

Wednesday, 13 July 2022

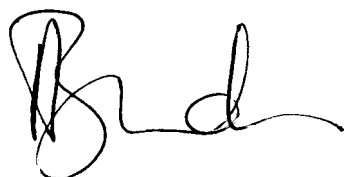
Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **The Forum, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 21 July 2022** 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 Annual meeting and Adjourned meeting of the Council held on 17 May 2022.

(Pages 4 - 12)

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, to include:
 - a presentation from The Oldway Trust; and
 - in accordance with the decision of the Standards Hearing Sub-Committee's held on 10 and 13 May 2022, apologies from Councillors Foster and David Thomas;
- Leader of the Council;
- Overview and Scrutiny Co-ordinator;
- Council's representative on the Heart of the South West Joint Committee;
- Chief Executive.

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|-----|---|-------------------|
| 6. | <p>Members' questions
To respond to the submitted questions asked under Standing Order A12.</p> | (Pages 13 - 16) |
| 7. | <p>Kerbside Green Waste Collection Service
To consider the recommendation of the Cabinet in respect of the introduction of a kerbside green waste collection service.</p> | (Pages 17 - 27) |
| 8. | <p>Joint Health and Wellbeing Strategy
To consider the recommendation of the Cabinet in respect of the Joint Health and Wellbeing Strategy.</p> | (Pages 28 - 60) |
| 9. | <p>Future Approach to Constitution Amendments
To consider a report that reviews the way that the Council undertakes changes to its Constitution.</p> | (Pages 61 - 67) |
| 10. | <p>Final Budget Monitoring 2021/22 (April 2021 – March 2022)
To note a report that provides a high-level budget summary of the Council's revenue and capital position for the financial year 2021/22.</p> | (Pages 68 - 85) |
| 11. | <p>Treasury Management Outturn 2021/22 Report
To note the annual report on the treasury management activities undertaken during the year 2021/22.</p> | (Pages 86 - 100) |
| 12. | <p>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 as set out in the submitted report.</p> | (Pages 101 - 102) |

Meeting Attendance

Please note that whilst the Council is no longer implementing Covid-19 secure arrangements attendees are encouraged to sit with space in between other people. Windows will be kept open to ensure good ventilation and therefore attendees are recommended to wear suitable clothing.

If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

Live Streaming

To encourage more people to engage in our public meetings the Council is trialling live streaming our Council meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

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

17 May 2022

-: 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, Douglas-Dunbar, Dudley, Ellery, Foster, Hill, Kavanagh, Kennedy, Law,
Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, Sykes and
John Thomas

1 Opening of meeting

The meeting was opened with a prayer.

2 Apologies for absence

Apologies for absence were received from Councillors Dart, Howgate, Johns, Pentney, Stockman, David Thomas and Jacqueline Thomas.

3 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 meeting of the Council held on 3 March 2022
were confirmed as a correct record and signed by the Worshipful the
Mayor of Torbay.**

4 Communications

The Worshipful the Mayor of Torbay thanked all those who attended his Civic Ball which raised approximately £600 for his charity, the Disabled Sailing Association.

The Leader of the Council:

1. thanked members, officers and partners for their work and involvement with Children's Services over recent years. He advised that Ofsted's judgement on Torbay's Children's Services would be announced on 18 May 2022;

2. provided an update on the rates of Covid infections in care homes following the lifting of the Covid restrictions. The position was significantly better with six care homes reporting staff and residents with covid infections; and
3. advised the number of refugees from Ukraine arriving in Torbay had reached 198 and thanked those involved in the regular refugees' welcome sessions and Upton Vale Church for providing refreshments. He added there were 19 refugee children who were integrating well in their new schools in Torbay.

The Chief Executive led a minute's silence for Amanda Coote, an employee within the Democratic Services Team, who had sadly passed away.

5 Election of The Worshipful the Mayor of Torbay

Councillor Douglas-Dunbar proposed and Councillor Loxton seconded a motion, which was agreed (unanimously) by the Council as follows:

that Councillor Mandy Darling be elected The Worshipful The Mayor of Torbay for the Municipal Year 2022/2023.

(The Worshipful the Mayor of Torbay, Councillor Mandy Darling, in the Chair)

The Worshipful the Mayor of Torbay took the Declaration of Acceptance of Office and Oath of Allegiance and thanked the Council for the honour bestowed upon her.

The Worshipful the Mayor of Torbay also announced that Mr William Darling would be her Escort during her term of office and her charities would be Guide Dogs Torbay Branch and The Doves Group. The Worshipful the Mayor of Torbay also advised that she had appointed Reverend Tim Smith to be her Chaplain.

6 Retiring Civic Mayor

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

that the Council express its sincere thanks and appreciation to Councillor Manning and Mrs Jan Manning for the manner in which they have carried out their duties during their term of office.

7 Election of Deputy Civic Mayor

Councillor Kennedy proposed and Councillor Dudley seconded a motion, which was agreed (unanimously) by the Council as follows:

that Councillor Brown be elected The Deputy Civic Mayor for the Municipal Year 2022/2023.

The Deputy Civic Mayor of the Council took the Declaration of Acceptance of Office and thanked the Council for the honour bestowed upon her.

The Deputy Civic Mayor also announced that Mr Trevor Brown would be her Escort during her term of office.

8 Adjournment

At this juncture the meeting was adjourned until 5.30 pm on Tuesday 17 May 2022.

The Worshipful The Mayor of Torbay

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

17 May 2022

:- Present :-

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

Councillors Amil, Atiya-Alla, Barrand, Barnby, Brooks, Bye, Carter, Cowell, Steve Darling, Douglas-Dunbar, Dudley, Ellery, Foster, Hill, Howgate, Johns, Kavanagh, Kennedy, Law, Barbara Lewis, Chris Lewis, Long, Loxton, Mills, Morey, O'Dwyer, David Thomas and John Thomas

9 Apologies for absence

Apologies for absence were received from Councillors Dart, Manning, Pentney, Stockman, Sykes and Jacqueline Thomas.

10 Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Lead Members

The Council was requested to consider the appointment of the Overview and Scrutiny Co-ordinator and the appointment of Scrutiny Lead Members for 2022/2023.

Councillor Loxton proposed and Councillor Steve Darling seconded a motion which was agreed (unanimously) as set out below:

- 1. that Councillor Douglas-Dunbar be appointed as the Overview and Scrutiny Co-ordinator for the 2022/2023 Municipal Year; and**
- 2. that the following Councillors be appointed as the Overview and Scrutiny Leads for the 2022/2023 Municipal Year:**
 - **Councillor Bye – Scrutiny Lead for Children;**
 - **Councillor Johns – Scrutiny Lead for Health and Adult Services;**
 - **Councillor Barrand – Scrutiny Lead for Community and Corporate Services; and**
 - **Councillor Kennedy – Scrutiny Lead for Place.**

11 Appointments to Council Committees and Working Parties and Appointment of Committee Chairmen/women and Vice-Chairmen/women for 2022/2023

The Council considered the submitted report on the appointment of committees and working parties and Chairman/women and Vice-Chairman/women in light of the political balance of the Council.

Councillor Steve Darling proposed and Councillor Cowell seconded a motion, which was agreed (unanimously), as set out below:

- 1. that the overall political balance of the committees as set out at Appendix 1 to the submitted report, be approved;**
- 2. that, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 to the submitted report, be approved;**
- 3. that, subject to 1 and 2 above, the Terms of Reference and membership for the Council's Committee's and working parties be approved as set out in Appendix 3 to the submitted report;**
- 4. that, subject to 3 above being approved, nominations from Group Leaders be received to fill the seats on the committees (as circulated on 17 May 2022);**
- 5. that, subject to 3 above, the Chairmen/women and Vice-Chairmen/women of those Committee's be approved as set out in Appendix 4 to the submitted report (as circulated on 17 May 2022);**
- 6. that, a sub-committee of the Licensing Sub-Committee be established to comprise three Members of the Licensing Committee;**
- 7. that the terms of reference of the Licensing Sub-Committee be to consider and determine all matters in connection with licensing applications (including those set out in the Statement of Licensing Policy and Gambling Act Policy/Statement of Principles);**
- 8. that the Licensing Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations; and**
- 9. that the Head of Governance Support be authorised to empanel Members from the Licensing Committee to serve on the Licensing Sub-Committee as and when required.**

12 **Composition and Constitution of the Cabinet and Record of Delegations of Executive Functions**

Members noted the submitted report on the above, which provided details of the portfolios of the Cabinet Members.

13 **Scheme of Delegation for Council Functions**

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

that the Scheme of Delegation for Council Functions and the Schedule of Responsibility for Local Choice Functions as set out in the web link contained on agenda be approved.

14 **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, Long and Morey, and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Long and Morey, arising from their responses to the questions in respect of questions 2, 3, 4 and 6.

15 **Temporary Accommodation Sufficiency Strategy**

The Council considered the recommendations of the Cabinet for funding temporary accommodation, following the Cabinet's decision on 10 May 2022 to purchase and renovate properties to address the shortage of temporary accommodation for homeless families.

Councillor Long proposed and Councillor Cowell seconded a motion as set out below:

that prudential borrowing of up to £10 million or use of appropriate Capital Receipts to fund the purchase and renovation costs of properties for the provision of temporary accommodation, be approved and that approval for the purchase of individual properties be delegated to the Director of Finance in consultation with the Cabinet Member for Finance.

During the debate Councillor O'Dwyer proposed and Councillor Chris Lewis seconded an amendment to the motion as follows:

1. that prudential borrowing of up to £3 million or use of appropriate Capital Receipts to fund the purchase and renovation costs of properties for the provision of temporary accommodation, be approved and that approval for the purchase of individual properties be delegated

to the Director of Finance in consultation with the Cabinet Member for Finance; and

2. that following the initial purchases, a business case be presented for further borrowing for the purchase and renovation of properties.

The amendment was put to the vote and declared lost.

Councillor Long's and Councillor Cowell's original motion was then considered by the Council which was agreed (unanimously), as set out below:

that prudential borrowing of up to £10 million or use of appropriate Capital Receipts to fund the purchase and renovation costs of properties for the provision of temporary accommodation, be approved and that approval for the purchase of individual properties be delegated to the Director of Finance in consultation with the Cabinet Member for Finance.

16 Joint Statement of Conduct by Elected Members

Members considered adopting the Joint Statement of Conduct by Elected Members (as set out in the submitted report) to sit alongside and support the Members' Code of Conduct and Local Protocols. The Joint Statement sought to ensure that, as Community Leaders, Members through their own actions demonstrated civil and respectful behaviour through robust but civil debate.

Councillor Steve Darling proposed and Councillor David Thomas seconded a motion, which was agreed by the Council (unanimously) as set out below:

1. **that the Joint Statement of Conduct for Elected Members be adopted; and**
2. **that the Monitoring Officer be requested to include the Joint Statement of Conduct for all Elected Members in the Council's Constitution.**

After the vote and at the request of the Worshipful the Mayor of Torbay, Group Leaders signed the Joint Statement on behalf of all Members.

17 Appointment of Independent Person

The Council considered the submitted report setting out the proposed appointment a new independent person to assist in the consideration of complaints against Members under the Council's Code of Conduct for Members. It was noted the independent person would also assist the Council in promoting and maintaining the high standards of conduct by Members.

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

1. **that the Council appoints Dr Kathleen Lund as its Independent Person for a period commencing on 17 May 2022 and expiring on 17 May 2026; and**
2. **that the Chief Executive, on behalf of the Council, write to Mr Peter Styler, thanking him for his time and guidance during his tenure as Independent Person.**

18 Overview and Scrutiny Board Annual Report 2021/2022

The Council received and noted the Overview and Scrutiny Annual Report for 2021/2022, as presented by the Overview and Scrutiny Co-ordinator.

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

Members noted the submitted report setting out the executive decisions taken (County Deal Advisory Board; Written Statement of Action following the SEND Inspection; and Contract for Live Streaming and Hybrid Meetings) to which the call-in procedure did not apply.

The Worshipful The Mayor of Torbay

Agenda Item 6

Adjourned Annual Meeting of the Council, Thursday, 21 July 2022

Questions Under Standing Order A12

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

First Round

Question (1) from Councillor Dudley to the Cabinet Member for Children's Services (Councillor Law)	Further to Councillor Pentney's question considered at the Council Meeting on 3 March 2022, can you please update the Council as to what communications may have come from the Home Office regarding the responsibilities of Torbay Council and the unaccompanied asylum seeking children?
Question (2) from Councillor Pentney to the Cabinet Member for Corporate and Community Services (Councillor Carter)	I note that an independent party undertook an investigation into a standards complaint against Cllr D Thomas and Cllr Foster. Can you please advise me what the cost to the local authority of this investigation has been?
Question (3) from Councillor Bye to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	<p>Writing in the May edition of the Beach Hut magazine the Deputy Mayor was clearly over optimistic regarding the likely completion of repairs at Torwood Street; likewise the re commencement of work at the Premier Inn Hotel on the Harbour Car Park site "work is likely to recommence in May"; also possibly the Strand Regeneration project "work is due to start later this year".</p> <p>Could the Cabinet Member for Economic Regeneration, Tourism and Housing, please give a definite date for when work will start on site at the Premier Inn and explain why work was not underway in May and when work will commence on the Strand Regeneration project and whether a contractor is in place?</p>
Question (4) from Councillor David Thomas to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)	<p>The Council recently embarked on a consultation for the Local Plan update offering the community 5 options. It was stated at the time that a quick consultation was required and hence the remit of the areas to be looked at within the plan was truncated.</p> <p>I understood the findings were due to be presented to Overview and Scrutiny in April, for a decision by the cabinet in May. Could the portfolio holder please make available the consultation results and explain the new timeline that is in place.</p>
Question (5) from Councillor Kennedy to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	<p>At Broadsands we have lost a number of bits of green space to concrete through the Council disposing of land by way of lease. This has caused me a concern in a number of respects;</p> <ol style="list-style-type: none">1. The advertisement of the disposal (which is required by the Local Government Act 1972) does not inform the public how the land for disposal is proposed to be used;2. It would appear that the Council does not give any consideration as to whether the intended use conflicts with our Development Plans.

	<p>3. It would appear that the Council does not give any consideration as to whether the intended use will impact upon the natural drainage in a critical flood zone.</p> <p>Would you please explain why we are not informing the public as to the intended use of land disposed of by way of lease, why we give no consideration to our Development Policies when we do this and, most importantly, why we do not consider how losing sections of natural drainage to concrete in a critical flood zone fits with our Climate Change policies?</p>
Question (6) from Councillor O'Dwyer to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	With regard to the recent levelling up funding bid made by the authority, that required each of the two individual projects, to meet one of the three criteria of Transport Investment, Cultural Investment and Town Centre Regeneration. Could the Cabinet Member for Economic Regeneration, Tourism and Housing indicate which essential criteria each project met and indicate how the two schemes will work towards supporting the net zero aims as specified in the prospectus and in tackling crime and community safety issues.
Question (7) from Councillor Johns to the Cabinet Member for Adult Services and Public Health (Councillor Stockman)	The Government have announced that a Covid booster jab will be offered to the over 50's this autumn to avoid winter pressures on the NHS. This equates to an extra six million middle-aged people who are expected to be offered a fourth dose as an Omicron sub-variant continues to push up cases and hospital admissions. Throughout the pandemic, Torbay Council have played their part in facilitating the roll out of the vaccine. How do we plan to continue support of the continued roll out with the vaccine programme this Autumn?
Question (8) from Councillor Atiya-Alla to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	Planning permission was granted at Hatfield House, Torquay on the 13 December 2021 for 31 apartments and an office building with 43 rented apartments. How are the Council encouraging Sanctuary Housing to progress this development to meet some small way of the housing need in Torbay with approximately 1,400 households on the Council's housing needs list?
Question (9) from Councillor Loxton to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	With the cost-of-living crisis and growing inflation, how is the Council seeking to support local traders particularly around Christmas time?
Question (10) from Councillor Douglas-Dunbar to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	Paignton has a proud heritage and continually highly successful high-tech cluster. In May 2021 the Cabinet agreed to invest in a high-tech company called Nanusens through Torbay Growth Scheme. Can you please give us an update on the progress of this company?
Councillor Long	In the last year Nanusens has taken 5 new highly qualified engineers to EPIC. They have hired a second office, and plan to hire another 8 engineers (at least) during the next year. Nanusens have also setup an optical profiler machine to accelerate developments and prepare for volume production next year. The company has raised £2.3m of investment this year, and are preparing a funding round of £10m to be completed in

	<p>the first quarter of next year. Nanusens being at EPIC has also facilitated working with Palomar Technologies, to prepare samples for other potential customers - phone companies in Asia, interested in RF DTCs (radio frequency digital tuneable capacitors).</p> <p>With this new team Nanusens is now advancing quickly in the MEMS (micro-electromechanical system) and ASIC (application-specific integrated circuit) developments. As a result of this, 5 new patent filings are in preparation, which will add to the patent portfolio. In April, the first patent in the USA was granted.</p>
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Second Round

Question (11) from Councillor O'Dwyer to the Cabinet Member for Corporate and Community Services (Councillor Carter)	<p>Could the Cabinet Member for Corporate and Community Services provide the last 3 years data on the</p> <ul style="list-style-type: none"> • number of Subject Access Requests submitted by the public; • the number dealt with within the required timescale; • our targets, national expectations and neighbouring authorities performance; • What actions have been taken to support meeting our performance targets.
Question (12) from Councillor Dudley to the Cabinet Member for Corporate and Community Services (Councillor Carter)	<p>In light of a report from the consumer group Which, claiming that more than 2 million households have missed a bill payment every month this year as people struggle to keep their heads above water, how are the Council seeking to support our families in need in Torbay as we face the storm of the cost-of-living crisis?</p>
Question (13) from Councillor Pentney to the Cabinet Member for Infrastructure, Environment and Culture (Councillor Morey)	<p>Local residents remain concerned about ensuring that our town centres are kept to a good state of cleanliness. What investment have SWISCO undertaken since their inception two years ago to drive positive change around cleansing our town centres?</p>

Third Round

Question (14) from Councillor O'Dwyer to the Cabinet Member for Economic Regeneration, Tourism and Housing (Councillor Long)	<p>Back in March the Cabinet Member for Economic Regeneration, Tourism and Housing stated that works would resume in April on the new Harbour View Hotel on The Terrace, following the appointment of new architects and a contractor under the SCAPE Framework. Now we are in July no one has been completing the build on the site in fact they have recently removed the crane and parts of the scaffolding from the incomplete premises. Please could you provide an update on the expectations for the completion in time for the client's handover, plus any penalty payments to the client, the new expected costings or estimates to complete the project on behalf of the council as landowners and the developers and the new expected returns from this development on completion in line with the regeneration and investment strategy frameworks.</p>
Question (15) from Councillor Dudley to the Cabinet Member for	<p>Sanctuary Housing have been undertaking works to prepare for the development of affordable housing on the former Hatchcombe nursery site off Barton Hill Road, Torquay. How has the Council been working with</p>

Economic Regeneration, Tourism and Housing (Councillor Long)	Sanctuary Housing to bring forward this site in light of the housing crisis in Torbay?
Question (16) from Councillor Pentney to the Cabinet Member Corporate and Community Services (Councillor Carter)	At the time of writing this question there is uncertainty as to whether Torquay have been successful in the Torquay Safer Towns bid to the Government. Can you please update us on this and if successful what the potential outcomes are?

Meeting: Cabinet **Date:** 12th July 2022

Wards affected: All

Report Title: Kerbside Green Waste Collection Service

When does the decision need to be implemented? [Click here and enter date](#)

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

Director/Divisional Director Contact Details: Alan Denby – Divisional Director Economy, Environment & Infrastructure. alan.denby@torbay.gov.uk

1. Purpose of Report

- 1.1 To introduce an opt in, charged for kerbside green waste collection service to further increase the Torbay Council recycling rate.

2. Reason for Proposal and its benefits

- 2.1 The Torbay Council recycling rate is currently 37% and below the target of 50%. A key element to increasing the recycling rate is to increase opportunities for the recycling of garden waste.

3. Recommendation(s) / Proposed Decision

1. That SWISCo are instructed to deliver an opt in, paid for kerbside garden waste collection service as soon as possible; and
2. That the service be fortnightly, all year round and charged at £50 p/a (£40 for CTSS) per 240 litre bin.

Appendices

Appendix 1: Indicative Costings (EXEMPT)

Appendix 2: A summary of costs and income for 25,000 households (EXEMPT)

Background Documents

Community & Corporate Plan

Resource & Waste Management Strategy 2020-2023

1. Introduction

- 1.1 The only green waste recycling option (other than in garden composting) currently available to residents is the Household Waste and Recycling Centre in Paignton or seasonal remote collection points in Torquay and Brixham.
- 1.2 One of the impacts of the pandemic has been a reduction in recycling rates nationally and locally. Torbay's waste flow data shows approx. 1500 tonne of garden waste is disposed of in the residual stream every year. Collecting and recycling this garden waste offers potential for improvements of Torbay's recycling rate by up to 6%, therefore making an important contribution towards the Council's climate emergency commitments.
- 1.3 A charged garden waste collection has been identified in the Resource and Waste Strategy for Torbay, by the target date of 2023. The Resource and Waste Strategy sets out that this collection will reduce the amount of green waste that is put into the residual bin and will lead to an improvement in Torbay's recycling rates. To deliver the collection service there is a requirement to increase the staffing capacity in SWISCo and also to hire in the appropriate vehicles. The lead in time is anticipated to be 18 weeks and as such, whilst this will be introduced as quickly as possible, it is likely that this will begin to be rolled out from November of this year, estimated to support 15,000 customers intending to increase the number to 25,000.
- 1.4 The introduction of the collection will require further investment in vehicles and containers as currently, the fleet does not have the capacity to make these collections. Additional drivers will also be required to facilitate this service. This report summarises the justification for the collection and the appendix provides the anticipated costs and income for the collection service.
- 1.5 At the current time a charged for service will cover both the revenue and capital costs of the service and deliver a surplus for Torbay Council. This surplus would be intended to develop a reserve fund to meet any costs arising if Government introduce a requirement for local authorities to carry out free green waste collections in the future.
- 1.5 A charged garden waste collection is part of the Devon-aligned service, which Torbay Council has signed up to aspiring to meet through the Resource and Waste Management Strategy for Devon and Torbay. The introduction of a kerbside garden waste collection service would align Torbay with other Devon district collection authorities who offer the service.

- 1.6 Feedback from community engagement by the Recycling Support Co-ordinators, shows that there is an appetite for this service within Torbay. It is intended that the green waste collection would be on the same day as residual waste collections but alternate weeks to the black bin.
- 1.7 For residents who do not wish to use the service the HWRC will continue to offer green waste recycling and there would be a transition period for one summer where limited seasonal remote green waste collection points will be offered pending review of the takeup.

2. Options under consideration

- 2.1 The alternative option to an opt in charged for service is to offer a free service to all households with a garden (approx 45,000 properties).
- 2.2 Although this was promoted as the preferred option of Central Government, on the basis of new burdens funding this being a net nil cost to local authorities, DEFRA has not confirmed any further details. The results of the Government consultation are currently due to be published in July 2022, delayed from Autumn 2021, however any changes will then have to be included in new legislation relating to the Environment Bill, as is in reality a number of years away.
- 2.3 At the current time a free service would cost Torbay Council approx. £1.2 m p/a plus capital costs of approx. £1.6m

3. Financial Opportunities and Implications

- 3.1 Using data from other Devon collection authorities it is assumed that there would be a take up of the service by between 15,000 and 25,000 households.
- 3.2 Due to the operational requirements of the collection service (vehicles and staff) costs are banded from 15,000 customers in 10,000 additional customer step changes.
- 3.3 A summary of costs and income for 25,000 households is set out in exempt Appendix 2.
- 3.4 As indicated at paragraph 1.5 any surplus that accrued from the green waste collection service would be retained as a reserve to support the introduction of a free service if this is required by national Government in future.

4. Legal Implications

- 4.1 By Section 93 of the Local Government Act 2003 the Council has the power to charge for discretionary services as long as the service user agrees to pay for the service

5. Engagement and Consultation

- 5.1 Informal consultation has taken place through the work of the Recycling Support Coordinators and has demonstrated a positive appetite for the service.
- 5.2 The service would be in line with successful models delivered by other Devon collection authorities.
- 5.3 The service would be communicated to residents through the Council's websites and social media, through communications direct to residents and through news releases.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 The required vehicles and bins would be procured through existing frameworks.
- 6.2 The proposed service would create nine new jobs in Torbay

7. Tackling Climate Change

- 7.1 The introduction of the service to 25,000 households would reduce the amount of residual waste sent to MVV by approx. 433 tonnes p/a.
- 7.2 The additional mileage travelled in the collection of the garden waste would be offset by the reduction bulk haulage to MVV in Plymouth. It is assumed that recycling rates would improve by an estimated 4-6%, assuming 25,000 customers sign up, through introduction of this service making a direct and positive impact to the Council's climate change commitments.
- 7.3 The collected garden waste would be recycled into compost.

8. Associated Risks

- 8.1 Without the introduction of a garden waste collection service this limits the ability to make substantial increases in the recycling rate.
- 8.2 There is a risk that the Government introduces the requirement for Council's to provide this service potentially offering funding to allow for the introduction however this appears not to be forthcoming in the short to medium term.

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			X
People with caring Responsibilities			X
People with a disability			X
Women or men			X
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			X
Religion or belief (including lack of belief)			X
People who are lesbian, gay or bisexual			X
People who are transgendered			X
People who are in a marriage or civil partnership			X
Women who are pregnant / on maternity leave			X
Socio-economic impacts (Including impact on child poverty issues and deprivation)			X
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			X

10. Cumulative Council Impact

10.1 NONE

11. Cumulative Community Impacts

11.1 NONE

Document is Restricted

Document is Restricted

Revised Officer Recommendation

Cabinet, 12 July 2022

Agenda Item 8: Kerbside Green Waste Collection

1. That SWISCo are instructed to deliver an opt in, paid for kerbside garden waste collection service as soon as possible;
2. **That the Director of Finance be requested to use his delegated authority to introduce a new charge for the service to be fortnightly, all year round and charged at £50 p/a (£40 for CTSS) per 240 litre bin, in accordance with Financial Regulation, paragraph 5.10 (in consultation with the Leader of the Council, Cabinet Member for Finance and Chief Executive); and**

That Council be recommended:

3. **That the Director of Finance be delegated authority, in consultation with the Leader of the Council and Cabinet Member for Finance, to provide Council funding by prudential borrowing for the Council to purchase the bins for garden waste or provide a loan to SWISCo for their purchase.**

Meeting: Cabinet / Council **Date:** 12 July 2022 / 21 July 2022

Wards affected: All

Report Title: Joint Health and Wellbeing Strategy

When does the decision need to be implemented? July 2022

Cabinet Member Contact Details: Cllr Stockman, Cabinet Member for Adult Services and Public Health, Jackie.stockman@torbay.gov.uk

Director/Divisional Director Contact Details: Dr Lincoln Sargeant, Director of Public Health, Lincoln.sargeant@torbay.gov.uk; Julia Chisnell, Consultant in Public Health, Julia.Chisnell@Torbay.gov.uk

1. Purpose of Report

- 1.1 To seek approval of the Joint Health and Wellbeing Strategy 2022-26 following public consultation.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report support delivery of the ambitions within the Community and Corporate Plan, in particular tackling poverty, deprivation and vulnerability.
- 2.2 The reasons for the decision are to ensure that the Council complies with the statutory requirement for all upper tier local authorities to have in place a Joint Health and Wellbeing Strategy.

3. Recommendation(s) / Proposed Decision

That Cabinet recommends to Council:

That the Joint Health and Wellbeing Strategy 2022-26 as set out in Appendix 1 to the submitted report be approved.

Appendices

Appendix 1: Joint Health and Wellbeing Strategy 2022-2026

Appendix 2: Report on the response to public consultation

Background Documents

None

1. Introduction

- 1.1 Local Authorities have a duty to produce, through the Health and Wellbeing Board, a Joint Health and Wellbeing Strategy setting out priorities to address the needs of the population.
- 1.2 This Joint Health and Wellbeing Strategy sets out our focus areas and key actions to improve lives in Torbay over the next four years. The draft Strategy was prepared in collaboration with Health and Wellbeing Board partners over several months and the areas of focus and cross-cutting areas represent priorities for agencies working across Torbay to improve the health and wellbeing of residents.
- 1.3 In March 2022 the Cabinet agreed to launch the strategy for consultation. The public consultation was undertaken between 4 April – 16 May 2022. A wide range of organisations and individuals were invited to comment, through routine Council communications channels and also through individual cascade via officer stakeholder contacts and networks in an effort to reach as many groups within the population as possible. The consultation was primarily available in digital format but was also provided in paper copy where requested.
- 1.4 A report on the responses to consultation is included at **Appendix 2**. This report also details the changes made to the document as a result of the consultation and how ideas submitted by respondents will be taken forward during the implementation.

2. Options under consideration

- 2.1 The Joint Health and Wellbeing Strategy is a partnership document setting out priorities for strategic activity and no alternative options are therefore considered.

3. Financial Opportunities and Implications

- 3.1 There are no direct financial implications associated with the Strategy. Where activities require investment these will be identified and funded through the relevant workstream.

4. Legal Implications

- 4.1 The production of a Joint Health and Wellbeing Strategy is required under the Health and Social Care Act 2012.

5. Engagement and Consultation

- 5.1 The Strategy has been developed in collaboration with members of the Torbay Health and Wellbeing Board and stakeholders involved in the different programme areas.
- 5.2 A public consultation was undertaken between 4 April and 16 May 2022. The response to consultation is set out in **Appendix 2** to the submitted report.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 One of the cross-cutting areas of the Strategy is environmental sustainability. This is a priority for all Health and Wellbeing Board members.
- 7.2 The strategy requires all partner organisations to:
- Include environmental sustainability as a key element in all policies
 - Make environmental sustainability a factor in decision making in all new policies and procurement contracts. Potential contractors should highlight the actions they will take to cut carbon emissions in their service delivery and work towards providing sustainable services.

8. Associated Risks

- 8.1 There are no specific risks associated with implementation. However, failure to deliver against the major objectives of the Strategy would have a reputational impact for all constituent organisations, and represent a failure to grasp the opportunities to drive improvements in the health and wellbeing of our population.
- 8.2 An outcome framework has been developed to monitor delivery. A risk register will be held by the Health and Wellbeing Board and slippage against implementation identified early so that remedial action can be put in place.

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 includes one priority area around 'Healthy Ageing' and one around 'Good start to Life'. Therefore both population groups should benefit through implementation.		
People with caring Responsibilities	Support for carers is a cross-cutting area in the Strategy. All partners are asked to sign up to the Devonwide Commitment to Carers, proactively to identify and support carers (including young carers), and to become 'carer friendly' employers.		
People with a disability	The goals of the Strategy are to reduce ill-health and poor wellbeing. There are specific objectives around reducing discrimination and stigma associated with disabilities associated with older age, and around the availability and suitability of housing.		
Women or men		Equal impact anticipated.	
People who are black or from a minority ethnic background (BME) (Please note Gypsies /	There is a cross-cutting priority area around reducing inequalities which		

Roma are within this community)	includes a requirement for equality impact assessments, and workplace training in the needs of minority and ethnic groups.		
Religion or belief (including lack of belief)	There is a cross-cutting priority area around reducing inequalities which includes a requirement for equality impact assessments, and workplace training in the needs of minority and ethnic groups.		
People who are lesbian, gay or bisexual	There is a cross-cutting priority area around reducing inequalities which includes a requirement for equality impact assessments, and workplace training in the needs of minority and ethnic groups.		
People who are transgendered	There is a cross-cutting priority area around reducing inequalities which includes a requirement for equality impact assessments, and workplace training in the needs of minority and ethnic groups.		
People who are in a marriage or civil partnership		Equal impact anticipated	
Women who are pregnant / on maternity leave	The employer requirement around equality impact assessment and training is anticipated to have a positive impact.		

Socio-economic impacts (Including impact on child poverty issues and deprivation)	The aim of the Strategy is to drive improvements in health and wellbeing, responding to the needs highlighted in the JSNA and tackling inequalities in health and opportunity in the Bay.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	The purpose of the Strategy is to achieve a positive impact on the health and wellbeing of the population of Torbay.		

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None

TORBAY JOINT HEALTH & WELLBEING STRATEGY 2022-26

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Foreword

Local Authorities have a duty to produce a Joint Health and Wellbeing Strategy setting out priorities to address the needs of the population. They do this, in partnership with the NHS, through the Health and Wellbeing Board.

This draft Strategy has been prepared in collaboration with Health and Wellbeing Board partners over the last nine months. The Strategy identifies 5 priorities areas, and 6 cross-cutting areas, which all member organisations feel are critically important for improving the health and wellbeing of Torbay residents.

Importantly, this year we have worked closely with colleagues in the new Integrated Care System, and especially those in the South Devon and Torbay Local Care Partnership, to make sure our priorities are clearly aligned.

The refreshed Torbay Joint Strategic Needs Assessment has also just been published and is available here: <http://www.southdevonandtorbay.info/media/1285/2022-2023-torbay-jsna.pdf>. The Joint Strategic Needs Assessment describes the health and wellbeing needs of our population, and the drivers that influence health and wellbeing, like housing, employment and education.

This Health and Wellbeing Strategy responds to the areas of greatest need:

- children living in challenging circumstances and losing out on educational opportunities
- lack of high quality housing with secure tenure
- people living with poor mental health
- older people experiencing loneliness and isolation.

All of these needs have been exacerbated by the pandemic, and all of them hit our most disadvantaged communities the most.

The draft Health and Wellbeing Strategy seeks to tackle these difficult issues through agencies working together to bring about real, sustainable change.

The draft Strategy was shared for public consultation between 4 April – 16 May 2022.

Responses to consultation were compiled into a summary report for review by the Board, and edits made to the Strategy for this final draft. An online version can be found here: [Joint Health and Wellbeing Strategy 2022-2026 - Torbay Council](#)

Introduction

Healthy people are at the core of healthy societies. Yet health is more than just the absence of disease. The World Health Organisation defines health as “a state of complete physical, mental and social well-being”. When it comes to health, accessible and high quality health care is important, but as little as 10% of a population’s health and wellbeing is linked to access to health care. Many other factors, such as the home and the community we live in, our environment, work, education and money, influence whether we are healthy and happy. It is therefore crucial to address these and create an environment that enables people to be as healthy as they can.



Figure 1 What makes us healthy. Adapted from The Health Foundation

The circumstances in which we live, our daily activities and our social lives affect our physical and mental health and wellbeing. At the same time, having a physical illness or mental health problem can have a significant impact on our social and working lives and our wellbeing.

Everyone in our community should have the opportunity for good health and wellbeing. To increase the health and wellbeing of the people in Torbay we need to work across all sectors and organisations to address the factors that influence these. This Joint Health and Wellbeing Strategy sets out our focus areas and key actions to improve lives in Torbay over the next four years.

Health inequalities

Health inequalities are avoidable, unfair and systematic differences in health between different groups of people that arise because of the conditions in which we grow up and live, the environment or area we live in, the group we belong to or the opportunities we have to lead healthy lives¹.

The Marmot Review first described these differences in health outcomes between different sections of society in 2010 and found people living in the poorest neighbourhoods in England will die several years earlier than people living in the richest neighbourhoods. Poorer people will also

¹ [Health inequalities in a nutshell | The King's Fund \(kingsfund.org.uk\)](https://www.kingsfund.org.uk/publications/health-inequalities-in-a-nutshell)

spend more of their life living with disease or disability². An update of the Marmot review in 2021 showed:

- Improvements in life expectancy stalled in the decade before the pandemic
- There are wide inequalities in health within and between different areas in the UK
- The health gap between wealthy and deprived populations has widened
- People are spending more of their lives living in poor health.³

As highlighted in the Chief Medical Officer for England's Annual Report 2021, coastal communities include many of the most beautiful, vibrant and historically important places in the country. They also have some of the worst health outcomes in England, with low life expectancy and high rates of many major diseases.⁴

To tackle these inequalities, we need to ensure that we not only provide high quality and accessible health care, but that we take note of the factors contributing to good or poor health. This includes supporting people when they need help, making sure children have a good start in life and working towards a thriving society where people can live healthy and happy lives in an environment that supports health and is sustainable for future generations.

The Government's Levelling Up White Paper, published in February 2022, emphasises the need to tackle the drivers of disparity and identifies a series of 'levelling up missions' centring around jobs, housing, skills, education, health, crime, community and wellbeing.⁵ These are reflected in the priority and underpinning areas of our Strategy.

Torbay

Torbay offers a great quality of life for individuals and families, with a great natural environment on the English Riviera, a wide range of outdoor activities, excellent schools and a growing arts and cultural sector. But in common with other coastal communities, Torbay faces major challenges. Some of these are listed below. For more detail consult Torbay Council's Joint Strategic Needs Assessment⁶.

- 1. Our climate is changing.** Torbay is projected to get warmer, wetter winters and hotter, drier summers with more intense storms and rising sea levels. This will affect every area of our lives, from increased mould growth within homes during winter, to more deaths due to severe weather such as storms and heatwaves. We need to reduce our carbon footprint, our impact on the environment and plan for the effects of climate change and environmental breakdown that we cannot prevent.
- 2. Our population is ageing.** As a popular retirement location, our population is older than the national average, with 26% of people over 65 years of age. This means we face increased challenges of ill-health, loneliness and frailty, with a high impact on health and social care. We also need to support our many carers, those family members and friends, who themselves support and ensure independence for our older population, many of whom are themselves older.

² Fair society, healthy lives : the Marmot Review : strategic review of health inequalities in England post-2010. - GOV.UK (www.gov.uk)

³ Health Equity in England: The Marmot Review 10 Years On - IHE (instituteoftheequity.org)

⁴ Chief Medical Officer's Annual Report 2021, Health in Coastal Communities, Available at: [Chief Medical Officer's annual report 2021: health in coastal communities - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

⁵ Levelling up in the United Kingdom White Paper (HM Government) February 2022 [Levelling Up the United Kingdom \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

⁶ [Joint Strategic Needs Assessment for Torbay 2020-2024](http://www.torbay.gov.uk)

- 3. Inequalities are widening.** There are communities with high levels of deprivation and poor housing in Torbay, with around 1 in 6 children growing up in relative poverty, and few opportunities for young people. Many people in Torbay's tourism industry and care sector are employed on low wages. Many of these businesses have suffered during the COVID-19 pandemic, and this has had a knock-on effect, worsening existing inequalities as the most deprived were hit hardest by the health and economic impacts of the pandemic.
- 4. Residents are struggling with mental health problems.** 1 in 8 adults in Torbay have depression, and we have a high rate of people who require long-term support for mental health problems. We have high rates of suicide, and self-harm, particularly among young adults. People with caring responsibilities are also at higher risk of mental health issues.
- 5. Children and young people experience increasing challenges.** The rate of cared for children in Torbay is amongst the highest in England and many children and families require extra support. Around 1 in 6 children live in low-income households, above the England average. Latest reliable figures for families living in fuel poverty are around 1 in 8 of households in 2020, similar to England and the South West, but these are expected to have risen over the last two years. We also face challenges around children and young peoples' physical and mental health, including high rates of overweight and obesity, high rates of tooth decay and high rates of self-harm in children and young people.
- 6. Poor housing and homelessness are consistent problems.** Living in poor housing has a negative effect on both physical and mental health. 1 in 3 people in Torbay live in housing which is in poor condition, without central heating or overcrowded (compared with around 1 in 6 nationally). Many people in Torbay struggle to pay their energy bills and may rent poor quality housing that is colder and more prone to damp. This has an impact on people's health and wellbeing. Houses in the South West of England are expensive, and housing in Torbay is on average less affordable than in the rest of England. There is also an increasing number of rough sleepers in Torbay, and many homeless households living in emergency accommodation or staying with friends and family.
- 7. Economic health and individual health and wellbeing are inextricably linked.** Employment is a key challenge in coastal communities and has multiple impacts on health. Analysis for the Health in Coastal Communities report shows that the unemployment and part-time employment rate is higher in coastal towns. COVID-19 has had a significant impact on unemployment rates in coastal communities, partly due to a higher reliance on tourism.⁷ The Levelling Up White Paper similarly focuses on the connections between jobs, housing, education, health and wellbeing.⁸ We cannot tackle any one of these in isolation.

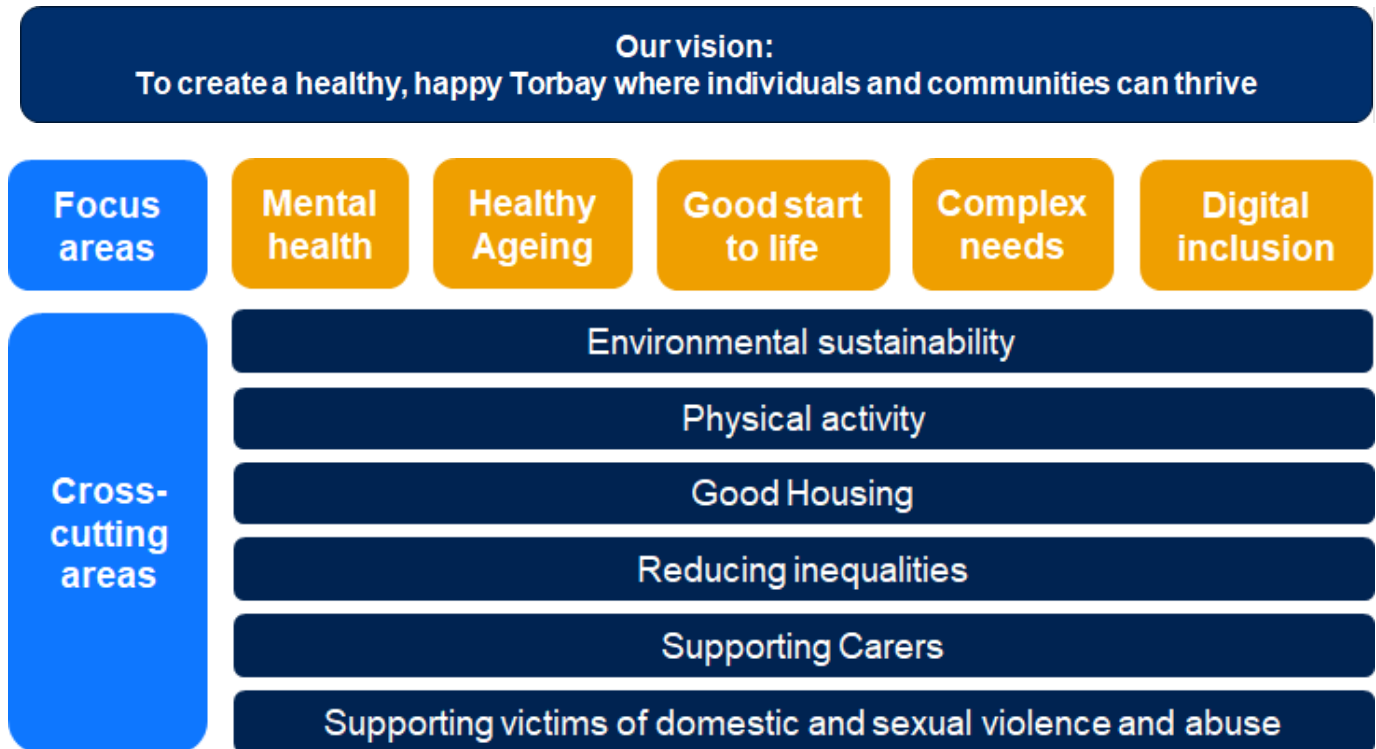
⁷ Chief Medical Officer's Annual Report 2021, Health in Coastal Communities, Available at: [Chief Medical Officer's annual report 2021: health in coastal communities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97421/Chief-Medical-Officer-Annual-Report-2021-Health-in-Coastal-Communities.pdf)

⁸ [Levelling up in the United Kingdom White Paper](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97421/Chief-Medical-Officer-Annual-Report-2021-Health-in-Coastal-Communities.pdf) (HM Government) February 2022 [Levelling Up the United Kingdom](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97421/Chief-Medical-Officer-Annual-Report-2021-Health-in-Coastal-Communities.pdf) (publishing.service.gov.uk)

The Strategy in summary

The Joint Health and Wellbeing Strategy lays out the plan to improve the health and wellbeing of the population in Torbay between 2022 – 2026. Five focus areas and six cross cutting areas identify priorities for collective system action over the next four years.

The Health and Wellbeing Board has selected priority areas that relate to all aspects of health and wellbeing, without duplicating existing work or losing focus by spreading efforts too widely.



The Joint Health and Wellbeing Strategy provides a framework for the Health and Wellbeing Board to promote and monitor progress in the areas identified to be most important. It also provides a direction for the commissioning of services in other areas, and identifies medium and long-term goals. The goals outlined in the following sections of the strategy will provide a basis for the Health and Wellbeing Board to monitor progress on each priority area.

Our Objectives and Priorities

Priority 1 Good mental health

Why is this a priority?

Before the pandemic, Torbay residents generally reported positive wellbeing however almost one in four said they had high anxiety levels and one in five reported having a common mental disorder. Self-harm and suicide rates were significantly higher than the national average.

Since the start of the pandemic the situation has worsened. People now experience higher levels of anxiety and depression and people with an existing mental health diagnosis feel that their condition is worse. The pandemic led to people losing their jobs, debt, and them not being able to see friends and family, which has had an impact on people's mental health and ability to cope. Levels of domestic abuse also increased, particularly during lockdowns.

Mental health problems also affect our children and young people. We have many children needing social, emotional, and mental health support and levels of self-harm among children and young people are high. Torbay has the second highest number of referrals to social care services in the region and the highest rates of cared for children. We also have a high number of young carers affected by an adult's mental health, or whose own mental health is affected by their caring role.

While there are many examples of excellent community partnerships supporting mental health, pausing or cancellation of services during the pandemic has contributed to some people not getting the help they need in a timely manner, which also had an impact on their family and carers.

For all partners across Torbay, supporting the mental health of our staff, clients, patients, students, and communities is critically important. It is a time of real need, but also a time of real opportunity. COVID-19 has sharpened our understanding of our mental wellbeing. It has never been more evident that 'mental health is everyone's business'. Without good mental health, communities suffer. With good mental health, we all thrive.

What are our goals?

Torbay Mental Health and Suicide Prevention Alliance has agreed a number of goals that we will work towards in collaboration with partners across the system.

Every individual, child and family will:

- Receive person-centred, holistic support
- Receive the right level of support at the right time for them
- Be resilient and feel able to look after their mental health
- Feel safe and protected
- Have mental health needs identified and addressed early

We will all live in communities that:

- Empower us to talk about our mental health and wellbeing
- Nurture our mental health and wellbeing
- Connect us to friends, family and services
- Enable us to have a stable home, fulfilling employment and financial stability

To make this happen we will:

- Ensure mental health and wellbeing and suicide prevention remain a priority for strategic partners across Torbay and achievement of outcomes via the Health and Wellbeing Board
- Undertake a collaborative needs assessment into mental health and wellbeing, including suicide and self-harm
- Drive continuous improvement in children and young people's mental health outcomes through partnership working with families and communities.
- Implement the Torbay suicide and self-harm prevention plan with the aim of stabilising and reducing rates of suicide and self-harm across the Bay
- Support the creation of mental health promoting communities through community development, safe spaces, training and peer support
- Disseminate training to build confidence in practitioners, those in public facing roles, and other members of communities to increase confidence in promoting and supporting mental health and wellbeing
- Work to ensure support is accessed in a timely way and that people are aware of what support and information is available and how to access it
- Promote and support workplace wellbeing in Torbay
- Promote approaches which tackle physical, mental and social wellbeing together especially the use of physical activity and green spaces to improve wider health and wellbeing
- Incorporate mental health and wellbeing into the Multiple Complex Needs alliance from 2022
- Work with partners in the Community and Voluntary Sector and Health to ensure that community assets are in place and people are accessing them via a codesigned 'front door' to Adult Social Care.

Priority 2 A good start to life

Why is this a priority

Getting a good start in life and throughout childhood, building resilience and getting maximum benefit from education are important markers for good health and wellbeing throughout life. The importance of supporting children in their early years and through adolescence has been widely recognised by the World Health Organisation's Global Strategy for Women's, Children's and Adolescents' Health, the UNICEF Baby Friendly Initiative, and is part of the NHS Long Term Plan. The Levelling Up White Paper highlights the impact of education and skills, health and wellbeing, on the economic life and opportunity of the whole community. Offering support to all children, adolescents and their families, as well as focussing on those who need help the most, reduces inequalities and improves health outcomes⁹.

What are our goals?

- Ensuring families have access to the services they need
 - Seamless support for families: a joined up Start for Life offer available to all families.
 - A welcoming hub for families: Family Hubs as a place for families to access Start for Life services.
 - The information families need when they need it: designing online, in-person and telephone offers around the needs of the family.
- Ensuring the Start for Life system works together to give families the support they need

⁹ PHE (2018), *Best start in life and beyond: Improving public health outcomes for children, young people and families. Commissioning Guide 1: Background information on commissioning and service model*

- An empowered Start for Life workforce: developing a skilled workforce to meet the changing needs of families.
- Continually improving the Start for Life offer: improving data, evaluation, outcomes and proportionate inspection.
- Leadership for change: ensuring local and national accountability and building the economic case¹⁰

To make this happen we will:

We will work across four main areas to improve outcomes for children and families:

- Shift resources to sustain preventative early help services and expand our offer so that it covers the time from before birth up to the age of 25.
- Commission services jointly with NHS Devon to ensure emotional health and wellbeing is prioritised by all partners.
- Improve our data collection and presentation, mapping inequalities and moving to monthly data flows. Outcomes will be regularly reported to the Health and Wellbeing Board.
- Implement the recommendations from the joint area inspection of Special educational needs and disabilities (SEND).

Priority 3 Supporting people with complex needs

Why is this a priority

People with multiple and complex needs often experience two or more problems such as homelessness, substance misuse, domestic abuse and mental ill-health at the same time and sometimes have contact with the criminal justice system. People whose lives are complex have historically either fallen through the gaps between services, so have been disconnected from the help and support that would make a difference to them or have found that when they have engaged with specific services, who have not been able to respond to their holistic needs. This problem has been made worse by a lack of available services or services not working well together. This results in many people with multiple, complex needs circulating through different services and systems without improvement in their lives but at a cost to them, their families, and the community.

What are our goals?

- We will improve the experiences and outcomes of people with complex problems in Torbay using a different approach to the way in which support is structured, delivered, and commissioned. Support offers will be not only aware of, but also responsive to, people's needs, wishes and aspirations in their lives.

To make this happen we will:

- Commission a Multiple Complex Needs Alliance in 2022, with this becoming operational in 2023. This Alliance will deliver an integrated support offer for people who experience homelessness, substance misuse problems and domestic violence
- Develop a mental health offer as part of the Alliance delivery model.
- Introduce and develop trauma informed approaches across the system.
- Review our housing and support requirements to allow access to suitable accommodation.

¹⁰ Department of Health and Social Care (2021) *The best start for life: a vision for the 1,001 critical days*

- Work with the Innovation Unit to develop a Torbay-wide, shared understanding and definition of complexity; agree shared priority areas; and agree how to work together
- Establishing a Health and Wellbeing sub-group to oversee and support the implementation of the partnership work that comes from the Torbay Innovation Unit workshops.

Priority 4 Healthy ageing

Why is this a priority

Torbay's population includes an increasing number of people aged 50 and over with lived experience of health and wellbeing challenges. As this population ages, the need for health and care services is estimated to increase substantially in the future. Torbay needs health and care services that promote the health and independence of people in the community and take older citizens' needs and preferences into account.

Physical, mental and social wellbeing are closely connected and any programme to support healthy ageing needs to promote these together. There is also a need to understand and to tackle older people's experiences of social isolation, discrimination and exclusion.

We need to work together to overcome these complex challenges and see this as an opportunity for engagement and learning about health and wellbeing for us all, right across the life course.

Together we want to transform the way we see ageing, focusing on the strengths, skills and experience we can all contribute to society as we age, and enabling us as individuals to take steps to promote and improve our own health and wellbeing with each new decade.

What are our goals?

Every individual:

- Understands the ageing process and is aware of ways for preventing and living with disease
- Has their choices and ambitions acknowledged and promoted
- Is able to choose the level of support that will enable them to live independent and socially connected lives
- Has the opportunity to optimise 'brain ability' and reduce the risk of dementia
- Is able to improve physical fitness and reduce their risk of injury from falling or from frailty
- Is respected for their life experiences and abilities
- Is treated with dignity in all health and care services
- Is better informed about dying well as well as living well

To make this happen we will

- Challenge how people think about ageing, so that we all see ageing as a positive part of life and each stage as an opportunity for new, positive experiences
- Adopt a whole community approach inclusive of all ages and cultures, and require the same of our partners
- Ensure health and care services are shaped by people with lived experience and from diverse backgrounds
- Enable trusted relationships that fully support peoples' wellbeing
- Promote and support the wellbeing of carers
- Promote services that are accessible, inclusive and effective
- Ensure support is targeted at prevention and is determined by need, not age
- Actively challenge discrimination
- Ensure that when care is needed it is accessible, compassionate and of high quality

- Enable communities to support safe, healthy, active, socially connected, intergenerational living
- Develop housing provision that is suitable and adaptable for people as they age, promoting independent living.

Priority 5 Digital inclusion & access

Why is this a priority?

Digital technology and communication have transformed almost every aspect of people's lives and has become central to how society works. Being connected became more important during the Covid-19 pandemic when digital became people's default way of keeping socially connected, accessing services, and maintaining cultural connections. At the same time, this shift highlighted how a lack of digital skills and access can negatively impact on a person's life. A person may struggle to access key services and may lose their voice and visibility in society.

However, this must be balanced with ensuring that those who need to access face-to-face services such as GPs can continue to do so. Not everyone wishes to digitally participate and this has to be respected, with people not being disadvantaged in any way for wishing to access support and services in person.

Those who are digitally excluded often experience other disadvantages such as low-quality housing, lower educational achievement, social isolation, low income, and unemployment. Unsurprisingly, there is a link between digital exclusion, poor health outcomes and lower life expectancy. Given that many of those who are digitally excluded are high users for health and social care provisions, we need to ensure that people are either supported to engage with services digitally, or that people are offered in-person or telephone services.

The Levelling Up White Paper highlights how the pandemic demonstrated the importance of digital connections right across society, from ensuring business continuity to reducing social isolation, and sets out action required at national and local level to promote digital access and skills.

Any digital service offer must be designed to be as accessible and intuitive as possible to both access and use. User experience must be optimal so that the opportunities of digital health and social care can be fully realised.

What are our goals?

- Enable people to become digitally included by facilitating access to internet-enabled devices that meet people's needs.
- Support people to improve their digital literacy.
- Increase the use of digital health and social care opportunities to realise the benefits for the individual as well as Torbay's health and care system.
- Increase the opportunities for the utilisation of digital health and care and optimising accessibility.

To make this happen we will:

- Support the growth of a cross-sectoral Digital Inclusion Group to enable digital inclusion within Torbay.
- Support people to get online and use digital health and care resources.
- Incorporate digital inclusion and accessibility in the organisational strategic planning of the NHS and Torbay Council.

Cross cutting areas

As well as our focus areas, we have identified six areas that cut across and should inform all of our work.

Environmental sustainability

Why is this a cross cutting area?

Climate change is a public health emergency. As the global climate warms at an increasing rate, we see the effects of climate change being experienced by Torbay's health and social care system. In the future, we will see more extreme weather events like heat waves and flooding, and warmer, wetter winters leading to mould in homes. Without radically reducing our carbon emissions and adapting to the changes we cannot prevent, these impacts are forecast to significantly worsen. While these changes will impact on everyone in Torbay, they will hit the most vulnerable and disadvantaged in society hardest.

Torbay is well placed to become a leader and influencer of action against climate change. Torbay Council has a target to become carbon neutral by 2030 and the NHS, generally, has a target to reach net zero carbon emissions by 2040. Key actions in Torbay are counting our carbon emissions, reducing direct emissions from our estates, our fleet of vehicles, sustainable decision-making in procurement of services and changing the way our workforces commute and operate.

The actions required to cut carbon emissions and adapt to climate change have significant co-benefits for health, such as increasing active travel, insulating homes, and ensuring our health and care services are resilient to extreme weather events.

Torbay is developing a climate partnership to help all stakeholders work together better. Engagement from health sector partners is crucial to further mobilise action, assist each other in doing more and deliver a carbon neutral future for Torbay whilst becoming more resilient to a changing climate.

Asks from other service areas:

- Include environmental sustainability as a key element in all policies
- Make environmental sustainability a factor in decision making in all new policies and procurement contracts. Potential contractors should highlight the actions they will take to cut carbon emissions in their service delivery and work towards providing sustainable services.

Physical activity

Why is this a cross-cutting area?

Physical activity has a significant role to play both in physical health and in maintaining and improving mental health and wellbeing.

Physical activity is also a key driver in helping to address the national and local obesity crisis. In Torbay many people are overweight or obese - 60% of the adults and 35% of school-aged children.

Physical inactivity remains an issue of concern in Torbay - one in five adults and one in four young people are not doing the recommended 30 minutes of physical activity per day. People

from lower-income families are most affected, with lower rates of physical activity and higher rates of obesity and overweight.

Increasing physical activity in Torbay will not only increase wellbeing, but also reduce demand for local health and care services, and there is still more work to be done.

Ask from other service areas

- Explore how physical activity can be included into your area of work/service
- Work with us to produce our Torbay on the Move Strategy to ensure that our vision for physical activity is a collective vision across the Council and our Community
- Share insight and intelligence so our Strategy is well-informed

Good housing

Why is this a cross-cutting area?

Where we live has a big impact on our health. A house is more than a roof over our heads – it is what we call home, it is where we grow up and socialise. One in five homes in the UK do not meet decent housing standards. In Torbay, that figure is even higher with one in three people living in poor housing conditions. Fuel poverty, damp, overcrowding and homelessness are major challenges we face. While exact numbers for Torbay are not available, the COVID-19 pandemic is likely to have exacerbated the situation, with South West housing prices rising sharply during the pandemic and the most deprived parts of the population having been hit the hardest by the economic impacts of the pandemic. Wetter winters due to climate change will exacerbate this problem even further, with increased mould growth adding to the problem in the coming decade.

The Levelling Up White Paper highlights poor quality housing, overcrowding, and an over-reliance on temporary accommodation for vulnerable families as a key contributor to poor health and quality of life, and a key priority for action at national and local level.

Partnership working across the system will be required to tackle this problem. We can gain a lot through offering safe, healthy housing. Good housing contributes to health and wellbeing and helps keep people healthy. Every £1 invested delivers nearly £2 of benefit through costs avoided to public services including care, health and crime costs.

Ask from other service areas

- Participate in a system wide approach to housing including homeless prevention, quality of accommodation, and availability of affordable accommodation
- Work in partnership with other agencies to identify and prevent homelessness in those accessing your service

Reducing inequalities

Why is this a cross-cutting area?

Health inequalities describe differences in the opportunities that people have to lead healthy lives. Health inequalities do not only exist in life expectancy, but also in access to and availability of care, behaviours that impact health and social determinants of health such as housing. Due to the impact of inequalities on health outcomes, reducing inequalities is an important goal in the NHS Long Term Plan, and should be a key aim of any public health policy in Torbay.

In Torbay, we have very affluent areas, but also quite deprived areas that struggle with poor housing, poverty, insecure jobs, low wages. Inequalities have also worsened during the pandemic, meaning that this is now more important than ever.

Ask from other service areas

- Every time a service changes a quality and equality impact assessment should be completed
- All employees should be trained to recognise the needs of minority and ethnic groups
- Introduce a Rural Proofing for Health Toolkit into the service delivery of local health and care systems
- Ensure that digital care pathways are developed in ways which increase inclusion

Supporting carers

Why is this a cross-cutting area?

One in eight people in Torbay cares for a friend or family member who cannot manage without them, due to a health or age-related condition, disability, drug/alcohol or mental health concern has caring responsibilities. Caring can have a significant impact on people's mental and physical health - three quarters of carers report that caring impacts their mental health and more than half report caring is impacting their physical health. Loneliness and social isolation are also key concerns for carers. Many working-age Carers either reduce their hours, give up work due to caring or find it difficult returning to the job market after caring, thus impacting on the local economy as well as their family's financial situation.

There is a wide range of support available for carers of all ages, however a major challenge is identifying people with caring responsibilities as many people do not self-identify as carers and therefore do not access help and support. Young Carers are often bullied, impacting their mental health and wellbeing as well as their academic attendance and attainment¹¹.

Caring, with its impact on someone's, health, wellbeing and finances, is a key factor determining how healthy we are¹².

Asks from other service areas

- All of Torbay's health and social care organisations formally sign up to the Devon-wide Commitment to Carers
- Proactively identify Carers, including Young Carers and Carers in the workforce, through incorporating questions about caring responsibilities on existing proformas and processes in services across the system so that Carers can be linked in with existing support programs
- Report the number of Carers from above on a quarterly basis to the Carers Strategy Steering Group.
- Set targets for identifying carers for health and care services.
- For all other Torbay organisations to become 'Carer-friendly' by working with Carers Services to become 'Carer-friendly Employers' or offering support / discounts etc as part of 'Carer Friendly Torbay'

¹¹ [Carers update Appendix 3.pdf \(torbay.gov.uk\)](#)

¹² <https://www.gov.uk/government/publications/caring-for-a-social-determinant-of-health-review-of-evidence>

Increasing awareness & identification of domestic & sexual violence & abuse

Why is this a cross cutting area?

Domestic abuse and sexual violence refers to any controlling, coercive, threatening or degrading and violent behaviour. Domestic abuse and sexual violence are very common problems which have worsened during the pandemic, when people spent more time at home. People have often felt unsafe isolating in a house with an abusive person, and isolated from their support networks.

Asks from other services

- Provide training on domestic abuse and sexual violence for all health and care services in Torbay and use a trauma-informed approach in all services¹³
- Increase the offer and confidence within communities to respond to domestic abuse and sexual violence that builds community capacity and encourages a thriving, high quality voluntary sector.
- Continue to work across the partnership and communities so that the longer-term impact of abuse is understood and strive to provide longer term capacity where there may still be difficulties (such as financial hardship, issues over child contact, insecure immigration status).
- Support those who have experienced domestic abuse and sexual violence to become actively involved in the agenda at a time that is right for them.

¹³ [Covid-19: Safety and support resources - Womens Aid](#)

How the strategy was developed

Torbay's Joint Health and Wellbeing strategy is led by the Torbay Health and Wellbeing Board; the strategy development was coordinated by the Public Health team. Work priorities were decided by the Council and partners in two workshops, and outcomes to improve health and wellbeing and reduce inequalities in Torbay were agreed. The strategy builds on the Torbay Local Plan¹⁴ and the Joint Strategic Needs Assessment¹⁵, as well as workplans and strategic documents of the different working groups within the Council. The strategy was refined through public consultation April - May 2022. Key stakeholders have been engaged throughout the process.

How we will ensure delivery

The goals and actions laid out in Torbay's Health and Wellbeing strategy will be delivered by Torbay Council, constituent members of the Joint Health and Wellbeing Board and partners, in accordance with the table below.

The Health and Wellbeing Board has agreed 'areas of focus', 'areas to sponsor' and 'areas to watch'. Areas of focus match the focus areas of the Strategy. These are where the Board will take a more active direction and oversight of delivery. Areas to sponsor and watch are the underpinning areas where the Board is not the lead for delivery but requires assurance from partners that progress is on track.

For each area of focus there is a lead strategic group who will oversee delivery. There will also be an annual delivery plan sitting beneath the Strategy, defining actions year on year.

Focus area	Delivery led by
Mental Health	Torbay Mental Health and Suicide Prevention alliance
Healthy ageing	Torbay Living Longer Better Programme working with the Frailty and Healthy Ageing Partnership, Ageing Well, and the Torbay Assembly
Good start to life	Torbay Children's Improvement Board, Torbay Safeguarding Board
Complex needs	Multiple Complex Needs Strategic Development Programme
Digital inclusion	Torbay Digital Inclusion Programme Board

¹⁴ [Local Plan 2012-2030 - Torbay Council](#)

¹⁵ https://www.torbay.gov.uk/DemocraticServices/documents/s99114/JSNA_Landscape_Final.pdf#:~:text=JSNA
2020 Background A Joint Strategic Needs Assessment Community The JSNA helps local leaders to work

Underpinning area	Delivery led by
Environmental sustainability	Torbay Climate Partnership Devon Climate Emergency Response Group
Physical activity	Torbay on the Move, Torbay Council Physical Activity strategy
Good housing	Torbay Strategic Housing Board, linking to Devon housing partnership
Reducing inequalities	Devon Integrated Care System health inequalities workstream
Supporting Carers	Torbay Carers' Partnership
Supporting victims of domestic and sexual violence and abuse	Domestic and sexual violence and abuse workstream, Safeguarding Boards, Early Help

How we will measure success

To ensure we achieve our aims in the agreed priority areas, an outcomes framework sets out the indicators and measures against which progress will be measured. Progress reports will be presented at the quarterly Health and Wellbeing Board meetings. In addition to this, the Health and Wellbeing Board will hold a spotlight session on each work area to examine progress in more detail through the year.

TORBAY JOINT HEALTH AND WELLBEING STRATEGY 2022-26

RESPONSE TO PUBLIC CONSULTATION APRIL / MAY 2022

1. Purpose

This paper sets out the results of public consultation on the Joint Health and Wellbeing Strategy 2022-26 and outlines amendments made to the Strategy and next steps.

2. Background

The Joint Health and Wellbeing Strategy is a statutory requirement for all upper tier local authorities and represents the priorities and work programme of the Health and Wellbeing Board. This refresh covers the timeframe 2022 – 2026.

The Strategy sets out five areas of focus and six cross-cutting areas against which progress will be reviewed quarterly by the Board.

Public consultation on the draft Strategy was undertaken between 4 April – 16 May 2022.

3. Consultation questions

The consultation asked people to rate the priority areas in terms of their importance to them. They were then asked for their ideas on how the outcomes could be achieved, and for any general comments.

4. Demographics of respondents

92 responses to consultation were received. Demographics of respondents are summarised below.

The vast majority of people who responded to the public consultation are white and live in Torbay. Most respondents were either working full time or retired; a few respondents were working part-time or self-employed.

The age distribution of respondents largely corresponds to the population profile of Torbay, with many respondents being older and retired.

It is worth noting that people who were digitally excluded may not have equal opportunity to feed back on the Health and Wellbeing Strategy, although efforts were undertaken to publicise the consultation as widely as possible, and to provide paper copies of the consultation questionnaire through our partners where requested.

Figure 1 Where do people responding to the population live?

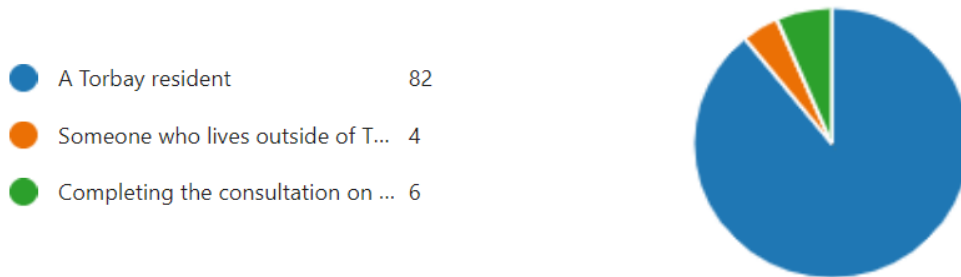


Figure 2 What age were respondents?

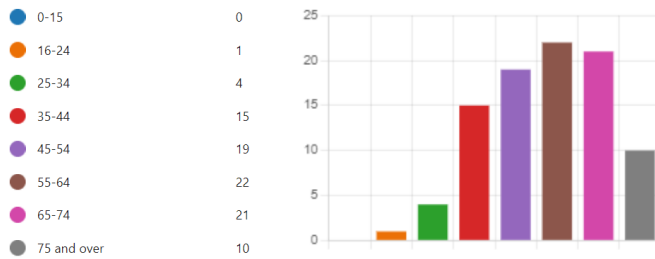


Figure 3 What was respondents' employment status?

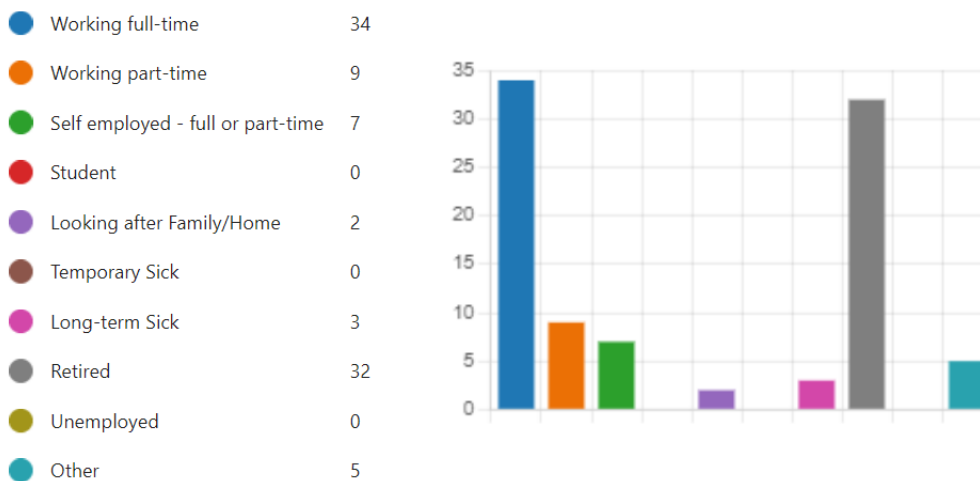
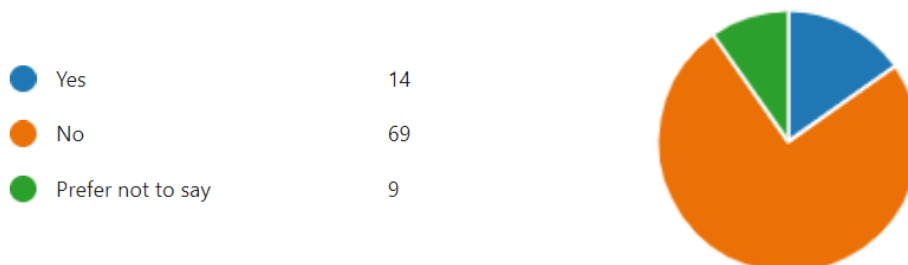


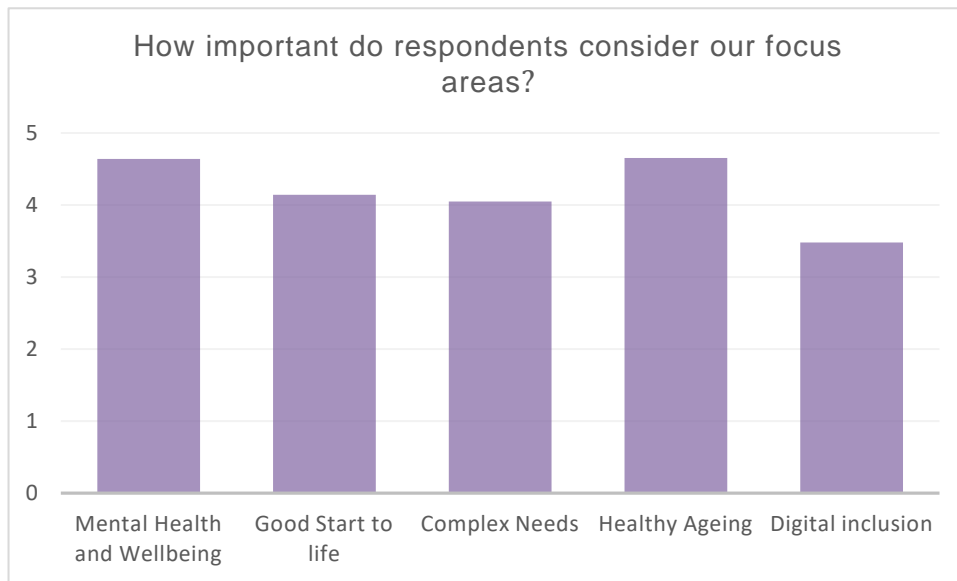
Figure 4 Did respondents consider themselves as disabled?



5. Responses to the Strategic priorities

The chart below gives an average for each priority area against a scale of 1-5.

Figure 5 How important do respondents consider our focus areas?



The five priority areas were widely supported by respondents, with mental health and wellbeing, and health ageing, receiving the highest ratings. These areas also received most comments.

The sections below provide a summary of the themes emerging under each priority area.

One general theme highlighted under a number of the priority areas was a lack of awareness of what is available to support health and wellbeing and the need for more help to navigate and access health and care systems.

Mental Health and Wellbeing

The most important points in this section relate to people feeling isolated and unable to access the help they feel they need.

People reported long waiting times to be seen by specialists, a lack of support for mild to moderate mental health issues. They asked for more transparency on waiting times and more clarity about the services (including voluntary sector services) on offer, as people felt finding information on what is available quite difficult.

Themes	Example quotes
General availability of support	“Fundamental to get mental health and wellbeing at the centre of what is happening within Torbay. I’m not sure that the current lip service and box

	ticking exercises actually make any difference to people in the bay.”
Support for mild and moderate mental health problems	““There is little support for people struggling but just coping with poor mental health”
Cost of support	“Feel that there is not enough free support to services, particularly as Torbay is such a low income area. Between Covid and rising costs both things will continue to take their toll on the community.”
Holistic approach needed	“Not enough joined up approach to tackle whole families as with any MH issues affects the family”

Suggestions received: (some already included in the strategy)

- Take a trauma informed approach
- Support carers better
- Focus on improving community safety as this impacts on mental health
- Promote walking for residents
- Access to sports and leisure facilities
- Access to therapists
- Ability to self-refer to counselling
- Clear mental health pathways and interim interventions while people are on waiting lists
- Providing good, permanent work

Good Start to Life

This section received fewer comments than Mental Health and Wellbeing and Healthy Ageing, which may partly reflect the age profile of the respondents. Many people commented that they felt this was important to support young families, but that they themselves did not have more insight into the problems as they were retired.

Respondents said they would value a family hub system with easily accessible help for young parents on a variety of topics including healthy eating, social workers, and benefit advice.

Some parents wished for some community child groups in the evening or weekend that working parents could join to get to know other parents and families.

Themes	Example quotes
Positive recollections of SureStart	“Bring back something like Sure Start, where local couples can be supported to learn how to become good parents”
Peer support	“More education is required for mums, practical information from women or men who have already raised families and have gone through life experiences”
Publicity and signposting	“[My] Daughter in law is new to the area – we need more advice on where she can go with her new baby”
Issues around transition	“Remember that adolescents need bespoke interventions and do not always fit into the family hub model”
Positive comments	“Already a good service”

Suggestions received:

- Better linking organisations and community groups
- Making access single point and easy so people know where they can go for help
- Providing a universal offer with targeted support for those who need it most
- Better communication between departments

Complex Needs

Again, fewer respondents commented on this focus area. The comments in this section concerned the impact of homelessness on the image of the Bay, or suggesting that more accommodation and support should be made available to tackle homelessness.

Themes	Example quotes
Need for partnership	“People with many challenges are not supported properly. They get passed from adult social care to housing to mental health and they all fight over who will help. The voluntary sector then have to pick up the pieces. Partnership working needs to be better. Trust between organisations is not there enough”
Wider impact	“There needs to be specific intervention to address drug and alcohol dependency/abuse, as this

	impacts not only on those experiencing it but on the whole of the community...”
Availability of affordable housing	<p>“Homelessness is a big issue in Torbay, I suspect the very high rents being charged by private landlords and the lack of affordable housing is not helping solve this issue.”</p> <p>“Must reduce homeless need homes not hostels, need job opportunities”</p>

Suggestions received:

- Join up services across agencies and work with charities
- Provide day centres where people can get cups of tea, showers and rest
- Have soup kitchens/canteens providing free food
- Prohibit second homes while people struggle to find places to live

Healthy Ageing

Healthy ageing was an area respondents commented a lot about. Many comments were focussed around access to face to face appointments with the GP and concerns for the quality of care.

Themes	Example quotes
Travel and transport	<p>“Make roads, paths, the hospital grounds, supermarket carparks less bumpy and easier to use a wheelchair.”</p> <p>“[We need] less traffic.”</p> <p>“bus services are poor, there are so many obstacles for people who do not drive cars”</p>
Support for older carers	<p>“I am a carer and need help not to throw in the towel as I age”</p>
Spaces and activities	<p>“Please focus on physical activities e.g. walking groups to allow people to meet new people and have the opportunity to explore Torbay in a group environment.”</p>
Access and signposting	<p>“It can be distressing and confusing for families to navigate what support is available”</p>

Digital inclusion	<p>“Older people need more non technological ways to access help”</p> <p>(also see digital exclusion for this point)</p>
Perceived lack of quality of services	<p>“This is very important. Some care homes don’t look after the people that stay there some of the time. Basic needs must always be met. “</p> <p>“Too many of our elderly become institutionalised without being asked what matters to them!”</p> <p>“I need a better system for getting a GP appointment. Having to phone on the day at 8am and wait in a queue to speak with the receptionist is irritating”</p>
Perceptions of age and ageing	<p>“Need to stop stereotypes who says 55 is old?”</p> <p>“Get rid of ageism. Involve the younger generation to help. Keeping things young, allowing the inner child to come out”</p> <p>“We need to change the perception that everyone over the age of seventy has nothing to contribute”.</p> <p>“We need opportunities for aged people to contribute to the people of Torbay.”</p>

Suggestions received:

- Mailshot to every property with information on activities and groups for older people
- Promote healthy food options in cafes and restaurants
- Keep spaces around the city for relaxing and enjoying, not for more houses
- Free disabled car parking spaces
- “Small local hubs for chats, walks, gardening, sheds to fix things, cars, bikes, tools, to pass on skills to younger generation”
- “A new and popular example is the human library where people not books are loaned out. Older people have life experience to share it would be great to support... them to give”

Digital Inclusion

Many people raised difficulties in accessing digital services, either due to lack of financial means, lack of devices, or lack of technological knowledge. Some people raised being offline as a choice and said they would rather see people in person.

Others raised concerns about scammers when engaging with digital services.

It is important to note that people who were digitally excluded were probably less likely to participate in this survey, as most respondents submitted answers through the online route.

Themes	Example quotes
Access to healthcare	“Digital exclusion is an issue particularly in accessing health services”
Choice	“Some people do not want to be digitally connected, even if they have a device and can use it”
Support to access	“Improving digital literacy is important”
Face to face interactions are important	“Digital and health care, are you mad? We need people not IT” “We need to SEE a GP not a phone call without interaction”
Costs of access	“Home Wifi is prohibitively expensive for many people”

Acting on the responses we have received

1. Amendments made to the Strategy in response to consultation

- Addition and changes to the wording under Mental Health and Wellbeing:
 - The need for support to be holistic, needs based, and timely
 - More detail on the provision of training to skill up communities in promoting good mental health and broaching conversations
 - The importance of social engagement as well as physical activity to promote mental wellbeing.
- Additions and changes to the wording under Healthy Ageing:
 - The inclusion of social as well as physical and mental wellbeing in the context
 - Highlight on the importance of seeing ageing in a more positive way and valuing the contributions of individuals to society as we age
 - Greater focus on support for the wellbeing of carers
- Addition to the wording under Digital inclusion:

- Acknowledging the importance of ensuring face to face access to health and care when needed or wanted and maintenance of non-digital channels for people not able or wishing to access help or information digitally
- Change to the wording of the ‘ask from other service areas’ under Housing to make the recommendation more specific.

2. Inclusion of ideas received in the Strategy implementation

The majority of responses identify concerns or suggestions relating to individual priority areas. These are being shared with the programme leads to take forward through implementation. They also provide a very helpful beginning to an ongoing engagement with communities about what is important to them, as we work in partnership to improve health and wellbeing across the Bay.

The Health and Wellbeing Board will work together with the Torbay and South Devon Local Care Partnership to develop an engagement strategy that keeps local views and voices at the heart of our work.

3. Feedback to the public on the consultation response

A summary of the results of consultation will be shared publicly so that people can see the breadth of the response and how their comments and ideas will be taken forward.

Monitoring and ensuring delivery

An outcome framework has been created to monitor delivery of the Strategy. Each priority area is required to report on progress against key indicators to the Health and Wellbeing Board on a six monthly basis. In addition, quarterly ‘spotlight’ workshops will focus in more detail on the cross cutting areas and how all partners are working collaboratively to support delivery.

Publication of the Strategy

The Strategy is scheduled to be endorsed by the Full Council on 21 July 2022 and will then be published in final form.

Meeting: Council

Date: 21 July 2022

Wards affected: All Wards

Report Title: Future Approach to Constitution Amendments

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

Director/Divisional Director Contact Details: June Gurry, Head of Governance Support
June.gurry@torbay.gov.uk

1. Purpose of Report

- 1.1 This report sets out a review in the way that the Council undertakes changes to its Constitution, which will ensure that significant changes and amendments are presented to full Council meetings for approval. Full Council considering significant changes and amendments will provide greater transparency and accountability.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report strengthen the transparency and accountability in the way the Council maintains its Constitution.

3. Recommendation(s) / Proposed Decision

1. That the proposed amendment to paragraph 13.02(a) of Article 13 of the Constitution, as set out in Appendix 1 attached to this report, be approved.

Appendices

Appendix 1: Article 13, Torbay Council Constitution

Background Documents

Torbay Council Constitution - [Agenda for Torbay Council's Constitution on Thursday, 9 June 2022](#)

1. Introduction

- 1.1 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the Council to choose.
- 1.2 The Constitution is a 'living' document and is kept under review by the Council's Monitoring Officer to ensure it is up to date, reflecting best practice and current legislation. The current practice for amending the Constitution is by the Monitoring Officer in consultation with the Council Leadership Group, which comprises Group Leaders, Deputy Leaders and the Overview & Scrutiny Co-ordinator.
- 1.3 Constitution amendments can vary significantly from very minor/technical changes to wholesale re-writes. An example of a minor change would an officer's job title or changing the amount of allowances following an automatic uplift. An example of a technical change would be the updating following legislative changes. Technical and minor changes are those where there is no 'choice' or 'decision' to be made. Such changes are made by the Monitoring Officer. Significant changes include the introduction of new Local Protocols or changes to Standing Orders to strengthen our governance arrangements and practice.
- 1.4 For any changes to the Constitution where there are active decisions to be made, these are presented to the Council Leadership Group for consultation. Such changes are circulated to all Members for comment prior to discussion by the Council Leadership Group. If any of the Group Leaders disagree with the proposed amendment, it is automatically referred to Full Council for determination. If all Group Leaders concur with the change, then the Constitution is updated by the Monitoring Officer and all Members receive a notification advising them of the change with the updated Constitution published on the Council's website.
- 1.5 A review on the current approach has been undertaken by the Council Leadership Group. To ensure transparency and accountability it was felt significant changes or amendments to the Constitution should be presented to Full Council for approval with Council Leadership Group acting as a consultee. Technical, administrative and legal changes would continue

to be undertaken by the Monitoring Officer so that the Council meeting is not burdened with the volume of minor changes.

2. Options under consideration

- 2.1 To leave the current arrangements in place, however this would not strengthen the Council's transparency and accountability.

3. Financial Opportunities and Implications

- 3.1 Officer time will be required to prepare reports for consideration by Full Council.

4. Legal Implications

- 4.1 None.

5. Engagement and Consultation

- 5.1 The Council Leadership Group undertook the review as set out above.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 Not applicable.

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			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.

Article 13 – Review and Revision of The Constitution

(references: Sections 9MF and 9K, Local Government Act 2000)

13.01 Duty to monitor and review the Constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order to better achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:

- (i) observe meetings of different parts of the member and officer structure;
- (ii) undertake an audit trail of a sample of decisions;
- (iii) record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
- (iv) compare practices within Torbay Council with those in comparable authorities or national examples of best practice.

13.02 Changes to the Constitution

(a) Role of Monitoring Officer

The Monitoring Officer will keep the Constitution under review and is authorised to make changes which are required for technical or legal reasons. All other significant changes and amendments shall be approved by full Council, following consultation with the Leader of the Council and Group Leaders. ~~The Monitoring Officer is also authorised to make other changes to the Constitution that he/she believes are in the best interests of the Council and/or local people provided they are made in consultation with the Leader of the Council and Group Leaders; if any of them object, the Monitoring Officer will report the matter to Council for decision.~~

(b) Changes to the Constitution not affecting Executive arrangements

Changes to the Constitution which, in the opinion of the Monitoring Officer, do not in any way affect the operation of Executive arrangements (including overview and scrutiny) may be approved by the Monitoring Officer and brought into effect immediately (or at such other time as the Monitoring Officer shall determine) subject to (a) above.

(c) Changes to Executive arrangements

- (i) The Council may draw up proposals for the operation of Executive arrangements (“different Executive arrangements”) which differ from the existing Executive arrangements in any respect.
- (ii) Where the proposed “different Executive arrangements” involve a different form of Executive (i.e. leader and cabinet) the Council must take reasonable steps to consult the Borough’s electors and other interested persons in the area and must hold a referendum (the outcome of which supports the

proposed change) before implementing the “different Executive arrangements”. A referendum can not usually be held more than once in any 10 year period.

Meeting: Overview & Scrutiny Board

Date: 6 July 2022

Cabinet

12 July 2022

Council

21 July 2022

Wards Affected: All Wards

Report Title: Final Budget Monitoring 2021/22 (April 2021 – March 2022)

Is the decision a key decision? No

When does the decision need to be implemented? N/A

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

Supporting Officer Contact Details: Sean Cremer, Deputy Head of Finance
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1. Purpose and Introduction

- 1.1. This report provides a high-level budget summary of the Council's revenue and capital position for the financial year 2021/22 which commenced on 1st April 2021. This report is based on the budget and final outturn for the year ended 31st March 2022.
- 1.2. Whilst the majority of the Covid-19 restrictions have now been lifted, the financial impact of the health pandemic continues to have an impact on the Council's finances. Throughout 2021/22 the Council continued to see higher than usual demand for frontline services as well as advocacy and support in response to the impact on individuals and households.
- 1.3. The Council has delivered a balanced budget for 2021/22 which includes carrying forward **£0.8m** to support specific earmarked activity in 2022/23.
- 1.4. Included within this balanced budget is an underspend on Children's Service for the second year in a row. In the final few weeks of the financial year an Ofsted inspection took place which concluded that Children's was rated 'Good' in all four areas of the inspection. The timing of this inspection i.e. the final weeks of the financial year, demonstrates that Torbay has managed to deliver improved outcomes for Children within a financially sustainable service delivery model.
- 1.5. The Capital Plan budget totals **£256m** for the 4-year programme, with **£27m** spent in 2021/22.

2. Recommendation (s) / Proposed Decision

Recommendations for Overview & Scrutiny Board

- 2.1. That the Overview & Scrutiny Board notes the latest position for the Council's revenue outturn position and mitigating action identified and make any comments and/or recommendations to the Cabinet.
- 2.2. That the Overview & Scrutiny Board notes the latest position for the Council's Capital outturn position and make any comments and/or recommendations to the Cabinet.

Recommendation for Cabinet

- 2.3. That Cabinet notes the report.

Recommendations for Council

- 2.4. That the Council notes that the following revenue outturn actions were agreed as a part of the March 2022/23 budget approval;
 - 2.4.1. Carrying forward **£0.57m** for Highways
- 2.5. That the Council notes the decision of the Section 151 officer to carry forward of **£0.2m** to be used as follows;
 - 2.5.1. **£0.1m** allocated to support the impact of the 'cost of living' crisis
 - 2.5.2. **£0.1m** allocated to support the implementation of the new customer relationship management software.

3. 2021/22 Budget Summary Position

- 3.1. Overall Torbay is still seeing the continued financial impact of Covid-19. The impact is both directly and indirectly on the Council's income and expenditure in the year.
- 3.2. Despite the continued uncertainty faced throughout the year the approved budget set by the Council in for 2021/22 effectively reallocated resources to meet the cost pressures faced, this is evidenced by delivering on the balanced budget.
- 3.3. Looking ahead, there are a number of areas upon which officers remain focussed and are closely monitoring given their potential impact, namely:
 - 3.3.1. The continued costs of Covid-19 response including local test, track and trace work alongside the work to support communities and businesses in response to any future outbreaks.
 - 3.3.2. Variations to income, including car parking and collection fund where the changes to the behaviour of individuals and households affects key funding for local service delivery.
 - 3.3.3. The continuous improvement journey within Children's Services which remains crucial to the Council's medium term financial stability and will be required to mitigate national issues which are starting to impact on the local delivery of Children's services.

- 3.3.4. The effective deployment of carried forward or one-off funds which are being deployed as part of the Council's recovery. In a number of areas such as Housing, the use of these funds is imperative to ensure the reduction of long-term costs as well as providing a pathway to deliver on the approved 2022/23 budget and help address the budget gap in the Medium-Term Finance Plan.
- 3.4. The areas above are expected to remain a prominent feature of the 2022/23 budget monitoring, as well as new emerging issues around the cost-of-living crisis.

Collection Fund

- 3.5. The establishment of the Collection Fund reserve formed part of the Budget 2021/22 in order to meet the future impact of carrying forward the shortfall from 2020/21. This reserve funds the 2020/21 impact of the shortfall for the period 2021/22 – 2023/24.
- 3.6. Performance in 2021/22 was in line with forecast collection levels, namely a 2% reduction on pre Covid-19 collection rates.
- 3.7. The impact of the rising cost of living, inflation and utility prices increases may impact negatively on collection rates in 2022/23.
- 3.8. Revised NNDR bills incorporating the new 2021/22 reliefs were issued at the start of the year. There is also a new Covid-19 Additional Relief Fund which will provide rate relief to businesses that so far have not qualified for the other mandatory rate relief schemes. This will be awarded in 2022/23.

4. Grant Support

- 4.1. During 2021/22 there are two key schemes which continue to provide funding to offset increased expenditure and income losses. This support has been received through un-ring-fenced grants as well as the income reimbursement scheme.
- 4.2. The un-ringfenced grant funding of £4.1m was included in the approved 2021/22 budget.
- 4.3. The Sales Fees & Charges reimbursement scheme which ran until the end of June 2021 will provide £0.2m of funding.
- 4.4. In addition to the un-ringfenced grants and the Income reimbursement Grant, central Government have issued a number of other grants related to Covid-19 primarily related to business support and adult social care and these have been allocated in line with their grant conditions.

5. Wholly owned companies

- 5.1. This section contains an overview of the financial position for the Council's wholly owned companies.
- 5.2. Throughout 2021/22 SWISCo. remained under pressure in terms of operational delivery as day-to-day staffing levels were significantly impacted by covid cases within the workforce due to the need for staff to self-isolate as a result of being "pinged" or close-contacts of someone who has tested positive for Covid-19.
- 5.3. As part of the 2021/22 budget additional financial support was approved for SWISCo totalling £1.2m. The Council made available additional support of up to £0.6m during 2021/22.
- 5.4. After the application of that support SWISCo's final 2021/22 position was a small surplus (after the support outlined above) which offset the 2020/21 loss and therefore has equalised the SWISCo trading position over the 2 years of its operation.
- 5.5. TDA group reported a (net) surplus for 2021/22 of £0.2m, although within that position Torvista Homes reported a loss £0.4m. This level of losses in TorVista are expected until it increases its number of properties and therefore its rental income.
- 5.6. More detailed financial reporting about the Council's wholly owned Companies will be presented to Audit Committee on a regular basis and will form part of the final statement of accounts when presented to Audit Committee.

6. Statement of Accounts – 2020/21 and 2021/22

- 6.1. The Council's auditors, Grant Thornton, presented their Audit Findings for 2020/21 at the Audit Committee on 6th December 2021. Grant Thornton advised that by the Government's Statutory deadline of September only 30% of audits were signed off increasing to 40% in November 2021. This was partly due to lack of capacity in the market. At the time of writing this report the 2020/21 accounts remain unsigned by Grant Thornton.
- 6.2. In order to provide reassurance to members, all outstanding work from Council officers has been completed and therefore the audit is fundamentally complete.
- 6.3. There are two outstanding items which Grant Thornton are considering. The first relates to the Council's existing TDA pension "pass through" arrangement and the second is a national issue related to the reporting of infrastructure assets. This matter is current subject to a national consultation. As a result, it's unlikely the accounts will be signed off until this consultation has concluded. The 2022/23 accounts will be issued in line with the relevant regulations by the end of July with the audit due to start afterwards.
- 6.4. The protracted statement of accounts process has put significant pressure on the finance team, for whom the majority of the last year have been working concurrently on 2020/21, 2021/22, 2022/23 financial years and now are also working on the 2023/24 financial year.

7. Service Budgets

- 7.1. The table below contains the forecast spend for the financial year 2021/22. The reporting hierarchy reflects the current Senior Leadership Team (SLT) Structure.

Service	Budget £'000	Final Outturn £'000	Variance £'000	Movement since P10
Adult Services	44,551	44,218	(333)	(432)
Executive	3,182	3,062	(120)	(107)
Children's Services	45,743	45,742	(2)	(2)
Corporate Services	5,926	6,732	806	(236)
Finance	(9,893)	(11,161)	(1,268)	250
Investment Portfolio	(4,639)	(4,639)	0	0
Place	20,955	21,720	766	353
Public Health	9,825	9,809	(16)	(16)
Revenue sub-total	115,650	115,482	(168)	(191)
Sources of Finance	(115,650)	(116,252)	(602)	(602)
Revenue Total	0	(770)	(770)	(793)

Additional Items	Variance £'000
Transfer to Highways per Council decision Feb'22	570
Transfer to earmarked reserves	200
Final Overspend / (Underspend)	0

- 7.2. The delivery of a balanced budget overall Council position shows an improvement of **£0.8m** which allows a carry forward as per the recommendations contained within this report. More information on the service variances is contained below.

7.3. **Adult Services**

- 7.4. The Director for Adults Services, now covers the three service areas shown below.

Service	Budget £'000	Final Outturn £'000	Variance £'000	Movement since P10
Adult Social Care	41,533	41,264	(268)	(105)
Community Services	2,542	2,632	89	(100)
Customer Services	476	322	(154)	(227)
Total	44,551	44,218	(333)	(432)

- 7.5. Overall Adults Services directorate shows a slight underspend representing 0.75% of the budget.

- 7.6. Within Adult Social Care the majority of spend is against a fixed price financial arrangement (contract) for the delivery of services provided by the Integrated Care Organisation (ICO). There is a slight underspend in Local Authority contracted activities.
- 7.7. The current financial arrangement with the ICO has been “renewed” for two years from April 2023. Collaborative work is underway with Council & NHS colleagues on the Adult Social Care Improvement Plan (ASCIP). This budget oversight will adopt a similar approach to the financial oversight and support which has proven successful within Children’s services following its introduction in Autumn 2019.
- 7.8. The ICO has experienced severe operational challenges this year and some savings activities have been delayed due to covid. However, the ASC Improvement Plan has delivered £2.3million (within the ICO) against a target of £2 million this year.
- 7.9. There remains significant pressures within Adult Social Care due to the rapidly increasing cost of care and the increasing volume of demand. Currently due to the financial arrangements with the ICO there is no impact on the Council budget. However, Members should be aware of the financial position of this key partner, delivering a statutory council service.
- 7.10. The Joint Community Equipment Store (JCES) overspent by £0.7m which is split equally between each of the three partners, CCG, ICO and Torbay Council. As a result, there is no impact to the Council’s General Fund.
- 7.11. Community Services has a shortfall on income. This represents the continued impact of Covid-19 on income generating activity within the service including Licensing and the Environmental crime team.
- 7.12. Following the investment of an additional £1m to meet additional demand for Temporary Accommodation, this service was delivered on budget. At the end of 2021/22 Officers were involved in the final stages of a commissioning exercise to ensure progress in the provision of suitable and stable temporary accommodation options whilst individuals and family groups find permanent accommodation. The impact of this will be reported as part of the 2022/23 budget monitoring.
- 7.13. There remains considerable demand pressure in the local housing market which is affecting this service significantly. All of which culminates in the low availability of temporary options for individuals and family groups in need of temporary accommodation. The “cost of living” crisis is likely to increase demand for this service.
- 7.14. Customer services continues to see increased costs from staffing, including agency staff and print & postage costs as a result of the increased demand for support throughout Covid-19. Upon implementation of the Councils “CRM” system in future years more self-service options will be available for customers which will help to streamline straight-forward contact.

7.15. Children's Services

Service	Budget £'000	Final Outturn £'000	Variance £'000	Movement since P10
Schools Services	3,529	3,624	95	(23)
Children's Safeguarding	42,214	42,117	(97)	21
Total	45,743	45,742	(2)	(2)

- 7.16. Overall Children's Services has underspent. This result is as a result of the continued and significant hard work of officers throughout the Council.
- 7.17. Within **Schools Services** Local Authority funded activities reported a slight overspend representing 2.69% of the budget.
- 7.18. The overspend was contributed to through continued pressure with the provision of Home to School transport. This is as a result of rising costs as transport providers having to adapt their operating models in light of Covid-19 and as children and young people adjust & readjust to the changes to schooling may need a different level of support to get to and from school.
- 7.19. Outside of Local Authority funded activities, the schools' higher needs block in the Dedicated Schools Grant (DSG) remains under financial pressure because of an increasing level of referrals from schools for higher needs support for children. The pace of demand is far outstripping increases in dedicated funding as has been the case for several years.
- 7.20. For 2021/22 the Schools Forum set a deficit budget of £2.6m for 2021/22. The final position was a deficit of £3.2m.
- 7.21. As a result, the DSG cumulative deficit is now in excess of £9.0m.
- 7.22. The Council does not receive any funding for schools therefore the overspend will remain in the DSG to be funded from DSG in future years. The School and Early Year Finance (England) Regulations 2020 confirm that this is not a cost that the Council must fund. However, for how long this position is sustainable is not certain. At some point the deficit will need to be funded therefore it is essential that officers and members continue to focus on this key issue.
- 7.23. In 2020/21 and the following two financial years additional legislation has been passed that, for accounting purposes, reclassifies the deficit on the Council's balance sheet. There is currently uncertainty as to what will happen after the end of the three-year period.
- 7.24. The Council is part of the ESFA & DfE Safety Valve programme. Discussions are at an early stage but agreement with other councils suggest that if the council can deliver a balanced higher needs budget within, say 3 years, all or some of the historic deficit may be funded by ESFA. However this is dependent on the council being able to deliver a recovery plan that results in a balanced budget.

- 7.25. Within **Children’s Safeguarding** there was an underspend of £0.01m (0.23%).
- 7.26. This is despite seeing some exceptionally high emergency placement costs at £2,500 per day in January 2022. This serves as a reminder of the significance of the need for continued and rigorous whole Council support for this service given the financial impact if the number and cost of care rises.
- 7.27. In previous years reports the increased spend was perceived to be “within the control” of the Council and the improvements seen in the last two and a half years has been as a result of robust measures put in place to increase the accountability for how resources were deployed in order to meet the needs of children and young people.
- 7.28. The current picture is now one of national level issues having a local impact. There are significant shortages of placements meaning children & young people are unable to step down from residential to family-based settings such as fostering placements. The local housing market means that a number of the accommodation options for 16+ have now converted their larger properties to self-catering holiday units in order to take advantage of the increased demand from holiday makers. This has seen the cost of 16+ accommodation increasing from £600 per week to £2,400 in some cases. Other Councils are also reporting placing children as young as 3 years old in residential placements as a result of the inability to find suitable family-based alternatives.
- 7.29. Across the south west other Councils are seeing increased numbers of Cared for Children, reliance on agency staff and number of children and young people placed out of area. This increased competition also drives the overall market up.
- 7.30. All of this means that despite the continued oversight, challenge and support from colleagues, external factors are now significantly influencing spend.
- 7.31. The table below shows a snapshot of the key placement figures as at the year end, with the highest point for the year (max) also shown.

Placement types	2018/19	2019/20	2020/21	2021/22
Residential Placement	March: 34 Max: 34	March: 31 Max: 44	March: 20 Max: 28	March: 23 Max: 24
Independent Fostering Agency (IFA) Placement	March: 95 Max: 95	March: 101 Max: 101	March: 80 Max: 101	March: 78 Max: 83
Total Cared for Children	March: 361 Max: 361	March: 356 Max: 368	March: 321 Max: 374	March: 299 Max: 315

- 7.32. The above table demonstrates that overtime not only have the overall figures decreased steadily, the volatility within the placement type also appears to have stabilised.
- 7.33. Within the latest figures, the totals also include Torbay’s allocation of Unaccompanied Asylum Seeking Children (UASC) which increases the figures in 2021/22 and is an increase in service demand which is outside of Council control. As the numbers of UASC supported increases there are wider resource impacts such as additional Social Workers to support them plus further pressure on an already stretched care provider market.

- 7.34. Following successful recruitment and retention within the service, the total number of Agency staff employed has reduced from 49.3FTE in April 2021 to 32.35FTE. Again, the reduction seen has been steady over the last few financial years and helps provide stability within the workforce and therefore consistency when working with children and young people.
- 7.35. Within the total Agency costs of £4.9m, £1m of this is associated with the improvement journey of Children's Services and is therefore only expected to be required for a fixed period of time. Similarly there are a number of agency posts which are supporting through managing the caseloads of the newly qualified Social Workers during their first year of employment. Again, these posts are time-limited and scheduled to cease as new staff progress through the Learning Academy and increase their caseloads.
- 7.36. The continued stability within placements and continued success of the Learning Academy in recruiting and retaining staff remains integral to delivering a balanced budget in 2022/23.

7.37. Corporate Services & Executive

Service	Budget £'000	Final Outturn £'000	Variance £'000	Movement since P10
Executive	3,182	3,062	(120)	(107)
Corporate Services	5,926	6,732	806	(236)

- 7.38. Within the Executive unit an improved financial position results in a £0.1m underspend.
- 7.39. Within Corporate Services there are significant, continued pressures within Legal Services:
- 7.39.1. Challenges to recruit suitably qualified staff resulted in agency costs of £0.4m which is partially offset by vacancies.
- 7.39.2. Reduced fee-earning work provides a further cost pressure of £0.2m on income.
- 7.40. The Divisional Director for Corporate Services is working closely with the Head of Legal to address both of these pressures to mitigate the impact in 2022/23.
- 7.41. Elsewhere in Corporate Services as a result of reduced income for the Printing & Post Service, there is a further pressure of £0.4m which has been partially offset by use of budgeted contingencies. Again, the Divisional Director for Corporate Services is working with the team to address this shortfall.

7.42. Finance

Service	Budget £'000	Final Outturn £'000	Outturn Variance £'000	Movement since P10
Finance	(9,893)	(11,161)	(1,268)	250

7.43. Within Finance, which is where a number of Central Government Grants are shown, there is an underspend forecast as a result of applying a number of contingencies & Government Grants.

7.43.1. Release of specific earmarked contingencies £0.7m

7.43.2. Gainshare from Devon-wide Business Rates Pool £0.2m

7.43.3. Improved NNDR income relating as a result of the Business Rate relief & resultant Section 31 Grants improving the overall % collection rates.

7.44. Investment Portfolio

Service	Budget £'000	Final Outturn £'000	Outturn Variance £'000	Movement since P10
Investment Portfolio	(4,639)	(4,639)	(0)	(0)

7.45. The Council's Investment Portfolio reported a balanced budget after the use of the investment property reserve to cover lost rent and holding costs at Wren park, which means it contributed £4.7m towards the net cost of delivering local services.

7.46. Any tenants with arrears are actively engaging with colleagues in TDA and repayment plans have been agreed and adhered to throughout the 2021/22 year.

Place

Service	Budget £'000	Final Outturn £'000	Variance £'000	Movement since P10
Place Operations	12,011	12,491	480	(152)
Place Commissioned	3,969	4,770	802	761
Planning & Transport	4,975	4,459	(517)	(257)
Total	20,955	21,720	766	353

7.47. Within the Place directorate there is a £0.8m overspend which represents 3.65% of the budget.

7.48. **Place Operations** has a cost pressure of £0.5m.

7.49. Within Torre Abbey income, there was a £0.2m shortfall as a result of reduced visitor numbers. This reflects the continued hesitancy to return to indoor visitor attractions even as the Covid restrictions have changed.

- 7.50. The significant storm damage caused a pressure of £0.2m within the Parks & Green infrastructure team.
- 7.51. Public toilet provision overspend by £0.1m due to a requirement to contribute towards the overspend on the Capital program.
- 7.52. The pressures within Place Operations are partially offset by the £0.2m underspend forecast within Parking Services. This is in part due to the service having had some vacancies across service during the year.
- 7.53. **Place Commissioned**
- 7.54. Place Commissioned overspent by £0.8m which includes the additional financial support made available to SWISCo of £0.6m.
- 7.55. There are also continued pressures as a result of delays to the implementation of the solar farms which were expected to generate a surplus for the Council in 2021/22.
- 7.56. **Planning, Housing and Climate Emergency**
- 7.57. Planning and land charge income was £0.05m less than budgeted.
- 7.58. Within Strategy & Project Management an underspend of £0.5m as a result of reduced costs for Concessionary Fares. The reduced costs are in part contributed to by fewer journeys being taken by concessionary fare passengers in the wake of the pandemic.
- 7.59. **Public Health**

Service	Budget £'000	Final Outturn £'000	Outturn Variance £'000	Movement since Q2
Public Health	9,825	9,809	(16)	(16)

- 7.60. Public Health colleagues continue to lead on the Council's response to Covid-19 and co-ordinate and deliver a number of key and continuing strands of the response and recovery work.
- 7.61. This includes management of the Contain Outbreak Management Fund Grant, and the final stages, including reconciliation and assurance work following the delivery of testing programmes and the Local Contract tracing work.
- 7.62. As the majority of this work is directly grant funded, there is no forecast variance on Local Authority funded activity within Public Health. There is a slight underspend within the ringfenced grant, which will be carried forward to continue to fund vital local Covid-19 response work once the current Government funded grants end on the 31st March 2022.
- 7.63. **One off allocations and ring fenced resources**

- 7.64. At year end the chief finance officer transferred unspent “one off” budget allocations to reserves to be spent in future years. In addition, funds unspent from other earmarked or ring fenced funding streams were also carry forward such as funds within Adult Social care and public health.
- 7.65. The net underspend across the council has enable the £0.570m to be transferred to a reserve for highway activities linked to the Council’s decision at the approval of the 2022/23 budget in March 2022. The balance of the underspend (£0.2m) will be transferred to the CSR reserve to support both the costs of the CRM system and to support any 22/23 budget pressures.
- 8. Capital Outturn 2021/22**
- 8.1. In 2021/22 the Council spent £27m on capital projects. The spend for each project compared to the last reported budget is shown in appendix one to this report.
- 8.2. There were over 30 separate projects that incurred spend over £100k This demonstrates the wide range of projects a unitary council like Torbay is involved with over a wide range of services including highways, schools, housing and regeneration.
- 8.3. 10 projects incurred spend greater than £1m. These included: Harbour View hotel, a decarbonisation scheme at Torbay Leisure centre, improvements at the Rivera International Conference centre, expansion at St Cuthbert Mayne school, ongoing South Devon link road payments, Torquay Gateway highway scheme, Claylands industrial space, a capital loan to TCCT for Occombe farm expansion, and capital loans to TorVista for three housing schemes including Totnes Road and Next Steps.
- 8.4. Capital expenditure in the year was less than forecast. The balance on unspent capital budgets will be transferred to future years. The “pace” of spend has been impacted by inflationary issues where projects are having to be reassessed and from supply chain issues. The Council had three schemes impacted by the Midas grouping entering administration in early 2022.
- 8.5. The funding of the capital plan was as usual was primarily funded from borrowing (£10m) and from capital grants (£13m). These were supplemented by using reserves, capital receipts and external contributions such as s106 payments.
- 8.6. As reported in the Treasury Management outturn report to Audit Committee in May 2022 the Council, due to its cash flow and level of capital spend to be funded from borrowing, did not borrow during the year and remained within both its operational and authorised (borrowing) limits.

9. Risks & Sensitivity

9.1. There are a number of financial risks facing the Council as shown below:

Risk	Impact	Mitigation
Future funding of DSG Deficit	High	Recovery meetings have been convened by the Chief Finance Officer to review any and all opportunities to locally influence this area of spend.
CPI at a 40 year high at 9% is having a major impact on both revenue and capital costs. The exact impact is still uncertain, eg pay award for 22/23 not yet agreed. Some council capital projects will no longer be affordable.	High	Inflation contingencies in both the 22/23 revenue and capital budgets. However, these may be inadequate. 23/24 budget includes a higher than usual allowance for inflationary pressures.
The “cost of living” economic impact on the Council’s residents from higher fuel and utility costs is likely to impact on both demand for council services and may result in reduced income from council tax.	High	The Council has established a cross council “cost of living” group to mitigate where possible the impact on council services and support/sign post residents to support. The council will continue to administer payments under both the Household Support Fund and Council tax Rebates.
Continued loss of income	High	Recovery meetings have been convened by the Chief Finance Officer for all the Council’s main areas of income. Each group is tasked with developing an action plan to influence income where possible
Collection Fund shortfall	High	Additional resources allocated to support the Revenues & Benefits team and a review of debt recovery will be undertaken.
Fair Funding Formula	Medium	Development of a robust MTRP to address the expected impact on Torbay’s funding. Timing of this funding change is now expected to be 2023/24 at the earliest.
Identification, and delivery, of savings as per Medium Term Resource Plan	High	Work on the Budget for 2023/24 started in May 2022 with service plan reviews taking place in June 2022 with Star Chambers in July 2023. Options will be reviewed by Senior Leadership Team in collaboration with Cabinet to consider options for future years.
Delivery of Children’s Services cost reduction plan	Medium	Meetings continue to monitor the current rate of delivery against the identified actions from the Sufficiency Strategy.

Unable to recruit staff and need to use agency staff.	High	<p>Recruitment & retention of Social Work staff, particularly in safeguarding is still one of the core priorities for the Senior management team within Children's Services.</p> <p>This pressure is also being seen across a number of front-line services which are integral to the Council's "Summer Response Team" Work continues to identify solutions to these challenges which seem to be on a national scale.</p>
Additional demand and cost pressures for services, particularly in children's social care	Low	2022/23 Budget monitoring, use of service performance data and recovery plan.
Delivery of approved savings for 2022/23	Low	Further to regular budget monitoring for all budget holders, the Council's Senior Leadership Team receive monthly updates on the 2022/23 position.
Investment Property Income changes	High	The investment board will continue to review future leases and manage any potential break clause implications.

CAPITAL PLAN - OUTTURN 2021/22 - EXPENDITURE

Appendix 1

	Revised 4-year Plan						
	Total 2021/22 Revised	Outturn 2021/22	Slippage to c/f to 22/23	2022/23	2023/24	2024/25	Total for Plan Period
PB = Approved Prudential Borrowing schemes	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Thriving People and Communities							
Barton Academy - Nursery provision	105	106	0				0
Brunel Academy Ph 2 Vocational Classrooms	217	25	192				192
Capital Repairs & Maintenance 2019/20	14	8	6				6
Capital Repairs & Maintenance 2020/21 & 2021/22	481	317	164	400			564
Schools capital from revenue	0	63					0
Devolved Formula Capital	260	98	162				162
Education Review Projects	310	40	270	3,329			3,599
High Needs Capital Provision	530	27	503				503
Mayfield Expansion	1,022	552	470	500			970
Medical Tuition Service - relocation	68	36	32				32
New Paignton Primary school sites (St Michaels & Windmill)	587	2	585				585
Pgn CS Academy Expansion	190	0	190				190
Roselands Primary - additional classroom	51	20	31	80			111
Sixth Day Provision	117	11	106				106
Special Provision Fund (SEND)	114	65	49				49
St Cuthbert Mayne Expansion	3,047	2,900	147	500			647
Torbay School Relocation (Expansion Burton Acad Hillside site)	36	60	0				0
Polsham Centre Development	50	1	49	200			249
Foster Homes Adaptations	100	5	95	100	100		295
			0				0
IT replacement - Childrens Case Management System	192	91	101				101
			0				0
Adult Social Care	520	0	520				520
PB Crossways, Paignton - Regen and Extra Care Hsg	2,600	367	2,233	7,500	10,000	5,167	24,900
Extra Care Housing (Torre Marine)	0	100	(100)	2,800			2,700
Brixham Town Centre Car Park - Housing	675	0	675				675
Disabled Facilities Grants	600	585	15	980			995
			0				0
Affordable Housing	899	243	656				656
Housing Rental Company - Aff Hsg Developments	0	0	0				0
PB Tor Vista Homes re Preston Down Road	175	0	175	7,500	7,500	7,825	23,000
PB Next Steps Accommodation Programme	0	0	0				0
	12,960	5,722	7,326	23,889	17,600	12,992	61,807

Thriving Economy							
PB	Claylands Redevelopment	2,262	2,159	103	350		453
	DfT Better Bus Areas	102	130	0			0
PB	Edginswell Business Park	0	0	0	0		0
PB	Edginswell Business Park Site 3	200	23	177	2,000	4,300	6,477
PB	Edginswell Business Park Unit 1	200	92	108	4,000	1,619	5,727
	Edginswell Station	500	33	467	4,000	7,999	12,466
PB	Innovation Centre Ph 3 (EPIC)	91	99	0			0
PB	South Devon Highway - Council contribution	1,463	1,293	170			170
PB	TEDC Capital Loans/Grant	575	0	575			575
	Transport Highways Structural Maintenance	2,191	2,871	(680)	150		(530)
	Transport Integrated Transport Schemes	113	145	(32)	0	0	(32)
	Transport - Torquay Gateway Road Improvements	630	1,146	(516)	80		(436)
	Transport - Western Corridor	149	7	142	257	225	624
				0			0
	Babbacombe Beach Road	250	160	90			90
	Brixham Harbour - CCTV upgrade	7	0	7			7
	Brixham Harbour - Infrastructure Repairs	55	5	50			50
PB	CCTV equipment	0	0	0			0
	Torre Valley North Enhancements	0	0	0			0
	Clennon Valley Sport Improvements	37	0	37			37
	Flood Alleviation - Cockington	191	111	80	50		130
	Flood Alleviation - Monksbridge	10	5	5	346		351
	Paignton Coastal Defence Scheme	75	80	(5)	1,705	1,227	2,927
PB	Paignton Harbour Light Redevelopment	81	26	55			55
	Princess Pier - Structural repair (with Env Agency)	50	(1)	51	796		847
PB	Torquay Town Dock - Infrastructure Improvements	1,200	263	937			937
PB	Public Toilets Modernisation Programme	108	212	0			0
	Recreation Ground Drainage Network	9	9	0			0
PB	RICC Improvements - Backlog Repairs	600	244	356	493	0	849
PB	RICC Improvements - Landlord Repairs (Parkwood)	1,449	1,449	0			0
PB	Torbay Leisure Centre (Parkwood Loan)	0	0	0			0
	Pgn Velopark Cyclocross & Pump Tracks	60	3	57			57
	Torre Valley Sports Pavilion	57	28	29			29
PB	Regeneration Programme-Harbour View Hotel Developmt	9,750	4,178	5,572	765		6,337
PB	Nanusens Limited Loan (Econ Growth Fund)	150	150	0			0
PB	Old Toll House (Econ Growth Fund)	30	30	0	350	664	1,014
PB	TCCT Occombe Farm Development (EGF)	1,177	1,177	0			0
	Torquay Towns Fund - Accelerated Funds	232	238	0			0
				0			0
	Torquay Towns Fund (General)	53	87	(34)	52	52	70
	Torquay Town Deal - Union Square Ph.1	100	0	100	3,100	1,850	5,050
	Torquay Town Deal - Strand Land Assembly & Demo	0	18	(18)	231		213
	Torquay Town Deal - Harbour Public Realm	0	92	(92)	2,500		2,408
	Torquay Town Deal - Pavilion	100	0	100	1,900		2,000
	Torquay Town Deal - Stronger Future Revenue	0	0	0			0
	Torquay Town Deal - Union Square Ph.2	0	0	0	750	5,243	5,993
	Torquay Town Deal - Core Area Public Realm	25	2	23	575		598
	Torquay Town Deal - Torquay Coastal Corridor Pinch Point	0	0	0	0		0
				0			0
	Paignton Future High Streets Fund (General)	0	0	0	0	0	0
	Paignton Future High Streets Fund - Torbay Road	9	29	(20)	0	659	639
	Paignton Future High Streets Fund - Station Square	125	6	119	1,254	880	2,253
	Paignton Future High Streets Fund - Victoria Centre Phase 1	0	0	0	652		652
	Paignton Future High Streets Fund - Picture House	184	184	0	1,101	0	1,101
	Paignton Future High Streets Fund - Diversification	0	0	0		1,300	1,300
	Paignton Future High Streets Fund - Crossways	0	0	0	0		0
	Paignton Future High Streets Fund - Flood Defence	457	0	457	114		571
	Paignton Future High Streets Fund - Victoria Centre Phase 2	18	0	18	3,844		3,862
				0			0
PB	Lymington Rd Business Centre (LEP GBF/EGF)	181	156	25	3,330		3,355
	Edginswell Enabling Works (LEP GBF)	127	134	(7)	1,757		1,750
	EPIC and SD College (LEP GBF)	768	586	182			182
				0			0
PB	Corbyn Head - Development of former WCs	0	0	0	1,250		1,250
PB	Preston (North) - Development of former WCs	0	0	0	718		718

26,201	17,659	8,688	38,470	26,018	0	73,176

Tackling Climate Change							
PB	Council Fleet Vehicles	330	132	198			198
PB	Solar Farm, Brokenbury (EGF)	125	110	15	1,605		1,620
PB	Solar Farm, Nightingale Park (EGF)	110	115	(5)	2,920		2,915
	Torbay Leisure Centre - Decarbonisation Scheme	1,850	1,774	76			76
		2,415	2,131	284	4,525	0	4,809
A Council fit for the future							
PB	Corporate IT Developments	7	20	0			0
	IT Equipment - TOR2	47	0	47			47
PB	Essential Capital repair works	679	4	675			675
	Enhancement of Development sites	10	8	2	65	65	192
	Capital Expenditure from Revenue	0	40	0			0
	General Capital Contingency	632	0	632			632
		1,375	72	1,356	65	65	1,546
Council Borrowing Approvals awaiting proposals							
PB	Torre Abbey Renovation - Phase 3 (TC contrib)	0	0	0	1,700		1,700
PB	Regeneration Programme and Economic Growth Fund	0	0	0	40,391	50,000	90,391
PB	Housing Rental Company - Loan	500	1,116	(616)	2,500	10,000	22,548
		500	1,116	(616)	44,591	60,000	114,639
TOTALS		43,451	26,700	17,038	111,539	103,683	255,976
CAPITAL PLAN - QUARTER 2021/22 - FUNDING							
	Unsupported Borrowing	18,238	9,876		71,380	80,528	170,397
	Grants	20,586	13,285		37,254	22,725	60,724
	Contributions	1,481	1,458		705	221	926
	Revenue	301	916		119	100	219
	Reserves	930	368		206	22	228
	Capital Receipts	1,916	797		1,876	87	6,445
	To be allocated	0	0	17,038	0	0	17,038
Total		43,451	26,700	17,038	111,539	103,683	255,976

Meeting: Council

Date: 21st July 2022

Wards affected: All Wards in Torbay

Report Title: Treasury Management Outturn 2021/22 Report

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

Director/Assistant Director Contact Details: Pete Truman, Principal Accountant, pete.truman@torbay.gov.uk

1. Purpose of Report

- 1.1 This report is to provide members with an annual report on the treasury management activities undertaken during the year 2021/22, which is compared to the 2021/22 Treasury Management Strategy.

2. Reason for Proposal and its benefits

- 2.1 Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year and, as a minimum, a semi-annual and annual treasury outturn report

3. Recommendation(s) / Proposed Decision

- i) **That the Treasury Management decisions made during 2021/22, as detailed in the submitted report be noted.**

Appendices

Appendix 1: Economic Commentary

Appendix 2: Revised CIPFA Codes, Updated PWLB Lending Facility Guidance, Levelling Up and Regeneration Bill

Background Documents

Treasury Management Strategy 2021/22

Supporting Information

1. Introduction

- 1.1 In February 2019 the Authority adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the Authority to approve treasury management semi-annual and annual reports.
- 1.2 The Authority's treasury management strategy for 2021/22 was approved by Council at a meeting on 11th February 2021. The Authority has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Authority's treasury management strategy.

2. External Context

- 2.1 An economic commentary for the year provided by the Council's treasury management advisors, Arlingclose, is provided at Appendix 1 to this report. Bank Rate was 0.1% at the beginning of the year and despite the economy gathering momentum after pandemic restrictions eased, market expectation was for rises to be delayed until 2022. Rising, persistent inflation changed that with Bank Rate rising to 0.75% at the end of the year.
- 2.2 During 2021 CIPFA published changes to its Prudential Code and Treasury Management Code of Practice. These follow the Public Accounts Committee's recommendation that the prudential framework should be further tightened following continued borrowing by some authorities for investment purposes.
- 2.3 In addition HM Treasury issued, in May 2022, updated guidance on PWLB lending to authorities where there is more than a negligible risk of non-repayment. In the same month the Levelling Up and Regeneration Bill announced in the Queens Speech gives government more oversight of the Prudential Framework.
- 2.4 The main points of these new Codes, PWLB guidance and Levelling Up and Regeneration Bill are summarised at Appendix 2.

3. Local Context

- 3.1 At the start of the year, the Council had net borrowing of £314.6m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	31.3.21 Actual £m
Total CFR	419.5
Less: *Other debt liabilities	(16.7)
Borrowing CFR	402.8
External borrowing	391.5
Internal borrowing	11.3
Less: Usable reserves	(82.1)
Less: Working capital and other cash backed balance sheet items	(6.1)
Net treasury position	314.6

* PFI liabilities that form part of the Authority's total debt

- 3.2 The Council is still in the process of compiling its year end position for 2021/22, therefore the Capital Financing Requirement as at 31st March 2022 will be disclosed within the Statement of Accounts 2021/22.
- 3.3 Low official interest rates have kept the cost low of short-term, temporary loans and investment returns from cash assets that can be used in lieu of borrowing. The Council pursued its strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, to reduce risk and interest costs.
- 3.4 The treasury management position on 31st March 2022 and the change during the year is shown in Table 2 below.

Table 2: Treasury Management Summary

	31.3.21 Balance £m	Movement £m	31.3.22 Balance £m	31.3.22 Rate %
Long-term borrowing*	391.5	(2.6)	388.9	2.99
Short-term borrowing	0.0	0.0	0.0	0.0
Total borrowing	391.5	(2.6)	388.9	2.99
Long-term investments*	(4.7)	(0.8)	(5.5)	3.85
Short-term investments	(71.4)	(35.2)	(106.6)	0.54
Cash and cash equivalents	(0.8)	(3.4)	(4.2)	0.02
Total investments	(76.9)	(39.4)	(116.3)	0.68
Net position	314.6	(42.0)	272.6	2.45

*Long term investments include the CCLA Property Fund at market valuation.

4. Borrowing Update

- 4.1 The Council was not planning to borrow to invest primarily for commercial return and so is unaffected by the changes to the Prudential Code (see appendix 2).
- 4.2 At 31st March 2022 the Authority held £388.9m of loans, (a decrease of £2.6m to 31st March 2021) as part of its strategy for funding previous and current years' capital programmes. Outstanding loans on 31st March are summarised in Table 3 below.

Table 3: Borrowing Position

	31.3.21 Balance £m	Net Movement £m	31.3.22 Balance £m	31.3.22 Weighted Average Rate %	31.3.22 Weighted Average Maturity (years)
Public Works Loan Board	381.5	(2.6)	378.9	2.946	27.1
Banks (LOBO)	5.0	-	5.0	4.700	56.6
Banks (fixed-term)	5.0	-	5.0	4.395	52.5
Total borrowing	391.5	(2.6)	388.9	2.987	27.8

- 4.5 The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective.
- 4.6 In keeping with these objectives, no new borrowing was undertaken, while £2.6m of existing loans were allowed to mature without replacement. This strategy enabled the Council to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.
- 4.7 LOBO loans: The Authority continues to hold a £5m LOBO (Lender's Option Borrower's Option) loan where the lender has the option to propose an increase in the interest rate at set dates, following which the Authority has the option to either accept the new rate or to repay the loan at no additional cost. The lenders option does not become due until 2028.

5. Other Debt Activity

- 5.1 After £0.75m repayment of prior years' Private Finance Initiative liabilities, total debt other than borrowing stood at £16.0m on 31st March 2022, taking total debt to £404.9m

6. Treasury Investment Activity

- 6.1 CIPFA published a revised Treasury Management in the Public Services Code of Practice and Cross-Sectoral Guidance Notes on 20th December 2021. These define treasury management investments as investments that arise from the organisation's cash flows or treasury risk management activity that ultimately represents balances that need to be invested until the cash is required for use during business.
- 6.2 The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year, the Council's investment balances ranged between £81 million and £118 million due to timing differences between income and expenditure. The Council's cash flow is still significantly influenced by short term cash balances linked to COVID and other funding received but not yet spent or owed to other bodies. The investment position is shown in table 4 below.

Table 4: Treasury Investment Position

	31.3.21 Balance £m	Net Movement £m	31.3.22 Balance £m	2021/22 Income Return %	2021/22 Weighted Average Maturity days
Banks & building societies (unsecured)	22.8	(5.6)	17.2	0.27	18
Government (incl. local authorities)	31.0	46.0	77.0	0.60	92
Money Market Funds	14.4	(1.8)	12.6	0.55	1
Other Pooled Funds:					
- <i>Cash plus fund</i>	4.0	-	4.0	0.02	
- <i>Property fund</i>	4.7	0.8	5.5	3.85	
Total investments	76.9	39.4	116.3	0.68	

- 6.3 Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
- 6.4 Ultra low short-dated cash rates, which were a feature since March 2020 when Bank Rate was cut to 0.1%, prevailed for much of the 12-month reporting period which resulted in the return on sterling low volatility net asset value (LVNAV) Money Market Funds being at, or

close to zero even after some managers have temporarily waived or lowered their fees. However, higher returns on cash instruments followed the increases in Bank Rate in December, February and March. At 31st March, the 1-day return on the Council's MMFs ranged between 0.48% - 0.58% p.a.

- 6.5 Similarly, deposit rates with the Debt Management Account Deposit Facility (DMADF) initially remained very low with rates ranging from 0% to 0.1% but following the hikes to policy rates increased to between 0.55% and 0.85% depending on the deposit maturity. The average return on the Authority's DMADF deposits in year was 0.08%.
- 6.7 The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking in Table 5 below.

Table 5: Investment Benchmarking – Treasury investments managed in-house

	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return %
31.09.2021	4.46	AA-	55%	20	0.08
31.03.2022	3.63	AA-	28%	70	0.54
Similar LAs	4.58	A+	69%	43	0.46
All LAs	4.39	AA-	63%	14	0.46

- 6.8 The benchmarking results reflect the Council's cautious risk appetite in terms of counterparties and the maximum sum invested in any one counterparty. Priority has been to keep funds as secure as possible during the early part of the year when returns were not justifying any sort of risk. When rates climbed, the appetite was adjusted to increase duration (and lock into yield) with local authorities. £15M was placed in these deposits during March and the rest of the short-term portfolio is well placed to track further forecast rises in Bank Rate.
- 6.9 Funds were substantially kept liquid to achieve the Council's policy of internal borrowing and in anticipation of future rate rises. At outturn the capital spend was significantly lower than the original plan contributing to the continuing higher than forecast cash balance.
- 6.10 **Externally Managed Pooled Funds:** £5m of the Authority's investments are invested in an externally managed strategic pooled property fund where short-term security and liquidity are lesser considerations, and the objectives instead are regular revenue income and long-term price stability. These funds generated an income return of £0.21m (4.01%) and an unrealised capital gain of £0.8m (16.53%).
- 6.11 In light of Russia's invasion of Ukraine, Arlingclose contacted the fund managers of our MMF, cash plus and strategic funds and confirmed no direct exposure to Russian or Belarusian assets had been identified. Indirect exposures were immaterial. It should be noted that any assets held by banks and financial institutions (e.g. from loans to companies with links to those countries) within MMFs and other funds cannot be identified easily or with any

certainty as that level of granular detail is unlikely to be available to the fund managers or Arlingclose in the short-term, if at all.

7. Non-Treasury Investments

- 7.1 The definition of investments in CIPFA's revised Treasury Management Code covers all the financial assets of the Authority as well as other non-financial assets which the Authority holds primarily for financial return. Investments that do not meet the definition of treasury management investments (i.e. management of surplus cash) are categorised as either for service purposes (made explicitly to further service objectives) and or for commercial purposes (made primarily for financial return).
- 7.2 The outturn position of the Council's non-treasury investments will form part of the Statement of Accounts 2021/22 and will be reported with the usual level of detail within the Treasury Management 2022/23 mid-year review.

8. Treasury Performance

- 8.1 The Council measures the financial performance of its treasury management activities both in terms of its impact on the revenue budget and its relationship to benchmark interest rates, as shown in table 6 below.

Table 6: Performance

As at 31st March 2022	Revised Budget 2021/22	Projected Outturn 2021/22	Variation
	£M	£M	£M
Investment Income	(0.3)	(0.3)	(0.0)
Interest Paid on Borrowing	11.8	11.7	(0.1)
Net Position (Interest)	11.5	11.4	(0.1)
Minimum Revenue Provision	6.9	6.8	(0.1)
Net Position (Other)	6.9	6.8	(0.1)
Net Position Overall	18.4	18.2	(0.2)

9. Compliance

- 9.1 The Chief Finance Officer reports that all treasury management activities undertaken during the year complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy. Compliance with specific limits is demonstrated in table 7 below.

Table 7: Debt Limits

	2021/22 Maximum	31.3.22 Actual	2021/22 Operational Boundary	2021/22 Authorised Limit	Complied? Yes/No
Borrowing	£391.5m	£388.9m	£590m	£700m	Yes
PFI & Finance Leases	£16.7m	£16.0m	£20m	£20m	Yes
Total Debt	£408.2m	£404.9m	£610m	£720m	Yes

- 9.2 **Treasury Management Indicators:** The Authority measures and manages its exposures to treasury management risks using the following indicators.

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating/credit score of its investment portfolio. The credit score is calculated by applying a value to each investment (AAA=1, AA+=2, A=6 etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	31.3.22 Actual	2021/22 Target	Complied?
Portfolio average credit rating (score)	AA- (4)	A (6)	Yes

Liquidity: The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling one-month period, without additional borrowing.

	31.3.22 Actual	2021/22 Target	Complied?
Total cash available within one month	£41M	£15M	Yes

Interest Rate Exposures: This indicator is set to control the Authority's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interests was:

Interest rate risk indicator	31.3.22 Actual	2021/22 Limit	Complied?
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£258,000	£300,000	Yes
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	£258,000	£300,000	Yes

Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing were:

	31.3.22 Actual	Upper Limit	Lower Limit	Complied?
Under 12 months	1%	40%	0%	Yes
12 months and within 24 months	1%	40%	0%	Yes
24 months and within 5 years	4%	30%	0%	Yes
5 years and within 10 years	11%	40%	0%	Yes
10 years and within 20 years	15%	50%	0%	Yes
20 years and within 30 years	7%	60%	0%	Yes
30years and within 40 years	36%	50%	0%	Yes
40 years and over	25%	50%	0%	Yes

Principal Sums Invested for Periods Longer than a year: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2021/22	2022/23	2023/24
Actual principal invested beyond year end	£5m	£5m	£5m
Limit on principal invested beyond year end	£25m	£20m	£20m
Complied?	Yes	Yes	Yes

10. Other

10.1 **IFRS 16:** The implementation of the new IFRS 16 Leases accounting standard was due to come into force for local authorities from 1st April 2022. Following a consultation CIFPA/LASAAC announced an optional two-year delay to the implementation of this standard, a decision that was confirmed by the Financial Reporting Advisory Board in early April 2022. Authorities can now choose to adopt the new standard on 1st April 2022, 1st April 2023 or 1st April 2024. The Chief Finance Officer intends for the Council to adopt the new standard on 1st April 2024. (If resources permit adoption from April 2023 will be considered.)

Economic Commentary (provided by Arlingclose, April 2022)

Economic background: The continuing economic recovery from coronavirus pandemic, together with the war in Ukraine, higher inflation, and higher interest rates were major issues over the period.

Bank Rate was 0.1% at the beginning of the reporting period. April and May saw the economy gathering momentum as the shackles of the pandemic restrictions were eased. Despite the improving outlook, market expectations were that the Bank of England would delay rate rises until 2022. Rising, persistent inflation changed that.

UK CPI was 0.7% in March 2021 but thereafter began to steadily increase. Initially driven by energy price effects and by inflation in sectors such as retail and hospitality which were re-opening after the pandemic lockdowns, inflation then was believed to be temporary. Thereafter price rises slowly became more widespread, as a combination of rising global costs and strong demand was exacerbated by supply shortages and transport dislocations. The surge in wholesale gas and electricity prices led to elevated inflation expectations. CPI for February 2022 registered 6.2% year on year, up from 5.5% in the previous month and the highest reading in the National Statistic series. Core inflation, which excludes the more volatile components, rose to 5.2% y/y from 4.4%.

The government's jobs furlough scheme insulated the labour market from the worst effects of the pandemic. The labour market began to tighten and demand for workers grew strongly as employers found it increasingly difficult to find workers to fill vacant jobs. Having peaked at 5.2% in December 2020, unemployment continued to fall and the most recent labour market data for the three months to January 2022 showed the unemployment rate at 3.9% while the employment rate rose to 75.6%. Headline 3-month average annual growth rate for wages were 4.8% for total pay and 3.8% for regular pay. In real terms, after adjusting for inflation, total pay growth was up 0.1% while regular pay fell by 1.0%.

With the fading of lockdown – and, briefly, the 'pingdemic' – restraints, activity in consumer-facing sectors improved substantially as did sectors such as oil and mining with the reopening of oil rigs but materials shortages and the reduction in the real spending power of households and businesses dampened some of the growth momentum. Gross domestic product (GDP) grew by an upwardly revised 1.3% in the fourth calendar quarter of 2021 according to the final estimate (initial estimate 1.0%) and took UK GDP to just 0.1% below where it was before the pandemic. The annual growth rate was revised down slightly to 7.4% (from 7.5%) following a revised 9.3% fall in 2020.

Having increased Bank Rate from 0.10% to 0.25% in December, the Bank of England hiked it further to 0.50% in February and 0.75% in March. At the meeting in February, the Monetary Policy Committee (MPC) voted unanimously to start reducing the stock of its asset purchase scheme by ceasing to reinvest the proceeds from maturing bonds as well as starting a programme of selling its corporate bonds.

In its March interest rate announcement, the MPC noted that the invasion of Ukraine had caused further large increases in energy and other commodity prices, with the expectation that the conflict will worsen supply chain disruptions around the world and push CPI inflation to around 8% later in 2022, even higher than forecast only a month before in the February Monetary Policy Report. The Committee also noted that although GDP in January was stronger than expected with business confidence holding up and the labour market remaining robust, consumer confidence had fallen due to the squeeze in real household incomes.

GDP growth in the euro zone increased by 0.3% in calendar Q4 2021 following a gain of 2.3% in the third quarter and 2.2% in the second. Headline inflation remains high, with CPI registering a record 7.5% year-on-year in March, the ninth successive month of rising inflation. Core CPI inflation was 3.0% y/y in March, was well above the European Central Bank's target of 'below, but close to 2%', putting further pressure on its long-term stance of holding its main interest rate of 0%.

The US economy expanded at a downwardly revised annualised rate of 6.9% in Q4 2021, a sharp increase from a gain of 2.3% in the previous quarter. In its March 2022 interest rate announcement, the Federal Reserve raised the Fed Funds rate to between 0.25% and 0.50% and outlined further increases should be expected in the coming months. The Fed also repeated it plan to reduce its asset purchase programme which could start by May 2022.

Financial markets: The conflict in Ukraine added further volatility to the already uncertain inflation and interest rate outlook over the period. The Dow Jones started to decline in January but remained above its pre-pandemic level by the end of the period while the FTSE 250 and FTSE 100 also fell and ended the quarter below their pre-March 2020 levels.

Bond yields were similarly volatile as the tension between higher inflation and flight to quality from the war pushed and pulled yields, but with a general upward trend from higher interest rates dominating as yields generally climbed.

The 5-year UK benchmark gilt yield began the quarter at 0.82% before rising to 1.41%. Over the same period the 10-year gilt yield rose from 0.97% to 1.61% and the 20-year yield from 1.20% to 1.82%.

The Sterling Overnight Rate (SONIA) averaged 0.39% over the quarter.

Credit review: In the first half of FY 2021-22 credit default swap (CDS) spreads were flat over most of the period and are broadly in line with their pre-pandemic levels. In September spreads rose by a few basis points due to concerns around Chinese property developer Evergrande defaulting but then fell back. Fitch and Moody's revised upward the outlook on a number of UK banks and building societies on the Authority's counterparty list to 'stable', recognising their improved capital positions compared to 2020 and better economic growth prospects in the UK.

Fitch also revised the outlook for Nordea, Svenska Handelsbanken and Handelsbanken plc to stable. The agency considered the improved economic prospects in the Nordic region to have reduced the baseline downside risks it previously assigned to the lenders.

The successful vaccine rollout programme was credit positive for the financial services sector in general and the improved economic outlook meant some institutions were able to reduce provisions for bad loans. However, in 2022, the uncertainty engendered by Russia's invasion of Ukraine pushed CDS prices modestly higher over the first calendar quarter, but only to levels slightly above their 2021 averages, illustrating the general resilience of the banking sector.

Having completed its full review of its credit advice on unsecured deposits, in September Arlingclose extended the maximum duration limit for UK bank entities on its recommended lending list from 35 days to 100 days; a similar extension was advised in December for the non-UK banks on this list. As ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remains under constant review.

Revised CIPFA Codes, Updated PWLB Lending Facility Guidance

In August 2021 HM Treasury significantly revised guidance for the PWLB lending facility with more detail and 12 examples of permitted and prohibited use of PWLB loans. Authorities that are purchasing or intending to purchase investment assets primarily for yield will not be able to access the PWLB except to refinance existing loans or externalise internal borrowing. Acceptable use of PWLB borrowing includes service delivery, housing, regeneration, preventative action, refinancing and treasury management.

CIPFA published its revised Prudential Code for Capital Finance and Treasury Management Code on 20th December 2021. The key changes in the two codes are around permitted reasons to borrow, knowledge and skills, and the management of non-treasury investments.

The principles of the Prudential Code took immediate effect although local authorities could defer introducing the revised reporting requirements and Torbay Council will implement the new Code fully commencing from the 2023/24 financial year.

To comply with the Prudential Code, authorities must not borrow to invest primarily for financial return. This Code also states that it is not prudent for local authorities to make investment or spending decision that will increase the CFR unless directly and primarily related to the functions of the authority. Existing commercial investments are not required to be sold; however, authorities with existing commercial investments who expect to need to borrow should review the options for exiting these investments.

Borrowing is permitted for cashflow management, interest rate risk management, to refinance current borrowing and to adjust levels of internal borrowing. Borrowing to refinance capital expenditure primarily related to the delivery of a local authority's function but where a financial return is also expected is allowed, provided that financial return is not the primary reason for the expenditure. The changes align the CIPFA Prudential Code with the PWLB lending rules.

Unlike the Prudential Code, there is no mention of the date of initial application in the Treasury Management Code. The TM Code now includes extensive additional requirements for service and commercial investments, far beyond those in the 2017 version.

The Council will follow the same process as the Prudential Code, i.e. delaying changes in reporting requirements to the 2023/24 strategy year.

Public Works Loan Board (PWLB) – updated guidance for applicants

On 12th May 2022 HM Treasury issued an update to PWLB lending guidance, addressing lending to authorities where there is more than a negligible risk of non-repayment.

The update states that where HM Treasury considers that a local authority may be at risk of being unable to repay PWLB lending, it will engage with that local authority to establish the extent of the risk of non-repayment. **Loans will not generally be advanced where there is a more than negligible risk of non-repayment.**

HM Treasury will generally consider that where a local authority is actively and constructively

engaged with Government on addressing financial risk, that local authority is sufficiently managing risk of non-repayment. This includes where a local authority is working with the government as part of ongoing financial support measures. In such cases, HM Treasury will work with the relevant department to assess any risks to the PWLB.

The Department for Levelling Up, Housing and Communities (DLUHC) has announced plans to bring forward measures to provide the government with appropriate powers to directly address excessive risk arising from local government investing and borrowing practices. Where DLUHC believes it to be probable that a local authority would fall within the scope of the powers, it will be engaging with them immediately to get a better understanding of their risk positions in advance of the powers coming into force and to reach agreement on any actions needed to address government concerns.

Levelling Up and Regeneration Bill

The Levelling Up and Regeneration Bill that was included in the Queen's Speech in May 2022 proposes to introduce new powers into the Local Government Act 2003 for capital finance risk management. The proposals would represent an increase in the Government's oversight of the Prudential Framework and its ability to intervene.

Under the proposals, the Secretary of State would be able to issue risk mitigating directions to an authority if a trigger event has occurred. A direction will be able to place borrowing limits on an authority or require it to take specified action, which could include disposing of an identified asset.

One such trigger event is if a risk threshold is breached. For the assessment of risk thresholds, there will be a range of capital risk metrics, whose basis of calculation will be specified, as will the thresholds against which breaches are to be measured. The metrics specified in the Bill are:

- the total debt (including credit arrangements) as compared to the financial resources of the authority
- the proportion of the total capital assets which are investments made, or held, wholly or mainly to generate financial return
- the proportion of the total debt (including credit arrangements) in relation to which the counterparty is not central government or a local authority
- the amount of minimum revenue provision charged to a revenue account for a financial year
- any other metric specified by regulations.

The Secretary of State will have the power to appoint an independent expert to review the level of an authority's financial risk. Authorities will be required to co-operate with the expert in any way that they consider necessary or expedient for the purposes of the conduct of the review, as far as this is practicable.

**Standing Order D11 (in relation to Overview and Scrutiny) – Call-in and Urgency
Council Meeting, 21 July 2022**

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
Levelling Up Fund Round 2 and UK Shared Prosperity Fund	The Cabinet	<p>The Cabinet took a decision, at its meeting held on 14 June 2022, to approve the development and submission of bids and investment plans to both the Round 2 Levelling Up Fund and the UK Shared Prosperity Fund.</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 and Council's interests.</p>	The Overview and Scrutiny Co-ordinator was consulted on 31 May 2022.

Matter for decision	Decision-taker	Reasons for urgency	Consultation
Torbay Youth Justice Plan 2022-23	The Cabinet	<p>The Cabinet took a decision, at its meeting on 14 June 2022, to approve the Torbay Youth Justice Plan 2022-23. The Torbay Youth Justice Plan 2022-23 needed to be submitted for approval by the Youth Justice Board before 30 June 2022.</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 and Council's interests.</p>	The Overview and Scrutiny Co-ordinator was consulted on 31 May 2022.
Community Safety Case Management System Contract Approval	The Cabinet	<p>The Cabinet took a decision, at its meeting on 14 June 2022, to award a contract for the Community Safety Case Management System.</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 and Council's interests.</p>	The Overview and Scrutiny Co-ordinator was consulted on 31 May 2022.