

Wednesday, 22 September 2021

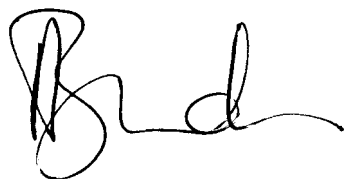
Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **The Forum, Riviera Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 30 September 2021** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,



Anne-Marie Bond
Chief Executive

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

Together Torbay will thrive

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June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR

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

Meeting of the Council Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the minutes of the meeting of the Council held on 29 July 2021.

(Pages 4 - 9)

4. **Declarations of interests**

- (a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

5. **Communications**

To receive any communications or announcements from the:

- Civic Mayor – this will include a presentation from Brendon Prince, founder of the Above Water charity, a sea safety campaigner and the first person to circumnavigate mainland Britain on a paddleboard;
- Leader of the Council;
- Overview and Scrutiny Co-ordinator;
- Council's representative on the Heart of the South West Joint Committee; and

- Chief Executive.

- | | | |
|-----|--|-----------------|
| 6. | Members' questions
To respond to the submitted questions asked under Standing Order A12. | (To Follow) |
| 7. | Corporate Parenting Strategy to be added to list of Policy Framework Documents
To consider a report that seeks agreement to list the Corporate Parenting Strategy as a Policy Framework Document. | (Pages 10 - 25) |
| 8. | Equality Objectives 2021-2025
To consider the recommendations of the Cabinet on the proposed Equality Objective. | (Pages 26 - 47) |
| 9. | Torquay Town Dock Infrastructure Improvements
To consider the recommendations of the Harbour Committee and the Cabinet on the proposal to approve capital spend for Torquay harbour to carry out urgent and essential pontoon replacement and repair works to the Torquay Town Dock. | (Pages 48 - 56) |
| 10. | Remuneration for Audit Committee Independent Person
To consider a report on the above. | (Pages 57 - 62) |
| 11. | Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency
To note the schedule of Executive decisions to which the call-in procedure does not apply. | (Page 63) |

Meeting Attendance

Whilst national Covid-19 restrictions were lifted on 19 July 2021, Torbay Council has taken the decision to continue operating in a Covid-19 secure manner in order to protect staff and visitors entering Council buildings and to help reduce the spread of Covid-19 in Torbay. This includes social distancing and other protective measures (e.g. wearing a face covering (unless exempt), signing in and using hand sanitiser). Our public meetings will continue to operate with social distancing measures in place and as such there are limited numbers that can access our meeting rooms. Also, to help prevent the spread of the virus, anyone attending meetings is asked to take Covid lateral flow test the evening before - if you have a positive test result please follow the Government's guidelines and do not attend the meeting.

If you wish to attend a public meeting please contact us to confirm arrangements for your attendance.

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

29 July 2021

-: Present :-

The Worshipful The Mayor of Torbay (Councillor Manning) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Mandy Darling)

Councillors Amil, Atiya-Alla, Barrand, Barnby, Brooks, Brown, Bye, Carter, Cowell, Steve Darling, Dart, Douglas-Dunbar, Dudley, Ellery, Foster, Hill, Johns, Kavanagh, Kennedy, Law, Long, Loxton, Morey, Pentney, Stockman, Sykes, David Thomas, Jacqueline Thomas and John Thomas

216 Opening of meeting

During the opening of the meeting, the Worshipful the Mayor of Torbay's Chaplain remembered those who lost their lives during the Srebrenica genocide, which was followed by a minute's silence.

The meeting was then opened with a prayer.

217 Apologies for absence

Apologies for absence were received from Councillors Howgate, Barbara Lewis, Chris Lewis, Mills and O'Dwyer.

218 Minutes

The Worshipful the Mayor of Torbay proposed and Councillor Mandy Darling seconded a motion, which was agreed (unanimously) by the Council as set out below:

that the Minutes of the Annual meeting of the Council held on 28 April 2021 be signed as a correct record by the Worshipful the Mayor of Torbay.

219 Declarations of interests

No interests were declared.

220 Communications

The Worshipful the Mayor of Torbay advised members that he attended the Annual Formal Reception at RAF Brise Norton on 19 July 2021. The event was held to offer thanks to the Council for our ongoing support of RAF Brise Norton.

The Leader of the Council:

- a) advised members that the Tourism Business Improvement District (BID) ballot was successful and provided an exciting opportunity for partnership work between the Tourism BID Company and the Council. The Tourism BID would particularly drive events and environmental responsibility for tourism;
- b) highlighted that Torbay hosted a visit by the Police and Crime Commissioner and Chief Constable of Devon and Cornwall Police. During the visit, the Leader of the Council and the Chief Executive presented Torbay's hopes and challenges and included a walk around Torquay Town Centre, involving the Chamber of Trade, key businesses and Leonard Stocks. He advised that the Council was looking to work with the Police and other agencies to drive improvements in Torbay's town centres, particularly tackling anti-social behaviour, through partnership working; and
- c) was pleased to announce that Torbay had been shortlisted for the Local Government Chronical Awards for positive change in Children's Services. The Leader of the Council thanked the Cabinet Member for Children's Services, the Chief Executive, Director of Children's Services and all councillors for working together for positive change for Children's Services. The winners would be announced at the award ceremony on 4 November 2021.

The Chief Executive led a minute's silence for two serving members of staff, Christine Higgs and Rob Harmes who had sadly passed away.

221 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Councillors Carter, Cowell, Steve Darling, Law, Long, Morey, Stockton, and was circulated prior to the meeting.

Within the 30 minutes timeframe allowed, supplementary questions were put and answered by Councillors Carter, Law, Long and Morey, arising from their responses to the questions in respect of questions 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15 and 16. Question 14 was presented by Councillor David Thomas in the absence of Councillor Chris Lewis.

After 30 minutes, the Chief Executive advised that questions for 17 to 33 were deemed as withdrawn.

222 Lease Arrangements for Medical Tuition Service

The Council considered the recommendation of the Cabinet and submitted report which proposed to grant a 25-year peppercorn lease to the Medical Tuition Service for Parkfield, Colin Road, Paignton.

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

that the TDA Director of Asset Management, Investment and Housing, in consultation with the Chief Executive, be authorised to grant a 25 year, full repairing and insuring lease to the Medical Tuition Service at a peppercorn rent, ensuring that the lease confirms the availability of the building for community use.

223 Customer Relationship Management System

The Council considered the recommendation of the Cabinet and submitted report that sought to allocate the budget to implement and maintain the new Customer Relationship Management System.

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

- 1. that £400,000 from the 2020/21 council underspend is allocated to the project for implementation costs; and**
- 2. 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 of the submitted report.**

224 Torbay Growth Fund

The Council considered the recommendation of the Cabinet and the submitted report that sought to remove the Investment and Regeneration Fund Strategy from the Policy Framework as this document was no longer relevant or required due to the changes to the Public Works Loans Board.

Councillor Long proposed and Councillor Cowell seconded a motion, which was agreed by the Council as set out below:

- 1. that the Investment and Regeneration Fund Strategy be removed from the Policy Framework; and**

2. **that the outstanding balance from the £25 million allocated to town centre regeneration be moved to the newly re-named 'Torbay Growth Fund' (former Torbay Economic Growth Fund).**

225 Treasury Management Outturn 2020/21

Members noted the submitted report in respect of the Treasury Management Outturn for 2020/2021.

226 Budget Monitoring 2020/21 - Quarter Four - Outturn

The Council considered the recommendation of the Cabinet and the submitted report which provided a high-level budget summary of the Council's final revenue and capital position for the financial year 2020/21.

Councillor Cowell proposed and Councillor Steve Darling seconded a motion, as set out below:

1. that Council notes that the following revenue outturn actions were agreed as a part of the February 2021 budget decisions:
 - a) Establishing a £1.6m Covid-19 Reserve to deal with the continuing impacts of the Covid-19 pandemic;
 - b) Allocating £3.5m to fund the Collection Fund Deficit;
 - c) Increasing the General Fund Reserve by £0.5m which moves the Council closer to having a General Fund of 5% of its net revenue budget;
 - d) Additional £0.5m funding to support SWISCo; and
 - e) An allocation of £1.0m toward Community and Corporate plan priorities;
2. that the Council approves the additional carry forward of £2.8m being used as follows;
 - a) A further £1.0m towards Community and Corporate plan priorities as set out in Appendix 2 to the submitted report;
 - b) £1.7m towards earmarked service specific reserves to support transformation and improvement work for digital improvements for the Council's services including the contact centre and further support for SWISCo;
 - c) £0.1m towards the General Fund Reserve; and

- d) Allocate an underspend of £0.960m on Concessionary Fares on travel/road related matters as set out in Appendix 3 to the submitted report; and
3. that the Council approves the use of £0.9m of the profiled capital receipt for the disposal of land at Collaton St Mary as set out in Appendix 4 to the submitted report.

During the debate Councillor Barrand proposed and Councillor Foster seconded an amendment to the motion as follows:

- 2.c) **£0.1m ~~towards the General Fund Reserve~~ being allocated to reinstate the Harbour Reserve Fund (this builds on the recommendation of the Overview and Scrutiny Board made at its meeting on 14 July 2021 to be presented to the Cabinet on 24 August 2021);**

During the debate, Councillor Cowell and Councillor Steve Darling accepted the amendment with further changes, which were then incorporated in the original motion and agreed by the Council (unanimously) as set out below:

1. **that Council notes that the following revenue outturn actions were agreed as a part of the February 2021 budget decisions:**
 - a) **Establishing a £1.6m Covid-19 Reserve to deal with the continuing impacts of the Covid-19 pandemic;**
 - b) **Allocating £3.5m to fund the Collection Fund Deficit;**
 - c) **Increasing the General Fund Reserve by £0.5m which moves the Council closer to having a General Fund of 5% of its net revenue budget;**
 - d) **Additional £0.5m funding to support SWISCo; and**
 - e) **An allocation of £1.0m toward Community and Corporate plan priorities;**
2. **that the Council approves the additional carry forward of £2.8m being used as follows;**
 - a) **A further £1.0m towards Community and Corporate plan priorities as set out in Appendix 2 to the submitted report;**
 - b) **£1.7m towards earmarked service specific reserves to support transformation and improvement work for digital improvements for the Council's services including the contact centre and further support for SWISCo;**

- c) **£0.1m being allocated to reinstate the Harbour Reserve Fund, with the Cabinet requested to review in Autumn 2021 the adequate resourcing of the Harbour function; and**
 - d) **Allocate an underspend of £0.960m on Concessionary Fares on travel/road related matters as set out in Appendix 3 to the submitted report; and**
3. **that the Council approves the use of £0.9m of the profiled capital receipt for the disposal of land at Collaton St Mary as set out in Appendix 4 to the submitted report.**

(Note: During the debate a recorded vote on the amendment was requested, but subsequently withdrawn.)

227 Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency

Members noted the submitted report setting out the executive decision taken (Sexual Health Prevention Service) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay

Meeting: Council **Date:** 30 September 2021

Wards affected: All Wards

Report Title: Corporate Parenting Strategy to be added to list of Policy Framework Documents

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, email : Cordelia.Law@torbay.gov.uk

Director/Assistant Director Contact Details: Anne-Marie Bond, Chief Executive, email : anne-marie.bond@torbay.gov.uk

1. Purpose of Report

- 1.1 To present the recommendation of the Cabinet to the Council for the Corporate Parenting Strategy to be added to the list of the Council's key strategic documents which form the Policy Framework.

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 as Corporate Parents, the Council provides the very best for our cared for and care experienced young people.
- 2.2 The Children and Young People's Plan sets out Torbay Council's objectives and priorities for all services which directly affect children and young people across all the communities which make up Torbay. Its overriding objective is to ensure that all children, young people and care experienced young people and adults are safe, happy and healthy in order that they can reach their full potential. In the context of Corporate Parenting this objective can be re-stated so as to ensure that our cared for children and care experienced young people are safe, happy and healthy in order that they can reach their full potential; and have all the opportunities that good parents afford their children.
- 2.3 The reason for the decision is that the Corporate Parenting Strategy is not a Policy Framework document within our constitution currently, and therefore it is approved by the Cabinet. In our approach to ensuring that Corporate Parenting is fully understood and enacted across all Members and Officers, the Cabinet has recommended to Full Council that the Corporate Parenting Strategy be a Policy Framework document which ensures sign up and ownership by all Councillors in their role as Corporate Parents. This will also help to raise the profile of the Strategy and ensure that all activities of the Council align to the Corporate Parenting Strategy.

3. Recommendation(s) / Proposed Decision

1. that the list of Policy Framework documents in the Constitution be updated to include the Corporate Parenting Strategy.

Appendices

Appendix 1: Cabinet Record of Decision

Background Documents

Report to the Cabinet on 24 August 2021 – Corporate Parenting Strategy and recommendations of the Children and Young People's Overview and Scrutiny Board - [Agenda for Cabinet on Tuesday, 24 August 2021, 5.30 pm \(torbay.gov.uk\)](#)

Supporting Information

1. Introduction

- 1.1 The previous Corporate Parenting Strategy expired at the end of 2020. From the tone of the previous Strategy it is evident just how far the Council has travelled in its journey to a model of restorative practice and ensuring that our children are at the heart of everything we do as a Council, and it is important that we have a current strategy that reflects this. Following initial consultation, the Cabinet considered an approved an interim revised Corporate Parenting Strategy at its meeting held on 24 August 2021.
- 1.2 The Corporate Parenting Strategy is not a Policy Framework document within our constitution currently, and therefore it is approved by the Cabinet. In our approach to ensuring that Corporate Parenting is fully understood and enacted across all Members and Officers, the Cabinet has recommended to Full Council that the Corporate Parenting Strategy be a Policy Framework document which ensures sign up and ownership by all Councillors in their role as Corporate Parents. This will also help to raise the profile of the Strategy and ensure that all activities of the Council align to the Corporate Parenting Strategy.

2. Options under consideration

- 2.1 None

3. Financial Opportunities and Implications

- 3.1 There are no direct financial implications of adding Strategy to the list of Policy Framework documents. There are existing financial implications of the Council fulfilling its role as Corporate Parent, and these will continue under this Strategy.

4. Legal Implications

- 4.1 There are no direct financial implications of this proposal. There are existing financial implications of the Council fulfilling its role as Corporate Parent, and these will continue under this Strategy.

5. Engagement and Consultation

- 5.1 The Children and Young People's Overview and Scrutiny Board were consulted on this proposal and the revised Corporate Parenting Strategy on 27 July and 18 August 2021 and supported the proposal to include it as a Policy Framework document in recognition of its strategic importance.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable

7. Tackling Climate Change

- 7.1 This proposal will not directly relate to tackling climate change.

8. Associated Risks

- 8.1 None.

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

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The strategy will have a positive impact on young people. It sets out clearly the Council's vision for Corporate Parenting and provides a governance structure to ensure it is delivered. By making the Strategy a Policy Framework document will ensure that all activities of the Council align to the Strategy.		

People with caring Responsibilities			No differential impact
People with a disability			No differential impact
Women or men			No differential impact
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			No differential impact
Religion or belief (including lack of belief)			No differential impact
People who are lesbian, gay or bisexual			No differential impact
People who are transgendered			No differential impact
People who are in a marriage or civil partnership			No differential impact
Women who are pregnant / on maternity leave			No differential impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)			No differential impact
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			No differential impact

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None

Corporate Parenting Strategy

Ensuring all our children are safe, happy
and healthy and reach their full potential



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1 Foreword

We are passionate in wanting Torbay and its residents to thrive. Central to this vision is making sure that everyone can play their part in supporting Torbay's children, and making Torbay 'child friendly.'

We are so proud of our children and we are committed to do all we can to support them to benefit from the many opportunities that the Bay has to offer. In all we do, we want our children to feel loved, supported and safe. We would like to take this opportunity to thank our incredibly dedicated fostering families and staff for the commitment they demonstrate to our children every single day.

We are committed to being great corporate parents, to ensure that our children have every opportunity to live happy and fulfilling lives.

Corporate Parenting Board



Cllr Steve Darling
Leader of Torbay
Council



Cllr Cordelia Law
Cabinet Member
for Children's



Cllr Nick Bye



Cllr Judith Mills



Cllr Lyn Sykes

2 Corporate Parenting Vision

The Children and Young People's Plan sets out Torbay Council's objectives and priorities for all services which directly affect children and young people across all the communities which make up Torbay. Its overriding objective is:

To ensure that all our children, young people and care experienced young people and adults are safe, happy and healthy in order that they can reach their full potential.

In the context of Corporate Parenting this objective can be re-stated;

To ensure that our cared for children and care experienced young people:

- are safe, happy and healthy in order that they can reach their full potential; and
- have all the opportunities that good parents afford their children.

We are committed to being an effective, caring and ambitious corporate parent and we will show this through;

- our love,
- our focus,
- our language, and
- our actions.

We are loving parents and we care deeply for our children. We will ensure they receive the same standard of care as any good parent would provide, protecting them and supporting them to cope with the dangers and risks of everyday life. We will celebrate and share in their experiences and achievements, no matter how big or small; and we are ambitious for them and will work hard to support them to achieve their aspirations and reach their full potential. We will do everything we can to make sure that our care experienced children are set up for life.

We know that our fostering families are critical in the lives of our children. We are committed to providing support and training for them and embrace them as a part of the Torbay fostering family.

We want Torbay to be a 'Child Friendly' place, a place that champions our cared for and care experienced children.

3 Introduction

This Strategy has been developed, to sit alongside a number of other strategies and plans, to ensure that we deliver for those children and young people who are cared for by the Council and those who are care experienced.

This Strategy is exclusively focused on achieving the best possible outcomes for our cared for children and care experienced young people for whom we are Corporate Parents. It provides the framework for Torbay Council, in all its respects, to fulfil our role in the lives of our children and young people.

In Torbay, we are passionate in believing that ensuring the effective care and protection for our cared for children is the most important responsibility we hold. In order to provide high quality services we must all work together to meet their needs.

The Strategy builds on Torbay's commitment to multi-agency working as we know that the best outcomes for our cared for children and care experienced young people can only be achieved through effective partnership working. The Council, our foster fostering families and independent providers, our NHS and education partners, the Police, the private sector and faith and voluntary sector organisations all contribute to improving the lives of our children and young people.

This Strategy also builds on the progress we have made in improving our services, however it will be further reviewed and updated following the focused work that is currently being undertaken with our cared for and care experienced children, so that we can truly reflect their voice within this strategy moving forward.

4 Context

Legal Duties

Under the Children Act 1989, a child is cared for by the Council if they are:

- Provided with accommodation for a continuous period for more than 24 hours,
- Subject to a Care Order,
- Subject to a Placement Order.

When a child or young person becomes cared for, we become their Corporate Parent.

A young person stops being cared for when they turn 18. At this point, they become a young adult eligible for help and assistance from the Council as care experienced. The Council continues to provide support to care experienced young people until they are 25.

We want to ensure that across the Council, including elected members, senior officers and all staff and fostering families, there is the shared vision, collective responsibility, and commitment to our cared for children and care experienced young people, including the provision of quality services for them.

5 Principles and Priorities

Corporate Parenting Principles

We will ensure that we meet the needs of our children and young people, and we will use these principles to guide every element of our approach.

We will always;

- act in their best interests and promote their physical and mental health and wellbeing,
- encourage them to express their views, wishes and feelings,
- take account of their views, wishes and feelings,
- ensure that their identity needs are met,
- help them gain access to, and make the best use of, services provided by us and our partners,
- promote high aspirations and seek to secure the best outcomes for them,
- ensure that they are safe and have stability in their home lives, relationships, education and work, and
- prepare them for adulthood and independent living and support them as they continue to grow and mature in their early adult lives.

We recognise that our fostering families are an integral part of Torbay's corporate parenting vision and are a crucial part of the team for our children. Our Fostering Statement and Charter sets out how we work with and support our fostering families.

Priorities

We have identified a number of priorities in ensuring we are the best corporate parents we can be. We will focus on these priorities. Set out below each of the Priorities are the relevant Pledges that we have made to our children and young people. The Pledges have been reviewed by The Circle as part of a consultation with young people in care and care experienced adults.

Priority 1: We will work with our children and young people

- We will come prepared, and we will listen.
- Our children and young people's views will come first, but we will be honest about what we can do.
- We will explain our children and young people's rights using language that is easily understood.
- We will use Language that Cares.
- We will respect our children and young people's privacy and work to ensure that they are not singled out or bullied at school, college, or in any other setting.
- We will use our training to be thoughtful about the challenges our children and young people have faced.
- We will celebrate our children's and young people achievements with them in the ways that they would like.

Priority 2: We will ensure our children and young people's homes are safe and meets their needs

- We will work with our children and young people’s carers to ensure their home is the best it can be.
- We will work together to keep our children and young people safe (safety planning).
- We will work with our children and young people’s carers to ensure that they have opportunities that they enjoy and enable them to have a voice if they want to.
- We will plan visits in advance and involve our children and young people in those plans.
- We will help our children and young people to stay in contact with any family they may have if they want that and explain the reasons if this is not possible.

Priority 3: We will support our children and young people to achieve their aspirations and fulfil their potential

- We will ask children and young people about what their goals are and support their achievement.
- We will develop a Personal Education Plan of the things they do in school, so they are helped to do well.
- We will work closely with schools, colleges or providers and offer our children and young people easy to understand reasons for any changes.
- We will encourage and support our children and young people to take up opportunities in education, employment and training until the age of at least 21, in ways that suit them.

Priority 4: We will ensure that our children and young people's physical, emotional, mental health needs are met

- We will work together to support our children and young people have a sense of well-being and personal identity.
- We will develop a plan to ensure our children and young people are healthy and wanting to have good choices called a Personal Health Plan.
- We will support our children and young people to access regular health and dental checks and any appointments or treatment they may need – virtually and in person.

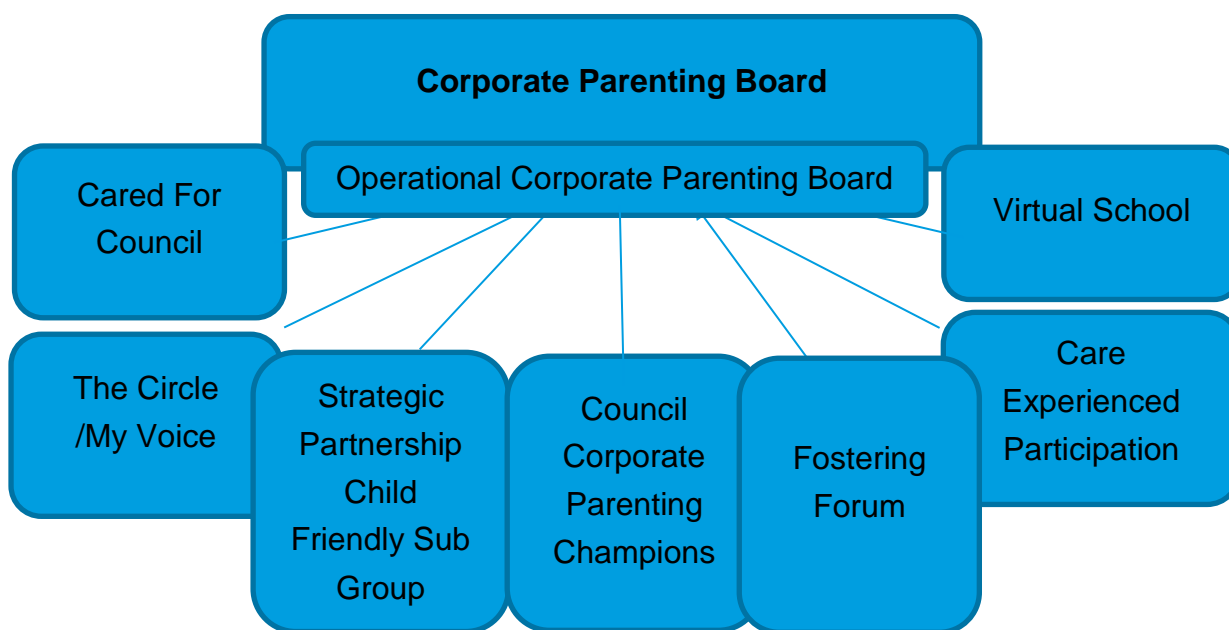
Priority 5: We will support our children and young people to develop into independent, confident and responsible adults

- We will support our children and young people to know that challenges and uncertainty are part of life and growth.
- We will ensure our children and young people to have support and advice, so they are less likely to take certain risks or be open to exploitation by others.
- We will work with our children and young people to develop the life skills we all need to achieve our goals and have the best opportunities for the future.

6 Governance

The Council's Community and Corporate Plan sets out our aspirations for the community of Torbay including children and young people. The Council's objective is to ensure that all children and young people are safe, happy and healthy in order that they can reach their full potential.

Whilst corporate parenting is the responsibility of the Council as a whole and of its partners, on a day-to-day basis our arrangements are set out below.



Corporate Parenting Board

This Board is chaired by the Cabinet Member for Children and comprises of a wider group of members drawn from all political groups together with partner representatives and senior officers from Children's Services.

The Board meets every two months and forms a key element within the Council's Constitution, providing a forum for regular, detailed discussion of issues and a positive link with our cared for and care experienced children and young people.

An Operational Corporate Parenting Board will be established, which will be chaired by the Chief Executive. The Operational Corporate Parenting Board will provide an operational oversight of all of the Corporate Parenting activities being undertaken and will operationalise decisions of the Corporate Parenting Board.

Fostering Forum

A Forum which enables our fostering families and senior managers to come together to focus upon how we work together to provide the very best care and opportunities for our children.

Virtual School

Torbay Virtual School provides the framework through which the educational needs of our cared for children are met working closely with educational providers, carers, social care and health practitioners, and children and young people. The work of the Virtual School is overseen by a Governing Body and led by the Virtual School Headteacher.

Educational attainment and progress for our children is subject to regular review to determine the effectiveness of the arrangements put in place for them via their Pupil Education Plan. The Virtual School also produce an annual report for the consideration of the Governing Body, Corporate Parent Members Group and Full Council.

The Circle and My Voice

The Circle and My Voice is facilitated by Torbay Youth Trust and brings together some of our cared for children to take part in activities on a regular basis and to obtain their views on the effectiveness of our arrangements for them. Their views have been instrumental in developing Torbay's Pledge for our cared for children.

Care Experienced Participation Group

This Group is facilitated by the Torbay After Care Team in conjunction with the Torbay Youth Trust and brings together a representative group of our care experienced young people to ensure their views are heard in the development and delivery of our services for them. Their work has been fundamental to our pathway plans.

Council Corporate Parenting Champions

All departments across the Council and our wholly owned companies, will have designated officers as Corporate Parenting Champions. The Champions will come together on a quarterly basis to help to shape their department's role in ensuring that we are good corporate parents, and that we provide opportunities for them as a result of the relationships we have as a Council.

Strategic Partnership Child Friendly Subgroup

Our Strategic Partnership will have a subgroup, which is focussed upon how organisations and communities come together collectively to become Child Friendly and support our cared for and care experienced children and young people, including opportunities that can be provided for them.

This document can be made available in other languages and formats.

Meeting: Cabinet **Date:** 24 August 2021
 Council 30 September 2021

Wards affected: All Wards

Report Title: Equality Objectives 2021-2025

Cabinet Member Contact Details: Councillor Carter, Cabinet Member for Corporate and Community Services, christine.carter@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 The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:
 - **Eliminate unlawful discrimination**, harassment, victimisation and other conduct prohibited by the Act
 - **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it, and
 - **Foster good relations** between people who share a relevant protected characteristic and people who do not share it.
- 1.2 We are required to publish our objectives every four years, with our current objectives running until March 2021 and therefore new objectives need to be agreed.
- 1.3 Torbay Council's draft Equality Objectives were published for consultation on 14 June 2021. The consultation period ran for six weeks until 25 July 2021.
- 1.4 The consultation sought to determine views on the proposed Equality Objectives.
- 1.5 This report provides the details of the consultation, the feedback received and make recommendations on the Equality Objective which should be put forward to Council for approval.

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 a focus on the needs of all of residents across Torbay. Our Equality Objectives should form part of our business plan and be seen as supporting delivery of it. Our objectives should be an integral part of how we perform.
- 2.2 A set of Equality Objectives which we continually measure ourselves against will help support the organisation in becoming a Council fit for the future, in particularly as we look to our responsibilities as Corporate Parents and towards those with learning disabilities. They are also central to our work on tackling poverty, deprivation and vulnerability.
- 2.2 The reason for the decision is that it is a requirement of the Public Sector Equality Duty to publish one or more objective which we think we should achieve in order meet the General Duty as set out in 1.1 above. Our current Objectives expired in March 2021 and therefore a new set of Objectives needs to be agreed for the next four years.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Council be recommended to agree the following Equality Objectives for 2021-2025:
 1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations, **providing support as appropriate.**
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with **our communities** and encourage participation.
 - **Ensure equality considerations are appropriately addressed within our procurement processes and contract management arrangements.**
 2. Reduce inequalities so Torbay and its residents thrive.
 - Deliver on our Community and Corporate Plan ambition we will work to:
 - Ensure that all children are given the best start in life and families are supported.
 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
 3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
 4. Support the diverse needs of our workforce

Our staff are one of our biggest assets and our employees come from a wide range of backgrounds with a variety of skills and knowledge. We are committed to supporting our staff and enabling them to provide the best possible service to our customers.

- Demonstrating our Core Values, we will always be approachable, calm and respectful.
- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.
- **Support staff to continue to improve their cultural competence and confidence to improve workforce inclusivity and engage with our diverse population and communities.**

3.2 That the Head of Policy, Performance and Community Engagement prepare and implement an Action Plan to ensure that the Equality Objectives are embedded across the Council.

3.3 That, as part of the Action Plan, an Equality, Diversity and Inclusion Reference Group be established to support the Council in embedding the Equality Objectives in its work.

Appendices

Appendix 1: Consultation Feedback – Draft Equality Objectives

Background Documents

None

Supporting Information

1. Introduction

- 1.1 The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:
- **Eliminate unlawful discrimination**, harassment, victimisation and other conduct prohibited by the Act
 - **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it, and
 - **Foster good relations** between people who share a relevant protected characteristic and people who do not share it.
- 1.2 We are required to publish our objectives every four years, with our current objectives running until March 2021. Therefore new objectives need to be agreed.

2. Options under consideration

- 2.1 Proportionality is a key principle underpinning the Public Sector Equality Duty and we should take a proportionate approach to setting equality objectives.
- 2.2 The Guidance from the Equality and Human Rights Commission says that our equality objectives should be part of our business plan and as supporting delivery of it. We are more likely to achieve the desired outcomes if our objectives are seen as an integral part of how we perform. In Torbay's case, the equality objectives are included within our Policy Framework as part of the Community and Corporate Plan.
- 2.3 As we move to refresh our Objectives, consideration needs to be given to our current position with a new Performance and Risk Strategy in place, business plans being prepared across the authority and the Torbay Racism Review underway.
- 2.4 The Guidance explains that, in order to inform the development of our objectives, we should have a clear understanding of the needs of our employees and service users and the issues they face related to their protected characteristics.
- 2.5 In drafting Objectives for Torbay Council research was carried out on the Equality Objectives of other local authorities and via equality leads at authorities including Devon County Council, Plymouth City Council, and Devon Clinical Commissioning Group. Data and key plans and strategies such as the Community and Corporate Plan, Joint Strategic Needs Assessment and Community Engagement and Empowerment Strategy, were reviewed to ensure consistency with the priorities of the organisation and identify equality challenges.
- 2.6 Three objectives were developed for Torbay, including a specific one to reflect the fact that the Torbay Racism Review is a local priority and implementing its recommendations is

therefore important. In addition, it was recognised that our previous objective of supporting the diverse needs of our workforce was still as relevant and important as before.

2.7 The following draft Equality Objectives were consulted on:

1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations.
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with the community and encourage participation.
2. Reduce inequalities so Torbay and its residents thrive.
 - Deliver on our Community and Corporate Plan ambition we will work to:
 - Ensure that all children are given the best start in life and families are supported.
 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
4. Support the diverse needs of our workforce.

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- Demonstrating our Core Values, we will always be approachable, calm and respectful.
- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.

3. Financial Opportunities and Implications

3.1 There are no financial opportunities or implications as a result of the recommendations.

4. Legal Implications

- 4.1 The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty.
- 4.2 The Council is also required to demonstrate compliance with its objectives once a year, which we do through the publication on our website of our Equality Information.

5. Engagement and Consultation

- 5.1 The draft Equality Objectives were publicised on the Council's consultation web pages between 14 June and 25 July 2021. Members of the public were notified of the consultation through social media posts on Facebook and Twitter and via the One Torbay Newsletter.
- 5.2 Feedback was invited from organisations operating locally to support people with protected characteristics including: Ageing Well Torbay, Age UK, Disability Support Torbay/Living Options, Intercom Trust, Play Torbay and Churches Together in Devon.
- 5.3 Members were briefed about the consultation and the Torbay Racism Review Panel were asked to review the four proposed objectives and provide comments at the request of the Overview and Scrutiny Co-ordinator and Vice-Chairman (rather than the Overview and Scrutiny Board as they felt that the Panel were best placed to give their views in light of its work).
- 5.4 SLT were also briefed, and all staff notified about the consultation via staff news. The Equality Objectives were also discussed as part of the Managers' Forum and their responses are included in the tables of comments in this report.
- 5.5 In total 14 emails were received in response to the consultation from members of the public, organisations, members and staff.
- 5.6 The Chair of the Torbay Racism Review responded that the outcomes and recommendations of the Review should be implemented and included within the Equalities Objectives and that the objectives to be reviewed each year.
- 5.7 There were five main themes to the feedback received about the draft Equality Objectives. A selection of comments from emailed responses, Managers' Forum and social media engagement are shown under the category headings in the following tables.
 - The need to increase awareness of equality requirements and the objectives amongst staff
 - The need for appropriate monitoring of the implementation of the objectives
 - More could be done to support those with protected characteristics
 - There are further opportunities to build equality considerations into services
 - Disagreement with the focus on those with protected characteristics

- 5.8 As a result of the consultation feedback, some slight amendments were made to the wording of the proposed Objectives and further detail was included around ensuring our contractors address equality issues and supporting our staff in meeting our Equality Duty. The amendments are shown in **bold** within the recommendations.
- 5.9 Many of the comments were around how we measure the impact of the Objectives and make sure that they are embedded in our everyday practice. To this end, it is recommended that an Action Plan be developed in order to implement them appropriately and effectively across the Council.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 There will be no impact on tackling climate change as a result of the recommendations.

8. Associated Risks

- 8.1 If the Council does not agree a set of Equality Objectives, then it will not be meeting its Public Sector Equality Duty.
- 8.2 Once adopted, we need to ensure that we take action to implement the Objectives.

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 Equality Objectives is to ensure that services across the Council have a positive impact on all those with protected characteristics.		
People with caring Responsibilities			
People with a disability			
Women or men			
People who are black or from a minority ethnic background (BME) (Please note Gypsies /			

Roma are within this community)			
Religion or belief (including lack of belief)			
People who are lesbian, gay or bisexual			
People who are transgendered			
People who are in a marriage or civil partnership			
Women who are pregnant / on maternity leave			
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Implementing our Equality Objectives will help to support the Council in improving the socio-economic environment in Torbay		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Implementing our Equality Objectives will help to support the Council in improving the public health in Torbay		

10. Cumulative Council Impact

10.1 By embedding the Equality Objectives within our Performance and Risk Framework, we can ensure that there are positive cumulative impacts across Council services.

11. Cumulative Community Impacts

11.1 By working with other public sector partners, who are required to meet the same Public Sector Equality Duty, we can work to have a positive cumulative community impact across Torbay.

Consultation Feedback - Draft Equality Objectives

July 2021

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

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Executive Summary

Torbay Council's draft Equality Objectives were published for consultation on 14 June 2021. The consultation period ran for six weeks until 25 July 2021.

The consultation sought to determine views on the proposed Equality Objectives for the organisation which all local authorities are required to publish every four years in order to meet requirements under the Public Sector Equality Duty.

The draft Equality Objectives were made public on our website's consultation pages and promoted to Torbay Council members and staff, the Torbay Racism Review Panel, local organisations which support people with protected characteristics and the public via social media and our One Torbay newsletter. Feedback was invited to be sent to the engagement@torbay.gov.uk

Fourteen emails were received in response to the consultation. Social media posts reached 7032 accounts and prompted 24 comments.

Feedback Themes

The main themes raised in the feedback received for this consultation are:

- The need to increase awareness of equality requirements and the objectives amongst staff
- The need for appropriate monitoring of the implementation of the objectives
- More could be done to support those with protected characteristics
- There are further opportunities to build equality considerations into services
- Disagreement with the focus on those with protected characteristics

Introduction

Background

The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it, and
- Foster good relations between people who share a relevant protected characteristic and people who do not share it.

Protected characteristics under the Equality Duty are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

We are required to publish our objectives every four years, with our current objectives running until March 2020. Proportionality is a key principle underpinning the Public Sector Equality Duty and we should take a proportionate approach to setting equality objectives.

The Guidance from the Equality and Human Rights Commission says that our equality objectives should be part of our business plan and as supporting delivery of it. We are more likely to achieve the desired outcomes if our objectives are seen as an integral part of how we perform. In Torbay's case, the equality objectives are included within our Policy Framework as part of the Community and Corporate Plan.

As we move to refresh our Objectives, consideration needs to be given to our current position with a new Performance and Risk Strategy in place, business plans being prepared across the authority and the Torbay Racism Review underway.

The Guidance explains that, in order to inform the development of our objectives, we should have a clear understanding of the needs of our employees and service users and the issues they face related to their protected characteristics.

In drafting Objectives for Torbay Council research was carried out on the Equality Objectives of other local authorities and via equality leads at authorities including Devon County Council, Plymouth City Council, and Devon Clinical Commissioning Group. Data and key plans and strategies such as the Community and Corporate Plan, Joint Strategic Needs Assessment and Community Engagement and Empowerment Strategy, were reviewed to ensure consistency with the priorities of the organisation and identify equality challenges.

Three objectives were developed for Torbay, including a specific one to reflect the fact that the Torbay Racism Review is a local priority and implementing its recommendations is therefore important. In addition, it was recognised that our previous objective of supporting the diverse needs of our workforce was still as relevant and important as before.

The following draft Equality Objectives were consulted on:

1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations.
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with the community and encourage participation.
2. Reduce inequalities so Torbay and its residents thrive.
 - Delivering on our Community and Corporate Plan ambition we will work to:
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 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
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- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.

Consultation

The draft Equality Objectives were publicised on the Council's consultation web pages between 14 June and 25 July 2021. Members of the public were notified of the consultation through social media posts on Facebook and Twitter and via the One Torbay Newsletter.

Feedback was invited from organisations operating locally to support people with protected characteristics including: Ageing Well Torbay, Age UK, Disability Support Torbay/Living Options, Intercom Trust, Play Torbay and Churches Together in Devon.

Members were briefed about the consultation and the Torbay Racism Review Panel were asked to review the four proposed objectives and provide comments at the request of the Overview and Scrutiny Co-ordinator and Vice-Chairman (rather than the Overview and Scrutiny Board as they felt that the Panel were best placed to give their views in light of its work).

SLT were also briefed, and all staff notified about the consultation via staff news. The Equality Objectives were also discussed as part of the Managers' Forum and their responses are included in the tables of comments in this report.

Consultation Responses

In total, 14 emails were received in response to the consultation from members of the public, organisations, members and staff.

The Chair of the Torbay Racism Review responded that the outcomes and recommendations of the Review should be implemented and included within the Equalities Objectives and that the objectives to be reviewed each year.

There were five main themes to the feedback received about the draft Equality Objectives. A selection of comments from emailed responses, Managers' Forum and social media engagement are shown under the category headings in the following tables.

- The need to increase awareness of equality requirements and the objectives amongst staff
- The need for appropriate monitoring of the implementation of the objectives
- More could be done to support those with protected characteristics
- There are further opportunities to build equality considerations into services
- Disagreement with the focus on those with protected characteristics

The need to increase awareness of equality requirements and the objectives amongst staff

“...officers have said that they have no idea who they need to speak to about whether they need to undertake an Equalities Impact Assessment for a decision or who to talk to for advice generally on what the requirements are. I think there seems to be a gap in the information available to staff and what they need to do to ensure we are documenting our decisions correctly.

I agree with the proposed objectives but I think we need to do more to inform staff and that this is something that should be included in the objectives because if staff are ill-informed then we won't achieve the objectives.”

Addition to draft objective 4: “Support staff to continue to improve their cultural competence and confidence to improve workforce inclusivity and engage with our diverse population and communities.”

“Need to know a bit more of the content of the consultation before we can comment fully.”

Page 9
Agree with objectives, but staff have a lack of awareness of them.”

Page 9
“How can we ensure staff know how to make their communications accessible on all channels? Can we have some mandatory training for all staff on this?”

“Support / information for officers to ensure there remains a focus on these. That's it's just not a one off.”

“Some of the group unaware of the racism review outcomes and process / COVID impact”

“Expand on what we mean by equality and diversity - a very wide area - race, elderly, young, disadvantaged, people with disabilities etc - wide implication for the whole Council”

“The suggestions appear generic and inclusive but feel the size of this task requires more discussion to fully understand and engage with it”

The need for appropriate monitoring of the implementation of the objectives

“Firstly, thank you to the council for pursuing this incredibly important review into fair practices and treatment of those of “protected characteristics”. The proposals appear entirely positive. What are the proposals for reviewing implementation and effectiveness of these objectives? Who is “marking your homework”? It feels as though these objectives are on the woolly side - what are the KPIs for evaluating success? What statistics underline past failings on which improvement can be gauged?”

“The principles seem to cover what would be expected but it is how it is intended that they are to be implemented would be the question and measured and reviewed”

“How are the objectives going to be monitored to ensure that we are achieving them as an Authority?”

“what actions do we take forward and how to monitor”

“This is an excellent start. Interested to know how you will be evaluating progress and who is “marking your homework””

More could be done to support those with protected characteristics

“Whilst there are recently highlighted causes for concern which receive regular media coverage there are still issues facing people who have disabilities whose need within the wider environment of Torbay are not being addressed. Whilst I appreciate your intention may be to focus on attitudes and policies within the Council’s sphere of operation, I feel much could be done both within departments that are outward facing as well as the benefit that the Council could be to the wider community.”

“...I have witnessed how when several groups such as those who have caught the attention of the media believe that the only equal opportunities matters worth discussing at such meetings are those that affect and address their needs.”

“...I mentioned “outward facing Council departments, for example the planning department. As an example, permission was granted for a hospitality company to utilise outside space by installing decking; it had not occurred to either the applicant or the planning officer who approved the scheme that with the only access to this decking was by a series of steps would thus prevent access by a wheelchair user.

Councils have responsibility too for and locating of street furniture which is sometimes done in such a way that it presents a hazard to blind or disabled people. A blind eye is turned to pavement parking by the Council, yet this discriminates against blind, wheelchair users and people pushing prams forcing them into the road in order to get past the obstacle.

There is a rapidly growing trend in the use of both mobility scooters plus electric scooters and the Council are not addressing the control of their use on public pavements and spaces. These issues, although very real to those being disadvantaged have in recent times been ignored whilst it is perceived by many that the slightest issues raised by those of a varied sexual orientation or of colour receive immediate responses.

I hope your review not only addresses the problems of accessibility etc experienced by disabled people within Torbay at large but actually follows through with the appropriate action. To pay too much attention to those aspects of discrimination that have grabbed media attention will only serve to alienate those not served by the Councils endeavours.”

Page 11
Re draft objective 1: Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.

Ensure all relevant groups are included in consultations “(I would rather this said “Support all relevant groups...” as I think there needs to be recognition that some groups will need expenses / costs covered in order to be included)”

- Improve the accessibility of our events, meetings, information and communications
- Strengthen our relationship with the community and encourage participation. “(I would rather this said “relationships with our communities” to reflect the diverse communities in your area)”

“I agree with your statements on equality. What is really important is to ensure when you consult you go to different groups for feedback, too often, for speed you go to the same groups who are not representative of the majority. You could use volunteers to get more diverse feedback?”

“In-house / Council groups re protected characteristics to support individuals / what support does the Council offer Re recruitment of bame, older people, lgbtqi +?”

“Is disability included in these statements?”

“Racism is important, where are other protected characteristics - ? Add in inequalities review panel ? develop panel /subpanels”

“Would an officer heading up the Equality Objectives be useful to ensure an organisational direction is maintained (much like we have with climate change).”

There are further opportunities to build equality considerations into services

“...Whilst the objectives reference consultation in decision making and designing services they do not cover what we will do to ensure this is followed through into the contracts we put in place with external suppliers.”

“...it is the responsibility of those putting the external provision in place to ensure equality considerations are appropriately addressed within their requirements. Inclusion within the equality objectives is essential to raising staff awareness of their responsibilities in relation to external contracting arrangements.”

“...All contracts and contractors must have an equality policy and act too for the non discrimination of the protected characteristics and wider communities that may not be specifically covered also.”

“...A form of words cut and pasted from several other local authorities Equality objectives as an example could possibly be at its simplest. The council has a responsibility to ensure that individuals, voluntary organisations, firms and institutions acting on behalf of or as agents of the council do not practice unlawful acts of discrimination.

I would probably go a bit further in the words to state they must have the relevant policies and actively discourage discrimination, themselves. A subcontractor could do as much damage as the main contractor to our reputation should they be discriminating on our behalf and with our taxpayers monies...”

Disagreement with the focus on those with protected characteristics

"I would disagree to these proposals for Torbay. Can we have an English Riviera proud month instead, with dancing, flags and media, celebrating everyone else in Torbay and the joy of living in such a wonderful place. Bring back the classic palm tree icon from the 80s. Why do LGBT+ have to try and override events with their way of thinking?"

"sounds a good way to waste government funding again"

"Pity Councils can't review their main line services and put more effort into them than wasting time, money, etc on other services which do not affect the whole community."

"Equality between Torquay, Paignton and Brixham you mean? We ALL pay the same Council Tax, let's ALL have a fair share"

"Pretty straight forwards, just treat everyone the same."

How much?"

General

"I think it's great that Torbay Council is doing this and adopting new policies etc. There are way too many hate crimes and bigots in Torbay - thank you for working towards more inclusive thinking in the Bay!"

"Hmmm.... I'm always curious when you talk about reducing inequality as it risks you engaging in 'positive discrimination', which is still discrimination and unlawful. Who someone sleeps with or what colour their skin is should be of no concern at all to a council, that's how you treat people fairly."

"Agree with the objectives - easy to understand and straight forward"

Social Media Evaluation

Four social media posts each on Facebook and Twitter reached 7032 accounts and prompted 740 engagements, 24 comments, 20 likes and nine shares. There was much more engagement from Facebook than Twitter regarding this consultation. Torbay Council's Facebook page currently has 9,625 likes and 10,911 followers.

From 14 June to 25 July 2021, the Equality Objectives consultation was featured in the One Torbay residents' e-newsletter three times and a total of 28 of the subscribers clicked through to the consultation webpage. The consultation was also featured in Torbay Council's Staff News several times over the consultation period.

Social Media responses provided more of the negative feedback about the draft Equality Objectives and highlights the need to consider how we can foster good relations between people who share a relevant protected characteristic and people who do not share it, as part of the General Equality Duty for Local Authorities.

Record of Decisions

Equality Objectives 2021-2025

Decision Taker

Cabinet on 24 August 2021.

Decision

- i) That the Council be recommended to agree the following Equality Objectives for 2021-2025:
1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations, providing support as appropriate.
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 - Strengthen our relationship with our communities and encourage participation.
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 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
 3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
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 - Demonstrating our Core Values, we will always be approachable, calm and respectful.
 - Create an environment where we act professionally and treat everyone with respect.
 - Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.
 - Support staff to continue to improve their cultural competence and confidence to improve workforce inclusivity and engage with our diverse

population and communities.

- ii) That the Head of Policy, Performance and Community Engagement prepare and implement an Action Plan to ensure that the Equality Objectives are embedded across the Council.
- iii) That, as part of the Action Plan, an Equality, Diversity and Inclusion Reference Group be established to support the Council in embedding the Equality Objectives in its work.

Reason for the Decision

It is a requirement of the Public Sector Equality Duty to publish one or more objective which we think we should achieve in order to meet the General Duty. The Council's current objectives expired in March 2021 and therefore a new set of objectives were required for the next four years.

Implementation

This decision will come into force and may be implemented on 7 September 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it, and
- Foster good relations between people who share a relevant protected characteristic and people who do not share it.

The Council is required to publish its objectives every four years, with the current objectives running until March 2021 and therefore new objectives needed to be agreed.

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

27 August 2021

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

Meeting: Harbour Committee
Cabinet
Council

Dates: 16th September 2021
21 September 2021
30 September 2021

Wards Affected: All Wards

Report Title: Torquay Town Dock Infrastructure Improvements

Harbour Committee Member Details: Councillor Nicole Amil, Chair of the Harbour Committee, Nicole.Amil@torbay.gov.uk

Cabinet Member Contact Details: Councillor Darren Cowell, Cabinet Member for Finance, Darren.cowell@torbay.gov.uk

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

1. Purpose of Report

- 1.1 This report provides Members with the opportunity to consider the approval of a capital spend not exceeding £1.2m required for Torquay harbour to carry out urgent & essential pontoon replacement and repair works to the Torquay Town Dock (see layout in Appendix 1). If approved the project works would commence in the winter of 2021/22.

2. Reason for Proposal and its benefits

- 2.1 The current pontoons used for annual customer berthing on the Town Dock were installed in 2007 by Solent Marine Ltd. Some fourteen years later they are now exhibiting signs that they are coming to the end of their useful life. The piles are still in good condition but the steel work that make up the floating pontoon sections is corroded to an extent that they are starting to lose their structural integrity. We have recently had to replace two sections as they were becoming unsafe. The floats that support the pontoons have also deteriorated to an extent that several are starting to fail, and many have required temporary fixes to keep them serviceable. Although we have replaced two sections and carried out several patched repairs to a number of the floats, it is an expensive and labour-intensive solution and considered to be emergency maintenance to keep this berthing facility open. The preferred option is to replace all the floating pontoon sections for the entire Town Dock.
- 2.2 If the deterioration in usefulness is allowed to continue it would impact on the income from the sale of Town Dock berths. Although the current infrastructure is still useable it could take three years to completely replace all the pontoons and more serious deterioration is likely to occur over this timescale, so we need to start this project as soon as possible to prevent having to close sections of the Town Dock and lose income.

- 2.3 New pontoons would also provide a fair justification for an increase in Town Dock charges above the standard inflationary increases once the works are completed.
- 2.4 The proposal is to carry out an annual phased replacement of each leg of the existing pontoons. Each phase of the work would be carried out over a winter period (October to March) with the first phase being a repair and refurbishment to the existing wave-screen and the access bridge in the winter of 2021/22.
- 2.5 Phase two would be the entire replacement of one of the three pontoon legs and associated fingers the following winter (2022/23), then a leg each winter until the works are completed. The Town Dock would need to remain operational and open to customers throughout the various phases of the project.
- 2.6 On completion of this project in 2023/24 the following outcomes will have been achieved :-
- Refurbished wave-screen to cure the issue with the connecting joints (requires dismantling and transporting off site for works to be completed). A temporary wave-screen will need to be installed during this phase.
 - Refurbishment of the access bridge to the Town Dock (a temporary access bridge from the ferry pontoon will need to be put in place while the main bridge is taken off site).
 - Replacement and fitting of new pontoons and berthing fingers for legs X, Y, Z (see Appendix 1) and the access pontoon from the legs to the bridge. All services (water & power) and service pillars to be taken off the old infrastructure and refitted to the new pontoons.
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3. Recommendation(s) / Proposed Decision

Harbour Committee

- 3.1 That the Harbour Committee recommend to full Council that borrowing is approved for up to £1.2m for the Torquay Town Dock infrastructure improvements, as set out in this report, and that the Harbour budget will meet the additional borrowing costs, expected to be £115,500 per annum, from increased revenue, commencing in 2024/25.
- 3.2 That the Torquay Town Dock Infrastructure Improvements Project be added to the Council's Capital Programme.

Cabinet

- 3.3 That Cabinet recommend to full Council that borrowing is approved for up to £1.2m for the Torquay Town Dock infrastructure improvements, as set out in this report, and that the Harbour budget will meet the additional borrowing costs, expected to be £115,500 per annum, from increased revenue, commencing in 2024/25.

- 3.4** That the Torquay Town Dock Infrastructure Improvements Project be added to the Council's Capital Programme.

Council

- 3.5** That, following recommendations from the Harbour Committee and Cabinet, the Council approve borrowing of up to £1.2m for the Torquay Town Dock infrastructure improvements, as set out in this report, and that the Harbour budget will meet the additional borrowing costs, expected to be £115,500 per annum, from increased revenue, commencing in 2024/25.
- 3.6** That, following recommendations from the Harbour Committee and Cabinet, the Council add the Torquay Town Dock Infrastructure Improvements Project to the Council's Capital Programme.

Appendices

Appendix 1: Torquay Town Dock Pontoon Layout

Supporting Information

1. Introduction

- 1.1 The Town Dock at Torquay harbour was installed in 2007 at a cost of £1.1m and was funded by prudential borrowing supported via the harbour revenue account. It was built to accommodate 175 berths for vessels ranging from 6 metres to 13 metres in length.
- 1.2 Income generated from this facility was £334,000 in 2020/21. It provides affordable berthing opportunities for local boat owners as well as supporting maritime events and accommodating visiting recreational craft. The dedicated visitor berthing ('V' – pontoon ~ marked as 'A' in the attached Appendix 1) is approximately 135 metres in length and provides safe berthing along with access to fresh water and electricity services. This area is exceptionally busy in the summer season and has an excellent record of visitor berthing from early April through to the end of October each year. Visiting vessels therefore generate a steady income in addition to the resident berth holders within the dock.
- 1.3 The Town Dock also has disabled access and is home to vessels owned by the Disabled Sailing Association, Torbay British Sub Aqua Club, and the Royal Torbay Yacht Club. The local Sea Scouts and Rowing Club also make use of the dock to berth their safety boats.
- 1.4 The design, construction and installation of the Town Dock pontoon system was completed by Solent Marine in 2007. The design comprises of a steel structure supported by a series of floats that have a plastic skin. The design characteristics of this float can be simplified as a large plastic container filled with polystyrene beads. The float is then injected from two filling ports with steam to fuse the beads together into one large solid block of polystyrene. Once the beads are fused together the ports are sealed to make a watertight unit. The filled floats are then fixed at each corner to the underside of the steel framed walkway or finger pontoon.
- 1.5 Experience gained in working with this product has shown that the design and methodology is not 100% effective in this location. The wave climate in this area of the outer harbour puts sufficient pressure on the floats to cause the plastic to split in the corners at the fixing points, which then allows water into the plastic casing. Once the casing starts to slowly fill with water the beads can be seen floating out of the cracked casing and the remaining void is replaced with more water. The additional weight of this fluid then enhances the problem as it flows around the inside of the casing until there can be a catastrophic failure of the float.
- 1.6 The area of the harbour where the Town Dock is located will sometimes experience excessive wave action, which also puts severe pressure on the steel frames of the walkway pontoons. As a consequence, the existing infrastructure suffers from occasional cracking to the steel, including the welded joints, and in extreme circumstances the bolts connecting the walkway units and finger pontoons can sometimes shear.

1.7 As a temporary measure the harbour staff have been modifying some of the damaged floats before recycling them back into the facility. The top of the floats are cut open so that the soaked polystyrene beads can be removed before the void is backfilled with expanding foam that is impervious to salt water. These works are completed by the harbour maintenance team. The floats changed so far have only been fitted to finger berths and to date no attempts have been made to replace floats on the visitor's area because the floats are still likely to crack due to the wave climate. Some of the main walkway sections also require attention where the buoyancy is deficient.

2. Options under consideration

2.1 No other options are under consideration.

3. Financial Opportunities and Implications

3.1 If we had to close parts or all of the Town Dock due to safety concerns with the existing infrastructure the loss of revenue and reputation will be severe. The annual income from the Town Dock is £334,000 and it is the centre piece of Torquay Harbour.

3.2 The replacement of the pontoons will give us the opportunity to increase some of the berthing finger lengths so that we can put larger vessel on dock, where appropriate and increase the overall income. The refurbishment would also provide a fair justification for an increase in Town Dock charges above the standard inflationary increases once the works are completed. Demand for this facility remains very high.

3.3 The life expectancy of the new installation will be better than that of the current infrastructure. This has been demonstrated by MDL who operate the marina adjacent to the Town Dock and who are just about to replace their pontoons after the initial install 30 years ago.

3.4 At the end of the Town Dock infrastructure improvement works, which will take two years and three winters to complete, there will remain a residual debt from the original loan in 2007 of £292k. The Director of Finance has agreed an accounting procedure via the General Fund to clear the asset balance and allow the Harbour account to make good the liability by way of an annual contribution over the life of the new borrowing.

3.5 The new debt of £1.2m will be repaid over 15 years commencing 2024/25 at a cost of £95k per annum, this cost to be met from the harbour revenue account. The total annual impact on the harbour revenue account will therefore be:

	Annual Cost
	£
New loan repayment, £1.2m over 15 years	96,000
Contribution to General Fund re: old debt, £292k over 15 years	19,500
Total cost	<u>115,500</u>

4. Legal Implications

- 4.1 We are currently at risk of some pontoons failing in bad weather which could lead to legal claims from owners of vessels who may get injured, or their vessels damaged because of failing or unsafe infrastructure.

5. Engagement and Consultation

- 5.1 The TDA have been engaged to project manage this replacement and refurbishment work but due to procurement rules we are not yet able to engage with potential contractors who would carry out the works. We have however engaged with structural engineers and organisations such as the Yacht Harbours Association to establish current best practice and designs for floating infrastructure.
- 5.2 If the works are approved the Harbour staff will create a consultation and communication programme to inform existing customers of the project and how it will affect them. The aim is to keep the Town Dock open throughout the project.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 When considering the products and materials being used for this project the Council will consider all relevant opportunities to make a positive impact on the climate and to reduce carbon wherever possible.

8. Associated Risks

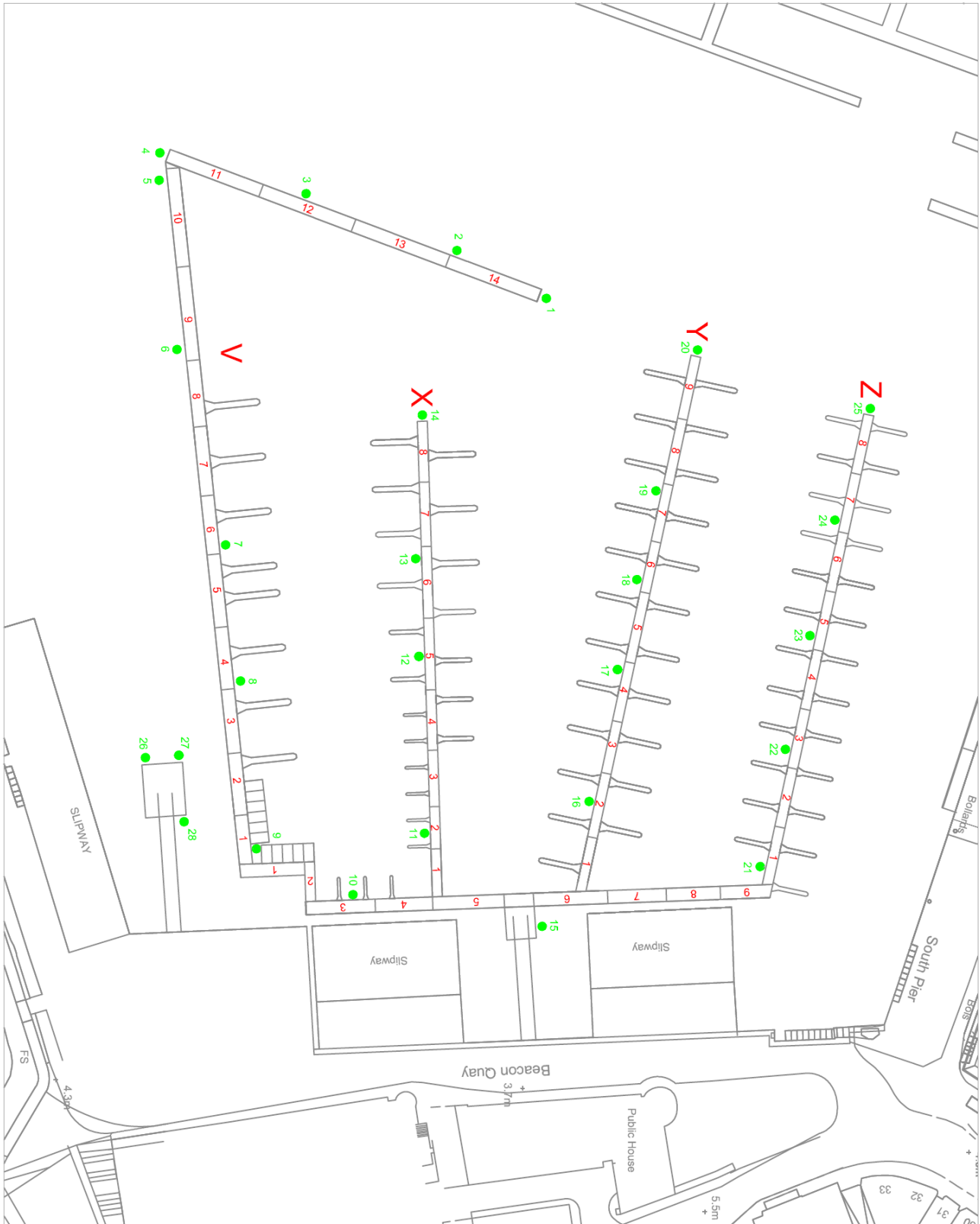
- 8.1 If the capital work is not approved there is a very real risk that certain facilities will need to be closed due to the unacceptable health and safety risks that could occur.
- 8.2 Any pontoon closures will result in lost income and reputational damage.

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		

Appendix 1 – Torquay Town Dock Pontoon Layout



Meeting: Council **Date:** 30 September 2021

Wards affected: All

Report Title: Renumeration for Audit Committee Independent Person

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

Audit Chairman and Cabinet Member Contact Details: Councillor Loxton, Chairman of the Audit Committee, robert.loxton@torbay.gov.uk and Councillor Cowell, Cabinet Member for Finance, Darren.cowell@torbay.gov.uk

Director/Assistant Director Contact Details: Martin Phillips, Chief Finance Officer, martin.phillips@torbay.gov.uk

1. Purpose of Report

- 1.1 The Audit Committee have been seeking to appoint an Independent Person, initially the position was advertised as a voluntary and unpaid post. The advert attracted a small number of candidates who upon assessment did not meet the requirements contained within the person specification. A further attempt to recruit to the post was made and was unsuccessful. It is therefore hoped that financial remuneration will attract a suitable candidate.

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 the Council is fit for the future.
- 2.2 The reasons for the decision are to ensure the Council follows good practice as set out in CIPFA's 'Audit Committees: Practical Guidance for Local Authorities and Police' 2018 Edition.

3. Recommendation(s) / Proposed Decision

1. That an allowance of £500 per annum be offered as remuneration to the Independent Person for Audit Committee and that the Monitoring Officer be instructed to update the Members Allowance Scheme accordingly; and
2. That the Head of Governance readvertise the post, in light of, the decision set out in 1. above.

Appendices

None

Background Documents

CIPFA: 'Audit Committees: Practical Guidance for Local Authorities and Police' 2018 Edition

Supporting Information

1. Introduction

1.1 At the meeting of Council on 26 September 2019 it was agreed that:

- (i) that the advert and role profile as set out in Appendix 1 be approved; and
- (ii) that authority be delegated to the Employment Committee to appoint an Independent Person for the Audit Committee for an initial term of 5 years, in accordance with the role profile set out in Appendix 1.

The initial advert attracted a small number of candidates who upon assessment did not meet the requirements contained within the person specification. A further attempt to recruit to the post was made and was again unsuccessful.

1.2 It became apparent that the Council was not alone in seeking an Independent Person for their Audit Committee and draft recommendations of the Redmond Review into the Oversight of Local Audit and the Transparency of Local Authority Financial Reporting, has made a large number of recommendations to improve audit related activities at local authorities.

1.3 In his report Redmond recommends that :- 'Independent Members should be recruited to Audit Committees, with the aim of bringing in specialist, technical knowledge to support the other elected committee members'. The Council's Internal Audit Partnership – Devon Audit Partnership (DAP) recognised the challenge for councils and were aware of a number of Partners that had tried to recruit such independent members but had been unsuccessful. DAP recognised that if the Redmond recommendations become a requirement then there was the possibility that 8 districts, 2 unitaries and 1 County Council, plus Fire, Police and National Parks in the Devon area would all be seeking such independent members – potentially competing against one another in a very small pool.

1.4 DAP sought to understand from partners what was currently permitted under current regulations / constitution in terms of Independent Persons. However this work highlighted that partners were in "different places" with regards to permitting independent membership on committees, and if such attendance should be financially recompensed or not. DAP have decided to wait until CIPFA or the National Audit Office issues specific instruction before they pursue the idea of a pool of Independent Person further.

1.5 As a result the Audit Committee are still seeking an Independent Person with the next option to entice candidates being financial recompense. The Independent Remuneration Panel have been consulted and consider £500 per annum to be reasonable and in line with other local authorities.

2. Options under consideration

2.1 Do nothing and wait to see if the recommendations set out in the Redmond Review are enacted by the Government. This option was discounted due to members desire to appoint an Independent Person in line with what is considered to be good practice by CIPFA.

2.2 Readvertise the position without financial recompense. This option was discounted due to two failed attempts are recruiting on a voluntary basis.

3. Financial Opportunities and Implications

- 3.1 There will be a financial implication as the remuneration will have to be met from the existing Members Allowance Budget.

4. Legal Implications

- 4.1 None

5. Engagement and Consultation

- 5.1 The Independent Remuneration Panel have been consulted.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable

7. Tackling Climate Change

- 7.1 Not applicable

7.2

8. Associated Risks

- 8.1 If the Council was unable to recruit to the position the risk remains that it is not following best practice.

9. Equality Impacts - 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) (Please note Gypsies / Roma are within this community)			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

10.1 None

11. Cumulative Community Impacts

11.1 None

**Standing Order D11 (in relation to Overview and Scrutiny) – Call-in and Urgency
Council Meeting, 30 September 2021**

In accordance with Standing Order D11, the call-in procedure does not apply where the executive decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would prejudice the Council's or the public's interests.

Before deciding whether a decision is urgent the decision making person or body must consult the Overview and Scrutiny Co-ordinator, or in his absence either:

- (a) (if the decision is a Key Decision and Standing Order E14 (General Exception) applies) each member of the Overview and Scrutiny Board shall be consulted; or
- (b) (in all other cases) the Civic Mayor, or (if there is no Civic Mayor appointed) the Deputy Civic Mayor, shall be consulted.

Decisions taken as a matter of urgency shall be reported to the next available meeting of the Council, together with the reasons for urgency and a summary of the consultation undertaken.

The table below sets out this information:

Matter for decision	Decision-taker	Reasons for urgency	Consultation
Contract Award Key Worker and Temporary Accommodation – Richmond Hotel, Torquay	The Cabinet	<p>The Cabinet took a decision, at its meeting held on 1 September 2021, to award a contract for key worker and temporary accommodation.</p> <p>The decision taken by the Cabinet needed to be implemented immediately as any delay likely to be caused by the call-in process would prejudice the public's interests.</p>	The Overview and Scrutiny Co-ordinator was consulted on 27 August 2021.