a company that we have used for many years, to continue informing pupils and staff at Torbay's schools about how to manage waste at home in the best way, again following the principles of the waste hierarchy. We will look to target at least 50% of all Torbay Schools in the first two years. One of the recent projects was called The Monster bin and stickers were supplied to primary schools so that the pupils could make their food caddy into a monster who liked eating recycled food which was very positively received.	Qtr. Reports from Educators	Strategy & Performance Manager	Yes	Sep-21	Mar-23
Continue to cover the transport costs for school visits to the Energy from Waste plant in Plymouth explaining the benefits of not sending residual waste to landfill and how the clean energy is used in Devonport Dockyard for heating, as well as generating energy, which when there is surplus is supplied to the national grid.	Take up of budget	Strategy & Performance Manager	Yes	Annually Review	
Identify high performing recyclers and maximise recycling rates					
Identify from round participation monitoring which households are recycling almost to their maximum and learn why their areas so successful	Participation Monitoring	RSC's	Yes	01/12/2020	31/12/2022
Establish a recycling champion's network and set a target to have up to 10 in Torquay, Paignton and Brixham. This was something that a neighbouring authority undertook to help to get the recycling message across to their local communities.	Number of Champions	Strategy & Performance Manager	Yes	Aug-21	Ongoing
Give confidence to residents about impact of increased recycling, especially on climate change targets					
Identify what media streams efficiently post the successes in increasing recycling, reduced disposal, climate change improvements and reinvestment following budget reductions. Any net Carbon gains will also be shared with Torbay Councils Climate change officer, Jacqui Warren.	Media hits	Comms Team / Climate Emergency Officer	Yes	Ongoing	

Page 124



SMART Action Plans

Make collections as easy as possible for collection crews

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Ask the crews to be the eyes and ears on rounds to identify where problems are so that specific improvements can be made.	Talk to all staff	HoS W&R	Yes	May-21	Ongoing
Formulate a Domestic Waste Collection Policy for Torbay Council, clarifying responsibilities, statutory duties, side waste policy, Fly tipping policy and enforcement powers	EPA (1990)	Strategy & Performance Manager	Yes	Jun-21	Sep-21
Identify enforcement programme (as a means of last resort) - Torbay Council want to work with its residents to recycle as much as they can, so it is hoped that no enforcement is necessary to improve recycling rates.	Number of actions	Housing Standards & Environmental Protection Manager	Yes	May-21	Ongoing

Improve engagement with collection crews

Identify SWISCo's requirements of its collections crews, how can their collections be made easier and more efficient, by establishing what barriers they face to provide an efficient service. An efficient service will give confidence to the residents who will then more easily engage in education programmes	Collection times	HoS W&R	Yes	May-21	Ongoing
Inform the collection crews of efficiency changes, so that they are on board with all change and can positively help to ensure improvements happen. The main topic is to ensure residents put the right materials in the right containers and the website makes this very clear, https://www.torbay.gov.uk/recycling/what-goes-in-my-bin/recycling-boxes. If this can be achieved it will make it easier and quicker for the crews to collect, mitigating delayed collections especially at busy times like Christmas.	Pass Rates	HoS W&R	Yes	May-21	Ongoing

Page 120



SMART Action Plans

Theme 2 : Monitor and publicise waste volumes and recycling rates

Raise awareness of how much waste households generate

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish
Continue to monitor the amount of residual waste generated by each household in Torbay.	NI 191	Strategy & Performance Manager	Yes	Ongoing Qtly WDF returns
In 2019-2020 Torbay Council managed over 65,000 tonnes of waste. 62% (over 41,000 tonnes) of this was collected directly from households using the kerbside collection services, with 23% of the waste and recycling brought to the Household Waste Recycling Centre (HWRC). 10% is waste and recycling from commercial sources, 4% generated by street cleansing and 1% from bring banks and third party sources.				
The amount of residual waste each household in Torbay disposes of each year has decreased from 754 kg per household in 2006/07, to 523 kg per household in 2019/20, a decrease of nearly a third (30%).				
Continue to monitor the percentage of household waste reused, recycled or composted by each household in Torbay.	NI 192	Strategy & Performance Manager	Yes	Ongoing Qtly WDF returns
The percentage of household waste being reused, recycled, and composted (NI 192) in Torbay has increased from 28.08% in 2007/08 and stands at 40.2% in 2019/20.				
Continue to monitor the percentage of Municipal waste sent to Landfill in Torbay.	NI 193	Strategy & Performance Manager	Yes	Ongoing Qtly WDF returns
Torbay Council is a Zero waste to landfill Authority, which means in simple terms that of the waste mentioned above none of it goes to landfill, it is either recycled or is sent to the Energy from Waste plant in Plymouth, where it generates heat and power.				

Page 26



SMART Action Plans

Deliver the “Don’t Let Devon Go to Waste” campaign

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish
Continue this ongoing campaign and work with our communications team within Torbay Council to promote in partnership with Devon County Council.	Web Hits and review benefits	Jointly with DCC	Yes	Ongoing
Don't Let Devon Go To Waste / Recycle Devon is a joint campaign, funded by the Devon Authorities Strategic Waste Committee, focussing on waste communications, promoting the waste hierarchy targets in Devon and Torbay – it includes a website, public relations, social media, one-to-one engagement and publications. www.recycledevon.org				

Deliver “Love Food, Hate Waste” campaign

Continue this ongoing campaign and work with our communications team within Torbay Council to promote in partnership with Devon County Council.	Web Hits and review benefits	Jointly with DCC	Yes	Ongoing
Don't Let Devon Go To Waste / Recycle Devon is a joint campaign, funded by the Devon Authorities Strategic Waste Committee, focussing on waste communications, promoting the waste hierarchy targets in Devon and Torbay – it includes a website, public relations, social media, one-to-one engagement and publications. www.recycledevon.org				
From the SWISCO database of commercial waste collectors we can identify all the food outlets and restaurant’s and encourage them to promote the “Love Food, Hate Waste” campaign	ECHO	Project Innovation & Systems Manager	Yes	Oct-21 Ongoing

Promote availability of additional containers

Promote the message that any resident that wants to recycle more can have free access to the required number recycling containers, so that less waste is sent to the Energy from Waste plant to be disposed.	TC web hits and leaflet returns	Strategy & Performance Manager & RSC’s	Yes	Ongoing
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SMART Action Plans

Theme 3 : Changes at the Household Waste and Recycling Centre

Introduce charges for non-household waste

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Introduction of charging for non-household waste. Charging was introduced to bring Torbay in line with the rest of Devon, to reduce the amount of residual waste generated in Torbay. Torbay Council only has a legal obligation to provide recycling centre facilities for household waste – waste arising from the day to day running of a household. Items resulting from the repair or improvement of houses, for example, DIY type waste, is classified as construction waste and there is no requirement for us to provide any service for the disposal of this material or accept it free of charge.	Payment System	HoS Business Commercial & Support Services	Yes	01/12/2021	Ongoing

Book a slot at the Recycling Centre

Continued use of booking system at HWRC. Continual monitoring this system controls access and gives real time usage information that can help with the management of the site. This was brought about following the first COVID 19 lockdown restrictions and as it was so successful it will remain in place. It has also alleviated a queuing problem on the road leading up to the recycling centre which often caused an obstruction to other users on the Yalberton Industrial estate. It can also be used to deliver recycling and other messages to those who opt in, when making a booking.	Software reports	Strategy & Performance Manager	Yes	Jun-20	Ongoing
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Require that waste is separated for recycling prior to arrival

Requirement for waste to be pre-sorted prior to attendance at HWRC.	No	Website/ HWRC Manager	Yes	Sep-21	Ongoing
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Ensuring maximum recycling achieved at the recycling centre

Ensure maximum recycling is achieved at the recycling centre, by raising awareness (through social media and other channels) of the need to separate recyclables before arriving at the centre. Where this is not done in advance, Officers will check the contents and either recyclables will need to be sorted on site, or the resident will need to return home to do so. This will reduce the amount of waste sent to the Energy from Waste plant. In Wales this scheme was introduced and it saw a 15% reduction in residual waste at their HWRC's	No	HWRC Manager	Yes	Sep-21	Ongoing
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SMART Action Plans

Theme 4 : Introduce a garden waste collection service

Develop Business Plan to Introduce garden waste collection service

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
<p>Develop a business plan for the introduction of a garden waste collection service. Likely resources to be considered:-</p> <ul style="list-style-type: none"> • Is it all households with a garden (possibly up to 45,000 properties) • Is it only an opt charged for service in service (possibly up to 15,000 properties) • Dependant on properties serviced how many vehicles will be required • Is leasing vehicles initially the best option until participation numbers established • Dependant on properties serviced how many crew will be required, drivers increasingly difficult to find across the UK, so restoring the driver academy crucial. • Dependant on properties serviced how many containers will be required and what type will work best, again look at best practice across councils • If the government don't insist on a free service what will the annual fee need to be, again look at what other councils charging • If it's an opt in service how will subscriptions be managed, marketed and publicised will this require extra resource (Customer call centre) • Use best practice form authorities already providing this service on all aspects of provision • Does the current team have the capacity to deliver this quickly, as it is a major new project • Look to develop communications by the end of July, to coincide with all adults in the UK being vaccinated, advising of a new service coming to all residents that want to opt in • Use seasonal analysis data from other authorities to establish if it needs to be an all year round service 	<p>This is dependent on provision to all Household with a garden or just those who require service</p>	<p>HoS W&R/ Project, Innovation & Systems Manager</p>	<p>Yes</p>	<p>May-21</p>	<p>Oct-21</p>



SMART Action Plans

Theme 5 : Review collection from flats and multiple occupancy buildings

Review waste and recycling collections					
Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Carry out review of current service to ensure a regular service is maintained.	Round Data	HoS W&R	Yes	Mar-21	Sep-21
Education at single occupancy households will be phase one of focussed approach and once that is complete, then flats and multiple occupation properties will be looked at in phase two	Participation Monitoring data	HoS W&R	Yes	Mar-22	Sep-22
Provide advice to developers					
This document will be reviewed to ensure all content is up to date and in line with any national guidance. Often new developments do not fully consider waste containment as a priority, this is why the 'Refuse storage for new and converted residential properties: A developers guide' has been produced, explaining how many litres of containment and for what materials are required for each dwelling. Waste storage guidance - Torbay Council	Planning applications	Strategy & Performance Manager	Yes	Jul-21	Sep-21

Page 130



SMART Action Plans

Theme 6 : Develop commercial waste services

Develop commercial waste and recycling customer base

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
<p>Develop a Business case for SWISCO to expand the commercial waste collection to all businesses in Torbay. SWISCO already encourages Commercial businesses in Torbay to recycle by offering preferential rates for materials separately collected for recycling, instead of just picking up a waste that is mixed which can only be taken to the Energy from waste plant (EFW) to be disposed, as recycling plants will not accept as they will consider it contaminated.</p>	Waste & Recycling Software	HoS W&R/ Project Innovation & Systems Manager	Yes	Sep-21	Mar-22
<p>Manage any Commercial waste collections in line with the new Government Resource and Waste Strategy. This Strategy will force some businesses to recycle more, as they will be responsible for the costs of all the packaging that they produce as defined in the Extended Producer Consultation (EPR). EPR is the most significant restructure of the UK's Packaging Waste Regulations since this legislation was implemented in 1997. EPR will see the cost of collecting household waste switch from the taxpayer to producers, therefore making producers responsible and providing them with the incentive to produce less waste and demonstrate a deeper commitment to reducing their environmental impact. A copy of this and the other three current consultations as part of the Government Resource and Waste strategy can be found by clicking on the links below: Resources and waste strategy for England - GOV.UK (www.gov.uk) This link takes you to current national strategy documents. Packaging waste: changing the UK producer responsibility system for packaging waste - GOV.UK (www.gov.uk) This link is to the EPR consultation info including the summary of responses.</p>	Government Consultations	Waste Strategy team	Yes	2023 Ongoing	



SMART Action Plans

Theme 7 : Review of recycling banks

Review the current level of provision of the recycling banks

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Review the current recycling bank provision and assess case for additional recycling banks for materials such as cardboard, plastic and cans. This could help those householders with little room in or outside their property, but who want to contribute to the climate emergency and recycle as much as they can.	Weighbridge	HoS W&R	Yes	May-21	Dec-21
Review how other authorities manage their recycling bank provision. Teignbridge District Council currently have cardboard banks and through shared intelligence this option can be explored. By looking at best practice from other authorities, decisions can be made on how appropriate this service can be in Torbay.	Information sharing with similar Authorities	HoS W&R	Yes	May-21	Dec-21

Page 132



Risk Register

Risk	Impact	Likelihood	Score	Action	Who	When	Impact	Likelihood	Score
Waste & Recycling Collection not done on correct day	4	4	16	Driver Academy - more drivers to fulfil the round	Head of W & R	Jun-21	2	2	4
Uncompetitive pay rates, increased levels of agency cover results in an increase of overtime and overall costs to the service	4	4	16	Driver Academy - more drivers to fulfil the round	Head of W & R	Jun-21	2	2	4
Inability to recruit drivers - impacts service reliability and reputational risk to SWISCo & Torbay Council	4	4	16	Driver Academy - more drivers to fulfil the round	Head of W & R	Jun-21	2	2	4
EA Compliance - Due to failure to comply with EA regulations. Risk of site being closed, unable to fulfil statutory duties.	5	3	15	Any change to the waste permit will require a re-write of the fire safety plan. This is likely to highlight the requirement for additional fire suppressant measures which will be a significant cost	Head of W & R	When permit needs changes	2	2	4
Baler - breakdown and/or replacement - significant downtime, leads to loss of revenue, storage issues would result in recyclates income dropping	5	4	20	Complete business case for replacement and associated removal/installation costs, including lost income	Head of Business, Commercial & Support	Jun-21	4	2	8
Change in Government Legislation results in increased costs to deliver Waste & Recycling Services - Green Waste, Residual Collection.	4	4	16	The three consultations currently under review need to be fully funded with regard to net cost recovery. The concern is that funding from the producers may be taken away by central government in the LA funding formula allocations and we could be worse off financially	Head of W & R	Launch 2023	3	3	9
Extended Producer Responsibility	4	4	16	Any changes to the material being collected must be fully funded and end markets set up prior to its introduction	Head of W & R	Launch 2023	3	3	9
Deposit return scheme	4	4	16	if DRS reduces materials collected at the kerbside significantly and Torbay Council is not compensated through the formula correctly then there will be a shortfall on SWISCo's budget	Head of W & R	Launch 2023	3	3	9
Consistency	4	4	16	If three weekly collection is not an option then increasing the recycling rate significantly could be a problem. Also the introduction of free kerbside green waste collections will again be reliant on sufficient HGV drivers	Head of W & R	Launch 2023, but introduction of a opt in Garden waste service wanted by council ASAP	3	3	9
Failure of ECHO System	3	5	15	New System	Projects, Innovation & Systems Manager	Oct-21	3	2	6
Commercial Waste - operational capacity to deal with an increase in customers.	4	3	12	Driver Academy - more drivers to fulfil the round and business case to identify when tipping point reached and additional vehicle needed	Head of W & R	Aug-21	3	2	6

Page 13 of 33



PARKS & GREEN INFRASTRUCTURE SERVICE ACTION PLAN

HEAD OF PARKS &
GREEN
INFRASTRUCTURE



Page 134

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Principles

Reflecting on the approach of Torbay Council Business plan and Community Engagement and Empowerment Strategy.

SWISCo's Park and Green infrastructures approach is an enabling approach to working with our communities within:

- Parks and open spaces
- Sports infrastructure management
- Access to the Countryside
- Public Rights of Way,
- Tree and woodland service
- Grounds Maintenance
- Bio-diversity mitigation and improvement
- Street Cleaning,
- Litter management
- Street Scene.

To include but not limited to Torbay Council's four main visions

Thriving People, Thriving Economy, Tackling Climate Changes and Council fit for future.



SERVICE ACTION PLAN

HEAD OF PARKS &
GREEN
INFRASTRUCTURE



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Page 135

Aims

Thriving People

- Protect and involve children and young people.
 - Develop a playground asset management plan, risk analysis and maintenance plans to include a play development opportunities framework.
- Make greater use of our natural assets and cultural offer.
 - Continue to support the development opportunities and maintenance objectives of our open spaces and park to ensure they are fit for purpose by supporting community and event use.
- Support healthy, physically active lives for all.
- Promote good mental and physical health, reducing the occurrence of preventable illnesses.
 - Continue to maintain and support enhancement of access to the countryside with Public Rights of Way and South West Coast Path, maintain to a high standard parks and open spaces, work with partner organisations for supportive use of open spaces.

Thriving Economy

- Capitalise on the unique strengths of our economy.
 - Working in partnership with resident group, friends of groups, community patronships and the tourism sector for a clean and green Torbay.
- Focus on areas of significant deprivation.
 - Working with the community to help continue delivery of public open space and access to the countryside.
- Close the educational attainment gap and broaden the skills base within the workforce.
 - Develop an action plan for skills shortage within the Horticultural and Arboricultural sector by the development of partnership with education providers to support modern apprentices, intern scheme and Graduate programmes.



SERVICE ACTION PLAN

HEAD OF PARKS &
GREEN
INFRASTRUCTURE



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Aims

Tackling Climate Changes

- Reduce Torbay's carbon footprint.
 - Review and continue to develop a fleet management plan for the service area to use innovative technologies to reduce carbon footprint.
- Implement re-wooding and rewilding.
 - Review existing management and maintenance plans to deliver an ecologically valued parks and open space management plan. Deliver a transparent and educational iTree programme to value Torbay's Urban forest and establish tree planting priorities.

Council fit for future

- Use technology to drive change.
 - Develop and promote innovative technology to support service improvement and resilient service delivery.
- Promote community resilience.
 - Continue the partnership and community development with friends of groups and community partnerships.



SMART Action Plans

Theme 1: GREEN INFRASTRUCTURE (GI)

GREEN PLAN

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop and implement a Green Infrastructure Strategy & Action Plan (Open Spaces Strategy)	Strategy Action Plan	HoS P&GI	Yes	May 21	Jul 22
Promote, develop and continue to support a tree warden scheme to help promote community engagement and participation to protect and enhance Torbay's tree canopy cover.	>25 tree wardens trained and engaged.	GI Manager. Communities Manager. Communications and Engagement Officer.	Yes	May 20 21	Ongoing
Completed with the support and development of volunteers (Tree Wardens) Torbay's iTree 2 programs. To establish to true value of Torbay Urban Forest, where planting is missing and what trees will thrive for future generation.	. Publication of Tree Planting design matrix 'Right Tree Right Place'	GI Manager. Tree Warden Network	Yes	Jul 2021	Dec 2021
Produce a Carbon improvement plan for Torbay's Urban Forest, following the data from iTree.	Formalise a tree planting target to achieve >150 trees planted and established annually in an urban setting.	GI Manager	Yes	Jul 2021	Jul 2022
Develop a community empowerment and participation Tree and Woodland Framework	Publication of Working documentation and Policy - Tree and Woodland Framework	GI Manager. HoS Parks & Green Infrastructure	Yes	Jun 2021	Apr 2022

Page 137



SMART Action Plans

GREEN PLAN					
Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Review and develop the use of innovation and technology for a improve, resilient and efficient service delivery. Move from EzyTreev systems to preferred share IT environment	Included under the EOI on 'One System'	GI Manager. Project Systems and Innovations Manager	Yes	Oct 2021	Oct 2022
Develop a working contract/partnership of Arboricultural Contractor, to establish work patterns, roles and responsibilities and included added value to the business.	Procured NEW 10 Year Contract/Partnership	GI Manager. Ho S Parks & Green Infrastructure	Yes	Jan 2022	Ongoing
Develop supporting matrix for service improvement and delivery in line with the emerging HM Government A Green Future 25 Year Plan to improve the Environment.	Environment Value creation in line with HM Government Environment Bill (Supporting Matrix)	GI Manager	Yes	Oct 2021	Apr 2023
Establish a Professional Membership with an accredited body for Tree professional staff.	Two tree professional accredited with Professional Status	HoS Parks & Green Infrastructure Manager. Senior HR Advisor	Yes	Jun 2021	Mar 2023

Page 138



SMART Action Plans

Theme 2: PARKS & GROUNDS MAINTENANCE (PG&M)

PARKS & GROUNDS MAINTENANCE

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Identify priority Parks and Open spaces and support the creation of Parks Management Action/Plans with friends of groups or standalone action plans.	Parks management Plans working with Communities and parks Friends of Group. Complete >10 Action Plans	PG&M Manager. Groundwork South Partnership	Yes	Jun 2021	Jun 2022
Develop an Award system for the management of parks, like or with Green Flag, RHS in Bloom. Develop the SWISCo company profile with professional bodies such as British Association of Landscape Industries (BALI), Parks Communities, Parks Alliance, Keep Britain Tidy. Achieve a professional status within the service and develop/support active community partnership.	Achieve 5 Green Flag award standard Parks (or similar). Achieve a professional status within the service and develop/support active community partnership.	PG&M Manager.	Yes	Jul 2021	Sept 2022
Develop and continually review a Local Grass verge good management scheme for the improvement of biodiversity on highway grass verges.	Publish actions plans and continually communicate maintenance schedules.	PG&M Manager.	Yes	Jul 2021	Oct 2022
Continually review and develop the use of innovation and technology for an improved, resilient, and efficient service delivery.	Development of 3 Local depots strategically identified and operational in key locations around the Bay, supplied and supported by effect equipment and fleet. Included under the EOI on 'One System'	PG&M Manager Projects, Innovation & Systems Manager	Yes	Jul 2021	Oct 2022

Page 139



SMART Action Plans

PARKS & GROUNDS MAINTENANCE

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop an Ecological Improvement Plan for parks, open spaces and highways green infrastructure to improve and manage natural habitats.	Actively manage bio-diversity planting areas in parks and highways verges. Identify >10 sites	PG&M Manager	Yes	Jul 2021	Oct 2022
Develop a community support process of cultivation licences that can encourage and support community empowerment to maintenance of highway verges and community Parks	Produce a customer focused Cultivation licence scheme.	PG&M Manager.	Yes	Sept 2021	Sept 2022
Develop supporting matrix for service improvement and delivery in line with the emerging HM Government A Green Future 25 Year Plan to improve the Environment	Environment Value creation in line with HM Government Environment Bill (Supporting Matrix)	PG&M Manager.	Yes	Oct 2021	Apr 2023
Develop and continually review business position with regards to Integrated Weed Management for Street for Parks, Open Spaces and Sport facilities. (Chemical free environmental management)	Produce a local policy for Integrated weed Management	PG&M Manager.	Yes	Jul 2021	Apr 2022
Increase workforce to include modern apprenticeships programs, sponsored education or on a graduate scheme for SWISCo	Workforce planning strategy for SWISCo	HoS Parks & Green Infrastructure Manager. Senior HR Advisor	Yes	Jul 2021	Jul 2022

Page 140



SMART Action Plans

Theme 3: ENVIRONMENTAL QUALITY (EQ)

EQ PLAN

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Develop a Torbay Local Environmental Quality Action Plan. To establish marginal values for eleven diverse local environmental quality factors. These are: urban quiet areas; fly-tipping; litter; detritus; fly-posting; graffiti; dog-fouling; chewing gum; trees (leaf litter); light pollution; and odour. The approach will follow five main local objectives: 1. Asses current situation 2. Estimate changes in local factors (the seasonal uplift) 3. Quantification of the affected population 4. Valuation (monetisation) of impacts 5. Description of uncertainties	Local Variant of National Indicator (NI195) Bin infrastructure asset plan.	EQ Manager. HoS Parks & Green Infrastructure. Environmental Health TBC Projects, Innovation & Systems Manager	Yes	Jun 2021	Oct 2022
Sustainable approach for use of herbicide control methods on street scene, review alternative and continually establish risks and financial constraints over opportunities.	Produce a local policy for Integrated weed Management	EQ Manager. Parks and Ground Maintenance Manager	Yes	Jul 2021	Apr 2022
Development of It's Your street/neighbourhood community programmes.	Produce a customer focused and supportive 'It's your Neighbourhood' scheme. Engage and support >3 groups	EQ Manager. Communities Manager	Yes	Jun 2021	Jun 2022
Continually review and develop the use of innovation and technology for an improved, resilient, and efficient service delivery. Development of new IT systems with in-cab technology.	Included under the EOI on 'One System'	EQ Manager. Projects, Innovation & Systems Manager	Yes	Jul 2021	Oct 2022
Develop supporting matrix for service improvement and delivery in line with the emerging HM Government A Green Future 25 Year Plan to improve the Environment	Environment Value creation in line with HM Government Environment Bill (Supporting Matrix)	EQ Manager	Yes	Oct 2021	Apr 2023



SMART Action Plans

Theme 4: COMMUNITIES

COMMUNITIES					
Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Continue the development and management of the Public Convivence contract and service. Continue and improve the participation date and costs reduction of service delivery.	PI for the service delivery with third party Healthmatic. Identify a Cost per user data for each facility on a quarterly basis	Communities Manager. Projects, Innovation & Systems Manager	Yes	Jul 2021	Oct 2021
Develop continued partnership with Groundwork South of parks Friends of Group (FOG's) and Community partnerships. Move to a longer-term Service Level agreement (3 Year). Increase Parks fiends of Groups (FoG's)	Achieve a longer-term SLA (3 Years). Achieve >10 constituted Parks Friend of Groups. Quantify community support hours of >3000 per year.	Communities Manager Parks and Ground Maintenance Manager	Yes	Jul 2021	Sept 2021
Develop and educational program and community support roles with the Community Rangers. Continue the development of the Community Ranger service to identify value.	Public to values and opportunities of the Community Ranger Service. Deliver >3 education community talks	Communities Manager Parks and Ground Maintenance Manager	Yes	Oct 2021	Mar 2021
Develop and manage a loan system for community toolkits to support friends of groups and community partnerships	Achieve sponsorship and map process for loan system	Communities Manager Parks and Ground Maintenance Manager	Yes	Oct 2021	Mar 2021

Page 142



SMART Action Plans

COMMUNITIES

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Establish the new Countryside Park at Westerland Valley, being developed with the community for the future flood alleviation scheme and bio-diversity net gain opportunities.	Environment Value creation in line with HM Government Environment Bill (Supporting Matrix) Developed and monitoring date working for the storm water management of Clennon Valley water course.	HoS Parks & Green Infrastructure Communities Manager Parks and Ground Maintenance Manager	Yes	Jul 2021	Jul 2024
Develop a strategy/contract for the replacement and management of festoon and decorative illuminations with parks and promenades	Procured NEW 3 Year Contract/Partnership	HoS Parks & Green Infrastructure Communities Manager HoS BCSS	Yes	Oct 2021	Jun 2022
Continue to develop Public Rights of Way and SW Coast path improvement plans in line with statutory responsibilities.	Publication of Working documentation and Policy - Public Rights of Way Improvement Plan	Communities Manager. HoS Highways & Fleet	Yes	Oct 2021	Oct 2022
Support the development a Tree Warden Scheme with Green Infrastructure manager and Tree Council.	>25 tree wardens trained and engaged.	Green Infrastructure Manager. Communities Manager. Communications and Engagement Officer.	Yes	May 2021	Ongoing
Develop supporting matrix for service improvement and delivery in line with the emerging HM Government A Green Future 25 Year Plan to improve the Environment	Environment Value creation in line with HM Government Environment Bill (Supporting Matrix)	Communities Manager	Yes	Oct 2021	April 2023

Page 1 of 3



SMART Action Plans

Theme 5 : Litter, street cleansing and fly tipping.

Review these services in line with the SWISCo restructure

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
A complete review is currently being undertaken to see if this service can be undertaken more efficiently. Different teams and even different contractors collect at lots of different locations with a mix of staff and vehicles. This is seen with Torbay Coast and Countryside trust and how their areas are managed. This will be picked up as part of this efficiency review (LEQ).	In-house dataset	HoS Parks & Green Infrastructure	Yes	Dec-20	Sep-21
Prior to the takeover of SWISCO council officers collected data on all locations of the litter bins across Torbay, looking at the container type, its location, frequency of use and which team it is collected by, this data will be updated and finalised.	In-house dataset	HoS Parks & Green Infrastructure	Yes	Jul-20	Sep-21
The action is to streamline this service so that one dedicated team across the whole of the bay collect in the most efficient way. A TUPE process has been completed so as of the 1st April 2021 SWISCO manages the whole bay, except for TCCT areas. The service can now be routed to prioritise litter collections at peak usage times and high usage areas while having the right mix of bins to assist this.	In-house dataset	HoS Parks & Green Infrastructure	Yes	Apr-21	Sep-21
Trial dual bins where recycling can be collected next to residual in the same housing. This has been incorporated in the current Town Deal project at Princess Gardens in Torquay. These bins will be monitored for levels of recycling and contamination and if successful can be installed in other high profile beach and park locations across the Bay.	In-house dataset	HoS Parks & Green Infrastructure	Yes	Mar-21	Sep-21
A review of the street sweeping requirements will also be undertaken, looking at the types of vehicles currently used, the routes currently undertaken and if the priorities are correct compared to the usage of each type of area.	Spreadsheets	HoS Parks & Green Infrastructure	Yes	Mar-21	Sep-21
Electric vehicles and plant will be reviewed for future delivery, and where possible any new equipment can then have the lowest Carbon Impact to help achieve Torbay Council's Climate emergency targets.	Demonstrations by plant providers	HoS Parks & Green Infrastructure	Yes	May-21	Nov-21
Target fly-tipping hotspots to reduce fly tipping. Torbay Council have employed a new enforcement team who can target Fly-tipping hotspots. Fly-tipping can be reported on the Torbay Council website Report fly tipping - Torbay Council and as long as sufficient information is provided they can prosecute any offenders.	Contractor Data	Housing Standards & Environmental Protection Mgr.	Partially / Joint working	Dec-20	Ongoing
Review collection methods so that it is possible for the town sweeper to recycle what they collect	NI 192	HoS Parks & Green Infrastructure	Yes	Jun-21	Ongoing



Risk Register

Risk	Impact	Likelihood	Score	Action	Who	When	Impact	Likelihood	Score
Insufficient tree wardens to deliver strategy, due to poor communications - resulting in an increase in revenue as need to employee consultants	4	3	12	SWISCo to develop inhouse Communications to promote Tree Warden scheme. Use Consultant to carry out survey work instead of volunteers which will result in increased budget pressure.	HoS P&GI	21-Jun	3	3	9
Failure to deliver the One System in required timeframes leads to additional costs/efficiency savings	4	3	12	Continue with existing paper based systems. Service redesign and efficiency savings will not be achieved.	HoS P&GI	Oct-21	4	2	8
Further delay in Government time to push through the Environment Bill, so unsure of matrix for reporting. Level of decision that potentially will impact revenue costings to deliver bill actions	2	4	8	Continue with existing service delivery which may be challenged by residents and Councillors for no clear environmental direction	HoS P&GI	Jan-22	4	2	8
Insufficient Park Friends Groups to deliver strategy, due to poor communications - resulting in an increase in revenue as need to employee consultants	2	3	6	Savings within service may not be achieved and continue with poor staff engagement and moral	HoS P&GI	Mar-22	2	2	4
Members change Council Policy for Chemical Free Weeding results increased service costs	4	4	16	Development of clear policy with H&S risk against financial Risk must be clear and follow national guidance	HoS P&GI	Oct-21	3	3	9
Capacity to achieve professional status and accreditation.	3	3	9	Clear HR Support for CPD of staff required with realistic workforce planning	HoS P&GI	Dec-21	2	2	4
Insufficient funding from the Council results in not having enough capacity and resources to improve the service	4	4	16	Clear justification and reasoning for service redesign to fit with an aspiration of 'Premier Tourist resort'	HoS P&GI	Mar-22	4	3	12
Failure to deliver an equalities impact assessment results in increased costs and gate fee.	3	3	9	Delivery of clear and effective LEQ that is fit for purpose	HoS P&GI	Mar-22	3	3	9
Failure of the council to make available funding to deliver the decorative illuminations	2	4	8	Competitive procurement strategy for cost effective solution, shared and explained to working group	HoS P&GI	Mar-22	3	2	6
Availability of Supply Chain for both people and materials to deliver services	3	3	9	Ensure company is resilient and fit for service delivery	HoS P&GI	Dec-21	3	2	6



HIGHWAYS, FLEET & TRANSPORT SERVICE ACTION PLAN

HEAD OF
HIGHWAYS &
TRANSPORT



Page 146

IAN JONES

Principles

The Highways, Fleet and Transport Service supports the Torbay Council Community and Corporate Plan in the following specific priorities:

- ◆ *Thriving Economy*
- ◆ *Tackling Climate Change*

The Highways, Fleet and Transport Service will be delivered in accordance with the following:

- ◆ *Department for Transport Policy and Guidance*
- ◆ *Torbay Council Highways Asset Management Strategy*
- ◆ *Torbay Council Local Transport Plan*



SERVICE ACTION PLAN

HEAD OF
HIGHWAYS &
TRANSPORT



IAN JONES

Page 147

Principles

Thriving Economy

- The Highway Fleet and Transport service will deliver the statutory local highway authority service on behalf of Torbay Council to ensure a safe highway and effectively manage the expeditious movement of traffic throughout its 529km highway network.
- The service will seek to maintain and improve the highway asset in accordance with a revised Highways Asset Management Strategy, The Torbay Council Local Transport Plan and guidance and directives issued by the Department for Transport.
- The service will support the wider delivery of services provided by SWISCo by providing an 'in house' Fleet Management service.



SERVICE ACTION PLAN

HEAD OF
HIGHWAYS &
TRANSPORT



PAN JONES

Page 148

Principles

Tackling Climate Change

- The Service will seek to support Torbay Council's carbon reduction targets through the implementation of measures to reduce energy usage on the highways asset, the improved use of smart technology and the introduction of more low carbon emission vehicles.
- The service will support the aims of the Torbay Local Plan, Local Transport Plan and Local Cycling and Walking Infrastructure Plan to provide technical support to the introduction of sustainable transport improvements to support modal shift of transport usage to more sustainable options such as walking, cycling, public transport and electric vehicles.
- Maintenance and improvement to the highway network will seek to increase the use of technology and techniques which reduce the carbon footprints resulting from material production, energy usage and the construction processes.



SERVICE ACTION PLAN

HEAD OF HIGHWAYS & TRANSPORT

DAN JONES

Page 149

Aims

- ◆ To provide a Service to ensure that Torbay Council meets its Statutory Duties as Local Highway Authority.
- ◆ To support Torbay Council in the delivery of the Torbay Local Transport Plan.
- ◆ To support Torbay Council by providing the Local highway Authority functions in respect of commercial and residential developments.
- ◆ To provide an operational highways maintenance service to provide a safe network for all highway users.
- ◆ To support SWISCo and Torbay Council with an efficient and effective Fleet Management Service



SMART Action Plans

Highways Asset Management

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
We will develop a revised Highways Asset Management Strategy with associated Policy and Highway Inspection Manual to drive maintenance and improvement planning for the Torbay highway network over the 5 year period to 2026.	Date	Highways Asset Manager	Yes	June 2020	August 2021
We will develop a strategy to improve the condition of regulatory, safety and advisory highway markings to improve the current condition and ensure that markings are considered to be in a safe and enforceable condition including a proposal on funding requirements.	Date	Head of Highways Fleet and Transport	Yes	May 2021	August 2021
We will produce an inventory of street lighting apparatus, which are beyond their recommended residual lifespan and develop a strategy for a replacement programme, subject to funding.	Date	Highways Asset Manager	Yes	September 2021	January 2022



SMART Action Plans

Highways Traffic and Development

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
We will Commence delivery of the Local Transport Plan Implementation Plan 2021-2026, specifically the delivery of £750k upgrades to end of residual life Traffic Signal installations, the delivery of additional 20 mph zones and the continuation of the programme of Road Safety Initiatives.	Progress monitored through Transportation Steering Group	Traffic and Development Manager	Yes	September 2021	March 2026
We will Introduce a highway Street Works Permit Scheme to manage works on the highway network and coordinate street works and road closures in Torbay in accordance with Department for Transport guidance.	Date	Traffic and Development Manager	Yes	May 2021	July 2021
We will further develop the highway Street Works Permit scheme to include highway licencing for Skips, Scaffolds and Vehicle crossing licences etc.	Date	Traffic and Development Manager	Yes	April 2022	June 2022
We will develop a revised Road Safety Strategy to set out the authority's plans for reducing road casualties for the 5 year period to 2027. The Strategy will be produced to support a Regional Strategy, which is due to be produced as part of the new Vision Zero South West Partnership in early 2022.	Date – Subject to approval of Regional Strategy	Traffic and Development Manager	Yes	March 2022	June 2022

Page 151



SMART Action Plans

Highways Operations

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
We will increase our sub contracting framework agreements with local contracting companies to increase our access to external supply chains to increase the level of planned improvement works undertaken by SWISCo and provide resilience for periods of higher than expected reactive defect repairs on the highway	Supply Chain sufficient to undertake full workload	Highways Operations Manager/ Head of Business, Commercial and Support Services	Yes	March 2021	September 2021
We will review the operation of the cyclical road gully emptying service including the requirements for disposal of gully waste and improvements required to enable a full gully round to be completed in a 12 month period. A proposed Strategy will be developed from this review.	Date	Highways Operations Manager	Yes	September 2021	March 2022
We will target an increase to the value of planned highway works, in the 2022/23 financial year, using the increased supply chain by an additional 50% over the 2020/21 value.	Value of planned highway works	Highways Operations Manager	Yes	April 2021	April 2023



SMART Action Plans

Fleet and Garage

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
We will Develop a Fleet Asset Management Strategy to detail options for a programme of upgrades to vehicles and plant, which are beyond or are close to reaching the end of their residual life including details of funding requirements.	Date	Transport Manager/Heads of Service	Yes	July 2021	December 2021
We will develop a business case to review options on future MOT testing provision for SWISCo and Torbay Council Fleet vehicles to assess investment potential for providing "in house" testing facilities against future reliance on external providers.	Date and cost benefit analysis	Transport Manager/ Head of Business Commercial and Support Services	Yes	September 2021	December 2021
We will develop a business case to review options to generate 3 rd party income from providing Garage services to other 3 rd party clients. A business case would be subject to a decision on future MOT provision.	Date and cost benefit analysis	Transport Manager/Head of Business Commercial and Support Services	Yes	March 2022	August 2022

Page 153



Risk Register

Risk	Impact	Likelihood	Score	Action	Who	When	Impact	Likelihood	Score
Availability of Staff - recruitment	3	3	9	Ensure that the recruitment process is efficient and that appropriate candidates can be recruited. External job offers may need to consider inclusion of LGPS where candidates currently work within Local Government for professional posts.	SWISCo HR/Job Evaluation	Immediate	3	2	6
Torbay Council Budget to deliver service - delivering Strategies. Failure to deliver Highways Strategies due with lack of Capital & revenue budgets	3	2	6	Ensure that Torbay Council Members are provided with the appropriate information regarding the statutory duties of a highway authority and the impacts of under investment in the highway network leading to continued funding of service.	Chief operating Officer/Head of Highways, Fleet and Transport	Immediate	3	1	3
Failure of supply chain to support planned works results in inability to deliver programme and loss of commercial income.	3	3	9	Ensure sufficient arrangements are in place with contractors and suppliers to provide resilience and flexibility to deliver services	HoS Highways, Fleet and Transport/HoS Business Commercial and Support.	By September 2021	3	2	6
Street lighting - budget, inability to deliver Street light Column replacement programme leading to increased third party claims	4	2	8	Torbay Council to continue funding of programme of replacement. Ensure that street lighting contractor has resources to deliver programme.	Highways Asset Manager	Immediate	3	1	3
Loss of Subcontractor - inability to deliver service	3	3	9	Ensure sufficient framework arrangements are in place to reduce reliance on any particular sub-contractor.	Head of Highways, Fleet and Transport/Head of Business Commercial and Support.	By September 2021	2	2	4
Inability to procure street lighting materials - inability to deliver service	3	2	6	Ensure regular programme meetings with Street Lighting contractor, consider flexibility in use of alternative products where appropriate.	Highways Asset Manager	Immediate	2	2	4
Political Support - change of priorities, change of administration leading to changes to funding provision or support for particular initiatives.	3	1	3	Ensure that Torbay Council Members are provided with the appropriate information regarding the statutory duties of a highway authority and the impacts of under investment in the highway network leading to continued funding of service.	Chief operating Officer/Head of Highways, Fleet and Transport	Change of Torbay Council Administration	1	1	1
Restrictions to carrying out works due to holiday embargo periods and availability of network due to conflicting street works leading to failure to fully deliver service.	3	2	6	Ensure early programming of disruptive planned works. Consider relaxation of holiday embargo periods where a need can be identified.	Highways Asset Manager/Traffic and Development Manager	Immediate	2	2	4
Change of Government policy or legislation for permit scheme. Statutory fee charging	2	1	2	Monitor Government policy of Permitting and review resources and fees accordingly	Traffic and Development Manager	Annual Review	1	1	1
Change of Government policy or legislation results in inability to charge for services	2	2	4	Monitor Government policy for charging of services review resources and fees accordingly	Head of Highways, Fleet and Transport/Head of Business Commercial and Support.	Annual Review	2	1	2
Vision Zero South West Road Safety Strategy is not produced or Partnership disbanded. Reputational Risk of reduced Road Safety resources and speed enforcement and education.	3	1	3	SWISCo continues to support Torbay Council to promote the Vision Zero South West Partnership and consider future financial support where appropriate.	Head of Highways, Fleet and Transport/Head of Business Commercial and Support.	Annual Review	2	1	2
Gully Emptying - disposal requirements result in service not being completed within a 12 month period	3	4	12	Review of Gully emptying service, disposal requirements and resources. recommendations on improvements and efficiencies	Highways Operations Manager	Mar-22	2	2	4
Vehicle and plant not fit for purpose	3	4	12	Fleet Management Strategy to be produced. Appropriate Board decisions taken to enable older vehicles and plant to be replaced and upgraded.	Transport Manager	Jan-22	3	2	6
Fleet Asset Management Strategy - being able to implement the strategy - Capital and revenue resources - results in service failure and not meeting statutory duties	4	3	12	SWISCo to ensure appropriate advice provided to SWISCo Board, Torbay Council Senior leadership Team and Elected Members to ensure financial resources are in place to implement Strategy.	Chief operating Officer/Head of Highways, Fleet and Transport	Mar-22	2	2	4
Commercial viabilities of the Garage Service - MOT, 3rd Party Income are not identified.	2	3	6	Business cases to be produced. Implementation to be considered where a financial advantage to the company is identified.	Transport Manager	Mar-22	2	2	4



BUSINESS, COMMERCIAL & SUPPORT SERVICE ACTION PLAN

Head of Business,
Commercial and
Support Services



PAGE 155
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Page 155

Principles

- **Customer Focus:** To create a customer focused approach within SWISCo and build our brand and grow our reputation within the Community we serve.
- **Collaborative Team Working:** To work together collaboratively both transactionally and personally. Move away from the Contractor/Client legacy relationships of the past
- **Growth:** To grow our external business to generate 3rd party income to reinvest
- **Social Value:** Promote Social Value

Aims

- The aim of the Business, Commercial and Support services area is to provide support to each service area in achieving their action plans as and when required.
- To manage the bought in Commissioned Services from Torbay Council and ensure that the SLA's are adhered to.



SMART Action Plans

Theme 1 : Customer Service Focus

Headline Action: To create a customer focused approach within SWISCo and build our brand and reputation within the Community we serve.

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Restructure the management team reporting to the Head of Service from current structure.	Document presented to the Board	HoS Business Commercial & Support Services	Yes	01/04/2021	01/06/2021
Creation of new Customer Service Manager role reporting to the Head of Service to become the central point of contact with regards to all Customer enquiries.	Job descriptions/Job evaluation panel to grade post	HoS Business Commercial & Support Services	Yes	01/05/2021	01/06/2021
Redesign the process of customer service enquiries, complaints and freedom of information requests. Customer Service Manager to co-ordinate enquiries ensuring they are initially acknowledged in a timely manner and passed to the relevant service area for answering. Once complete the Customer Service Manager and Head of Service will review and then reply. Process Mapping exercise to be completed to capture the above	iCasework system to be updated inline with our redesign. A workable process up and running.	HoS Business Commercial & Support Services /Project Innovation & Systems Mgr.	Yes	01/06/2021	01/08/2021
Thorough review of the Operation Support Hub and establish its viability within SWISCo. Look out channel shifting enquiries online out of hours.	Call handling data	HoS Business Commercial & Support Services /Project Innovation & Systems Mgr.	Yes	01/06/2021	01/08/2021
Instil a customer service approach throughout the workforce as this is where most of our customer interface takes place on a daily basis. Promote the SWISCo Live, Work and Play mission and communicate our values to our people.	Effective communication. For example - Posters, tool box talks, values cards.	All SMT	Yes	01/06/2021	01/12/2021
Reintroduce the employee survey to ascertain level of engagement with the company	Survey Results	HR/HoS Business Commercial & Support Services	Yes	01/07/2021	01/09/2021

Process



SMART Action Plans

Theme 2: Collaborative Team Working

Headline Action – To move away from the old client/contractor relationships of the previous Joint Venture and look at how we can work collaboratively together both transactionally and personally

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Review the Schedule of Rates charging mechanism for ordered works. Ensure no Torbay Council ordered works are carried out at a loss enabling surplus profit to be reinvested into our people and assets. The finance system is already in place to capture costs at individual task levels. This will also provide an open book accounting approach for Torbay Council.	New Schedule of Rates in place	HoS Business Commercial & Support Services /HoS Highways Fleet & Transport	Yes	01/06/2021	30/09/2021
Post covid restrictions, encourage collaborate team events to integrate the teams and give SWISCo its own identity.	Events	All	Yes	01/10/2021	01/01/2022
Reintroduce the employee survey to ascertain level of engagement with the company and what people think of SWISCo and act on the results accordingly.	Analysis of Survey Results	HR/HoS Business Commercial & Support Services	Yes	01/07/2021	01/12/2021
Reintroduce the staff peoples forum to include employee representatives from both sides of the previous JV and all service areas	Scheduled in meetings	HR	Yes	01/08/2021	01/10/2021
Manage the bought in Commissioned Services from Torbay Council and ensure the SLA's are adhered to giving SWISCo the support it requires from Torbay Council	Agreed SLA's in place	HoS Business Commercial & Support Services	Yes	01/06/2021	01/10/2021

Page 157



SMART Action Plans

Theme 3: Growth & Social Value

Headline Action – To grow our external business to generate 3rd party income to reinvest and promote Social Value

Specific Action	Measurable – What dataset	Achievable – Who will do this	Relevance – Does it fit in your area	Time bound – Start & Finish	
Promote what we do/sell ourselves. Ensure potential customers are aware of what services SWISCo already provide.	Conversion rate from Web/Social Media into new/referral business	Comms team/ Heads of Service	Yes	Oct 21	Oct 22
Thoroughly explore new revenue streams – For example – Selling of advertising space at the HWRC/litter bins. We also pass every household in the bay weekly so have a unique platform to engage with the community	Generate revenue via a new means	SMT	Yes	Aug 21	Apr 22
Creation of a standalone Commercial Waste business so we are not stifled by Teckal legislation	New company set up	SMT	Yes	Apr 22	Jan 23
Procurement of a workable software solution to support the Commercial Waste business and help growth	New workable solution in place	HoS Business Commercial & Support Services /Project Innovation & Systems Mgr.	Yes	Jun 21	Dec 21
Work with Childrens Services to develop a project to provide employment opportunities for care leavers in the Waste & Recycling Service	Work Opportunities	HoS Business Commercial & Support Services/ HoS Waste & Recycling	Yes	Oct 21	Sep 22
Develop an Apprentice Scheme to provide employment opportunities and support succession planning for College/School leavers in Highway Services	Apprentice Placement	HoS Business Commercial & Support Services/ HoS Highways Fleet & Transport Services	Yes	Oct 21	Sep 22
Work with Adult Services to develop Dementia Awareness Programme for delivery to front-line employees.	Programme developed/ delivered	HoS Business Commercial & Support Services	Yes	Oct 21	Sept 22



Risk Register

Risk	Impact	Likelihood	Score	Action	Who	When	Impact	Likelihood	Score
Potential failure in the new Out of Hours emergency response resulting in both financial and reputational risk	5	2	10	Carry out quality checks on the OOH Process to ensure that service failure risk is reduced.	HoS BCSS	Jul-21	5	1	5
New Schedule of Rates resulting in less work being delivered and associated service delivery, reputational risk.	3	2	6	Demonstrate Value for Money	HoS BCSS & HoS HFT	Oct-21	3	1	3
Failure of Support service to meet the requirements of the SLA, results in Service Failure, reputational risk	5	2	10	Regular monitoring review of SLA's and the services delivered - Quarterly	HoS BCSS	Oct-21	5	1	5
Failure to deliver our Commercial Comms Strategy results in loss of potential 3rd Party Income	3	2	6	Deliver Comms Strategy for Commercial Activity	HoS BCSS & Comms	Sep-21	3	1	3
Failure to deliver the One System in required timeframes leads to additional costs/loss of efficiency savings	3	2	6	A resourced Project Plan that all teams are bought into and supports.	HoS BCSS & PISM	Oct-21	3	1	3
Insufficient admin support results in HoS, Managers and Staff not being able to support the business functions	4	2	8	Carry out a review of the Admin resource and increase as appropriate to support business functions	HoS BCSS	Oct-21	4	1	4

Page 159



BUSINESS PLAN 2021-23



MAY 2021
Version 1.0





Meeting: Cabinet

Date: 13 July 2021

Wards Affected: All

Report Title: Children's Services – Sufficiency Strategy

Is the decision a key decision? No

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

Cabinet Member Contact Details: Cllr Cordelia Law, Cabinet Member for Children's Services, Cordelia.law@torbay.gov.uk

Supporting Officer Contact Details: Nancy Meehan, Director of Children's Services, nancy.meehan@torbay.gov.uk

1. Purpose and Introduction

- 1.1 This report is being presented to provide members with an update on the progress of the Children's Services Sufficiency Strategy (2019) and present the update 3 year sufficiency Strategy 2021/24.
- 1.2 Cabinet members will recall that the Sufficiency Strategy was launched in November 2019. It was detailed in nature, based entirely upon local evidence and national research and set out challenging targets that if achieved would support strongly Torbay's ambition to become a good or better local children's service authority and ensure that we were able to balance the Children's services budget.
- 1.3 It reflected the desire to meet the needs of all children and young people who come into contact with Early Help and Statutory Services and focused upon addressing many of the concerns that were raised by Ofsted in their last inspection which took place in June 2018, some of which were carried forward from recommendations contained in the report of their previous inspection which was published in 2015.
- 1.4 Despite the restrictions placed upon us by COVID-19, the service has been able to find ways to drive forward creatively thus mitigating many of the unprecedented challenges that we have faced.
- 1.5 The new 3 year Sufficiency Strategy sets out, against the key strands, the progress we have made and the 'next steps' we are taking to ensure we deliver good quality service and living arrangements for our children. Where it is possible to do so, we also include costings, cost reductions and savings.

2. Proposed Decision

2.1 That the Sufficiency Strategy 2021-2024 be approved.

Supporting Information

Children's Services Sufficiency Strategy 2021/24 - appendix one.

Torbay Council

Sufficiency Strategy for

Children in receipt of Children's

Services 2021-2024:

Demand and Provision Analysis

Document owner:

Steve Hart, January 2021

Contents

Section 1	4
1.1 Introduction	4
1.2 Vision.....	5
1.3 Executive Summary.....	7
1.3.1 Strengthen the delivery of edge of care, early help, early intervention and prevention services.....	7
1.3.2 Increasing the numbers of in-house foster carers and reviewing our existing bank of carers to develop and match their skills to the needs of our children.....	8
1.3.3. Reduce the use of out of local area provision which may disadvantage our children and young people.....	8
1.3.4 Increase the number of adopters who can adopt children who are known to be harder to place.....	9
1.3.5 Providing young people who are leaving care with a variety of placement choices and support to independence.....	9
1.3.6 Provide a robust commissioning framework which is effectively responding to the sufficiency challenges and driving up standards.....	10
1.3.7 Improve the overall data capture and data management of cared for to better inform this strategy and improve accurate responses to sufficiency challenges.....	10
1.3.8 Raise our aspirations for educational attainment and other outcomes for cared for.....	11
1.3.9 Continue to build on the strength of the Torbay Corporate Parenting Board	11
Section 2	13
2.1 Needs analysis.....	13
2.1.1 Torbay demography, child population and future growth	13
2.1.2 Cared for demography.....	14
2.1.3 Rates & numbers of cared for compared with statistical neighbours.....	15
2.1.4 Category of need.....	16
2.1.5 Age profile.....	17
2.1.6 Gender	19
2.1.7 Ethnicity	20
2.1.8 Children in care with complex medical needs or disabilities.....	20
2.1.9 Children entering and exiting care.....	23
2.1.10 Repeat admissions	23
2.1.11 Destination of children leaving care	24
2.1.12 Cared for by legal status	26
2.1.13 Cared for projections	27
2.1.14 Global stability	28
2.1.15 Current provision	28
2.1.16 Placements outside of Torbay	31
2.1.17 Placements exceeding 20 miles	32

Section 3 35

- 3.1 Placements..... 35
- 3.2 Supporting families to prevent children becoming looked after..... 36
- 3.3 Connected person fostering 36
- 3.4 Adoption 37
- 3.5 Fostering 38
- 3.6 In-house fostering placements 39
- 3.7 Review of in-house fostering placements 39
- 3.8 Placement shortages..... 40
- 3.9 Further actions for the service..... 41
- 3.10 Residential Placements..... 42
- 3.11 Leaving care provision 43
- 3.12 Accommodation challenges..... 45
- 3.13 Governance arrangements to support placement sufficiency 46

Section 4 47

- 4.1 Conclusion..... 47

Section 1

1.1 Introduction

The 'Sufficiency Duty' as laid down in Section 22G of the Children's Act 1989 and statutory guidance issued in 2010 requires local authorities to take steps to secure sufficient accommodation (and other services) to provide suitable placements for those cared for for whom placement within the local area is most appropriate. A number of factors must be taken into consideration when deciding the most appropriate placement:

- Allowing the child to live near their home;
- Not disrupting the child's education or training;
- Enabling the child and a looked after sibling to live together;
- Meeting the particular needs of disabled children;
- Providing accommodation within the local authority's area, unless that is not reasonably practicable; and
- Respecting the child's wishes, views and feelings.

In most high performing local authorities, the concept of sufficiency has been extended to ensure that there is enough provision in the community which safeguards and protects children and prevents the avoidable use of care solutions.

In April 2014 OFSTED published the report "From a distance – cared for living away from their home area". This report though produced some years ago remains relevant and highlights the ongoing challenges for local authorities to secure sufficient accommodation for cared for in their local area. Research highlights that more than one in ten cared for lived outside their home local authority area and more than 20 miles away from their home community. Young people living in a children's home were three times more likely to be living away from their home area than children who are looked after by foster carers. The Ofsted report highlights the shortage of local residential care in many regions of the county, and the difficulties that local authorities can face in securing children's access to health, in particular CAMHS, education and other key support services when they live at a distance, as well as the difficulties maintaining meaningful contact with family, friends and professionals. Many of the issues highlighted in the report remain a challenge to Torbay.

1.2 Vision

Torbay Council's vision is to provide sufficient care in the community and high quality placements for children and young people in its care which meet their needs and offer the necessary support to enable their aspirations to become their reality.

As Corporate Parents, Torbay Council along with our partners want our cared for and care experienced to have a happy and secure childhood which enables them to become confident and successful young adults. We will help them develop and achieve their aspirations as we would our own children.

Using this Sufficiency Strategy, its associated implementation plan and partnership work activities provided by the edge of care professionals, we will work together restoratively with families to support them in looking after their own children and we will only use care solutions when it is necessary to protect children and therefore unavoidable. We will start to care for children at the right time and we will work tirelessly to understand their individual needs and match these to a suitable placement as close as possible to their family and social networks when it is demonstrably in the child's best interests to do so. It is equally critical that children are in care for the shortest time possible. When possible, permanent placements will be achieved quickly, which will include children returning home supported by the edge of care service to ensure that reunified families have the best possible support in the vulnerable early days of resuming their lives together.

A primary aim of any sufficiency strategy is to have well developed and targeted range of community support arrangements and high-quality placements within and around the area. For obvious reasons, meeting the needs of Torbay's cared for and care experienced children and young people is a priority across the council and its partners to ensure they have access to good quality education and training opportunities; a full range of health services; leisure activities; housing and other specialist provision to enable them to live as successfully as possible and achieve their full potential. We aspire for our care experienced young people to have all the necessary skills and support to make a successful transition to adulthood and independence at a time that is right for the individual. For those with disabilities and enduring needs, we aspire to ensure they have a planned and effective transition to adult social care and receive the care and support they need in adult life.

Key to supporting children and young people is our ability to effectively listen to them and to understand fully their views, wishes and feelings. We are committed to acting on the views of children and young people, their parents and carers when it is right to do so and empower them to make positive choices over their own lives.

We recognise the key role partner agencies and independent providers play in the mixed economy which provides placements and support for the needs of cared for and care experienced children and young people. We are committed to work in partnership with good providers to shape and develop the market for sufficiency of placements in Torbay and surrounding areas to enable us to develop the range of provision that our children need. We will also build our knowledge base of specialist provision so that children with particularly complex needs do not have their life chances compromised by drift and delay or the experience of inappropriate placements.

This strategy is informed by applicable legislation, national policy and guidance and a wealth of local management information, performance data and officer insights. It is linked to and should be read alongside a number of key local planning documents. These include the Early Help Strategy, The Youth Homelessness Strategy and Foster Carer Recruitment Strategy.

This strategy should also be read alongside the Improvement Plan which articulates the council's aspirations for our children. We are aiming high so that we can ensure that all children receive good or better services. We will continue to be innovative, committed and evidence based so that we fulfil our ambition to be excellent corporate parents for children and young people who are cared for or care experienced and we will be creative and diligent in providing community-based support services when children and young people are judged not to need care.

1.3 Executive Summary

Following OFSTED's inspection of arrangements for the protection of children, cared for and care experienced in 2018 which has been supplemented by letters associated with the subsequent monitoring visits, a comprehensive Children's Service Improvement Plan was developed (October 2019), updated where necessary and implemented. The creation of the sufficiency strategy for the period 2019-2021 was a key action so that we could increase our confidence that children are receiving quality services. That version of the strategy considered our historical cared for data, considered the experiences of children and used a range of intelligence to understand demographic and market trends over the previous five years. The analysis highlighted the leading sufficiency challenges, addressed the strategic developments required, some of which had already been identified and were in the process of being taken forward in other work streams.

This next version of the strategy covering the period 2021-2024 uses similar methodology to set out a 'roadmap' for service development over the next three years to ensure that children benefit from sustainable, good or better services. It will build upon the significant progress that has already been achieved and will support our determination to achieve continuous improvement.

In summary, the strategic priorities for this version of the Sufficiency Strategy are set out below and in the text we capture the progress that has been made so far and which has served to inform our new or revised priorities.

1.3.1 Continue to strengthen the delivery of early help, edge of care, early intervention and prevention services

The council has developed significantly its approach to early help, intervention and prevention services. The council is now providing more intensive 'targeted' support, including multi-disciplinary interventions, to vulnerable individuals and families to prevent escalation. This work is underpinned by the development and implementation of the wide-ranging Early Help Strategy that went live on the 1 June 2021. For children judged to be at the edge of care we have developed a range of community based intensive support, that is being delivered by a dedicated team created as part of the recent service design exercise. The service is available on an extended hours, six days a week basis with the capacity to be more flexible to prevent the necessity for avoidable admissions to care. This provision will include the facility for a short period of accommodation with a clear objective to return home following intense work within a twelve-week maximum timeframe.

We have extended the edge of care definition to include children and young people returning home from care. It continues to be expected that all plans for children in this circumstance include a provision from the edge of care service in recognition that children in the early stages of reunification remain vulnerable to further disruption. The wrap around support seeks to prevent the 'revolving door syndrome'.

Key priorities

- Provide proportionate early help and edge of care services that continue to support families to make changes and sustained improvements in their lives, preventing their situation from worsening further to the point that they require specialist services or intervention, for example their child/ children being taken into care.
- Through the provision of intensive edge of care services we will seek to resist all avoidable admissions to care for children aged 12+ years in recognition of compelling research that

care solutions do not positively impact upon this cohort unless there are significant and critical child protection issues to address.

- Intense edge of care services will also continue to be used to support re-unification of children to their family homes. This will enable us to maintain our positive impact in reducing the numbers of children in the 12-16 age group who have 'return home' plans.

1.3.2 Continue to increase the numbers and capability of in-house foster carers and reviewing our existing bank of carers to develop and match their skills to the needs of our children.

The Council has revised its communication and marketing strategy for the recruitment of foster carers and has adopted an ambitious and targeted approach to increase the number of in-house carers. This will also include the potential to explore collaborative approaches of different types with neighbouring councils, and the creative use of media, work that will be taken forward by a nominated manager.

Key priorities

- To increase the number 'in house' specialist and intensive foster care placements to meet the needs of sibling groups, including dedicated PACE placements; children over the age of 10 including adolescents with challenging behaviours and / or high levels of safeguarding concerns; children with disabilities and parent and baby assessment placements.
- To recruit foster carers whose skills can be developed to meet the needs of Torbay children who need care services for short, medium and long term periods, or who are being prepared to be reunited with own families or being placed in permanent living arrangements away from their immediate birth families.
- To support foster carers using a variety of means as part of a commitment to reduce disruptions.
- To ensure foster carers reflect the ethnic diversity of the looked after population.
- To ensure assessments of connected persons are timely and robust and that children, young people and their carers receive appropriate support.
- To reduce, where possible, the number of agency foster placements purchased by increasing and maximizing the use of our internal capacity.

1.3.3. Reduce the use of out of local area provision which may disadvantage our children and young people.

32.1 % (105) of cared for are placed more than 20 miles from the council's boundaries. This is an encouraging reduction over the course of the last year from 146 children (44%). The majority of these placements are commissioned fostering and residential placements and are the subject of continuous focus to identify children who can be helped to move closer to home if that it is their best interests.

The council will continue to develop and fully implement its robust commissioning framework for all provision types, to improve arrangements with local providers in order to meet the needs of cared for children and continue to decrease reliance on placements beyond 20 miles. The council will significantly reduce its reliance on spot purchased provision.

The council will aim to provide placements (including residential care) to children and young people in Torbay and its local area (within 20 miles) to ensure they are not isolated from their

friends and family and ensure they have access to services, (including schools, colleges and workplaces) and networks to improve their outcomes. If a child has to be placed out of the area, we will ensure they are not disadvantaged and have the same chances as all other children and young people.

Key priorities

- To work with all providers to explore and agree strategies for maximising the availability of placements in-house at the point of need and reduce the reliance on agency placements.
- To develop and implement a robust, evidence based and innovative market shaping strategy to ensure that the council is able to meet the diverse needs of all children who require a care solution.
- To reduce the number of residential placements purchased, and to develop and increase the number of highly skilled and resilient Torbay foster care placements, by developing our in house foster care service and preferred independent service providers.
- To develop and implement robust commissioning frameworks to enable us to access provision from high quality providers within a 20 mile radius of Torbay.

1.3.4 Increase the number of adopters who can adopt children who are known to be harder to place

The council will increase the number of approved adopters each year to meet the needs of children and, in particular, sibling groups, older children and children with disabilities. Torbay has achieved some success in this area and 3 children who have placement orders remain unmatched, a figure that has reduced from 8 over the last year. Adoption South West have responded to this need by launching a targeted recruitment campaign, the results of which are awaited.

Key priorities

- To consider further developing partnership arrangements to significantly increase the number of adopters being approved and to reduce delays in placing children with adoptive families.
- To increase the number of Torbay Council's approved adopters each year to meet the needs of sibling groups, older children and children with disabilities.
- To continue to develop best practice in line with Government initiatives, consultancy advice and feedback from adopters and to work in line with the Government's regionalisation of adoption agenda.

1.3.5 Providing young people who are leaving care with a variety of placement choices and support to independence.

Over the last six months there has been concerted work to effect a Youth Housing and Homeless Strategy. This work has recognized that there is a pressing need to further develop effective partnerships with Housing Providers across the council area and a joint strategy for the provision of cost effective, safe and good quality housing for care experienced, as well as increase the range of supported accommodation options to develop their skills for successful transition into adult life and independence. There is also a need to develop out of council options for those who are unable to remain in the area and for those who have settled outside of Torbay. Commissioning initiatives have secured provision for cared for young people aged 16-18 through the Foyer and Young Devon but this provision is also used by Housing Options for all young

people aged 18-25 who have had no previous contact with Children's Services. This means that this provision is very pressured. The resultant 'log jam' and the shortage of 'moving on accommodation' emphasises the importance of a paper going before the Council's Housing Board highlighting options for the future. This will be targeting on what is required to enable young people to be properly prepared for independence and secure the timely allocation of appropriate accommodation. Without a sufficient resource it is likely that a number of cared for young people will continue to be inappropriately placed in B&B or will 'sofa surf' in the absence of a viable alternative.

Key priorities

- To implement the Throughcare Strategy for care experienced young people to include commissioning intentions, in partnership with Housing Providers; and to improve the range of supported and 'move on' accommodation to promote and encourage independence, as well as improving the quality of shared accommodation for care experienced.
- To support and encourage young people to remain in their placements at least until the age of 17 ½ or until they are ready to move on. For a number this will mean 'staying put' with their foster carer. At the other end of the spectrum, it is anticipated that there will be a small cohort of young people for whom earlier transition to supported accommodation is in their best interests.
- To ensure transition planning for children with complex needs commences at 14 and involves partnership working with adult services at the earliest opportunities.

1.3.6 Provide a robust commissioning framework which is effectively responding to the sufficiency challenges and driving up standards.

Key priorities

- To work in close partnership with local providers to re-shape the market and increase the availability of all placement types for Torbay Council's children at the point of need.
- To improve the commissioning and contract monitoring of all care placements, including those for children with disabilities, with bespoke packages, which may include education, therapy and drug and alcohol intervention, developed through contributions from partner agencies (e.g. Health).
- To work with residential care providers to improve standards of care, and ensure that Torbay Council's provision maintains a 'Good' or better OFSTED rating.
- To work with health partners and providers to develop a range of appropriate services that ensures that the emotional and mental health needs of children and young people are met appropriately.

1.3.7 Improve the overall data capture and data management of cared for children to better inform this strategy and improve accurate responses to sufficiency challenges.

Key priorities

- To ensure that all staff have access to contemporary, accurate data to support them in their work to deliver the strategic and operational priorities of the service.
- All staff are knowledgeable and able to use and interpret data to enable an assured and informed understanding of the underlying contributory factors which drive practice and management outcomes affecting the quality of early help, prevention and services for cared for.

- To develop a comprehensive set of benchmarking data which supports learning from evidence-informed best practice to effectively target early intervention, prevention, and edge of care services to safely reduce the numbers of children becoming or remaining cared for.
- To closely align data analysis with Quality Assurance activity through a program of scheduled and bespoke 'deep dive' and 'dip sample' audits to gain a better understanding of the experience of children and families reflected in the data.

1.3.8 Raise our aspirations for educational attainment and other outcomes for cared for children.

Research evidences a strong correlation between placement stability and good outcomes for Children and Young People's educational attainment, emotional health and well-being and other key indicators for long term life chances and success.

Key priorities

- Continue to improve evidence-based assessment, planning and matching of placements including arrangements for access to suitable education in schools rated as 'good' or 'outstanding' and high-quality training and other specialist services as required for each child.
- Rigorously monitor progress, attainment and outcomes for cared for through the various statutory review processes and contract management.
- Actively manage and support the stability of the child's living arrangements to reduce the likelihood of avoidable placement and education disruption.
- To work in close collaboration with schools, colleges and the wider education partnership to prevent exclusion
- Achieve the above shared outcomes through effective partnership working across the council, with partners and placement providers.

1.3.9 Continue to build on the strength of the Torbay Corporate Parenting Board

Torbay Council, through its Corporate Parenting Board and in collaboration with key partner agencies including the LGA is committed to working towards achieving its vision of delivering excellence for cared for.

Key priorities

- Ensure that the council is meeting its corporate parenting responsibilities towards the children and young people for whom it is responsible.
- Ensure that the Council fulfils its obligations and commitments to cared for and care experienced children set out in 'The Pledge'
- Ensure that the council is meeting government objectives and abides by statutory guidance in relation to cared for and care experienced children.
- Contribute to, and facilitate scrutiny of target areas in relation to cared for and care experienced children.
- Ensure placements are safe and meet the needs of our children and young people.
- Ensure that to cared for and care experienced children fulfil their educational potential.
- Ensure cared for and care experienced children are emotionally, mentally and physically healthy.
- Ensure to cared for and care experienced children develop into independent, confident and responsible adults.

Section 2

2.1 Needs analysis

2.1.1 Torbay demography, child population and future growth

In 2018 (the latest ONS mid-year population estimates) the population of Torbay was estimated to be 135,780 residents. Around 28,080 of these residents are aged between 0 and 19 years which equates to 20.7% of our residents.

The 20+ years population of Torbay has been steadily increasing in the period since 2009 and is now 107,700 which represents a rise of 4.3%. The population aged 0 and 19 years has fallen by 1% in the same period and now stands at 28,080.

The population of 0 to 19 years and 20+ years are both expected to increase in the period to 2024 by 3.4% and 2.5% respectively. Differential analysis of the data demonstrates there are rolling peaks in age group populations which will influence service planning. For example, between 20014 and 2016 there was a peak in the 0 to 4 age group followed by projected falls thereafter. This roles on and the 5 to 9 age group is expected to peak in the period 2019 to 2021 before falling back slightly.



Source: ONS pop projections 2016 & 2019

There is longstanding research on the correlation between deprivation and family disruption and breakdown this leads to an increase likelihood fo some children entering the care system or requiring intensive support and protection due to family stress and/or breakdown. The latest validated position (2019) relating to Torbay is set out below:

- Torbay is ranked as the most deprived upper-tier local authority out of 15 in the South West region. Torbay has been in this position since 2007.
- Torbay is ranked as the most deprived district out of 30 districts in the South West. Torbay has been in this position for the last two Index Multiple Deprivation (IMD) periods.

	2004	2010	2019
Torbay	62	41	38
Plymouth	57	60	52
Bristol	50	65	59
Cornwall	61	61	60

2.1.2 Cared for demography

354 children were cared for by the authority at the end of 2020 (not including those children being looked after as part of a respite care arrangement). This is 66 children more than in 2017 indicating a 22.9% increase.

140 per ten thousand children are now cared for by the authority which reflects a significant 57% increase since 2011. This rate is marginally over double the national average and significantly exceeds by 37% the average of our statutory neighbours which is a concern on both counts. In our SN Group, our rate is only exceeded by Blackpool, a local authority also judged to be inadequate in its last inspection.

Table: Number and rates of children looked after in Torbay – trend

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Torbay	225	250	300	314	306	279	288	327	359	354
Rates per 10,000 children	89	100	121	126	122	110	114	129	142	140
Statistical Neighbour Average Rates	71	73	78	80	80	83	91	98	N/A	113
National Average Rates	58	59	60	60	60	60	62	64	N/A	67

Although there has been some leveling off in the numbers of cared for children in 2019 and 2020, there has been a steady upward trend in the care population since the 31 March 2016 with the current figure of 354 being 27% higher. Of particular interest are the increases in the 10-15 and 16+ cohorts which are numerically (by 20 and 15) and proportionately (by 16% and 31%) increased. It is well researched that without concerted action, children in these age groups are more likely to remain in the care population and are disproportionately represented in high cost placements. This was a key driver in the priority set out in the last version of the Sufficiency Strategy (2019-2021) that was focused upon reducing the admission rates to care of both of these age cohorts and where possible seeking to work with families to achieve a reconciliation to allow the children to return to safely live at home. The table below shows that encouraging progress has been made in achieving this aim.

Table: Cohorts in the care population by age groups 0-1, 2-4, 5-9, 10-15, 16-19.

age group	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021
under 1	19	29	13	20	20
1-4	32	40	54	48	35
5-9	60	58	63	59	58
10-15	123	141	166	156	143
16+	49	56	63	71	64
Grand Total	283	324	359	354	320

Source: PARIS Feb 2021 excludes regulation 48

2.1.3 Rates & numbers of cared for compared with statistical neighbours¹

The tables below show that Torbay is third to North East Lincolnshire and Blackpool in the rates of children per 10,000 population who are in the care system. Torbay's rate is just more than double that of the lowest authority in our comparator group (Norfolk). With the exception of Blackpool and North East Lincolnshire, Torbay significantly exceeds all others in the group and since 2011 has consistently had the second highest rate of cared for children with the exception of 2020 when our rate was exceeded by North East Lincolnshire and Blackpool.

Table: Rates of LAC per 10,000 over time (include comparator data)

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Redcar and Cleveland	53	62	63	63	67	73	86	103	108	126
Blackpool	136	150	166	152	157	163	183	185	197	223
Wigan	68	71	75	73	74	71	66	70	66	77
North East Lincolnshire	42	45	58	76	77	86	87	103	130	166
Rotherham	69	68	70	70	72	76	86	109	112	103
Telford and Wrekin	70	77	82	79	75	76	96	92	96	98
Norfolk	58	61	65	69	64	62	65	69	70	64
Southend-on-Sea	72	64	62	64	60	68	73	74	78	79
Isle Of Wight	66	60	69	74	79	80	90	90	98	107
Plymouth	74	75	73	77	76	78	75	80	78	82
Torbay	89	100	121	126	122	110	114	129	142	140
SN Ave	71	73	78	80	80	83	91	98		
National Ave	58	59	60	60	60	60	62	64	65	67

Source: 903 DFE – figures rounded to nearest 10

Table: Numbers of LAC over last 10 years and compared to national and local comparators

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Redcar and Cleveland	150	170	175	174	183	199	235	284	297	348
Blackpool	395	435	480	443	454	469	525	533	568	652
Wigan	460	480	510	497	504	483	446	479	448	533
North East Lincolnshire	145	155	200	263	265	295	297	354	448	572
Rotherham	390	380	390	394	407	431	485	619	642	595
Telford and Wrekin	270	300	320	308	293	299	379	370	388	403
Norfolk	960	1,015	1,080	1,152	1,072	1,044	1,106	1,179	1188	1106
Southend-on-Sea	270	240	235	244	228	262	282	291	308	314
Isle Of Wight	175	160	180	191	202	204	228	226	243	264
Plymouth	375	385	370	395	392	407	391	417	412	434

¹ Statistical neighbours are determined by the DfE and are based on 10 other local authorities deemed to have similar characteristics. The local authority may compare its performance against its statistical neighbours to provide an initial guide as to whether their performance is above or below the level that might be expected.

Torbay	225	250	300	314	306	279	288	327	362	357
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2.1.4 Category of need

Based on the snapshot in table below, the significant majority of children are looked after in each age group as a result of abuse and neglect. Family dysfunction and family in acute stress account for the next highest categories in each age group with the exception of children aged 0-4. The 12 children under 1 and the 41 in the 1 - 4 cohort who came into care due to abuse and neglect present us with a continuing challenge to understand the underlying reasons.

Table: Children looked after by category and by age group

Age group	Category	Mar-2017	Mar-2018	Mar-2019	Mar-2020	Sep-2020
Under 1	ABSENT PARENTING	1			1	
	ABUSE OR NEGLECT	17	27	12	19	12
	FAMILY DYSFUNCTION		2	1		
	PARENTAL ILLNESS OR DISABILITY	1				
Age 1-4	ABSENT PARENTING	1	1	1	2	3
	ABUSE OR NEGLECT	23	31	47	44	41
	DISABILITY	1	1			
	FAMILY DYSFUNCTION	3	2	2	1	1
	FAMILY IN ACUTE STRESS	2	3	2		
	NOT STATED	1				
	PARENTAL ILLNESS OR DISABILITY	1	2	2	1	
Age 5-9	ABSENT PARENTING	1	2	2	3	5
	ABUSE OR NEGLECT	50	44	47	47	44
	DISABILITY	1		1	1	2
	FAMILY DYSFUNCTION	5	8	8	5	5
	FAMILY IN ACUTE STRESS	1	2	4	1	1
	PARENTAL ILLNESS OR DISABILITY	2	2	1	2	1
Age 10-15	ABSENT PARENTING	3	4	2	1	1
	ABUSE OR NEGLECT	97	108	128	117	115
	CASES OTHER THAN CIN		1			
	DISABILITY	1	3	3	5	3
	FAMILY DYSFUNCTION	8	10	15	16	13
	FAMILY IN ACUTE STRESS	6	9	11	9	7
	PARENTAL ILLNESS OR DISABILITY	5	4	5	6	4
	SOCIALLY UNACCEPTABLE BEHAVIOU	3	2	2	2	2
Age 16+	ABSENT PARENTING	8	7	4	4	1
	ABUSE OR NEGLECT	28	32	42	47	44
	CASES OTHER THAN CIN			1	1	1
	DISABILITY	2	1			1
	FAMILY DYSFUNCTION	4	6	5	8	9
	FAMILY IN ACUTE STRESS	5	6	6	8	5
PARENTAL ILLNESS OR DISABILITY	2	3	3	2	2	

	SOCIALLY UNACCEPTABLE BEHAVIOU		1	2	1	2
Grand Total		283	324	359	354	325

Source: PARIS Feb 2020 – figs exclude reg 48 CLA

2.1.5 Age profile

Almost two thirds of the children in the care population (65%) are in the 10+ age range (207 children, 65%). Young people aged 10 to 15 account for 45% (143 children) of the total care population and this proportionate distribution has remained relatively consistent in recent years. The age distribution of children in care in Torbay is skewed towards older children compared with national and benchmark groups. Torbay also has significant proportion of young adults aged 16 and above within the care population (64 or 20%) and this age profile is as a legacy of historical practice which led to increased numbers of older children becoming looked after in recent years.

The proportions of other age groups have remained fairly consistent overall but there have been some fluctuations in the under 1 and 1-4 age groups.

These data demonstrate that some optimism is justified in relation to a belief that Torbay has ‘turned a corner’ in stemming the year-on-year numerical increases in its cared for child population. However, because of the ages of the children concerned and the length of time that they have been cared for, achieving reunification with families or connected carers is complex particularly as increasing numbers of children are matched to their current carers and secure in their immediate and longer-term futures. This means that the challenges of achieving proportional adjustments to the data is made significantly more complex.

Table: Children looked after by age group (2017-2021)

Age group	Placement	Mar-17	Mar-18	Mar-19	Mar-20	Feb-21
under 1	FAMILY CENTRE/MOTHER BABY UNIT	4	1	1	1	
	FP WITH OTHER CARER	9	21	7	16	13
	FP WITH RELATIVE OR FRIEND	4	4	2		5
	NHS/HEALTH TRUST OR ESTAB			1		1
	PLACED ADOP S19 CURR F. CARER			1		
	PLACED ADOP S21 CURR F. CARER	1	2			1
	PLACED ADOP S21 NOT CURR CARER	1				
	WITH PARENT/RESP PERSON		1	1	3	
Age 1-4	FAMILY CENTRE/MOTHER BABY UNIT					
	FP WITH OTHER CARER	17	28	26	32	22
	FP WITH RELATIVE OR FRIEND	5	5	8	6	6
	HOMES/HOSTELS			1		
	OTHER PLACEMENTS				1	
	PLACED ADOP S19 CURR F. CARER			1	1	
	PLACED ADOP S19 NOT CURR CARER	3	1	9	5	1
	PLACED ADOP S21 CURR F. CARER		1	2		1
	PLACED ADOP S21 NOT CURR CARER	4	3	6	2	3
	WITH PARENT/RESP PERSON	3	2	1	1	2

Age 5-9	FP WITH OTHER CARER	50	50	51	40	41
	FP WITH RELATIVE OR FRIEND	4	5	6	10	8
	HOMES/HOSTELS			1	4	2
	PLACED ADOP S19 CURR F. CARER					1
	PLACED ADOP S19 NOT CURR CARER	4			1	1
	PLACED ADOP S21 CURR F. CARER				1	
	PLACED ADOP S21 NOT CURR CARER	1		2	1	3
	WITH PARENT/RESP PERSON	1	3	3	2	2
Age 10-15	FP WITH OTHER CARER	95	108	122	115	104
	FP WITH RELATIVE OR FRIEND	9	8	18	14	17
	HOMES/HOSTELS	18	24	23	24	16
	NHS/HEALTH TRUST OR ESTAB			1		
	OTHER PLACEMENTS					1
	SECURE UNIT					
	WITH PARENT/RESP PERSON	1		2	3	4
	YOUNG OFFENDERS INST/PRISON		1			1
Age 16+	16+ SUPPORTED ACCOMMODATION	6	12	19	28	21
	FP WITH OTHER CARER	25	29	27	33	25
	FP WITH RELATIVE OR FRIEND	3	2	4	2	2
	HOMES/HOSTELS	9	6	8	3	4
	INDEPENDENT LIVING	4	5	2		
	NHS/HEALTH TRUST OR ESTAB			1	1	1
	OTHER PLACEMENTS				1	3
	RESID SCHL NOT REG AS SCHL/HME					1
	WITH PARENT/RESP PERSON	2	2	1	3	7
	YOUNG OFFENDERS INST/PRISON			1		
Grand Total		283	324	359	354	320

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

At the end of February 2021, 64 young adults age 16 and above were in care compared with 63 in March 2019, 56 in March 2018 and 51 in March 2016. Twenty children were below the age of one and 143 were between the ages of 10 and 15.

There is a decrease by February 2021 in the number of cared for children aged 10 – 15 years. In this cohort the numbers coming into care for abuse or neglect was 115 (September 2019) with the remainder entering the care system for a variety of other reasons but most commonly associated with family dysfunction and families in situations of acute stress (20 children). Although relatively small decreases, they give rise to cautious optimism that the strategy of working hard to support children safely within their families and communities is beginning to gain positive traction.

It is likely that abuse and neglect will have been present when the children were younger, and the evidence suggests that it is probable that they have contributed to the overall numbers of children becoming looked after in this age group. In the 16 + cohort, the number of young people in care due to abuse or neglect have remained broadly similar to previous periods and these features are prevalent in 44 of the 64 cases. This raises some questions about

effectiveness of early intervention which we have planned to significantly improve in future years following the recent full implementation of the Early help Strategy. We have measures in place to evaluate the effectiveness of Early Help Services. Consequently, we can confidently hypothesise that the historical lack of success in safely protecting and supporting these children in their communities which has significant cost implications for the children’s service throughout the period of time that each individual child is in care will be addressed. It is noteworthy that a reduced number of children (26) are living in residential facilities and at the time of drafting this strategy none are in custody. These encouraging figures reflect the significant achievement in enabling older young people to live in family or community-based settings. Research is clear that experiences such as these are likely to have beneficial effects on the prospects for young people making a successful transition to young adulthood.

2.1.6 Gender

Between March 2017 and March 20, in the 0 – 4 age groups have been consistently populated by significantly more females than males in the care system. This pattern reversed in the period to Jan 21 when males exceeded females (33 to 22 respectively). This pattern continued in the 5 – 9 age group and by the time children reach 10 years or more the number of males consistently exceeded the numbers of their female counterparts. However, analysis of trend data shows that the gap between genders is decreasing. This change probably reflects the work undertaken to enable young people to live in their families whenever it is safe to do so. It is to be noted that in the period to February 2021, the numbers of males entering the care system (35) significantly exceeded females (16) thereby reversing the trend seen in the period between April and October 2019 the number of females entering the care system (44) significantly outstripped the number of males (31) by 42%. This date will continue to be monitored so that any changing trends can be identified early to enable the Sufficiency Strategy to be updated accordingly.

Table: Children looked after by age (January 2021)

Age group	GENDER	Mar-17	Mar-18	Mar-19	Mar-20	Jan-21
Under 1	F	11	14	8	13	6
	M	8	15	5	7	14
Age 1-4	F	18	23	28	25	16
	M	14	17	26	23	19
Age 5-9	F	27	31	28	30	28
	M	33	27	35	29	30
Age 10-15	F	61	68	75	75	69
	M	62	73	91	81	74
Age 16+	F	17	24	30	34	31
	M	32	32	33	37	33
Grand Total		283	324	359	354	320

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Children becoming looked after by gender (January 2021)

Female	16
Male	35

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

2.1.7 Ethnicity

Children from Great Britain and Northern Ireland account for 89.2% of the current care population. All other ethnic groups, with the exception of 'White Other' (1.4%), 'Other Mixed Ethnicity' (2.6%) and 'Mixed Ethnicity – White and Black African' (2.6%) form less than 1% of the care population.

Although numbers of children from ethnic groups are comparatively small when compared to national averages it would appear that there is possibly an underrepresentation of children from minority ethnic groups in the care population. This situation will also be kept under review.

Table: Children looked after by ethnic origin

	Gen population %'s			Torbay CLA %					Torbay CLA numbers					
	Torbay all age	Torbay 0-19	National	31/03/2016	31/03/2017	31/03/2018	31/03/2019	30/09/2019	31/03/2016	31/03/2017	31/03/2018	31/03/2019	30/09/2019	
All categories: Ethnic group	130959	27,628	56075912											
White: English/Welsh/Scottish/Northern Irish/British	94.8%	93.9%	80.5%	93.1%	90.8%	91.0%	86.9%	89.2%	257	257	295	312	313	
White: Irish	0.5%	0.1%	0.9%	1.4%	1.4%	0.9%	0.8%	0.9%	4	4	3	3	3	
White: Gypsy or Irish Traveller	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%						
White: Other White	2.2%	1.8%	4.4%	0.4%	0.7%	0.6%	2.2%	1.4%	1	2	2	8	5	
Mixed/multiple ethnic group: White and Black Caribbean	0.3%	0.8%	0.8%	0.7%	0.4%	0.3%	1.9%	0.9%	2	1	1	7	3	
Mixed/multiple ethnic group: White and Black African	0.1%	0.4%	0.3%	0.0%	0.4%	0.3%	2.5%	2.6%		1	1	9	9	
Mixed/multiple ethnic group: White and Asian	0.3%	0.9%	0.6%	0.4%	0.7%	1.5%	0.6%	0.9%	1	2	5	2	3	
Mixed/multiple ethnic group: Other Mixed	0.3%	0.5%	0.5%	3.6%	2.8%	2.8%	2.8%	2.6%	10	8	9	10	9	
Asian/Asian British: Indian	0.3%	0.4%	2.5%	0.0%	0.0%	0.0%	0.0%	0.0%						
Asian/Asian British: Pakistani	0.1%	0.1%	2.0%	0.0%	0.0%	0.0%	0.0%	0.0%						
Asian/Asian British: Bangladeshi	0.1%	0.1%	0.8%	0.0%	0.4%	0.3%	0.6%	0.6%		1	1	2	2	
Asian/Asian British: Chinese	0.2%	0.3%	0.7%	0.0%	0.0%	0.0%	0.0%	0.0%						
Asian/Asian British: Other Asian	0.4%	0.4%	1.5%	0.0%	1.4%	0.6%	0.3%	0.3%		4	2	1	1	
Black/African/Caribbean/Black British: African	0.1%	0.1%	1.8%	0.0%	0.0%	0.0%	0.0%	0.0%						
Black/African/Caribbean/Black British: Caribbean	0.1%	0.0%	1.1%	0.0%	0.0%	0.0%	0.0%	0.0%						
Black/African/Caribbean/Black British: Other Black	0.0%	0.0%	0.5%	0.4%	0.4%	0.3%	0.3%	0.3%	1	1	1	1	1	
Other ethnic group: Arab	0.1%	0.1%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%						
Other ethnic group: Any other ethnic group	0.1%	0.1%	0.6%	0.0%	0.7%	1.2%	0.8%	0.0%		2	4	3		
INFORMATION NOT YET OBTAINED							0.3%	0.6%				1	2	
				CLA pop proportion greater than 0-19 pop						276	283	324	359	351

Source: ONS 2011 ethnicity by age and PARIS Oct 2019 – figs exclude reg 48 CLA

2.1.8 Children in care with complex medical needs or disabilities

The service acknowledges the need to improve its captured data, especially regarding children with learning disabilities and mental health difficulties, to more accurately reflect the profile of children with a life affecting disability.

Information the service does have, details that 58 children in who are cared for or care experienced have at least one form of identified medical need or disability. The 10 – 15 and 16+ age groups account for 86% of the cohort of children in care with complex medical needs or disabilities. It is likely that the living arrangements for these children will incur additional, and sometimes very significantly increased costs.

Table: Range of complex and medical needs by age group
Children looked after

Complex medical needs	age group	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021
	Under 1	1				
	Age 1-4	1	3	3	3	1

	Age 5-9	4	2	3	9	7
	Age 10-15	3	5	8	26	26
	Age 16+	1	2	2	11	11
Grand Total		10	12	16	49	45

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Care experienced

Complex medical needs	AGE	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021
	17					1
	18	1	1	2	2	1
	19		1	1	6	5
	20			1	1	5
	21		1			1
Grand Total		1	3	4	9	13

Source: PARIS Jan 2021 – figs exclude reg 48 CLA

Table: Range of medical/disability of children looked after
Children looked after

DISABILITY	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021
AUTISM OR ASPERGER SYNDROME	0	2	3	3	2
AUTISM OR ASPERGER SYNDROME, BEHAVIOUR, COMMUNICATION, INCONTINENCE, LEARNING, PERSONAL CARE	1	1	2	0	0
AUTISM OR ASPERGER SYNDROME, BEHAVIOUR, COMMUNICATION, INCONTINENCE, LEARNING, PERSONAL CARE, VISION	1	0	0	0	0
AUTISM OR ASPERGER SYNDROME, BEHAVIOUR, COMMUNICATION, LEARNING, MOBILITY, PERSONAL CARE	0	0	0	1	1
AUTISM OR ASPERGER SYNDROME, COMMUNICATION, OTHER DDA, INCONTINENCE, LEARNING, PERSONAL CARE	0	0	0	0	0
BEHAVIOUR	2	4	6	9	10
BEHAVIOUR, COMMUNICATION, CONCIOUSNESS, LEARNING	0	0	0	0	0
BEHAVIOUR, COMMUNICATION, LEARNING	5	5	4	3	2
BEHAVIOUR, COMMUNICATION, LEARNING, PERSONAL CARE	0	1	1	1	1
BEHAVIOUR, COMMUNICATION, OTHER DDA, LEARNING	0	0	0	0	0
BEHAVIOUR, LEARNING	3	3	2	3	2
BEHAVIOUR, OTHER DDA	1	2	2	2	2
BEHAVIOUR, OTHER DDA, LEARNING	2	2	2	0	0
COMMUNICATION	1	0	0	0	0
COMMUNICATION, CONCIOUSNESS, HAND FUNCTION, HEARING, LEARNING, MOBILITY, PERSONAL CARE, VISION	1	1	1	1	0
COMMUNICATION, CONCIOUSNESS, INCONTINENCE, LEARNING, MOBILITY, PERSONAL CARE, VISION,	1	1	1	1	1

COMMUNICATION, HAND FUNCTION, INCONTINENCE, LEARNING, MOBILITY, PERSONAL CARE	0	1	1	1	1
COMMUNICATION, HAND FUNCTION, INCONTINENCE, LEARNING, PERSONAL CARE	1	1	1	1	1
COMMUNICATION, HAND FUNCTION, LEARNING, MOBILITY, PERSONAL CARE	0	0	1	1	1
COMMUNICATION, HAND FUNCTION, LEARNING, MOBILITY, PERSONAL CARE,	0	0	0	0	0
COMMUNICATION, INCONTINENCE, LEARNING	1	1	1	1	1
COMMUNICATION, INCONTINENCE, LEARNING, PERSONAL CARE	0	0	0	0	0
COMMUNICATION, OTHER DDA, HAND FUNCTION, INCONTINENCE, LEARNING, MOBILITY, PERSONAL CARE, VISION	0	0	0	0	0
CONCIOUSNESS	0	0	0	1	0
HEARING	0	0	1	0	0
HEARING, LEARNING	0	0	0	1	0
INCONTINENCE	2	2	2	2	3
LEARNING	11	11	11	12	12
LEARNING, MOBILITY	0	0	0	0	0
MOBILITY	0	0	1	1	1
OTHER DDA	2	4	4	2	2
OTHER DDA, VISION	0	0	1	0	0
PERSONAL CARE	0	0	0	1	1
VISION	0	0	0	1	1
Grand Total	10	12	16	49	45

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Care experienced

DISABILITY	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021
AUTISM OR ASPERGER SYNDROME	0	0	0	0	0
AUTISM OR ASPERGER SYNDROME, BEHAVIOUR, COMMUNICATION, INCONTINENCE, LEARNING, PERSONAL CARE, VISION	0	1	1	1	1
BEHAVIOUR	0	0	1	1	2
BEHAVIOUR, COMMUNICATION, LEARNING	0	0	1	1	1
BEHAVIOUR, COMMUNICATION, OTHER DDA, LEARNING	0	0	1	1	1
BEHAVIOUR, LEARNING	0	0	1	1	1
BEHAVIOUR, OTHER DDA, LEARNING	0	0	0	2	2
HEARING, LEARNING	0	0	0	0	1
LEARNING	0	0	2	2	2
OTHER DDA	0	0	0	0	2
Grand Total	0	1	7	9	13

Source: PARIS Feb 2021 - Covers all ages and care leaver statuses

In addition, research shows that cared for are more likely to have mental health needs and issues with their emotional well-being. However, because of their age and the complexity of their emotional needs, serious and enduring mental health needs are frequently unmet. This national challenge for children’s services and CAMHS services was identified in the last Sufficiency Strategy and limited progress has been made in securing appropriate and accessible CAMHS support. This is now an important and pressing issue that requires resolution and the new management team responsible for cared for and care experienced children, including those with complex needs, in conjunction with their CAMHS and commissioning colleagues will prioritise consideration of the options that are available to meet the needs of cared for with mental health challenges and take forward the agreed actions.

2.1.9 Children entering and exiting care

In each of the full years between 2016/17 and 2019/20 the number of admissions has exceeded the numbers of discharges of children from care. However, in 2020/21 the YTD figures are showing clear evidence of a reversal of this pattern, reflecting the impact of the rigorous action to avoid unnecessary admissions to care.

Table: Admissions and discharges to and from care over last 5 years broken down by gender

Admissions into care						
Gender	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21 (YTD)
F	49	67	73	64	77	17
M	50	58	72	89	58	37
Grand Total	99	125	145	153	135	54
Discharges from care						
Gender	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21 (YTD)
F	71	61	45	55	58	48
M	56	59	58	64	67	50
Grand Total	127	120	103	119	125	98

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

2.1.10 Repeat admissions

This data shows that generally fewer children are experiencing second or further admissions to care although in the current year there has been a slight rise caused by the re-admission of 5 children in crisis when the Police exercised their powers of protection. Although this may be encouraging, further analysis is required to establish whether some children could be safely reunited with their families. We will remain conscious that repeat care episodes have a damaging impact on their lives and emotional development and the sufficiency strategy will make proposals to mitigate the risks.

Table: Number of repeat care episodes over each of last 3 years

Children Looked After who started in care for a second or subsequent time

Year	Number of Children
2016/17	8
2017/18	7
2018/19	4
2019/20	2
2020/21 (YTD)	5

2.1.11 Destination of children leaving care

27 children, which equates to 31% of children leaving care returned home to their families and a further 42 children (48%) have moved to suitable permanent arrangements. We anticipate more children securing permanency through adoption as 33 children benefited from adoption decisions in 2019-20, a figure that substantially exceeds the data for each year since 2014/15. Most children enter care at older ages. A number of this cohort had their period of being cared for ceasing recorded as “any other reason” which in reality means they left care at the point of reaching their 18th birthdays.

Table: Destination of children leaving care

	2015-16	2016-17	2017-18	2018-19	2019-20 (YTD)	2020-21(YTD)
ADOPTED, APPLICATION UNOPPOSED	20	9	13	7	17	16
ADOPTED, CONSENT DISPENSED WITH	8	5	7	4	9	
ANY OTHER REASON	10	14	2	22	18	2
CARE TAKEN OVER BY ANOTHER LOCAL AUTHORITY	2	1	1	1		
CHILD ARRANGEMENT/RESIDENTIAL ORDER GRANTED	6	11	6	5		1
DIED			1			
INDEPENDENT LIVING-SUPPORTED	14	18	14	17	3	
INDEPENDENT LIVING-UNSUPPORTED	4	3	3	6	5	3
LEFT CARE					14	30
RETURNED HOME	52	40	36	30	43	31
SENTENCED TO CUSTODY	1	1		1	2	
SPECIAL GUARDIANSHIP ORDER NOT FORMER FOSTER CARER	7	8	12	8	10	5
SPECIAL GUARDIANSHIP ORDER FORMER FOSTER CARER	1	6	7	17	20	11
TRANSFERRED TO ADULT SOCIAL SERVICES	2	4	1	1	1	
Grand Total	127	120	103	119	142	99

As at	31/01/2021			
CARE LEAVER LEGAL STATUS	FORMER RELEVANT			
	AGE			
Destination 2	19	20	21	Grand Total
Young person engaged full time in higher education (meaning studies beyond A level)	5	3	2	10
Young person engaged full time in education other than higher education	8	5	3	16

Young person engaged full time in training or employment	3	11	8	22
Young person not in education, employment or training because of illness or disability	4	5	4	13
Young person not in education, employment or training: other circumstances	13	7	9	29
Young person not in education, employment or training due to pregnancy or parenting	1	3	4	8
Young person engaged part time in higher education (meaning studies beyond A level)	0	0	0	0
Young person engaged part time in education other than higher education	1	0	0	1
Young person engaged part time in training or employment	3	5	0	8
Grand Total	38	39	30	107

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

In 2019-20 25 (29%) of children leaving care did so within 6 months of their care episode commencing indicating a decrease from 2014-2015 when the figure was 59 children (44%). 40 children (46%) spent between 6 months and 2 years in care. 22 children (25%) left care after periods between 2 and 10 or more years. Work undertaken following the implementation of the last Sufficiency Strategy has focused upon ensuring that the necessity for care is kept under active review for each child and how their needs can be best met without unnecessarily extended episodes of care.

Table: Duration of care episodes

How long CLA at point of ceasing to be CLA	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21 (YTD)
under 2 weeks	14	22	15	26	11	9
2-8 weeks	2	3	5	16	4	4
8wks-6mnths	27	29	15	20	18	7
6mnths-1yrs	18	10	25	21	30	18
1-2yrs	32	18	18	11	40	19
2-3yrs	18	10	9	8	7	12
3-5yrs	6	11	3	9	13	10
5-10yrs	7	9	8	4	15	14
10+yrs	3	8	5	4	5	6
Grand Total	127	120	103	119	143	99

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Children ceasing care by age during the past 6 years

Age of CLA ceasing to be CLA																					
YEAR	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	Grand Total	
2015-16	13	21	7	7	5	8	6	2	4	3	1	2	2	2	4	4	5	6	25	127	
2016-17	15	12	4	4	7	3	10	4	4	2	2	2		3	2	4	6	12	24	120	
2017-18	20	9	7	10	7	4	3	2	5	2	1		1	2	3	3	1	22	1	103	
2018-19	16	15	7	7	4	2	2	2	3		4		1		3	3	3	43	4	119	

2019-20	7	23	10	5	7	3	4	2	3	5	2	7	3	7	6	4	4	38	2	142
2020-21	8	9	8	6	2		3	1	3	2	2	6	1	6	5	5		31		98

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

The period since 2016/17 has seen significant increases in the number of young people who have left care in their 18th year. These data reflect the numbers of older children who have remained in the care system which, as noted earlier, are likely to have been in high-cost placements for at least some parts of their care episode. This trend is likely to continue.

2.1.12 Cared for by legal status

The largest proportion of children in care are subject to a full care order (201 children or 57%) followed by children subject to Section 20 (60 children or 17%) and those on interim care orders (53 children or 15%). These figures reflect Torbay’s use of care proceedings as a means of securing children’s safety and promoting permanence for those who are unable to return to their families. The current rate of 25.3 children per 10,000 population places Torbay as 9th out of the 151 Local Authorities in England against a national average of 11.40 and reflects that Torbay has increasingly relied on care proceedings over the last 4 years. Full care orders are in place for 121 (or 60%) of a total of 201 10 – 15-year-olds who are cared for. This equates to 34% of our total care population. This age group are less likely to be adopted and there is greater risk of multiple moves and placement breakdowns due to the emerging behavioural issues which underlines the importance of Torbay’s drive to achieve security through permanence for children which in turn will mitigate the risks of disruption.

23 aged 10 – 15 years and 22 who are aged 16+ are cared for subject to Section 20 and reflects a significantly high proportion (75%) of the total Section 20 care cohort. A further 53 children are subject to interim care orders with the distribution relatively evenly spread across the age groups.

As part of the sufficiency strategy, we will be seeking to use earlier interventions to reduce the requirement for interim and full care orders and we shall be rigorous in ensuring that care episodes are only used to effectively protect and safeguard children and young people. We continue to develop our effective edge of care interventions to mitigate the need for care episodes.

Key points

- Continue to focus on implementing the robust early help offer to support families with younger children with the help that they need, at the time that they need it, and which prevents escalation to statutory services.
- To further develop the consistent application of thresholds at all levels to facilitate interventions being targeted proportionally, effectively and in timely ways.
- To build resources to meet and reflect diverse demand within Torbay and ensure that services are readily accessible.
- More robust management scrutiny and oversight of assessment, care planning, and legal advice to avoid drift and unavoidable delay.

Table: Legal status of cared for

Children Cared For as at 31/01/21	
legal status	number
FULL CARE ORDER	205
INTERIM CARE ORDER	58
PLACEMENT ORDER GRANTED	32
SINGLE PERIOD ACCOMM SECT 20	25
Grand Total	320

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Legal status by age group

Description:	Age Group	Total as at 31/01/2021
FULL CARE ORDER	Age 1-4	3
	Age 5-9	32
	Age 10-15	124
	Age 16+	46
FULL CARE ORDER Total		205
INTERIM CARE ORDER	Under 1	18
	Age 1-4	18
	Age 5-9	14
	Age 10-15	8
	Age 16+	0
INTERIM CARE ORDER Total		58
PLACEMENT ORDER GRANTED	Under 1	1
	Age 1-4	14
	Age 5-9	10
PLACEMENT ORDER GRANTED Total		25
SINGLE PERIOD ACCOMM SECT 20	Under 1	1
	Age 1-4	0
	Age 5-9	2
	Age 10-15	11
	Age 16+	18
SINGLE PERIOD ACCOMM SECT 20 Total		32
Grand Total		320

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

2.1.13 Cared for projections

The number of children cared for by the authority rose over each of the three years to 2018/19 before decreasing slightly to 354 from 359 in 2019/20 and this downturn shows encouraging signs of continuing with the February 2021 figure standing at 320 which is below the March 2018 figure. These data suggest that the Sufficiency Strategy is beginning to impact upon the

cared for population as a result of the Children’s Service adopting measures to maintain children in their families and communities without compromising their safety and wellbeing. It is also important to note that this decrease has been achieved despite the projected rise of 3.4% in Torbay’s 0-19 population by 2024. The importance of the reduction will be demonstrated by the reduced financial pressures as a direct result of there being fewer children in the care system.

We will be seeking to ensure that Torbay’s care population will be in line with the best of our comparator authorities and the Council’s population growth rates and will take into consideration population migration and retention, birth rates and capital housing developments.

Sufficiency challenges and strategic priorities

- Torbay faces a challenge to ensure that the momentum of reduced numbers of cared for children is not adversely affected by the impact of COVID-19 which has seen the UK care populations rise, and the prospect of significant population growth.
- Children’s Services will undertake further modelling based upon the impact of our early help and edge of care services.
- Children’s Services will actively seek opportunities to reduce the cared for

2.1.14 Global stability

It is in children’s best interests to be in stable placements as children and young people who are removed from their family suffer separation and feelings of loss, even if they have been maltreated. These feelings are compounded when they experience multiple placements². Placement instability reduces a child’s opportunities to develop secure attachments. It may also exacerbate any existing behavioural and emotional difficulties making it more difficult for children to establish relationships with carers and contributing to further placement breakdown and rejection³.

Work that has taken place since the publication of the last Sufficiency Strategy has significantly improved the position in Torbay. Short term stability at 10.6% is better than the performance of both our statistical neighbours and national averages (11.8% and 11.00% respectively) Long term stability at 66% now exceeds our statistical neighbours (65%) and is closing on national averages (68%). The success of this work which reflects better planning, a greater focus on permanency, more local placement provision and active consideration of connected carers will continue over the life of this version of the strategy.

2.1.15 Current provision

² Schofield and Beek, 2005
³ Munro and Hardy, 2006

A total of 320 children were cared for as of January 2021. Of these, 143 (45%) children were aged between 10 – 15 and a further 64 (20%) were aged 16 and over. There are more boys (61%) compared with girls (39%). 64% of children looked after at 31st January were subjected to full care orders, and 53% were aged 10 and over.

Children subject to single periods of accommodation under section 20 (25 or 8%), placement orders (32 or 10%), or interim care orders (58 or 18%) account for the significant majority of the remaining care cohort.

These data reflect a change from the position when the last version of the Sufficiency Strategy was introduced. The age profile has not significantly changed but the proportion of girls has decreased reversing the position noted at the time. The significant change is the fall of young people subject to single periods of accommodation under Section 20 and the increase in placement and interim care orders which reflects the work, including purposeful use of court proceedings, being undertaken to secure permanency and therefore certainty for those children who are unable to return to live with their families.

205 children (64%) are looked after in family placements with approved foster carers and a further 38 (12%) are looked after by relatives or friends. 22 children (7%) live in residential care, and it is noted that within this cohort there are currently 2 children aged 5-9. These data suggest that the measures adopted in the last Sufficiency Strategy are having significant, positive impact. In addition to the significant reduction in the use of care solutions for children, the reliance upon the use of residential care has also significantly reduced from 42 placements to 22 in the period. At the same time, we have managed to maintain the proportion of children in foster care at 64% and increased the use of placement with relatives or friends from 29 children (8%) to 38 Children (12%). Together with the significant proportion of our children who are to be offered the security of permanent placement via adoption, a welcome pattern has developed which demonstrates that not only are we having success in safely reducing our care population, the Children’s Service is securing through matching family experiences in foster care or with wider family or friends for those children who cannot return to their families. These emerging and welcome trends give cause for optimism that our cared for children will benefit from research-based evidence that asserts that children achieve better outcomes through the experience of positive family life. The Service will also benefit from significantly reduced costs caused by the use of family based rather than residential care whenever it is in the child’s best interest to do so. Currently 53 children are matched with in-house carers and 42 with IFA carers.

Table: Profile of Cared for Placements as at 31st January 2021

Placement Type	CLA as at 31/01/2021
16+ SUPPORTED ACCOMMODATION	21
FAMILY CENTRE/MOTHER BABY UNIT	0
FP WITH OTHER CARER	205
FP WITH RELATIVE OR FRIEND	38
HOMES/HOSTELS	22
NHS/HEALTH TRUST OR ESTAB	2
OTHER PLACEMENTS	4
PLACED ADOP S19 CURR F. CARER	1

PLACED ADOP S19 NOT CURR CARER	2
PLACED ADOP S21 CURR F. CARER	2
PLACED ADOP S21 NOT CURR CARER	6
RESID SCHL NOT REG AS SCHL/HME	1
SECURE UNIT	0
WITH PARENT/RESP PERSON	15
YOUNG OFFENDERS INST/PRISON	1
Grand Total	320

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Placements by age as at 31st January 2021

PLACE_DESC	Under 1	Age 1-4	Age 5-9	Age 10-15	Age 16+	Grand Total
16+ SUPPORTED ACCOMMODATION	0	0	0	0	21	21
FP WITH OTHER CARER	13	22	41	104	25	205
FP WITH RELATIVE OR FRIEND	5	6	8	17	2	38
HOMES/HOSTELS	0	0	2	16	4	22
NHS/HEALTH TRUST OR ESTAB	1	0	0	0	1	2
OTHER PLACEMENTS	0	0	0	1	3	4
PLACED ADOP S19 CURR F. CARER	0	0	1	0	0	1
PLACED ADOP S19 NOT CURR CARER	0	1	1	0	0	2
PLACED ADOP S21 CURR F. CARER	1	1	0	0	0	2
PLACED ADOP S21 NOT CURR CARER	0	3	3	0	0	6
RESID SCHL NOT REG AS SCHL/HME	0	0	0	0	1	1
WITH PARENT/RESP PERSON	0	2	2	4	7	15
YOUNG OFFENDERS INST/PRISON	0	0	0	1	0	1
Grand Total	20	35	58	143	64	320

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Trends of placement type over time

Placement Type	31/03/2016	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021	% change 2016 to Jan 21
16+ SUPPORTED ACCOMMODATION	10	6	12	19	28	21	110.00%
FAMILY CENTRE/MOTHER BABY UNIT	4	4	1	1	1	0	-100.00%
FP WITH OTHER CARER	193	196	236	233	236	205	6.22%
FP WITH RELATIVE OR FRIEND	18	25	24	38	32	38	111.11%
HOMES/HOSTELS	29	27	30	33	31	22	-24.14%
INDEPENDENT LIVING	1	4	5	2		0	-100.00%
NHS/HEALTH TRUST OR ESTAB	1			3	1	2	100.00%
OTHER PLACEMENTS					2	4	
PLACED ADOP S19 CURR F. CARER				2	1	1	
PLACED ADOP S19 NOT CURR CARER	4	7	1	9	6	2	-50.00%
PLACED ADOP S21 CURR F. CARER	1	1	3	2	1	2	100.00%
PLACED ADOP S21 NOT CURR CARER	6	6	3	8	3	6	0.00%

RESID SCHL NOT REG AS SCHL/HME						1	
SECURE UNIT							
WITH PARENT/RESP PERSON	9	7	8	8	12	15	66.67%
YOUNG OFFENDERS INST/PRISON			1	1		1	
Grand Total	276	283	324	359	354	320	15.94%

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

2.1.16 Placements outside of Torbay

Torbay is a small council area which means that there are significant pressures on housing resources and the inevitable and associated constraints on the number of families living within the council boundaries who can come forward with offers to become foster carers. In addition, independent services are limited in Torbay. There are currently no local authority managed children's residential homes in Torbay although 33 agency foster placements have been made. However, Torbay hosts some 98 children looked after who are placed in the area by other local authorities. Although the council has not been able to identify the exact nature of those placements, it is reasonable to speculate that a significant number will have been placed with agencies who could possibly offer a resource to Torbay.

The number of placements of children 20 miles or more away from their home is 128 or 40% of the looked after population. In total 135 children (42%) are placed outside of the authority's boundaries. This figure remains high and continues to underline the importance of developing local resources to meet local need. The fostering campaign is a crucial factor in this although securing local resources is made more complicated by the geographically small size of Torbay.

Table: Proportion of LAC by placement provider and location (in Torbay/out of Torbay)

Placement Type	Location	31/03/2016	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021	%'s
16+ SUPPORTED ACCOMMODATION	Inside Torbay	3	1	3	10	19	10	233.33%
	Outside Torbay	7	5	9	9	9	11	57.14%
FAMILY CENTRE/MOTHER BABY UNIT	Outside Torbay	4	4	1	1	1		-100.00%
FP WITH OTHER CARER	Inside Torbay	133	123	150	144	156	125	-6.02%
	Outside Torbay	60	73	86	89	80	80	33.33%
FP WITH RELATIVE OR FRIEND	Inside Torbay	10	16	12	24	21	23	130.00%
	Outside Torbay	8	9	12	14	11	15	87.50%
HOMES/HOSTELS	Inside Torbay		2	2	1			
	Outside Torbay	29	25	28	32	31	22	-24.14%
INDEPENDENT LIVING	Inside Torbay		3	1	2			
	Outside Torbay	1	1	4				-100.00%
NHS/HEALTH TRUST OR ESTAB	Inside Torbay	1			1	0	1	0.00%
	Outside Torbay				2	1	1	
OTHER PLACEMENTS	Inside Torbay					1	1	
	Outside Torbay					1	3	

PLACED FOR ADOPTION	Outside Torbay	11	14	7	21	11	11	0.00%
RESID SCHL NOT REG AS SCHL/HME	Outside Torbay						1	
SECURE UNIT	Outside Torbay							
WITH PARENT/RESP PERSON	Inside Torbay	5	2	3	2	9	12	140.00%
	Outside Torbay	4	5	5	6	3	3	-25.00%
YOUNG OFFENDERS INST/PRISON	Outside Torbay			1	1		1	
Grand Total		276	283	324	359	354	320	15.94%

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

2.1.17 Placements exceeding 20 miles

The Care Planning, Placement and Case Review (March 2010) guidance and regulations, which came into force on 1st April 2011, laid out a duty of 'sufficiency' that required local authorities to ensure that, through direct provision or commissioning, a range of placements sufficient to meet the needs of all cared for children are available locally (within the local authority geographical area) or that there is a plan in place to move towards that position.

Therefore, when considering local placements' i.e. those made within a 20 mile radius, the picture demonstrates that we need to continue to build on the improvement that has been made since 31 March 2019. The proportion of children placed more than 20 miles away from their homes had been steadily increasing and although it remains significantly above the latest national and comparator group averages, the gap has closed. For some children where the out of local area placement was a focused plan consistent with the child's best interests, there were some positive outcomes. However, independent reviewing officers have been asked to support their social worker and team manager colleagues and ensure that efforts are made to secure local arrangements that meet children's needs through strengthened commissioning arrangements.

Table: Proportion of LAC placed 20 miles or more away from their home (and comparator data)

	31/03/2016	31/03/2017	31/03/2018	31/03/2019	31/03/2020	31/01/2021
Total CLA	276	283	324	359	237	221
Children looked after placed more than 20 miles away	73	81	94	127	117	99
% of total Torbay CLA placed more than 20 miles away	26.40%	28.60%	29.00%	35.40%	49.37%	44.80%
Comparator Authority Ave	12.90%	12.30%				
National Ave	13%	13%				

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Proportion of LAC placed 20 miles or more away from their home by provider

Children looked after placed more than 20 miles away							% of all CLA					
PLACE_DESC	31/03/2015	31/03/2016	31/03/2017	31/03/2018	31/03/2019	31/10/2019	31/03/2015	31/03/2016	31/03/2017	31/03/2018	31/03/2019	31/10/2019
16+ SUPPORTED ACCOMMODATION	1	3		5	5	5	0.3%	1.1%	0.0%	1.5%	1.4%	1.4%
FAMILY CENTRE/MOTHER BABY UNIT	1	4	4	1	1	2	0.3%	1.4%	1.4%	0.3%	0.3%	0.6%
FP WITH OTHER CARER	23	25	34	42	51	61	7.6%	9.1%	12.0%	13.0%	14.2%	17.6%
FP WITH RELATIVE OR FRIEND	8	4	5	8	12	8	2.6%	1.4%	1.8%	2.5%	3.3%	2.3%
HOMES/HOSTELS	24	24	20	24	29	39	7.9%	8.7%	7.1%	7.4%	8.1%	11.3%
INDEPENDENT LIVING	1		1	3			0.3%	0.0%	0.4%	0.9%	0.0%	0.0%
NHS/HEALTH TRUST OR ESTAB					2	2	0.0%	0.0%	0.0%	0.0%	0.6%	0.6%
PLACED ADOP S19 CURR F. CARER					2	1	0.0%	0.0%	0.0%	0.0%	0.6%	0.3%
PLACED ADOP S19 NOT CURR CARER	4	4	7	1	9	12	1.3%	1.4%	2.5%	0.3%	2.5%	3.5%
PLACED ADOP S21 CURR F. CARER	1	1	1	3	2	1	0.3%	0.4%	0.4%	0.9%	0.6%	0.3%
PLACED ADOP S21 NOT CURR CARER	14	6	6	3	8	2	4.6%	2.2%	2.1%	0.9%	2.2%	0.6%
RESID SCHL NOT REG AS SCHL/HME	1						0.3%	0.0%	0.0%	0.0%	0.0%	0.0%
SECURE UNIT						1	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%
WITH PARENT/RESP PERSON	4	2	3	3	5	2	1.3%	0.7%	1.1%	0.9%	1.4%	0.6%
YOUNG OFFENDERS INST/PRISON				1	1		0.0%	0.0%	0.0%	0.3%	0.3%	0.0%
All Cared for 20 + miles	82	73	81	94	127	136	27.2%	26.4%	28.6%	29.0%	35.4%	39.3%
All Cared for	302	276	283	324	359	346						

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Sufficiency challenges and strategic priorities

- Develop and implement robust commissioning strategies to ensure that the required range of placements within the local area is available, including foster care, residential care when it is in the best interests of the child, and supported accommodation for care experienced
- Continue to coordinate through strong management, well planned placements matched to children and young people's needs including procedures for making and authorising out of area placements.
- Appropriate support to be provided to minimise disruption to placements
- Continue to achieve permanence planning to ensure children are matched to long term placements in a timely fashion where appropriate
- Further improve the commissioning and contract monitoring of all care placements including bespoke packages package, which often includes, education, therapy and drug and alcohol intervention
- Ensure 'responsible commissioner' arrangements and the 'virtual school' are effective in securing services for children placed out of borough.

Section 3

Data collection, analysis and interpretation are leading to a better-informed understanding of current activities in each provision area and the council’s strategic intentions for the future. This section highlights current and future actions. We will continue to build data literacy across the workforce to enable performance and management information to be built into strategic and operational management and front-line practice.

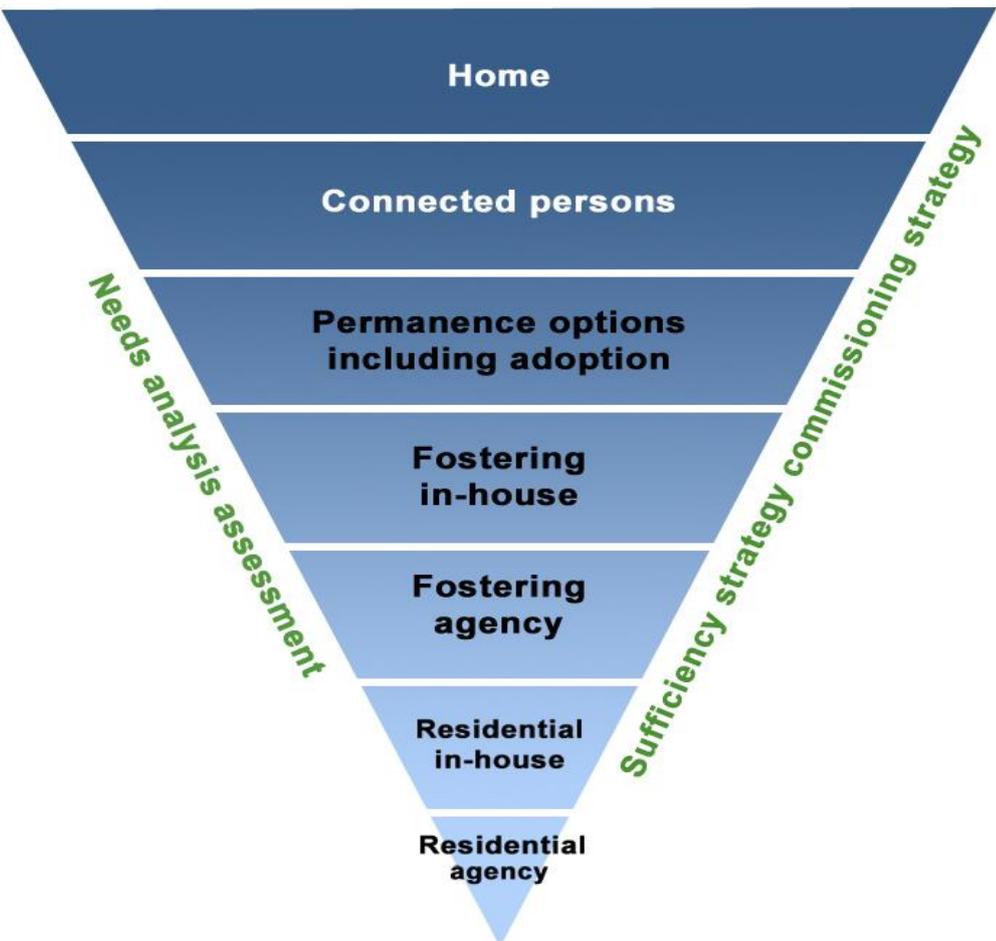
3.1 Placements

The service will provide robust support to families so that children and young people on the edge of care can remain safely at home whenever possible. When children do come into care, they should be provided with a safe, stable placement that has been matched to their specific needs that enables them to form meaningful relationships with trusted adults for as long as they need them. For children who are unable to return home because of safety considerations, they will be helped to achieve permanent living arrangements with trusted care givers.

Torbay is committed to ensuring the voice of the child is heard and listened to at every stage of the process and will build upon the progress that has been made in this regard in accordance with the requirements of the previous Sufficiency Strategy.

These options will be explored sequentially, in the order set out below (Figure 7.1), and the most suitable placement option, depending upon the needs of the child, will be pursued.

Figure: Shows the options that Torbay Council will explore for cared for in order



3.2 Supporting families to prevent children becoming looked after

The council believes that for many teenagers, positive outcomes are more likely when families receive effective edge of care support and outreach services than by the young person entering care. Central to every case, the now well-established Family Group Conference service will identify the strengths within the family and in the wider family and friends group that can be harnessed to become part of the child's plan.

Torbay Council will continue to prioritise prevention through its early help offer delivered in accordance with its multi-disciplinary Early Help and Early Intervention Strategy. Strong and defined governance arrangements is ensuring that there is a consistent approach to prevention across the system and clear pathways into early help and early intervention services across the continuum of need. There is a particular focus on working with families, increasingly by deploying restorative approaches, to build resilience in order to prevent difficulties escalating, reduce demand for specialist and statutory services and ultimately to ensure children, young people have improved life outcomes and are able to remain safely within the family unit.

Targeted support is available through a number of community resources strategically located and co-ordinated through designated hubs that will be available across the council area. Each hub ensures that families can readily access a range of support commensurate with the required level of need from a multi-disciplinary team of practitioners and from the wider community network.

Intensive interventions for children and young people on the edge of care, edging towards care, at risk of exclusion and/or exploitation are delivered through a specialist integrated service that includes a respite offer and bespoke packages of supportive community-based care. Practitioners work intensively with families delivering proven approaches to improve family relationships, promoting effective parenting and positive social behaviour and ensure the safety and wellbeing of children and young people.

Sufficiency challenges and strategic priorities

- Continue to further develop and provide an effective, evidence-based prevention and early help offer. This support will help families make significant change and improvement in their lives, preventing family breakdown and children becoming looked after
- 16 and 17 year olds will not automatically come into care unless they are unaccompanied asylum seekers, remanded to the local authority or are at significant risk of immediate harm
- Maintain the rigour of the legal planning process to appropriately and safely reduce admissions to care
- Maintain and further develop the stronger links with partner agencies to ensure full understanding of when care solutions will be used to safeguard and protect children.

3.3 Connected person fostering

Influencing the numbers of children in a connected person placement is very difficult as this provision is reliant on whether there is a family or friend connected to that child and their family available to provide foster care and support to that child. We will continue to ensure

that Children and Looked After Team are effective in achieving and managing permanency and will strengthen arrangements to undertake joint viability assessments with the child care teams. We will actively consider the potential for a connected person placement alongside other care solutions to build on the 38 current arrangements. This process will continue to add robustness to the quality of assessments and will ensure proposed connected persons are able to provide a good standard of care in a loving and nurturing environment and where children are no longer at risk.

It is the service’s vision that children placed in connected person arrangements are, where appropriate, provided with permanency via a Special Guardianship Order. At the time of drafting the Sufficiency Strategy, 10 children are living with Connected Carers who are progressing to become Special Guardians and a further 17 are living with carers subject to a care order and in circumstances where the possibility of the carers becoming Special Guardians has not been explored. Over the recent past it has been noted that legal advisors are influencing Connected Carers not to become Guardians unless they are fully aware that they will lose their current financial support packages. This has generated a review of options and a costed paper (between £85k and £93k is in the final stages of drafting before being presented to the leadership team for consideration.

Sufficiency challenges and strategic priorities

- To consider the potential for, and ensure the quality and timeliness of viability assessments
- To ensure assessments of connected persons are timely and robust and that children, young people and their carers receive appropriate support
- To ensure children placed in connected persons placements are offered permanency via special guardianship or adoption
- To continue to ensure Reg. 24 placements meet National Minimum Standards 2011.

					ytd
12	14	17	32	12	15

Source: PARIS Feb 2021

Sufficiency challenges and strategic priorities

- To ensure pre-birth planning is robust and timely to ensure there are no delays in care planning
- To increase the use of fostering for adoption provision to ensure secure attachment base for babies and young children
- To ensure the regional adoption agency is aware of the challenges facing the authority in meeting the needs of sibling groups older children and children with disabilities
- To ensure assessments of adopters are timely and robust
- To continue to work with our partners in both recruitment and family finding. To also use the national agencies, Adoption Match and Adoption Link in order to ensure children and adopters are identified quickly to prevent delay for children and also adopters
- To continue to develop best practice in line with Government initiatives, consultancy advice and feedback from adopters.

3.4 Fostering

This document has already set out that Torbay has historically had a significant reliance upon care solutions, the consequences of which are set out in the data upon which this strategy is based. It continues to demonstrate graphically why Torbay needs to focus on effective prevention to enable young people to live safely within their families and communities. There is clear national evidence that is supported locally that suggests children entering the care system, particularly in the 5-9 and 10-15 age groups, tend to be more likely to remain in care for longer periods. While it is good that a significant proportion of children live in foster care, it should be an ambition to reduce the length of their care episodes unless there are identifiable and enduring safeguarding concerns. However, it is noted that less than half of cared for children are placed with in house carers and significantly 103 (41%) of family placements are made using the services of independent service providers.

Table: Monthly profile of fostering provision used over year to 31 January 2021 (in house and ISP)

CLA in Foster Provision							
Provision Type	31/07/2020	31/08/2020	30/09/2020	31/10/2020	30/11/2020	31/12/2020	31/01/2021
Connected	31	32	32	33	32	35	38
In house	127	127	127	125	127	122	121
Independent Service Providers (ISP)	114	107	102	103	101	105	103
Other LA Provision	0	1	1	1	1	0	0
Grand Total	272	267	262	262	261	262	262

Source: PARIS Feb 2021 – figs exclude reg 48 CLA

Table: Duration of current fostering placements by age and agency for year ending 31 January 2021

Duration of current fostering placement as at 31/01/21 by age										
	age group	2-8 weeks	8wks-6mnths	6mnths-1yrs	1-2yrs	2-3ys	3-5yrs	5-10yrs	10+yrs	Grand Total
FOSTER PLACEMENTS WITH OTHER CARER	Under 1	0	1	5	6	1	0	0	0	13
	Age 1-4	0	0	2	1	18	1	0	0	22
	Age 5-9	0	0	5	2	17	4	9	4	41
	Age 10-15	0	1	2	1	11	17	21	47	100
	Age 16+	0	0	0	0	2	0	4	11	17
FOSTER PLACEMENTS WITH RELATIVE OR FRIEND	Under 1	0	0	4	1	0	0	0	0	5
	Age 1-4	0	0	1	2	3	0	0	0	6
	Age 5-9	0	0	1	1	5	0	0	1	8
	Age 10-15	0	0	3	0	2	1	0	5	11
	Age 16+	0	0	0	0	1	0	0	0	1
Grand Total		0	2	23	14	60	23	34	68	224

3.5 In-house fostering placements

A recruitment strategy launched following the implementation of the last Sufficiency Strategy has been successful in increasing the number of fostering households in Torbay by six which equates to a gain of 10 places for children. Although appearing to be a small increase, the number needs to be viewed against a backdrop of an aging foster carer group, a number of whom have retired or have stepped back from fostering, some having done so in response to the pressures and health vulnerabilities associated with the COVID pandemic. This changing profile means that the total number of in-house fostering households is now 85 (162 placements). Although the improvement is welcome, a concern remains that action is still required to ensure that local provision continues to increase. Work undertaken in response to sufficiency concerns is taking place and another broad-based and Torbay led recruitment strategy is underway, a strategic relationship has formed with a community-based organization, Homes for Good, that is targeting recruitment in the Torbay and surrounding area faith communities, and work beginning to explore the resource available from providers of hosting arrangements for language students. It is anticipated that this work may offer placements for care experienced young people, those facing the risk of homelessness as well as some who might consider offering their skills as part of the fostering service.

Currently the service provides, or aspires to provide a range of different placement types:

- **Short-term fostering:** children live with short-term foster carers while decisions are made about their permanent futures, including reunification with their families.
- **Long-term fostering:** A child will become part of a family until they grow up. Not all children want to be adopted, especially older children or those who continue to have regular contact with relatives. Increasingly these arrangements will become permanent, and a proportion will endure beyond the young person's date of natural discharge from care and will become 'staying put' arrangements.
- **Connected persons:** A connected person is a relative, friend or other person connected with a child. Family and friends carers play a unique role in enabling children and young people to remain with people they know and trust if they cannot, for whatever reason, live with their parents.
- **Specialist fostering, which includes provision for specific 'remand' placements:** This small group of foster carers (initially up to 3 households) was recruited to support young people in care aged 10-18 years with particularly complex needs, some of whom may be in the youth justice system or disabled. This is a specialist foster carer role, with foster carers needing skills and experience of working with teenagers to really make a difference and help them turn their lives around and reach their potential. We will continue to keep the size of this resource under review and seek to recruit more carers if necessary. There is an intention to train some carers to assess and support the parenting capacity of parents with their infants.

3.6 Review of in-house fostering placements

121 fostering arrangements in Torbay are with in-house carers and a further 84 children are living with independent foster carers (down from 103 at the time of the last Sufficiency Strategy). This reflects an improved position with a greater proportion of children placed with in-house carer and as a direct result fewer children are placed outside of Torbay, (57 children currently as opposed to 69 previously).

Continual oversight of in-house provision means that there is detailed understanding of unused places. For example, 41 unused places identified in this data set comprises a combination of carers being unable to accept placements for personal reasons, others being unable to care to the capacity of their registration due to the complexity of need of a child already in placement, because they have accepted ‘staying put’ arrangements and a small number who are working towards retirement.

The table below underlines the importance of the aforementioned in-house fostering strategy and the associated recruitment campaign. Of particular note, are the numbers of children in the 5-10 and 11-15 age categories that are placed with IFAs. Although the sample is small, it demonstrates that we have insufficient placement choice or availability among our in-house carers to meet the challenges that these cohorts of children present, which means that the children concerned are often placed in more expensive placements which are also more likely to be out of the area. This finding re-enforces why we need to focus upon developing the diversity of skills in our in-house resource that can meet the needs of our children.

Table: New CLA Placements since 01 November 2018 by age and type

New CLA	Placement Type		
	In House	Independent Fostering Agencies	Connected Carers
0-1 years	7	3	6
2-4 years	10	4	3
5-10 years	14	13	5
11-15 years	7	11	8
16-18 years	0	0	3

3.7 Placement shortages

Following the analysis of fostering placements, the service is likely to conclude that in order to meet the increased demand for foster carers and to have the greatest positive impact on the looked after population, Torbay’s marketing and recruitment activity should include:

- **Targeting foster carers specifically for sibling groups**

The work undertaken since the publication of the last Sufficiency Strategy has achieved significant and positive results. 26 children from 13 sibling groups are now placed with independent foster care providers, a reduction from 56 children from 24 sibling groups. This equates to 13% of all cared for children placed in foster care (down from 25%). The targeting of resources for sibling groups will continue to ensure that where it is in the children’s assessed interests, they will be able to remain living together and in permanent arrangements when they are unable to return home.

- **Targeting foster carers specifically for children aged 11+**

There has been some significant success in addressing Torbay’s unsustainable reliance on residential care. Notwithstanding the work still required to secure an in-house foster care provision with the skills and capacity to meet most needs locally, the placement reduction shows that our diversion (from residential provision) activity has gained traction. We have recruited resilience carers who have additional skills to work with young people with

particularly complex needs and will actively seek to recruit more if the need is established. It is also inevitable that older children will increasingly take the opportunity of benefiting from the stability and security that Staying Put arrangements offer. Although by definition this places extra strain on placement availability. The recruitment strategy has factored in the projected resource impact.

- **Targeting foster carers specifically for children with disabilities**

There is a small but significant number of children with disabilities who currently reside in high-cost placements. Notwithstanding that some of their needs will be particularly complex, we remain committed, though still not sufficiently successful, to securing resources that enable all children to experience family care if it can meet their needs and is in their best interest. The management arrangements in the responsible team has been strengthened and will target focused activity to build our foster care resource to improve the quality of offer to these children.

- **Recruitment of specialist foster carers**

The sufficiency strategy has already noted that we require specialist foster carers who can work with children in emergency situations, including when children have been remanded, to mitigate the requirement for residential provision (including secure provision). It is recognised widely that services of this type need particular support and we are currently exploring the work of an experienced organisation, 'The Mockingbird Project' to establish the services that may be required to make such placements a success. The outcome of this work will inform the detailed plan in the fostering workstream.

3.8 Further actions for the service

In addition to focusing on these recruitment needs, the service will also continue to achieve improvements to the assessment process and consider how it can best utilise its current carer cohort so that it can fully optimise available placements.

Sufficiency challenges and strategic priorities

- To improve timeliness of fostering assessments and initial visits
- To continue to run targeted recruitment campaigns to secure carers for sibling groups, specialist and emergency placements
- To maximise in-house placement capacity and better utilise carer's skills and capacity
- To continue to provide appropriate support to minimise disruptions to placement stability
- To continue to monitor and develop permanence planning practice to ensure children are matched to long term foster placements in a timely fashion where this is determined to be in their best interests
- To continue to improve the data recording and reporting system of in-house placement availability
- To improve the support available to children with complex needs.

3.9 Residential Placements

It is the strategic intention of Torbay Council to continue to restrict the use of residential care to those children with needs that are best met by such a resource. It is well proven that cared for children do better if they experience family type life experiences either in foster care, special guardianship, or through adoption. It is this understanding that drives Torbay's determination to effectively prevent the use of care episodes unless it is to safeguard and protect the child concerned. It also provides the support for our determination to refrain from using residential care for any child under 10 years although in highly unusual and exceptional circumstances, this rule may be broken. Because of the nature of this cared for cohort, projections for the future based upon age are generally more reliable. Having regard to the age profiles of the current young people concerned, we confidently expect 20 to leave their residential provision over the three years duration of this Sufficiency Strategy which notwithstanding a small number of admissions over the same period (6-8 on current projections), will result in a significantly reduced reliance upon residential care.

Wherever it is possible to do so we shall try to enable families to remain unified or to support them to live together successfully after a period of care during which time intensive work takes place to build the platform for the child to make a successful and full re-integration to his family. This work is best achieved if the in-care resource is geographically approximate to the child's home and community, and it mirrors as closely as possible domestic life. This means that residential provision should be small, comfortable domestic style properties ideally located within easy travelling distance of Torbay's borders. Currently, Torbay has no residential resources of its own which means that it has to commission places through the independent sector if it chooses to offer residential provision. It is currently in the process of exploring options for commissioning (as opposed to spot purchasing) a diverse range of provision that can meet the particular needs of the Torbay cared for cohort.

Sufficiency challenges and strategic priorities

- To strengthen the edge of care service to prevent avoidable care episodes
- To prevent the use of residential care for all children under 10 years of age
- To strengthen alternative care resources to free residential provision for use with those children whose needs are best met in these settings
- To commission a diverse range of local residential resources which mirror as closely as possible domestic dwellings
- To use residential care for the shortest time possible to prevent institutionalisation.

3.10 Leaving care provision

Torbay has 166 care experienced young people with males forming slightly more than 50% of the cohort. Significantly the data which shows the age at which care experienced became looked after reinforces Torbay's committed intention to prevent younger children drifting in care and older children entering the care system. 11 care experienced were 4 years of age or younger when they first entered care and 129 were 11 years or more.

50% of care experienced move to independent living with reunification with parent or relatives (17%), supported lodgings (8%) and staying put arrangements (7%) being the next largest groupings. These data are encouraging and reflect improved engagement with care experienced young people since the launch of the previous Sufficiency Strategy. It is however worrying that 6% of young people were either in custody or homeless (3% each) following their care episode. Although small in number, this data illustrates areas of our service where we need to take any opportunity to improve. It is these areas that the recent Youth Housing and Homelessness Strategy is addressing with the creation of a dedicated and experienced workforce and a proposal to join with statutory, not for profit and private sector providers to create a 'virtual team' that will provide a diverse but integrated approach to ensuring sufficiency of early intervention coupled with emergency, 'move on' and permanent accommodation for all care experienced young people and those who are at risk of becoming homeless. It is also recognized that the role of the corporate parent is crucial to the success of this initiative and strengthened and formal links are in the early stages of being formed with Torbay's Corporate Parenting Board.

Table: Age and gender profile of care leaver cohort

Source: PARIS Oct 19 all ages and legal statuses

Care experienced as at	31/01/2021									
	AGE									
gender	16	17	18	19	20	21	22	23	24	Grand Total
F	0	0	6	18	22	13	15	5	2	81
M	0	0	11	16	25	16	11	6	0	85
Grand Total	1	7	40	33	37	36	4	1	1	166

Source: PARIS 31 Jan 2021 all ages and legal statuses

Table: Age at which the leaving care cohort first became looked after

Age at which current care experienced first became CLA																				
gender	OLA qualifying	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	Grand Total
F	2	3	0	0	0	3	0	0	1	1	3	3	3	2	11	11	14	8	16	81
M	0	1	1	0	1	2	2	1	7	1	2	3	8	10	4	11	8	11	13	86
Grand Total	2	4	1	0	1	5	2	1	8	2	5	6	11	12	15	22	22	19	29	167

Source PARIS 31 Jan 2021 all ages and legal statuses

Table: Leaving care cohort eligibility

as at 31/01/2021	
CARE_LEAVER_LEGAL_STATUS	Total
ELIGIBLE	2
FORMER RELEVANT	157
QUALIFYING	7
Grand Total	166

Source PARIS 31 Jan 21 all ages and legal statuses

Table: Accommodation type used by care experienced

	31/01/2021			
CARE LEAVER LEGAL STATUS	FORMER RELEVANT			
	AGE			
	19	20	21	Grand Total
Community home or other form of residential care such as an NHS establishment	1	1	1	3
Independent living, for example independent tenancy of flat, house or bedsit, including local authority or housing association tenancy, or accommodation provided by a college or university. Includes flat sharing	18	19	15	52
Other accommodation	1	3	0	4
Semi-independent, transitional accommodation (like a supported hostel, trainer flats); self-contained accommodation with specialist personal assistance support; and self-contained accommodation with floating support	1	0	0	1
Supported lodgings (accommodation, usually in a family home, where adults in the "host family" provide formal advice and support)	2	2	4	8
With former foster carers - where the young person has been fostered and on turning 18 continues. This code should not be used for 17 year old. If the foster carer is relative use this code not 'B '	2	5	0	7
With parents or relatives	5	10	3	18
no fixed abode/homeless	0	1	2	3
Emergency accommodation (like a night shelter, direct access or emergency hostel)	2	1	3	6
In custody	0	1	2	3
Grand Total	32	43	30	105

3.11 Accommodation challenges

Local authorities have a duty to house all care experienced aged 16 and 17. Once aged 18, young people's accommodation needs are assessed under homelessness legislation, and most will need to claim Housing Benefit. The law states that care experienced must be given 'suitable accommodation', which is defined as suiting a young person's needs and lifestyle (being near work or college, for example), have received checks from the local authority and follow health and safety regulations for rented accommodation. The law also says that bed and breakfasts are not suitable for 16 and 17 year olds, and that 18 year olds should only be placed in a B&B on a temporary basis. Young people's wishes and feelings about accommodation should also be taken into account. Each of these legal requirements underpin the strategic approach outlined above and work will continue to tackle the issues against a backdrop of Torbay's significant shortage of suitable and permanent accommodation for young people which tends to mean that emergency and 'move on' resources become blocked, thus increasing the unacceptable risk of youth homelessness generally and for care experienced young people in particular.

Strategic priorities

- All care experienced young people should have access to good quality, affordable accommodation
- Provision should be suitable to meet the needs of young people and support should be available to enable young people to successfully maintain their tenancy
- Young people should have access to a resource provided by specialist leaving care workers that will help young people, through the provision and advice of practical support, to address concerns
- Young people should have access to external professionals and services such as mental health services, drug and alcohol advisory services that would enable them to make the transition to young adulthood.

3.12 Governance arrangements to support placement sufficiency

Torbay Council's Children's Services along with other local services and partner agencies, are responsible for leading improvements in services to prevent children becoming cared for providing matched and high-quality services for those children who have to be accommodated. Their specific scrutiny arrangements and internal monitoring processes will continue to oversee and evaluate progress, challenging when necessary. The Corporate Parenting Board will continue with its specific role to oversee and monitor the experiences of cared for and care experienced children and will drive forward a partnership approach to improve the health, stability and safety, educational attainment, positive engagement and economic wellbeing of cared for and care experienced children and young people.

Section 4

4.1 Conclusion

This report provides the evidence to underpin the rationale for the direction that the Children's Service wishes to take to continue to improve and accelerate the quality of services that it provides to children, young people, their families and carers. It welcomes the platform of increased stability, including crucially, financial stability achieved by the successful implementation and impact of the last Sufficiency Strategy. It remains dedicated to building further upon the progress that has been achieved. This strategy commends maintaining the direction of the pathways laid down to create much of what has been achieved so far while inevitably and correctly commending sharper focus on some key areas of continuing challenge, for example services to young people at risk of homelessness. Specifically, it advocates

1. continuing to develop and implement edge of care and early help and intervention resources that prevent avoidable admissions to the care system for children and particularly older children. Research tells us that older children entering the care system are more likely to remain and often in expensive placements, without achieving good outcomes
2. improving further the quality of our fostering provision by continuing to develop our 'in house' resource of carers who have been developed to meet the specific and diverse needs of our children. Successfully building the capacity and capability of our 'in house' foster carers will continue to significantly reduce our reliance on Independent Fostering Agencies, impact further and positively upon our use of residential care and will mean that more children are cared for nearer to home and achieve better outcomes from their care experiences
3. only using residential provision when it is established that it best meets the needs of the child and strengthening our commissioning arrangements to ensure that it is local and able to mirror as far as possible domestic life
4. continuing to support cared for children in achieving permanence
5. continuing to develop services for care experienced young people that incorporates Throughcare and Housing and Youth Homelessness Strategies
6. using data and experience to monitor trends and to develop new approaches and resources to meet new or changing needs, for example as has been done in relation to Youth Homelessness.

Meeting: Cabinet

Date: 13 July 2021

Wards Affected: All

Report Title: Gambling Act 2003 – Draft Licensing Statement of Principles 2022 to 2025

Is the decision a key decision? Yes

When does the decision need to be implemented? 30th January 2022

**Cabinet Member Contact Details: Cllr Christine Carter, (01803) 207313,
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**Supporting Officer Contact Details: Steve Cox, Environmental Health Manager
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1. Proposal and Introduction

- 1.1 The Gambling Act 2005 requires Torbay Council, under its role as Licensing Authority, to review and publish a ‘Statement of Principles’ (*the Gambling Policy*), every three years. The Statement of Principles outlines the procedures that the Licensing authority intends to follow in discharging its statutory responsibilities under the Act. The current Statement was published on 30th January 2019 and therefore, it must be reviewed, consulted upon and re-published, on or before 30th January 2022.
- 1.2 Torbay Council are authorised to issue a ‘Small Casino Premises Licence’. The Act and Codes of Practice issued under the Act with that regard, require Licensing Authorities who are authorised to issue a ‘Small Casino Premises Licence’ to include within their ‘Statement of Principles’ certain information. This includes information on how the ‘*Small Casino Premises Licence Application Process*’ will be undertaken by the Council, including the ‘greatest benefit test headline criteria’ that will be applied to any applications received. The criteria for the greatest benefit test have been revised and simplified within this draft.
- 1.3 The draft ‘Statement of Principles 2022-25’ has been amended to include a number of changes, which have come about over the last three years through amendments to Regulations, Codes of Practice and Gambling Commission guidance, along with the changes highlighted in 1.2 above.

2. Reason for Proposal and associated financial commitments

- 2.1 In accordance with the statutory requirement, as prescribed under Section 349 Gambling Act 2005, which requires that the Licensing Authority to publish a Statement and to review and re-publish the same, every 3 years. The Authority has reviewed its current Policy and has prepared a draft ‘Statement of Principles 2022-25’ which will be formally published on the 17th of July 2021 inviting public

consultation and comment for a period of 8 weeks. This is attached as **Appendix 1** to this report.

- 2.2 The proposals contained in this report will not commit the Council financially in any regard, other than staff and consultations costs which will be drawn from existing budgetary resources. However, should the Authority to decide to launch a Casino Competition, then some additional funding will be required.
-

3. Recommendation(s) / Proposed Decision

- 3.1 That Cabinet approves the draft Gambling Statement of Principles 2022 to 2025, for public consultation.

Appendices

Appendix 1: Supporting Information and Impact Assessment

Appendix 2: Draft Gambling Statement of Principles 2022 to 2025

Background Documents

Gambling Act 2005

[Gambling Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Licensing Statement of Principles 2019 to 2022

[Gambling Statement of Principles - Torbay Council](#)

Statutory Guidance issued under the Gambling Act 2005

[Guidance to licensing authorities - Gambling Commission](#)

Section 1: Background Information

1.	<p>What is the proposal / issue?</p> <p>Torbay Council has a statutory responsibility under Section 349 of the Gambling Act 2005 (the Act) to review, consult and to re-publish its Licensing Statement of Principles (the Statement). In doing so it is following the guidance in what needs to be included within that Statement.</p> <p>The process of review, consultation and publication must be completed on or before 30th January 2022.</p>
2.	<p>What is the current situation?</p> <p>The Statement identifies how the Council will perform its role as Licensing Authority in relation to the licensing process for gambling premises, and Permits, issued under the Act.</p> <p>The Licensing Authority has no role regarding the administration and issuing of Operator and Personal Licences. These both fall to the Gambling Commission.</p> <p>The Statement is also required to include the procedures and criteria to be applied should the Torbay Council decide to launch a Small Casino Competition. These have been simplified, following legal advice.</p>
3.	<p>What options have been considered?</p> <p>No other options have been considered as this is a statutory requirement.</p>
4.	<p>What is the relationship with the priorities within the Partnership Memorandum and the Council's Principles?</p> <p>The Statement ensures clarity as to how the Council will fulfil its role as the Licensing Authority and provides clarification and guidance to businesses and the public alike.</p> <p>Gambling premises are part of the UK culture, particularly in seaside locations, providing they are undertaken responsibly. This Statement assists business to function safely and within the law. It therefore helps to promote two of the priorities, namely thriving people and communities, and a thriving economy.</p>
5.	<p>How does this proposal/issue contribute towards the Council's responsibilities as corporate parents?</p>

	<p>One of the three licensing objectives is Protecting Children and other Vulnerable Persons from being Harmed or Exploited by Gambling. The Act and the Mandatory Conditions applied to premises exclude children from most gambling premises, and in premises where they are allowed, excludes them from all areas where higher category gaming machines are located. So effectively they are only allowed in what would be seen as 'seaside' arcades.</p>
6.	<p>How does this proposal/issue tackle poverty, deprivation and vulnerability?</p> <p>The Statement lays out how the Council will fulfil its role as Licensing Authority and provides clarification and guidance to businesses and the public alike on what would be expected on business operators. This includes tackling the issues of vulnerability with individuals with gambling problems. This is a shared responsibility with the Gambling Commission, who have this responsibility through a premises Operators Licence.</p>
7.	<p>How does the proposal/issue impact on people with learning disabilities?</p> <p>No impact either positive or negative - neutral</p>
8.	<p>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</p> <p>The holders of Premises licences and future applicants are those that are more directly affected by this Statement. These are businesses and business operators that provide gambling by way of Amusement Arcades, Casinos, Betting and Bingo Premises.</p> <p>The Statement, however, looks to protect the public who may be affected by less reputable operators</p> <p>The Act requires that the following parties are consulted by Torbay Council, prior to publication of the finalised 'Statement of Principles':</p> <ul style="list-style-type: none"> • The Chief Officer of Police. • One or more persons who appear to the Licensing Authority to represent the interests of persons carrying on gambling businesses in the Authority's area. • One or more persons who appear to the Licensing Authority to represent the interests of persons who are likely to be affected by the exercise of the Council's functions under the Act. <p>The finalised 'Statement of Principles' will be made following consultations with the following:</p> <ul style="list-style-type: none"> • Residents and businesses of Torbay. • Bodies representing existing gambling businesses in Torbay. • The Chief Officer of Devon and Cornwall Police. • The Chief Officer of Devon and Somerset Fire and Rescue Service.

- | | |
|--|--|
| | <ul style="list-style-type: none">• Torbay and South Devon NHS Foundation Trust• Torbay Safeguarding Children's Partnership• Torbay Council: Planning and Community Safety Department• SWISCo Highways Team• Safer Communities Torbay.• Facilities in Torbay assisting vulnerable persons.• Faith groups; via Torbay Interfaith Forum and the Street Pastors.• Brixham Town Council.• English Riviera BID• Torbay Development Agency. |
|--|--|

Section 2: Implications and Impact Assessment

9.	<p>What are the financial and legal implications?</p> <p>There are no significant additional resource implications that will derive from the Council discharging its statutory obligations, under the Act, though appeals against Licensing Authority decisions do place some additional burden on resources. This is however the due process of law.</p> <p>There will be potentially some limited costs, should the authority consider undertaking a process with regard to the Small Casino Licence, however his consultation does obligate the authority to start this process and that decision would need to be made separately.</p>
10.	<p>What are the risks?</p> <p>The risks are more associated with any failure to review and re-publish the Statement in time, as the effect would be that the Council would have no Policy in place, which effectively would prevent lawful discharge of functions under the Gambling Act 2005, which may lead to legal challenge against the Council and financial penalties being incurred.</p> <p>The risks associated with agreeing the Statement are minimal as it has been reviewed in line with regulatory requirements, which include full consultation and consideration of any comments that are received.</p>
11.	<p>Public Services Value (Social Value) Act 2012</p> <p>Does not apply</p>
12.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>Research and data has been compiled in relation to the Local Area Profiles, though this data is already in the public domain.</p>
13.	<p>What are key findings from the consultation you have carried out?</p> <p>Consultation to run between 19th July and 12th September 2021</p>
14.	<p>Amendments to Proposal / Mitigating Actions</p> <p>To be completed following consultation</p>

Equality Impacts

15.	Identify the potential positive and negative impacts on specific groups			
	<p>The Policy is a review of an existing Policy and therefore there is no change to impact of specific groups. Where there exists any potential for impact, this would generally be through the application process where there is the safeguard that any responsible authority or 'other person' may make representation. The four licensing objectives are also designed to ensure consideration of any impacts.</p>			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	X (young people)		
	People with caring Responsibilities			X
	People with a disability			X
	Women or men			X
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			X
	Religion or belief (including lack of belief)			X
	People who are lesbian, gay or bisexual			X
	People who are transgendered			x

	People who are in a marriage or civil partnership		X
	Women who are pregnant / on maternity leave		X
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	X	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	X	
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	

**STATEMENT OF PRINCIPLES 2022-2025
GAMBLING ACT 2005**

TABLE OF CONTENTS

Section	PART A ~ OVERVIEW	Page
	Introduction	3
	The Licensing Objectives	4
	Torbay Council Area Overview	4
	Declaration	5
	Interested Parties	5
	Exchange of Information	6
	Enforcement	7
	Licensing Authority Functions	8
Section	PART B ~ PREMISES LICENCES	Page
	General Principles	8
	Guiding Principles	8
	Decision Making Process	10
	Definition of Premises	10
	Provisional Statements	11
	Premises Location	12
	Duplication with other Regulatory Regimes	12
	Licensing Objectives	12
	Local Area Risk Assessment	15

Local Area Profile	18
Licence Conditions	18
Buildings divided into more than one premises	19
Access to premises	20
Material amendments to the premises	22
Adult Gaming Centres	23
(Licensed) Family Entertainment Centres	23
Small Casino Premises Licence Overview	24
Bingo Premises Licence	24
Betting Premises Licence	25
Track Premises Licence	26
Travelling Fairs	28
Reviews	29

Section	PART C ~ PERMITS / TEMPORARY AND OCCASIONAL USE NOTICES	Page
	Unlicensed Family Entertainment Centre ~ Gaming Machine Permits	30
	Alcohol Licensed Premises ~ Gaming Machine Permits	31
	Prize Gaming Permits ~ Statement of Principles on Permits	33
	Club Gaming Permits and Club Machine Permits	33
	Temporary Use Notices	35
	Occasional Use Notices	35
	PART D ~ APPENDICES	Page
1.	Consultations	36
2.	Small Casino Procedures	37

This 'Statement of Principles 2022-2025' was approved and adopted by Torbay Council on XXXXXXXX

PART A ~ OVERVIEW

INTRODUCTION

- 1.1. This [Draft] Statement of Principles is published in accordance with the requirement set out in the Gambling Act 2005 requiring the Licensing Authority to prepare and publish a Statement of Principles that sets out the principles that the Licensing Authority proposes to apply when exercising its functions.
- 1.2. This [Draft] Statement was written in accordance with legislation and guidance in place at the time of publication. It includes details of the steps taken in relation to its preparation and details of the policies to which the Licensing Authority will have regard in determining applications submitted under the Act. It is intended to comply with and fulfil the requirements of the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 (SI 2006 No. 636).
- 1.3. The Licensing Authority will consult widely on this Draft Statement of Principles 2022-2025, before approving and publishing the finalised 'Statement of Principles 2022-2025'. The consultation period will commence 19 July 2021 and conclude 13 September 2021.
- 1.4. It should be noted that this Draft Statement of Principles 2022-2025 will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each application will be considered on its own merits and in accordance with the statutory requirements of the Act.

THE LICENSING OBJECTIVES

2.1 In exercising its functions under the Gambling Act 2005 (hereinafter referred to as 'the Act'), the Licensing Authority will have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

[The Act defines a 'Child' as an individual aged 15 years or under; and defines a 'Young Person' as an individual aged 16 to 17 years].

- 2.2 In making decisions in relation to premises licences the Licensing Authority will, in accordance with Section 153 of the Act, aim to permit the use of premises for gambling in so far as it thinks that use will be:
- In accordance with any relevant code of practice issued by the Gambling Commission, available here: <https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp>
 - In accordance with any relevant guidance issued by the Gambling Commission, available here: <https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>.
 - Consistent with the Licensing Objectives (subject to the above).
 - In accordance with Torbay Council's 'Statement of Principles', issued under the Act (subject to the above).

3. TORBAY COUNCIL AREA OVERVIEW

- 3.1 Torbay is situated on the South Devon coast, on the south west peninsular of England and comprises the three towns of Torquay, Paignton and Brixham. Torbay is an outstanding coastal destination, including 22 miles of coastline, which was recognised as a Global Geopark in 2007. The Council area is mainly urban, comprising the three bay towns of Torquay, Paignton, and Brixham; please refer to a map of the Torbay area in the [Local Area Profile](#).

4 DECLARATION

- 4.1 In producing this Draft Statement of Principles 2022-2025, the Licensing Authority declares that it has had regard to the Licensing Objectives of the Act and the Gambling Commission's '[Guidance to Licensing Authorities](#)', updated 13 May 2021.

5 INTERESTED PARTIES

- 5.1 'Interested Parties' can make representations to the Licensing Authority, in respect of an application for a 'Premises Licence', or in respect of an application for a 'Provisional Statement', submitted to the Licensing Authority by an applicant, under the Act.
- 5.2 Interested parties can also initiate, (or make representation in respect of), a review of a Premises Licence, the detail of which is outlined at Page 29 of this 'Draft Statement of Principles', under the heading of 'Reviews'.

5.3

The Act states that a person is an 'Interested Party', if in the opinion of the Licensing Authority, that person:

- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- Has business interests that might be affected by the authorised activities, or
- Represents persons who satisfy the criteria at paragraph a) or b).

5.4 These persons include trade associations, trade unions, and residents' and tenants' associations. However, the Licensing Authority will not generally view these bodies as interested parties, unless they have a member who satisfies the criteria in paragraphs a) or b) above; and they have written Authority of representation.

5.5 'Interested Parties' can also be persons who are democratically elected, such as Councillors, (including Town Councillors), and Members of Parliament. In such circumstances, no specific evidence of being 'asked' to represent an interested person will be required, provided the relevant Elected Member represents the ward or town likely to be affected.

5.6 In respect of any application for the grant of a small casino premises licence the Act provides that at Stage 1 of the consideration procedure, each competing applicant is an '*Interested Party*' in relation to each of the other competing applications.

5.7 The Licensing Authority will apply the following principles in determining whether a person or body is an interested party for the purposes of the Act:

- Each case will be decided upon its own merits subject to the Licensing Objectives and to any requirements imposed by the Act.
- The Licensing Authority will not apply a rigid rule to its decision making.
- The Licensing Authority will have regard to any guidance issued by the Gambling Commission with regard to the status and interpretation of 'Interested Parties'.

5.8 In respect of any representation made by an interested party, the Licensing Authority will make a determination as to whether or not the representation is relevant.

5.9 The following are examples of grounds which may be considered by the Licensing Authority, to be irrelevant, (*this list is indicative only and is not exhaustive*):

- Representations which are inconsistent with Section 153 of the Act.
- Representations that are inconsistent with any guidance or codes of practice issued by the Gambling Commission, or with this 'Statement of Principles'.
- Representations which relate to the objection to gambling activity generally; for instance on moral or ethical grounds.
- Representations in relation to the demand or unmet demand for gambling premises.
- Representations in relation to planning matters.
- Public Safety issues.
- Traffic congestion issues.

- Public Nuisance.

5.10 The Licensing Authority may disregard a representation which it considers to be:

- Frivolous
- Vexatious
- Insignificant; to such an extent, that it would be wholly unreasonable for the Licensing Authority to refuse the grant of the licence, or remove/attach conditions to the licence, on the basis of such representation or will certainly not influence the Licensing Authority's determination of the application.

6 EXCHANGE OF INFORMATION

6.1 The Licensing Authority will act in accordance with the provisions of Section 350 of the Act in its exchange of information with the Gambling Commission; this includes a provision that the General Data Protection Regulations will not be contravened. The Licensing Authority will also have regard to Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant Regulations issued by the Secretary of State under the powers provided in the Act.

7 ENFORCEMENT

7.1 The main enforcement and compliance role for the Licensing Authority in terms of the Act is to ensure compliance with the Premises Licences and other permissions which it authorises.

7.2 This Authority adopts a graduated approach to enforcement and when seeking to resolve or address issues the general expectation of the Authority is that operators promptly work alongside the Licensing Authority in taking remedial action. However where a serious issue is identified, it is likely that the Authority will immediately initiate some form of enforcement action.

7.3 In discharging its responsibilities under the Act with regard to inspection and enforcement regimes, the Licensing Authority will have regard to any guidance issued by the Gambling Commission and Torbay Council 'Enforcement and Prosecution Policy' and will endeavour to be:

- Proportionate: the Licensing Authority will only intervene when it is deemed necessary and remedies will be appropriate to the risk posed; costs will be identified and minimised.
- Accountable: the Licensing Authority will ensure that it can justify decisions and will provide facilities for the public scrutiny of decisions taken.
- Consistent: the Licensing Authority will ensure that rules and standards are 'joined up' and implemented fairly.
- Transparent: the Licensing Authority will be open and will endeavour to keep regulations simple and user friendly.

- Targeted: the Licensing Authority will endeavour to focus on the problem, minimise side effects and avoid duplication with other regulatory regimes.

7.4

The Licensing Authority has adopted and implemented a risk-based/intelligence led inspection programme, based on;

- The Licensing Objectives.
- Relevant codes of practice - <https://www.gamblingcommission.gov.uk/authorities/guide/codes-of-practice>
- Guidance issued by the Gambling Commission - <https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>
- The principles set out in this 'Draft Statement of Principles 2022-2025.
- Regulators Code - [Regulators' Code - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- Departmental and Partner Agency intelligence

7.5 The Gambling Commission has the following principle statutory functions:

- issuing operating and personal licences to gambling businesses and individuals occupying certain positions in the gambling industry, with appropriate conditions, and ensuring that holders of licences adhere to their terms
- publishing codes of practice
- publishing statutory guidance to licensing authorities.

The Commission also has a duty to advise the Secretary of State on gambling and its regulation.

8 LICENSING AUTHORITY FUNCTIONS

8.1

The Licensing Authority has a duty under the Act to:

- Issue '*Premises Licences*' where gambling activities are to take place.
- Issue '*Provisional Statements*' where gambling activities may take place.
- Regulate '*Members Clubs*' that wish to undertake certain regulated gaming activities via issuing '*Club Gaming Permits*' or '*Club Machine Permits*'.
- Issue '*Club Machine Permits*' to '*Commercial Clubs*'.
- Grant '*Permits*' for the use of certain lower stake gaming machines at '*Unlicensed Family Entertainment Centres*'.
- Receive '*Notifications*' from premises licensed under the Licensing Act 2003, (for the sale and consumption of alcohol on the premises), for the use of up to two gaming machines on the premises.
- Grant '*Licensed Premises Gaming Machine Permits*' for premises licensed under the Licensing Act 2003, (for the sale and consumption of alcohol on the premises), where there are more than two machines on the premises.
- Register '*Small Society Lotteries*' below prescribed thresholds.
- Issue '*Prize Gaming Permits*'.
- Receive and endorse '*Temporary Use Notices*'.
- Receive '*Occasional Use Notices*'.
- Provide information to the Gambling Commission.
- Maintain registers of the permits and licences issued.

PART B ~ PREMISES LICENCES

9 GENERAL PRINCIPLES

- 9.1 In exercising its functions under the Act in relation to premises licences, the Licensing Authority will have regard to the provisions of the Act, Regulations drafted under the Act, the mandatory and default conditions and any guidance or codes of practice issued by the Gambling Commission.
- 9.2 The Licensing Authority may:
- Exclude default conditions from the premises licence if it does not adversely affect the Licensing Objectives.
 - Attach additional licence conditions, if it is deemed necessary to do so to promote the Licensing Objectives.

10 GUIDING PRINCIPLES

- 10.1 The Licensing Authority will treat each Licensing objective with equal importance.
- 10.2 The Licensing Authority will have regard to its responsibilities under Section 17 of the Crime and Disorder Act 1998 and within the strategic aims of the [Community Safety Partnership Strategic Assessment](#) 2020-2021, to do all that is reasonable to prevent crime and disorder in Torbay.
- 10.3 The Licensing Authority will have regard to its responsibilities under the European Convention on Human Rights, set out by the Human Rights Act 1998, and its statutory role as a Local Authority to fulfil the duties and responsibilities vested in it.
- 10.4 The Licensing Authority will have regard to its responsibilities under the Equalities Act 2010.
- 10.5 Torbay Council's Constitution states that the Licensing Committee shall be comprised of 15 Elected Members of the Council; with a quorum of 5, and the Licensing Sub Committee shall be comprised of 3 Elected Members of the Council; with a quorum of 3.
- 10.6 The Chair of Torbay Council's Licensing Committee will be elected at the annual meeting of the Council.
- 10.7 Torbay Council will ensure that Members and Officers are appropriately trained to carry out their duties under the Act and in accordance with Torbay Council's constitution. No Member of Torbay Council shall sit upon the Licensing Committee or Sub-Committee unless they have received appropriate training.
- 10.8 The Licensing Authority considers that effective Licensing can only be achieved by recognising the value of all contributors and will work in partnership with the Police and other statutory services, local businesses, local people, professionals involved in child protection and all others who can contribute positively, to the successful promotion of the three Licensing Objectives.

- 10.9 Torbay Council considers that the decisions of the Licensing Authority can be a key factor of the Council effectively discharging its duties under the Section 17 of the Crime and Disorder Act 1998. Whilst the Licensing Authority will not use Licensing conditions to control anti-social behaviour by patrons once they are away from licensed premises, licensees will be expected to demonstrate that they have taken appropriate action to minimise the potential impact of that behaviour, within the general vicinity of the licensed premises.
- 10.10 The Licensing Authority will ensure that any conditions attached to a licence will relate to matters within:
- The control of the licensee, or,
 - The control of other persons who may have relevant licences or authorisations, in respect of the subject premises, or adjacent premises.
 - In determining any such conditions the Licensing Authority will have regard to the Act, any guidance or codes of practice issued by the Gambling Commission and this 'Statement of Principles'.
- 10.11 Torbay Council will ensure that decisions made in relation to planning and building control legislation will be made independently of those made in respect of the Act. The Licensing Authority will not have regard to the likelihood of obtaining consents under planning or building legislation in considering any application for a premises licence, made under the Act.
- 10.12 The Licensing Committee will receive reports, compiled six-monthly, on decisions made by Officers under the provisions of the scheme of delegation.
- 10.13 The Licensing Authority will, where relevant to its functions under the Act, have regard to and promote [Torbay Council's Economic Strategy](#) 2017-2022 and [Torbay Council's Economic Recovery Plan](#), which forms part of the Council's Policy Framework.
- 10.14 Section 156 of the Act requires licensing authorities to maintain a register of the premises licences that it has issued. The register must be made available, at any reasonable time, to the public who may request copies of the entries. The Licensing Authority achieves this requirement through the use of an online register which is accessible via the Council's website.

11 DECISION MAKING PROCESS

- 11.1 In making decisions about premises licences the Licensing Authority will aim to permit the use of premises for gambling in so far as it thinks it is:
- In accordance with any relevant code of practice issued by the Gambling Commission.
 - In accordance with any relevant guidance issued by the Gambling Commission.
 - Consistent with the Licensing Objectives (subject to the above).
 - In accordance with the Licensing Authority's 'Statement of Principles 2019-2021' (subject to the above).

11.2 In determining a premises licence application, the Licensing Authority shall not have regard to any objections which are deemed to be raised on moral or ethical grounds, nor will it be concerned with matters of sufficiency of, or unmet demand for, gambling facilities.

12 DEFINITION OF PREMISES

12.1 In deciding if parts of a given building constitute premises in their own right, the Licensing Authority will have due regard to the definition of premises meaning “any place” set out at Section 152 of the Act and any guidance issued by the Gambling Commission and any decisions handed down by the Courts.

12.2 The Act allows for a single building to be subject to more than one premises licence, provided those premises licences are for different parts of the building, and the different parts of the building can reasonably be regarded as being ‘different premises’. This provision exists to allow large multiple unit premises, such as a pleasure park, pier, track or shopping mall, to obtain separate premises licences. However, this does not mean that a premises cannot be the subject of a separate licence for example the basement and ground floor, if they are configured to a standard approved by the Licensing Authority.

12.3 The Licensing Authority will pay particular attention, as recommended by Gambling Commission at 7.5 of its Guidance to Local Authorities (<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>), if there are issues about sub-division of a single building or plot and will ensure any applicable mandatory conditions relating to access between premises are observed. The Licensing Authority does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.

12.4 The Licensing Authority will pay particular attention, as referenced above, to premises licence applications and applications for permits, such as UFEC’s, where access to the proposed licensed premises, can only be made by passing through other premises; being other premises which may or may not have the benefit of licences in their own right.

12.5 The Licensing Authority will also take particular care in considering applications for multiple licences for a building and/or those relating to a separate part of a building used for other (non-gambling) purposes. In particular, entrances and exits from parts of a building covered by one or more licences should be separate and identifiable, so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.

12.6 Where access to the proposed licensed premises or an area covered by a permit such as a UFEC, cannot be made directly from the public highway the Licensing Authority will consider specific issues before granting such applications, for example:

- The general access arrangements of the premises.
- The structural integrity and nature of any premises separation.
- Whether persons under 18 years of age can gain access to or have sightlines into the premises.
- The compatibility of adjacent establishments.

- Supervision and monitoring systems.
- The nature and legitimacy of any unlicensed areas providing separation of licensed premises.
- The overall ability to comply with the requirements of the Act, specifically but not exhaustively, the mandatory and default Licensing conditions

13 PROVISIONAL STATEMENTS ~ PREMISES NOT YET READY FOR GAMBLING

13.1 Where there is an intention on the part of an applicant, to provide gambling facilities at premises:

- which they expect to be constructed, or
- which they expect to be altered, or
- for which they do not yet have the right to occupy the premises,
- then an application may be made to the Licensing Authority for a 'Provisional Statement'.

13.2 The Licensing Authority will issue 'Provisional Statements' in accordance with the provisions of the Act, any guidance or codes of practice issued by the Gambling Commission and the principles contained within this 'Statement of Principles'.

13.3 'Interested Parties' and 'Responsible Authorities' can make representations to the Licensing Authority, in respect of an application for a 'Provisional Statement' in accordance with the procedures outlined at Section 4 of this 'Statement of Principles'. Following the grant of a 'Provisional Statement', no further representations from Relevant Authorities or Interested Parties can be taken into account unless:

- The representations concern matters which could not have been addressed at the 'Provisional Statement' stage.
- The representations reflect a change in the applicant's circumstances.

13.4 The Licensing Authority may refuse the grant of a Premises Licence, or grant the licence on terms different to those which may have been attached to the 'Provisional Statement', only by reference to matters which:

- Could not have been raised by objectors at the 'Provisional Statement' stage
- In the Licensing Authority's considered opinion, reflect a material change in the operator's circumstances

14 PREMISES LOCATION

14.1 The Licensing Authority must be satisfied that the potential location of a premises intended for gambling is suitable for the purposes of the required gambling activity. In considering matters of location the Licensing Authority will have particular regard to the Licensing Objectives, Local Area Profile and the Local area Risk assessments. It may also consider matters outside of direct gambling legislation, where there may be an adverse impact on gambling activities, such as for example, if the premises is situated in a cumulative impact zone as implemented under the Licensing Act 2003.

15 DUPLICATION WITH OTHER REGULATORY REGIMES

15.1 The Licensing Authority will endeavour to avoid any duplication with other statutory and regulatory regimes in discharging its functions under the Act, unless the Licensing Authority believes such duplication is necessary for the promotion of, and compliance with, the Licensing Objectives.

15.2 In considering an application for a premises licence the Licensing Authority will not take into account matters which lie beyond the remit of the Licensing Objectives. Although this is not an exhaustive list, this would include issues such as:

- Whether the premises which is the subject of the licence application, is likely to be awarded planning permission or building consent.
- Whether the premises is safe for the intended use, (e.g. the structure, the means of escape, fire precaution provisions, etc).
- Whether the use of the premises under the licence may cause any public nuisance (e.g. to residents within the vicinity).

The above matters will be addressed by other regulatory regimes.

16 LICENSING OBJECTIVES

16.1 The Licensing Authority will endeavour to ensure that any premises licences granted will be consistent with the Licensing Objectives.

The Licensing Objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Licensing Objective a): *Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.*

16.2 The Gambling Commission will take a lead role in preventing gambling from becoming a source of crime. However, the Licensing Authority will endeavour to promote this objective in the delivery of its responsibilities. For instance, in considering applications for premises licences the Licensing Authority will have particular regard to the following:

- Where an area has known high levels of organised crime the Licensing Authority will consider carefully whether gambling premises should be located in the proximity of that area.
- Whether additional licence conditions may be appropriate, such as the provision of Security Industry Authority (SIA), registered door supervisors.
- Whether additional security measures should be installed at the premises, such as monitored CCTV.
- The likelihood of any violence or public order issues if the licence is granted.
- The design and layout of the premises.
- The training given to staff in crime prevention measures appropriate to those premises, for example, the detection and prevention of money laundering.
- Physical security features installed in the premises. This may include matters such as the positioning of cash registers and the standard of any CCTV system.

- If premises are to be subject to age restrictions; the procedures in place to conduct age verification checks.
- The premises local risk assessment.

Licensing Objective b): *Ensuring that gambling is conducted in a fair and open way.*

16.3 The Licensing Authority will not generally be concerned with ensuring that gambling is conducted in a fair and open way, (as that is the remit of the Gambling Commission), unless the gambling facilities are being provided at a Track; see Section Page 26. 'However, the fair and open principle will be considered as an integral part of any inspection carried out by this Authority'

Licensing Objective c): *Protecting children and other vulnerable persons from being harmed or exploited by gambling.*

16.4 This objective is concerned with protecting children from gambling, as well as restrictions upon advertising, to ensure that the commercial promotion of gambling is not targeted towards children, or portrayed as attractive to children. It is also concerned with protecting vulnerable people from being harmed or exploited by gambling. The Licensing Authority will therefore consider the local risk assessment and whether specific measures are required at particular premises, with regard to this Licensing objective, which may include the supervision of entrances, the supervision of machines and the appropriate segregation of high risk areas, the provision of a 'chill out' room or area free from gambling and alcohol facilities. For more information regarding Local Area Risk Assessments please see section 16.

16.5 In discharging its responsibilities with respect to this particular Licensing objective, the Licensing Authority will have regard to the current 'Gambling Commission Codes of Practice', insofar as they may apply to specific premises.

16.6 The Act does not offer a definition with regard to the term, '*vulnerable persons*', however the Gambling Commission states the following.

- For regulatory purposes the Commission will assume that this group includes:
 - People who gamble more than they want to.
 - People who gamble beyond their means.
 - People who may not be able to make informed or balanced decisions about gambling, due to a mental impairment, alcohol, other relevant disability or drugs.

Torbay and South Devon NHS Foundation Trust refers to a vulnerable adult as an Adult at Risk. The Care Act 2014 defines an adult at risk as someone who:

- has care and support needs
- is experiencing, or is at risk of, abuse or neglect
- as a result of their care and support needs is unable to protect himself or herself or the risk of it.

16.7 Torbay Council defines an adult at risk as persons aged over 18 years old who:

- is old and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long term illness/condition
- misuses substances or alcohol
- is a carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is need of care and support

Although, anyone can be at risk of abuse or exploitation.

16.8 The Licensing Authority will have regard to the definitions of an Adult at Risk as provided by the Gambling Commission, by the Torbay and South Devon NHS Foundation Trust and Torbay Council, in discharging its responsibilities under the Act.

16.9 Problem gambling, particularly with the young, can sometimes be an indication of other issues that are of concern to the Licensing Authority, such as anti-social behaviour problems. When the Licensing Authority is made aware of issues associated with problem gambling and vulnerable people, the Licensing Authority will seek to work closely with the gambling premises operator, the Gambling Commission and other relevant sections of the Council, including the Adult Services Directorate and Children's Services Directorate.

16.10 This Authority places social responsibility as a high priority. As such, it will when exercising its statutory powers, have due regard, where relevant to its statutory functions, to the need to:

- Prevent gambling related problems in individuals and groups at risk of gambling addiction;
- Promote informed and balanced attitudes, behaviours and policies towards gambling and gamblers by both individuals and by communities; and
- Protect vulnerable groups from gambling related harm.

16.11 The Licensing Authority will work with operators and other public agencies to encourage a commitment to social responsibility including responsible design, delivery, promotion and use of product. The end goal will be to reduce the incidence of high-risk and problem gambling. The Licensing Authority will consider, in relation to any particular premises whether any special considerations apply to the protection of vulnerable persons. Such considerations need to be balanced by the Authority's objective to aim to permit the use of premises for gambling.

17 Local Area Risk Assessments

- 17.1 With effect from 31 October 2020, the Gambling Commission's Social Responsibility Code (Licence Conditions and Codes of Practice (LCCP) 10.1.1) requires licensees to assess the local risks to the Licensing Objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, licensees should take into account any relevant matters identified in this Policy statement.
- 17.2 Licensees will be are required to undertake local risk assessment when applying for a new premises licence. Their risk assessment will also need to be updated:
- When applying for a variation of a premises licence.
 - To take account of significant changes in local circumstances, including those identified in this Policy.
 - When there are significant changes at a licensee's premise that may affect the level of risk or the mitigation of those risks. This includes any changes to the interior layout of the premises. Significant changes will require a variation to the premises licence.
- 17.3 The Social Responsibility Code provision is supplemented by the LCCP: Ordinary code 10.1.2 and requires licensees to share their risk assessments with the Licensing Authority when applying for a premises licence or applying for a variation to existing licensed premises or otherwise on request of the Licensing Authority.
- 17.4 Whilst there are no plans to request that licensed premises share their risk assessments on a periodic basis, where concerns do exist, perhaps prompted by new or existing risks, the Licensing Authority is likely to request that a licensee share a copy of its risk assessment. The risk assessment will set out the measures the licensee has put in place to address specific concerns, thereby potentially reducing the occasions on which a premises review and the imposition of licence conditions is required.
- 17.5 In some circumstances, it may be appropriate for the Licensing Authority to offer a licensee the opportunity to volunteer specific conditions that could be attached to the premises licence. Where this is appropriate, the Licensing Authority will liaise with the licensee directly.
- 17.6 The Code Social Responsibility Code (LCCP 10.1.1) requires an operator to consider the Licensing Authority's Statement of Policy, wherein the Licensing Authority will set out the matters it will expect an operator to take in to account when considering their own risk assessment. As such, an operator shall take the following matters in to account :-
- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
 - Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
 - Gaming trends that may mirror days for financial payments, such as pay days or benefit payments
 - Proximity to schools, commercial environment or other factors affecting footfall

- Range of facilities in proximity to the licensed premises, such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.
- Potential for money laundering

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people, such as hospitals, residential care homes, medical facilities, doctor's surgeries, Council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.
- Other issues that may be considered could include:
- Proximity of premises which may be frequented by large numbers of people including sports stadiums, leisure centres, places of worship.
- Staffing levels at different times of the year (e.g. the peak summer school holidays).
- This list is not exhaustive and other factors not in this list that are identified must be taken into consideration. The Risk Assessment must be kept on the premises to which it relates and available for inspection by an authorised officer of the Licensing Authority or Gambling Commission.

Significant changes in local circumstances:

- The following lists set out some examples of what the Licensing Authority considers to be significant changes in local circumstances. The list is not exhaustive and each premise will be considered on its own merits. Operators must consider whether any change in the locality of their premises is one that may be considered significant
- The local area is classified or declassified by the Licensing Authority as being an area of heightened risk within its Local Area Profile
- Any substantial building development or conversion of existing premises in the local area which may increase or decrease the number of visitors. For example, where premises are converted to a local supermarket or a new office building is constructed nearby
- Any new pay day loan establishment or pawn brokers open in the local area
- Relevant changes are made to the provision, location and/or timings of public transport in the local area, such as a bus stop which is used by children to attend school is moved to a location in proximity to gambling premises
- Educational facilities increase in the local area. This may occur as a result of the construction of a new school/college or where a significant change is made to an existing establishment
- The local area is identified as a crime hotspot by the police and/or Licensing Authority
- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling

premises e.g. additional homeless hostels or gambling or mental health care/support facilities in the local area

- A new gambling premises opens in the local area
- Operators must consider what is happening within their premises and it is their responsibility to identify significant changes which may require a review and possible amendment to their risk assessment. A significant change can be temporary and any temporary changes should be considered and adjustments made to the risk assessment if necessary.

17.7 Unlicensed Family Entertainment Centres (UFEC) are not required to undertake a Local Area Risk Assessment unless the UFEC is situated adjacent to an Adult Gaming Centre and therefore the Licensing Authority will expect the UFEC activities to be taken into account.

17.8 The Authority will expect applicants to have regard to the Local Area Profile (LAP) which will assist in identification of local gambling risks.

18 Local Area Profile (LAP)

18.1 The Licensing Authority will produce a profile of the areas within the Authority which will assess the local environment and identify local concerns and risks. This will be available from January 2022.

18.2 The profile will take account of a wide range of factors, data and information held by the Licensing Authority and its partners. Responsible authorities and other relevant organisations will be invited to take part in the preparation of the profile. The profile will enable operators to clearly identify the risks and concerns in the community when completing their risk assessment.

18.3 The [Local Area Profile](#) is a separate document to this Statement and will be made publically available. It will be reviewed and amended as and when required taking into account changes in the local area.

19 LICENCE CONDITIONS

19.1 Any additional conditions attached to licences will only be imposed where there is evidence of a risk to the Licensing Objectives and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility.
- Directly related to the premises (including the locality and any identified local risks) and the type of licence applied for.
- Fair and proportionate, related to the scale and type of premises.
- Reasonable in all other respects.

19.2 Decisions upon individual conditions will be made on a case by case basis, although there are a number of control measures that the Licensing Authority can utilise, such as the use of supervisors or the use of appropriate signage for adult only areas. The Licensing Authority will also expect the applicant to identify local risks and control measures ensuring the Licensing Objectives can be met effectively and promoted. For example, local issues associated with a high crime

rate may put a premises at risk of not being consistent with the Licensing Objectives, and specific conditions may be necessary to address the risk.

19.3 The Licensing Authority may require additional control measures in respect of buildings which are the subject of multiple premises licence applications, in order to ensure the promotion of the Licensing Objectives. Such requirements may relate to the supervision of entrances, the segregation of gambling areas from non-gambling areas which may be frequented by children and the supervision of gaming machines in non-adult gambling specific premises.

19.4 The Licensing Authority will have regard to any guidance issued by the Gambling Commission in determining any such additional measures.

19.5 Where there are risks associated with a specific premises or class of premises, the Licensing Authority may consider it necessary to attach specific conditions to the licence to address those risks, taking account of the local circumstances.

19.6 The Licensing Authority will ensure that, where category A to C machines are made available on premises to which children have access that:

- All such machines are located in an area of the premises that is separated from the remainder of the premises by a physical barrier and which is effective to prevent access, other than through a designated entrance.
- Only adults have access to the area where these machines are located.
- Access to the area where the machines are located is adequately supervised.
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder.
- At the entrance to and inside any such areas notices are prominently displayed, indicating that access to the area is prohibited to persons under 18 years of age.

19.7 Tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. In discharging its functions in relation to tracks, the Licensing Authority will consider the impact upon the Licensing objective that refers to the 'protection of children'. The Licensing Authority will specifically require that the entrances to each part of a premises are distinct and that children are effectively excluded from gambling areas to which entry is not permitted.

19.8 Applicants are encouraged to consult the Licensing Authority prior to submitting an application so that the Authority may offer guidance in respect of the premises intended operation, premises layout, geographical area to which the premises is located etc.

20 Buildings divided into more than one premises.

20.1 Part 7, paragraph 7.5 of the Gambling Commissions Guidance states that “there is no reason in principle why a single building could not be subject to more than one premises licence; provided they are for different parts of the building, and the different parts of the building can be reasonably regarded as being different premises”. Examples are given of multiple unit premises, such as pleasure parks, tracks, or shopping malls. It is also possible for licensed premises to be located next to each other, as long as there are no restrictions regarding direct access between these premises imposed on that category of gambling premises from its mandatory conditions. The Licensing Authority will follow this guidance.

20.2 It will be for the Licensing Authority to determine whether premises are genuinely separate, and not artificially created from that which is readily identifiable as a single premises. Prior to making an application, Applicants are encouraged to discuss with the Licensing Authority their premises layout and intended applications.

20.3 In considering whether different areas of a building are genuinely separate premises, the Licensing Authority will take into account factors which may include: whether there are separate registrations for business rates in place for the premises, whether the premises are owned or operated by the same person, and whether the premises are operated independently of each other.

21 Access to premises

21.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions which relate to access between premises.

21.2 The Commission Guidance at paragraph 7.22 states “There is no definition of ‘direct access’ in the Act or Regulations, but Licensing authorities may consider that there should be an area separating the premises concerned, for example a street or café, which the public go to for purposes other than gambling, for there to be no direct access.”

21.3 In particular, where premises are not accessed from the street, the Licensing Authority has sought to define the nature of the area which must separate licensed premises and through which the premises are accessed, so as to prevent direct access between premises in order to comply with the provisions of the Act and Regulations.

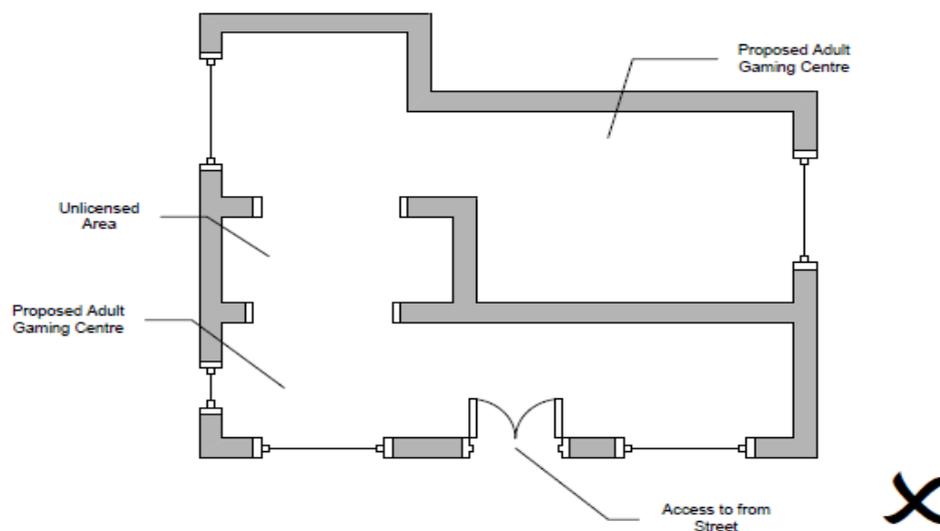
21.4 The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or ATMs.

Where the Licensing Authority is satisfied that a building can be divided into separate premises and properly satisfy the statutory provisions, the Licensing Authority will expect applicants to ensure that:

- Premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part,
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers must be able to participate in the activity named on the premises licence.
- This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

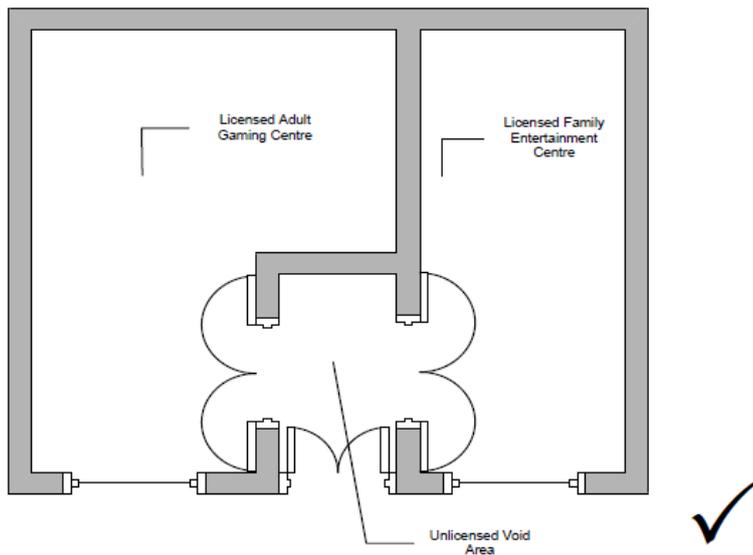
Applications to place two licensed premises in one premises with an unlicensed area separating them, (see figure 1) will not meet this Policy because of the artificial nature of the premises, access, and likely use issues which will arise.

Figure 1



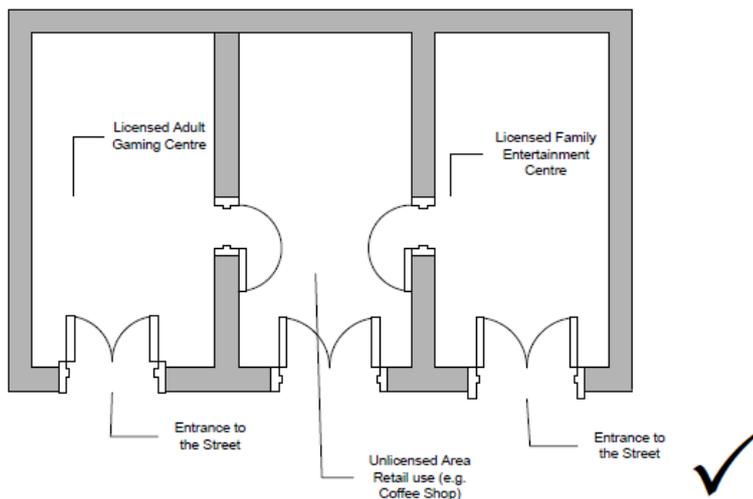
It is possible to have an unlicensed foyer area which separates one licensed premises from another if the foyer is accessed from the street. See Figure 2. The Licensing Authority would expect as a minimum that the area should be used for non-gaming purposes such as an information point, a coffee shop or similar but must not contain any gambling information or literature promoting gambling activities. The size of the unlicensed area is matter for each application but the Licensing Authority will not consider this configuration if the foyer is not of sufficient size to be a useable space.

Figure 2



It may also be acceptable if a premises is separated by another non-licensed premises that has access to both licensed premises from it. An example of this could be in the form of a coffee shop which has a main entrance to the street. The coffee shop may have access to an Adult Gaming Centre on one side and an entrance Family Entertainment Centre on the other side, see figure 3. Where a member of the public not using the gambling premises is likely to use the coffee shop it may be considered that there is no direct access between the two licensed premises.

Figure 3



21.7 The provisions of this revised Draft Statement of Principles 2022-2025 come into force on 30th January 2022. From this date, any new application for any type of Gambling Premises Licence, will be expected to fully comply with the terms and conditions as set out above. Existing licensed premises may continue to operate under the terms that have been granted by virtue of the licence that they currently hold, provided that the Licensing Objectives continue to be fully promoted at all

times. Any application to vary however, will be subject to the full terms as outlined above.

22 Material amendments to the premises

- 22.1 The Authority will have regard to the principles as set out in s.153 of the Act in determining variation applications. However applications will be carefully scrutinised to ensure the Licensing Objectives are not undermined.
- 22.2 Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times and any *typical* gaming machines arrangements will be considered a material change regardless of the category of machine. For example 'the installation of any screening would require a variation application including an updated local risk assessment to evidence that any risks presented have been recognised and mitigated.

23 ADULT GAMING CENTRES`

- 23.1 In respect of adult gaming centres, the Licensing Authority will have specific regard to the Licensing objective which seeks to protect children and vulnerable persons from being harmed or exploited by gambling. The applicant will be expected to satisfy the Licensing Authority that there will be sufficient measures and procedures in place, to ensure that persons under 18 years of age do not have access to the premises.
- 23.2 The Licensing Authority will expect applicants to offer their own measures and must be included in the local risk assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: *(this list is indicative only and is not exhaustive)*
- Proof of age schemes.
 - Closed Circuit Television Systems, (CCTV).
 - Supervision of entrances and machine areas.
 - Physical separation of areas.
 - Location of entry.
 - Appropriate notices and signage.
 - Specific opening hours.
 - Self-exclusion schemes and the display of information regarding self-exclusion schemes.
 - Provision of information leaflets and helpline numbers for organisations such as 'Gamcare'
 - Identify local risks, such as proximity to schools or in an area with a high crime rate, as identified in section 13.4 above.

24 (LICENSED) FAMILY ENTERTAINMENT CENTRES

- 24.1 In respect of (Licensed) Family Entertainment Centres, (FEC's), the Licensing Authority will have specific regard to the Licensing objective which seeks to protect children and vulnerable persons from being harmed or exploited by gambling. The applicant will be expected to satisfy the Licensing Authority that there will be sufficient measures and procedures in place, to ensure that persons under 18

years of age do not have access to the 'adult only' gaming machine areas on the premises.

24.2 The Licensing Authority will expect applicants to offer their own measures and must be included in the local risk assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: *(this list is indicative only and is not exhaustive)*

- Proof of age schemes.
- Closed Circuit Television Systems, (CCTV).
- Supervision of entrances and machine areas.
- Physical separation of areas.
- Location of entry.
- Appropriate notices and signage.
- Specific opening hours.
- Self-exclusion schemes.
- Measures/training for staff on how to deal with suspected truant school children on the premises
- Provision of information leaflets and helpline numbers for organisations such as Gamcare.
- Identify local risks, such as proximity to schools or in an area with a high crime rate, as identified in section.

24.3 In determining an application for a licensed family entertainment centre, the Licensing Authority will have regard to any guidance issued by the Gambling Commission and any mandatory or default conditions deemed to have a positive effect. The Licensing Authority will have particular regard to any guidance or direction on how the separation and/or delineation of the 'adult only' machine areas of the premises should be achieved. Please refer to section 19 above for more information regarding separation of premises and/or consult the Licensing Authority for guidance in this regard.

25 SMALL CASINO PREMISES LICENCE OVERVIEW

25.1 On 15 May 2008 the Categories of Casino Regulations 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 were approved. This specified which Licensing Authorities could issue Large and Small Casino Licences. Torbay Council was one of the authorities authorised to issue a Small Casino Premises Licence.

25.2 Section 166(1) of the Act states that a Licensing Authority may resolve not to issue a premises licence. A decision to pass such a resolution will be taken by the Authority as a whole and will not be delegated to the Licensing Committee (a resolution not to issue casino premises licences will only affect new casinos). In passing such a resolution the Authority may take into account any principle or matter, not just the Licensing Objectives. The Authority may revoke the resolution by passing a counter resolution.

At the time a counter resolution is passed, the principles **set out** in Appendix 2 will be applied.

- 26.1 The Licensing Authority considers that if persons under 18 years of age are allowed to enter premises licensed for bingo, it is important that they do not participate in gambling, other than on category D machines. Where category C or above machines are available on premises to which persons under 18 years of age have access, the Licensing Authority will require that:
- All such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier, which is effective to prevent access other than through a designated entrance.
 - Only adults are admitted to the area where the machines are located.
 - Access to the area where the machines are located is adequately supervised.
 - The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder.
 - At the entrance to and inside any such area there are notices prominently displayed, indicating that access to the area is prohibited to persons under 18.
 - No under 18s may play bingo on this premises' must be displayed at each entrance to the bingo premises.
- 26.2 The Licensing Authority will expect applicants to offer their own measures and must be included in the local risk assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: *(this list is indicative only and is not exhaustive)*
- Proof of age schemes.
 - Closed Circuit Television Systems, (CCTV).
 - Supervision of entrances and machine areas.
 - Physical separation of areas.
 - Location of entry.
 - Appropriate notices and signage.
 - Specific opening hours.
 - Self-exclusion schemes.
 - Measures/training for staff on how to deal with suspected truant school children on the premises.
 - Provision of information leaflets and helpline numbers for organisations such as Gamcare
 - Identify local risks, such as proximity to schools or in an area high crime rate as identified in section above.
- 26.3 In determining any application for a Bingo Premises Licence, the Licensing Authority will have regard to any guidance issued by the Gambling Commission with regard to the suitability and general layout of Bingo Premises. In particular, the Licensing Authority will have regard to Social Responsibility Code 9, which requires that gaming machines are only made available in combination with the named non-remote activity of the operating licence. The Code states: "So, unless a bingo operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question. To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised."

27 BETTING PREMISES LICENCE

- 27.1 The Licensing Authority is responsible for the issue of premises licences for all betting establishments, including casinos, bookmaker's offices and tracks. It is illegal for persons under 18 years of age to enter upon licensed betting premises and bet, but they may gain entry to tracks.
- 27.2 A betting premises licence gives the holder the entitlement to up to 4 Cat B2 machines. S169 of the Act gives the LA the power to apply conditions in specific circumstances, in such cases the Licensing Authority will have regard to the following:
- The size of the premises.
 - The number of counter positions available for person-to-person transactions.
 - The ability of staff to monitor the use of the machines by persons under 18 years of age or vulnerable persons.
- 27.3 The Licensing Authority expects applicants to offer their own measures and must be included in the local risk assessment to meet the Licensing Objectives; however appropriate measures and/or licence conditions may cover issues such as: *(this list is indicative only and is not exhaustive)*
- Proof of age schemes.
 - Closed Circuit Television Systems, (CCTV).
 - Supervision of entrances and machine areas
 - Physical separation of areas.
 - Location of entry.
 - Appropriate notices and signage.
 - Specific opening hours.
 - Self-exclusion schemes.
 - Measures / training for staff on how to deal with suspected truant school children on the premises
 - Provision of information leaflets and helpline numbers for organisations such as Gamcare.
 - Identify local risks, such as proximity to schools or in an area with a high crime rate.
- 27.4 In determining any application for a Betting Premises Licence, the Licensing Authority will have regard to any guidance or codes of practice issued by the Gambling Commission concerning primary gambling activity, as well as any subsequent case law.
- 27.5 The Licensing Authority will require a full premises licence variation application when premises are intending to apply screening and/or a booth to any category of gaming machines.

28 TRACK PREMISES LICENCE

- 28.1 General:

Tracks are sites, (including horse racecourses and dog tracks), where races or other sporting events take place. Betting is a primary gambling activity on tracks, both in the form of pool betting, (often known as the 'Totalisator' or 'Tote'), and also general betting, often known as 'Fixed-Odds' betting. In discharging its functions with regard to Track Betting Licences the Licensing Authority will have regard to any guidance issued by the Gambling Commission in that respect.

28.2 There is no special class of betting premises licence for a track, but the Act does contain rules which apply specifically to a 'Premises Licence' granted in respect of a track.

28.3 Applicants for a Premises Licence made in relation to a track, will not be required to hold an Operating Licence issued by the Gambling Commission, unless the applicant intends to offer pool betting or general betting facilities himself; in which case an Operating Licence will be required.

28.4 The betting that is provided upon the track will not generally be provided by the applicant, but will be provided by other operators who attend the track to provide betting facilities. These 'On-Course Operators' will require the necessary operating licences, therefore the Act allows the track operator to obtain a Premises Licence without the requirement to hold an Operating Licence. This 'Track Premises Licence' then authorises anyone upon the premises to offer betting facilities, provided they already hold a valid Operator's Licence.

28.5 The Licensing Authority is aware that tracks are different from other premises in that there may be more than one premises licence in effect, each covering a specified area of the track. The Licensing Authority will especially consider the impact of the Licensing objective of the protection of children and vulnerable persons with regard to this category of licence. specific considerations in this respect may include:

- The need to ensure entrances to each type of premises are distinct.
- That children are excluded from gambling or betting areas that they are not permitted to enter.

28.6 The Licensing Authority will expect the premises licence applicant(s) to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

28.7 Children are legally permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines, (other than category D machines), are provided.

28.8 Appropriate measures and / or licence conditions which may be applied to a track premises licence by the Licensing Authority, in order to promote the Licensing Objectives, (particularly the objective with regard to children and vulnerable persons), may include:

(This list is indicative; it is not mandatory or exhaustive)

- Proof of age schemes.
- CCTV.
- Door supervisors.
- Supervision of entrances/machine areas.
- Physical separation of areas.

- Location of entry.
- Notices / signage.
- Specific opening hours.
- Self-barring schemes.
- Provision of information leaflets / helpline numbers for organisations such as Gamcare.

Identify local risks, such as proximity to schools or in an area with a high crime rate.

28.9 Gaming Machines at Tracks

Applicants for Track Premises Licences will need to demonstrate within their applications, that where the applicant holds a 'Pool Betting Operating Licence' and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded and that such areas are suitably operated.

28.10 Betting Machines at Tracks

The Licensing Authority has an express power under the Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching licence conditions to a betting premises licence.

The potential space available for betting machines at a track may be considerable, bringing with it significant problems in relation to:

- The proliferation of such machines.
- The ability of track staff to supervise the machines if they are dispersed around the track.
- The ability of the track operator to comply with the law and prevent children betting on the machines.

28.11 In considering whether or not it is appropriate to restrict the number of betting machines made available at a track, by way of licence condition, the Licensing Authority will have regard to the following:

- The size of the premises.
- The ability of staff to monitor the use of the machines by children or by vulnerable people.
- The number, nature, location and circumstances of the betting machines that an operator intends to make available for use.

28.12 Conditions on Rules being Displayed at Tracks

The Licensing Authority will attach a condition to Track Premises Licence requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or made available to the public by some other means, such as being included in the race-card or issued as a leaflet.

28.13 Applications and Plans for Tracks

The following information should be submitted with the application:

- Detailed plans for the track and the area that will be used for temporary "on-course" betting facilities (often known as the "Betting Ring").
- In the case of dog tracks, horse racecourses, fixed and mobile pool betting facilities, (whether operated by the tote or the track operator), and any other

proposed gambling facilities; the plans should make clear what is being sought for authorisation under the Track Betting Premises Licence.

- Details of any other areas of the track, which may be the subject of a separate application, for a different type of premises licence.

28.14 Self-Contained Premises on Tracks

The Licensing Authority will generally require that all 'self-contained premises' operated by off-course betting operators on track, be the subject of a separate Premises Licence. This will ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the track premises.

29 TRAVELLING FAIRS

- 29.1 Travelling fairs do not require any permit to provide gaming machines but must comply with the legal requirements as to the way the machines operate. They may provide an unlimited number of Category D gaming machines, provided that the facilities for gambling amount to no more than an ancillary amusement at the fair.
- 29.2 A given area of land may, by statute, only be used on 27 days per calendar year for the purposes of accommodating a fair. The statutory maximum of 27 days calendar use, applies to the land on which the fairs are held and that use is cumulative, regardless of whether it is the same fair or a procession of different travelling fairs.
- 29.3 The Licensing Authority will monitor fairs, (whether travelling or otherwise), which provide category D gaming machines within Torbay, to ensure that the provision of gambling is ancillary to the amusement provided at the fair and to ensure that the statutory limits upon the annual use of the land, are not exceeded.
- 29.4 The Licensing Authority will work with its neighbouring Licensing Authorities to ensure that any inter-authority sites which may be used for the provision of fairs, are appropriately monitored to ensure due compliance with statutory requirements.

30 REVIEWS

- 30.1 An 'Interested Party' or a 'Responsible Authority' can make an application to the Licensing Authority at any time, requesting that the Licensing Authority review a licence that it has granted; the Licensing Authority may also initiate a review of a licence itself.

The list of Responsible Authorities can be viewed at www.torbay.gov.uk

Interested Parties are defined at Section 5 of this 'Statement of Principles'.

30.2 Should the Licensing Authority receive an application requesting the review of a licence, the Licensing Authority will make a determination as to whether or not the review is to be carried out. In making this determination the Licensing Authority will consider whether the request for the review is relevant to the matters listed below:

- In accordance with any relevant Code of Practice issued by the Gambling Commission.

- In accordance with any relevant guidance issued by the Gambling Commission.
- Consistent with the Licensing Objectives.
- In accordance with Torbay Council's 'Statement of Principles'.

30.3 The Licensing Authority will also make a determination as to whether or not the application for the licence review is made on relevant grounds; the following are examples of grounds which may be considered by the Licensing Authority, to be irrelevant, (*this list is indicative and is not exhaustive*):

- Representations which are inconsistent with Section 153 of the Act.
- Representations that are inconsistent with any guidance or codes of practice issued by the Gambling Commission, or with this 'Statement of Principles'.
- Representations which relate to an objection to gambling activity generally; for instance on moral grounds.
- Representations in relation to the demand or unmet demand for Gambling Premises.
- Representations in relation to planning matters.
- Public Safety Issues.
- Traffic Congestion issues.

The Licensing Authority will not initiate a licence review if it considers that the grounds upon which the review is being sought are:

- Frivolous
- Vexatious
- Substantially the same as representations made at the time that the application for a premises licence was considered; the Licensing Authority will not normally review a licence to re-visit issues which were considered at the time of the grant.
- Substantially the same as the grounds cited in a previous application for review, relating to the same premises, and a sufficient or reasonable period of time has not elapsed since that previous application was made.
- Insignificant; to such an extent, that it would be wholly unreasonable for the Licensing Authority to revoke or suspend the licence; or to remove, amend or attach conditions to the licence, on the basis of such representation.

30.4 Should the Licensing Authority determine that an application for a licence review, (which has been duly submitted by an 'Interested Party' or a 'Responsible Authority'), is valid or should the Licensing Authority decide to initiate a licence review of its own volition; then that licence review will be undertaken and progressed to conclusion, in accordance with the requirements of the Act, any guidance or codes of practice issued by the Gambling Commission and this 'Draft Statement of Principles'.

PART C - PERMITS / TEMPORARY AND OCCASIONAL USE NOTICES

31 UNLICENSED FAMILY ENTERTAINMENT CENTRE, (UFEC)

31.1 Unlicensed Family Entertainment Centres (UFEC's), are premises commonly located at seaside resorts, on piers, at airports or at motorway service stations. These establishments cater for families, including unaccompanied children and young persons and, subject to the grant of a permit from the Licensing Authority,

operators can provide an unlimited number of Category D gaming machines, upon the premises.

- 31.2 Where a premises does not have the benefit of a premises licence issued under the Act, but the applicant wishes to provide Category D gaming machines; an application may be made to the Licensing Authority for an unlicensed family entertainment centre permit. The applicant must satisfy the Licensing Authority that the premises will, in accordance with Section 238 of the Act, be 'wholly or mainly' used for making gaming machines available for use.
- 31.3 The Licensing Authority will require as part of the application form, a plan to scale, clearly defining the area covered by the UFEC and including the layout of machines. UFEC permits will only be granted for areas which complies with section 238 of the Gambling Act in that the area specified is wholly or mainly used for making gaming machines available for use. As such it is not permissible for permits to be granted to entire complexes such as leisure centres, shopping centres and motorway service areas or similar.
- 31.4 The Licensing Authority will issue permits for unlicensed family entertainment centres in accordance with the following principles:
- The Licensing Objectives.
 - Any relevant regulations or codes of practice.
 - Any guidance issued by the Gambling Commission.
 - The principles set out in this 'Statement of Principles'.
- 31.5 The Licensing Authority will only grant a permit if satisfied that the premises will be used as a UFEC and that the Devon and Cornwall Police have been consulted in relation to the application; applicants will also be required to demonstrate to the Licensing Authority:
- That the applicant has a full understanding of the maximum stakes and prizes of the gambling that is permissible in an unlicensed family entertainment centre.
 - That staff are suitably trained and have a full understanding of the maximum stakes and prizes permissible in an unlicensed family entertainment centre.
 - That the applicant has no convictions, which may have been identified as 'relevant convictions', for the purposes of the Act.
- 31.6 The Licensing Authority will expect the applicant to show that they have policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- Such measures may include:
- Enhanced criminal record checks for staff.
 - Appropriate measures/training for staff as regards suspected truant school children on the premises.
 - Appropriate measures/training for staff as regards unsupervised very young children being on the premises and children causing perceived problems on/or around the premises.
- 31.7 The Licensing Authority can grant or refuse an application for an unlicensed family entertainment centre permit; however it cannot attach conditions to a permit.

- 31.8 The Licensing Authority encourages applicants for UFEC Permits to consider adopting the British Amusement Catering Trade Association (BACTA) voluntary Code of Practice for Amusement with Prizes Machines in Family Entertainment Centres, which now includes no access to Category D reel machines for those aged under 18 years. This Code of Practice promotes awareness of social responsibility, and acknowledges that proactive specific and appropriate commitment will be given to educating children and young persons, thereby minimising the potential for harm.
- 32 ALCOHOL LICENSED PREMISES ~ GAMING MACHINE PERMITS**
- 32.1 There is an automatic entitlement to provide a maximum of 2 Category C and/or D gaming machines, on premises that are licensed under the Licensing Act 2003, for the sale and consumption of alcohol on the premises. Subject only to the proviso, that the premises licence holder must serve notice of intention upon the Licensing Authority in respect of those machines.
- 32.2 The Licensing Authority can remove the '*Licensing Act 2003 Automatic Entitlement*' in respect of any particular premises if:
- The provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives.
 - The licensee has breached the requirements of the Act.
 - An offence under the Act has been committed on the premises.
 - The premises are mainly used for gaming.
- 32.3 The premises must comply with the Code of Practice for gaming machines in clubs and premises with an alcohol licence issued by the Gambling Commission, which may be accessed through the following link.
- <https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/lccp>
- 32.4 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.
- 32.5 The provision of gaming machines, on premises licensed for the sale and consumption of alcohol, in excess of the automatic two machine entitlement, can only be authorised by way of a permit issued by the Licensing Authority.
- 32.6 In considering any application for a permit to authorise the provision of more than two machines, on premises licensed under the Licensing Act 2003, for the sale and consumption of alcohol; the Licensing Authority will have regard to the following:
- 1) The requirements of the Act.
 - 2) The Licensing Objectives.
 - 3) Any guidance issued by the Gambling Commission.
 - 4) Any Code of Practice issued by the Gambling Commission.
 - 5) The principles within this 'Statement of Principles'.
 - 6) Any other matters that the Licensing Authority considers relevant.
- 32.7 The matters that the Licensing Authority considers relevant in point (6) above, will include but are not exclusive to:

- Any consultation it considers relevant by The Police and the Children’s Safeguarding Board;
- Any relevant policies e.g. child protection from the applicant;
- The percentage of gross turnover the gaming machines contribute to total gross turnover of the premises and this should not be significant;
- The confidence The Licensing Authority has in the management of the premises.

32.8 In granting a permit the Licensing Authority can prescribe a different number of machines to that which was applied for and can prescribe the particular category of machine(s) that may be permitted; however, the Licensing Authority cannot attach conditions to a permit.

32.9 Applications for permits under this section cannot be made in respect of unlicensed non-alcohol areas of, (*Licensing Act 2003*), licensed premises. Such areas would need to be considered under the provisions relating to ‘Family Entertainment Centres’ or ‘Adult Gaming Centres’.

33 PRIZE GAMING PERMITS ~ STATEMENT OF PRINCIPLES ON PERMITS

33.1 In considering any application for a prize gaming permit the Licensing Authority will have regard to the following:

- The type of gaming that the applicant is intending to provide.
- The requirements of the Act.
- The Licensing Objectives.
- Any guidance issued by the Gambling Commission.
- Any statutory and mandatory conditions.
- The principles within this ‘Draft Statement of Principles’.

33.2 The Licensing Authority will expect the applicant to demonstrate that they understand the limits applicable to ‘stakes and prizes’ that are set out in Regulations; and that they are able to understand and ensure that the gaming to be provided is within the law.

33.3 There are statutory and mandatory conditions in the Act which the permit holder must comply with and the Licensing Authority cannot impose any additional conditions to the grant of a permit. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with.
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played.
- The prize for which the game is played must not exceed the amount set out in regulations (if a monetary prize), or the prescribed value, (if non-monetary prize).
- Participation in the gaming must not entitle the player to take part in any other gambling

34 CLUB GAMING PERMITS AND CLUB MACHINE PERMITS

- 34.1 The Act creates a separate regime for gaming in 'club' premises from that in other relevant alcohol licensed premises. It defines two types of club for the purposes of gaming:
- Members' club (including miners' welfare institutes)
 - Commercial club.
- 34.2 A Members Club may apply for a 'Club Gaming Permit' or a 'Club Machine Permit'. Whereas a Commercial Club, may only apply for a 'Club Machine Permit' and may not provide Category B3A machines.
- 34.3 The grant of a 'Club Gaming Permit' by the Licensing Authority will enable the premises to provide gaming machines of the type and number set out on the Gambling Commission's website (link below) and <https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/club-gaming-and-machine-permits>, equal chance gaming and games of chance as set out in regulations.
- 34.5 The grant of a 'Club Machine Permit' by the Licensing Authority will enable the premises to provide gaming machines of the type and number set out on the Gambling Commission's website <https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/club-gaming-and-machine-permits>
- NOTE: This maximum entitlement of three machines will include any machines provided by virtue of the Licensing Act 2003 entitlement; it is not in addition to that entitlement.*
- 34.6 Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming; unless the gaming is permitted by separate regulations. This may cover bridge and whist clubs, which replicates the position under the Gaming Act 1968. A 'Members' Club' must be permanent in nature, not established to make commercial profit, and controlled by its members in equal part. Examples would include 'Working Men's Clubs', branches of the 'Royal British Legion' and clubs with political affiliations.
- 34.7 The Licensing Authority may only refuse an application for a 'Club Gaming Permit' or a 'Club Machine Permit' on the grounds that the applicant does not fulfil the statutory requirements for a members' club, a commercial club or a miners' welfare institute; and therefore is not entitled to receive the type of permit for which it has applied.
- The applicant's premises are used wholly or mainly by children and/or young persons.
 - An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
 - A permit held by the applicant has been cancelled in the previous ten years.
 - An objection to the grant of a permit has been lodged by the Gambling Commission or the Police.
- 34.8 The Licensing Authority is aware that there is a fast-track procedure for the issue of a permit to premises which hold a club premises certificate granted under the

Licensing Act 2003. Under this fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police.

34.9 The 'fast track' process afforded to an applicant under the Licensing Act 2003 does not provide any statutory right to the issue of a permit and the Licensing Authority may resolve to refuse the grant of a 'fast track' application on the following grounds:

- That the club is established primarily for gaming, other than gaming prescribed under Schedule 12 of the Act, *that section relating to 'Club Gaming Permits' and 'Club Machine Permits'*.
- That in addition to the prescribed gaming to be provided under the permit, the applicant provides facilities for other gaming on the same premises.
- That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

34.10 No child shall be permitted to use a Category B or C gaming machines on the premises and that the holder of the Premises Licence must comply with any code of practice relevant to the location and operation of gaming machines.

35 TEMPORARY USE NOTICES

35.1 There are a number of statutory limits as regards temporary use notices. The limits are set out in the Act as:

- A set of premises may not be the subject of temporary use notification for more than 21 days in a period of 12 months.
- A set of premises may be the subject of more than one temporary use notice in a period of 12 months; provided that the aggregate of the periods for which the notices have effect does not exceed 21 days.

The Licensing Authority notes that a Temporary Use Notice can only be used to offer gambling of a form authorised by the operator's Operator Licence and will give consideration to whether the form of gambling offered on the premises will be remote, non-remote, or both.

35.2 The purposes for which a temporary use notice may be used are restricted by regulations, to the provision of facilities for equal chance gaming only, which must be provided by means other than 'machine gaming'.

'Equal Chance Gaming' is gaming where the participants are taking part in a gambling competition which is intended to produce a single, overall winner. An example of this would be a poker competition.

35.3 In considering whether to object to a temporary use notice the Licensing Authority will have particular regard to this 'Draft Statement of Principles', and any guidance issued by the Gambling Commission, with regard to the nature and definition of a 'premises' or a 'place'. Should the Licensing Authority consider that 'Temporary Use Notices' are being employed at premises, (or for discreet parts of premises), to the extent where 'regular gambling' is thereby being provided within a given building or at a given place; then the Licensing Authority may object to the notice(s).

36 OCCASIONAL USE NOTICES

36.1 With regard to 'Occasional Use Notices' (OUN's) the Licensing Authority will ensure the following:

- That the statutory limit of 8 days in a calendar year is not exceeded.
- That the subject premises can reasonable and effectively be defined as a 'track'
- That the applicant is permitted to avail himself/herself of the notice.
- Further information on OUN's may be found on the Gambling Commission website:

<https://www.gamblingcommission.gov.uk/licensees-and-businesses/page/occasional-use-notices-ouns>

APPENDICES

Appendix 1 ~ Consultation

The Act requires that the following parties are consulted by Torbay Council prior to publication of the finalised 'Statement of Principles':

- The Chief Officer of Police.
- One or more persons who appear to the Licensing Authority to represent the interests of persons carrying on gambling businesses in the Authority's area.
- One or more persons who appear to the Licensing Authority to represent the interests of persons who are likely to be affected by the exercise of the Council's functions under the Act.

The finalised 'Statement of Principles' will be made following consultations with the following:

- Residents and businesses of Torbay
- Bodies representing existing gambling businesses in Torbay
- The Chief Officer of Devon and Cornwall Police
- The Chief Officer of Devon and Somerset Fire and Rescue Service
- Torbay and South Devon NHS Foundation Trust
- Torbay Safeguarding Children's Partnership
- Torbay Council: Planning, Community Safety and Highways Authorities

- Safer Communities Torbay
- Facilities in Torbay assisting vulnerable persons
- Faith groups; via Torbay Interfaith Forum and the Street Pastors
- Brixham Town Council
- English Riviera BID
- Torbay Development Agency

In determining the finalised 'Statement of Principles', The Licensing Authority will undertake to give appropriate weight to the views of those it has consulted. In determining what weight to give to a particular representation, the factors taken into account will include:

- Who is making the representation; (what is their expertise or interest?)
- What was the motive for their representation?
- How many other people have expressed the same or similar views?
- How far the representations relate to matters that The Licensing Authority should be including in its 'Statement of Principles'.

Torbay Council has designated the Torbay Safeguarding Children's Partnership, as the 'Competent Body' to advise the Council, with regard to the Licensing objective that protects children from being harmed or exploited by gambling.

Appendix 2 ~ Small Casino Licence

2.1

The Act provided for an increase in the number of casino premises permitted to operate in the United Kingdom and established that two new types of casino should be permitted; eight large and eight small casinos. The Secretary of State for Culture, Media and Sport was given the Authority under the Act to determine which Licensing authorities should be permitted to grant new casino premises licences.

- 2.2 The Secretary of State established a '*Casino Advisory Panel*' to recommend the most appropriate areas of the UK in which to site the 16 new casino premises and invited interested Local Authorities to submit proposals to the Panel; Torbay Council submitted a proposal to the panel in response to this invitation.
- 2.3 On 15th May 2008 the '*Categories of Casino Regulation 2008*' and the '*Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008*' were approved. The Order specified which Licensing Authorities could issue premises licences for both large and small casinos; Torbay Council's Licensing Authority was included in the Order and was authorised to issue one small casino premises licence.
- 2.4 On 26th February 2008 the Secretary of State for Culture, Media and Sport issued the '*Code of Practice on Determinations Relating to Large and Small Casinos*' (herein referred to as the Code of Practice). The Licensing Authority must comply with the Code of Practice which states:
- The procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Act.
- Matters to which the Licensing Authority should have regard in making those determinations.
- 2.5 Schedule 9 paragraph 5 to the Act states the following:
- This paragraph applies if a Licensing Authority determine under Paragraph 4 that they would grant a number of competing applications greater than the number which they can grant as a result of section 175 and the Order under it.
- The Authority shall then determine which of those applications to grant under section 163(1)(a).
- For that purpose the Authority -
- shall determine which of the competing applications would, in the Authority's opinion, be likely if granted to result in the greatest benefit to the Authority's area,
- may enter into a written agreement with an applicant, whether as to the provision of services in respect of the Authority's area or otherwise,
- may determine to attach conditions under section 169 to any licence issued so as to give effect to an agreement entered into under paragraph (b), and
- may have regard to the effect of an agreement entered into under paragraph (b) in making the determination specified in paragraph (a).
- 2.6 Torbay Council, as the Licensing Authority, is aware that there may be a number of operators who may wish to apply for the small casino premises licence from Torbay Council.
- The Licensing Authority will therefore stage a statutory selection process, (*the 'small casino premises licence process'*), under Schedule 9 of the Act and will run the selection process in line with '*The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008*' and the said Code of Practice, issued by the Secretary of State.
- 2.7 In accordance with the above Regulations, Torbay Council's Licensing Authority will publish an invitation calling for applications for the 'small casino premises licence'.

- 2.8 Should the Licensing Authority receive more than one application for a small casino premises licence at Stage 1 of the 'small casino premises licence process' and should the Licensing Authority determine that it would grant more than one small casino premises licence, then subject to any and all appeals which may have been lodged at Stage 1 of the process being concluded, the Licensing Authority will:
- Make a 'Provisional Decision to Grant' in respect of those applicants deemed appropriate for the grant of a small casino premises licence.
- Implement Stage 2 of the 'small casino premises licence process'.
- Invite those applicants issued with a 'Provisional Decision to Grant' at Stage 1 of the 'small casino licence process', to participate in Stage 2 of the 'small casino premises licence process'.
- 2.10 Any 'Provisional Decision to Grant' issued to an applicant at Stage 1 of the 'small casino premises licence process', shall have no effect and shall not be used for the provision of casino gaming facilities upon the premises to which it relates. The 'Provisional Decision to Grant' merely confirms the Licensing Authority's determination, that the applicant satisfies the statutory requirements for the grant of a small casino premises licence; and afford the applicant the right to participate in Stage 2 of the 'small casino premises licence process' for Torbay.
- 2.11 It may be the case that at Stage 1 of the process, only one application may be submitted to the Licensing Authority for a small casino premises licence, or it may be the case that after due consideration of all the applications at Stage 1, the Licensing Authority considers that only one applicant satisfies the statutory requirements, in respect of a premises licence. In that instance, the Licensing Authority will not implement Stage 2 of the 'small casino Licensing process' and will, (subject to any and all appeals being concluded), grant a small casino premises licence to the 'only suitable applicant' determined under Stage 1 of the process.
- 2.12 If the Licensing Authority does not receive any applications for a small casino premises licence at Stage 1 of the 'small casino premises licence process', or should the Licensing Authority resolve to refuse the grant of any applications so made under Stage 1, then subject to any and all appeals being concluded:
- Stage 2 of the 'small casino premises licence process' will not be implemented, and,
- The Licensing Authority may re-publish an invitation calling for applications for a 'small casino premises licence'.
- 2.13 Section 166(1) of the Act states that a Licensing Authority may resolve not to issue a premises licence. A decision to pass such a resolution will be taken by the Authority as a whole and will not be delegated to the Licensing Committee (a resolution not to issue casino premises licences will only affect new casinos). In passing such a resolution the Authority may take into account any principle or matter, not just the Licensing Objectives. The Authority may revoke the resolution by passing a counter resolution.

SMALL CASINO PREMISES LICENCE ~ GENERAL PRINCIPLES

- 2.14 The Licensing Authority recognises that applicants may either apply for a 'Casino Premises Licence' or alternatively a 'Provisional Statement' in respect of the small casino premises licence.
- 2.15 Unless otherwise specified, any reference to the application and procedures for a 'Small Casino Premises Licence' in the 'Small Casino Premises Licence' sections of this 'Statement of Principles' shall also include the application and procedures for a 'Provisional Statement' for a small casino premises licence.
- 2.16 In making any decision under Stage 1 or Stage 2 of the 'small casino premises licence process', the Licensing Authority will have due regard to this 'Statement of Principles', the Act and to any Codes of Practice, Regulations and Guidance which may be issued by:
- The Secretary of State.
- The Department for Culture, Media and Sport, (*DCMS*).
- The Gambling Commission.
- 2.17 In making any decision in respect of a small casino premises licence application, made under the 'small casino premises licence process':
- the Licensing Authority shall not take into account whether or not an applicant is likely to be granted planning permission or building regulations approval; and
- any decision taken in relation to the small casino premises licence application, shall not constrain any later decision by The Council, under the law relating to planning or building control; and
- any conditions or agreements attached to any planning consents will normally fall outside of the Licensing process and will normally be disregarded by the Licensing Authority, in determining which applicant will bring the greatest benefit to the area of Torbay.
- 2.18 The Licensing Authority cannot consider unmet demand when considering applications for a small casino premises licence.
- 2.19 Torbay Council does not have a preferred location for the new small casino. Applicants can submit plans for any site or location within Torbay and each which will be judged on its own individual merits. Applicants, however, should have regard to the proposed location of the premises, with regard to meeting that Licensing objective which seeks to protect children and vulnerable persons from being harmed or exploited by gambling.
- 2.20 Where more than one 'Provisional Decision to Grant' is issued in accordance with Section 19.8 above, the Licensing Authority will implement Stage 2 of the 'small casino premises licence process'.
- 2.21 The Licensing Authority will ensure that any pre-existing contract, arrangements or other relationship it may have with a company or individual, does not affect the procedure so as to make it unfair (or appear unfair) to any applicant.

SMALL CASINO PREMISES LICENCE APPLICATION ~ STAGE 1

- 2.22 The 'small casino premises licence process' will be started by the Licensing Authority publishing an invitation calling for applicants to submit an application for a small casino premises licence.
- 2.23 An application for a small casino premises licence may be made at any time, however the Licensing Authority will not consider any such application, until a formal invitation to apply has been published and the appointed closing date for the submission of applications has passed. The appointed closing date shall be the final day of the three month period, duly advertised for Stage 1 applications.
- 2.24 The Licensing Authority will provide an application pack that will include a statement of the procedure and process it proposes to follow, in assessing applications for a small casino premises licence.
- 2.25 All applications for a small casino premises licence will be received through Stage 1 of the 'small casino premises licence process'. Should the Licensing Authority receive more than one application, then each application will be considered separately and on its own merits, with no reference being made to the other applications received.
- 2.26 At Stage 1 of the 'small casino premises licence process' any additional information submitted by an applicant, above that required by the statutory process, will be disregarded and returned to the applicant in accordance with Act and its Regulations. Additional information may be submitted by an applicant participating in Stage 2 of the 'small casino premises licence process'.
- 2.27 The Licensing Authority recognises that, should there be more than one small casino premises licence applicant, then each applicant is an 'Interested Party' in relation to the other, and therefore may make a representation. The term 'Interested Party' is defined in Section 4 at Page 6, of this 'Statement of Principles' and all representations will be considered carefully to ensure they meet the requirements set out therein.
- 2.28 It is recognised that any decision taken by the Licensing Authority under Stage 1 of the 'small casino licence application process' may be the subject of an appeal. The Licensing Authority will not proceed to Stage 2 of the 'small casino premises licence process' until any and all appeals, which may have been lodged at Stage 1 of the process, have been concluded.
- 2.29 Where the application at Stage 1 is for a 'Provisional Statement', the provisional statement is likely to be granted for a fixed period of 12 months, so that applications for premises licences should follow shortly after the provisional statement.
- It is unlikely that the authority will wish to extend the duration of the provisional statement.
- If applicants do not believe they can apply for and be granted a premises licence within 12 months of grant of the provisional statement they should say so in their applications. The risk that they will not obtain a premises licence within that timescale will be taken into account in assessing the likely benefits of the proposal.
- If a licence is granted, the authority is likely to consider applying to revoke it after 12 months pursuant to section 202(3) of the Act, unless construction work has commenced or is imminent at the end of that period.

SMALL CASINO PREMISES LICENCE APPLICATION ~ STAGE 2

- 2.30 Stage 2 of the 'small casino premises licence process' cannot commence until Stage 1 has been completed and all applications have been determined, including the conclusion of any and all appeals.
- 2.301 At Stage 2 of the 'small casino premises licence process', each of the second stage applicants will be required to state and demonstrate the greatest benefit they can bring to the local area of Torbay and how this will contribute to the wellbeing of the area.
- 2.32 Where more than one application is received for a small casino premises licence and where more than one application is the subject of a 'Provisional Decision to Grant', (in accordance with Section 19.8 at Page 18), the Licensing Authority will give due consideration to all applications and will grant the available licence, to the applicant that it considers will deliver the greatest benefit to the area of Torbay.
- 2.33 Any determination made under Stage 2 of the 'small casino premises licence process' will be judged on the criteria below in 2.35, which have been established by the Licensing Authority in consultation with the community of Torbay, under the terms of this 'Statement of Principles'.
- 2.34 The Licensing Authority may during Stage 2 of the 'small casino premises licence process' engage in discussions with each Stage 2 applicant, with a view to the application being refined, supplemented or otherwise altered so as to maximise the benefits to the area of Torbay.
- 2.35 The Licensing Authority will expect a Stage 2 applicant to sign a written agreement with Torbay Council relating to the benefits that the proposed development may bring to the area of Torbay. The Licensing Authority will take any such agreement into account, in determining which application would result in the greatest benefit to the area of Torbay. The Licensing Authority may attach conditions to the small casino premises licence to give effect to this agreement.
- 2.36 The following are the principles which will be used by the Licensing Authority to judge which proposal is likely to result in the greatest benefit to the area of Torbay and therefore, these are the matters to which applicants will be expected to address their Stage 2 application:
- 1) An upfront payment on grant.
 - 2) A percentage of the Gross Gambling Yield including from machines, subject to the item (3) below.
 - 3) A minimal annual sum, to be paid whether the casino has been built or is operational or not.
 - 4) Whether the applicant is the intended operator.
 - 5) If the applicant does not have an operating licence, the timescale for obtaining one.
 - 6) Whether or not the proposal has planning permission.
 - 7) Whether or not the applicant has a legal right to occupy the site.
 - 8) The committed financing of the proposal.

- 9) The timescale for completion and the risks to the timetable.
10) Whether the Stage 1 application is for a 'provisional statement', and whether a premises Licence application will be made with 12 months of the original grant.

- 2.36 At paragraph 2.35 above the Licensing Authority has set out matters which it will take into account in judging the competing applications at Stage 2 of the 'small casino premises licence process' and which are likely to receive the greatest weight in the evaluation process, but an operator is not debarred from putting forward other benefits which the Licensing Authority will take into consideration and weigh to the extent it considers them relevant.
- 2.37 The Stage 2 applicant will be expected to additionally submit the following:
A clear and detailed Business Plan.
The Licensing Authority will evaluate the Business Plan, especially with regard to the viability of any submitted proposals.
A signed 'Development Agreement' in a form that is acceptable to the Licensing Authority, committing the applicant, (in the event that they are granted a licence), to the entirety of the scheme they have put forward.
A timescale for implementation and completion of the proposed development works, (including any ancillary development), setting out the various stages of construction. This is to enable the Licensing Authority to be kept informed of when the project is likely to be completed and that the applicant is on target for final completion.
Evidence that there will be consultation with Statutory Bodies and Responsible Authorities, to ensure due compliance with any and all Statutory Regulations and Legislation, during the construction of the development; (e.g. health and safety, highway approvals, etc).
- 2.38 In assessing applications made under the 'small casino premises licence process' the Licensing Authority will give consideration to the likelihood of a casino actually being developed and additional weight shall be given to its deliverability.
- 2.39 The 'small casino premises licence process' will follow the DCMS Code of Practice; however, the Code of Practice leaves individual authorities to determine the detail of their own procedure.
Therefore, (because it is recognised that the Licensing Authority does not necessarily have all the relevant expertise), the Licensing Authority might need to seek advice on an applicant's proposal from Officers in other relevant Council departments; for example Planning, Highways, Finance, Regeneration and Legal. The Licensing Authority may also need to solicit independent expertise and advice from sources outside of the Council.
For this purpose, the Licensing Authority intends to constitute a non-statutory panel to assist in the evaluation of the Stage 2 application process. This panel shall be called the 'Advisory Panel'.
- 2.40 It is accepted that only the Licensing Authority will make the final decision on the successful applicant. The function of the Advisory Panel will be to evaluate the applications for the benefit of the Licensing Committee or Sub-Committee. The Advisory Panel will not be a decision-making body and while the Licensing

Committee or Sub-Committee will take the Advisory Panel's evaluations into account, with regard to the 'small casino premises licence process', it is not bound to follow them.

- 2.41 Members of the Advisory Panel will comprise of carefully selected, competent and suitably qualified individuals, who are not biased and whose personal interests would not compromise their independence. It will be for the Local Authority to determine the membership of the Advisory Panel.
- 2.42 A schedule detailing the Advisory Panel members and the Panel's terms of reference will be included in the application pack. The terms of reference will include further details of the functions of the Advisory Panel and the procedures of the evaluation process, in order to ensure fairness and transparency to all applicants.
- 2.43 To ensure that there is fairness and transparency; applicants will be asked if they wish to object to any Member of the Advisory Panel. Should an applicant wish to raise any objection to a Member of the Advisory Panel; then:
A formal objection must be served upon the Local Authority within 10 working days of the applicant requesting an application pack.
The objection must clearly indicate the grounds upon which the objection is being made.
It will be for the Local Authority to determine the validity of any objection and to determine if any member of the Advisory Panel should be replaced on the basis of the objection(s) raised.
The formal procedure to be followed in the event of any objection being raised will be detailed within the 'application pack'
(The strict time constraints detailed at section a) above, are to ensure that in the event of an Advisory Panel Member being replaced as a result of an applicants' objection, all applicants can be given due notice and opportunity to object to any 'Replacement' Advisory Panel Member(s); and to prevent the potential frustration of the procedure in the latter stages of the 'small casino premises licence' determination process. Objections raised 'out of time' will only be considered if the applicant can satisfy the Local Authority, that the objection could not reasonably have been made within the stipulated period for objections).
- 2.44 It is important that the small casino premises licence application includes all documents and paperwork in support of the proposals, (hereinafter referred to as the 'bid documentation'). Once all the bid documentation has been submitted, the Advisory Panel will carry out a preliminary evaluation of each application. Following the preliminary evaluation, Officers of Torbay Council may liaise with applicants with a view to the application being refined, supplemented or altered so as to maximise the greatest benefit to the Torbay area.
- 2.45 Once the bid documentation is finalised, the Advisory Panel will evaluate each bid and the bids will be scored within definitive bands determined by the Local Authority. Once assessed, the Advisory Panel's draft evaluation report on each application will be sent to the applicant, in order to enable the relevant applicant to identify and address any factual errors that may have occurred. Thereafter no additional information may be submitted by the applicant, but any agreed factual errors will be amended.

2.46 The unsuccessful applicant(s) will be informed of the result and reasons for rejection as soon as is reasonably practicable.