



Wednesday, 12 February 2020

## **CABINET**

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

**Thursday, 20 February 2020**

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

Councillor Steve Darling (Chairman)

Councillor Long

Councillor Stockman

Councillor Morey

Councillor Law

Councillor Carter

Councillor Cowell

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**A prosperous and healthy Torbay**

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**Teresa Buckley, Town Hall, Castle Circus, Torquay, TQ1 3DR**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk) - [www.torbay.gov.uk](http://www.torbay.gov.uk)

# CABINET AGENDA

1. **Apologies**

To receive apologies for absence.

2. **Minutes**

To confirm as a correct record the Minutes of the meetings of the Cabinet held on 21 January and 4 February 2020.

(Pages 4 - 24)

3. **Disclosure of Interests**

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

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

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

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

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

4. **Communications**

To receive any communications or announcements from the Leader of the Council.

5. **Urgent Items**

To consider any other items the Chairman decides are urgent.

6. **Matters for Consideration**

7. **Revenue Budget 2020/2021**

To consider any objections to the above budget referred to the Cabinet from the adjourned Council meeting held on 13 February 2020.

8. **One Torbay: Working for all Torbay - Community and Corporate Plan** (Pages 25 - 52)  
To make recommendations to the Council on the final proposed Community and Corporate Plan (Policy Framework document).
9. **Housing Strategy and Associated Documents** (To Follow)  
To consider the submitted report setting out the Council's proposed Housing Strategy (Policy Framework document) and associated documents and make recommendations to the Council.
10. **Torre Abbey Restoration Project - Phase 3 National Heritage Lottery Fund Bid** (Pages 53 - 69)  
To consider the submitted report in respect of a funding bid for the Torre Abbey Restoration Project and any recommendations from the Overview and Scrutiny Board and make recommendations to the Council.
11. **Contractors Compound on Paignton Green** (Pages 70 - 86)  
To consider the submitted report on the above.
12. **Extension of the Joint Community Equipment Contract** (Pages 87 - 98)  
To consider the submitted report on a proposal to extend the current contract for the delivery of the Joint Community Equipment Service.
13. **Torbay Council Annual Pay Policy Statement including Gender Pay Gap Report and Review of Pensions Discretions** (Pages 99 - 134)  
To consider the submitted report on the above and make recommendations to the Council.
14. **Exclusion of Press and Public**  
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following items on the agenda on the grounds that exempt information (as defined in Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.
15. **TDA Business Plan 2020-2025** (To Follow)  
To consider an exempt report which sets out the TDA Business Plan for the next five years and make recommendations to the Council.
16. **New Economic Growth Fund Opportunities**  
To consider any new Economic Growth Fund investment opportunities.
17. **New Investment Fund Opportunities**  
To consider potential investment opportunities.
18. **Update on Existing Investments**  
To receive an update on existing investments.



## Minutes of the Cabinet

21 January 2020

**-: Present :-**

Councillor Steve Darling (Chairman)

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

(Also in attendance: Councillors Barrand, Brooks, Doggett, Douglas-Dunbar, Foster, Chris Lewis, Mills and David Thomas)

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### **74. Minutes**

The Minutes of the meeting of the Cabinet held on 7 January 2020 were confirmed as a correct record and signed by the Chairman.

### **75. Communications**

The Cabinet Member for Children's Services, Councillor Law, informed Members that she had written to Kevin Foster MP, seeking clarification regarding Brexit plans to disregard a government pledge to protect child refugees in Europe seeking to reunite with family in the UK.

The Cabinet Member for Economic Regeneration, Tourism and Housing, Councillor Long, advised Members that a consultation event on the Housing Strategy was being held at the Foyer on Monday, 27 January at 9 am. Councillor Long also advised that the first meeting of the Town Deal Board had been held.

The Cabinet Member for Infrastructure, Environment and Culture, Councillor Morey, provided an update on Ash Dieback highlighting that over the next two years between 1,000 to 2,000 trees on Council owned land would need to be removed. Work was ongoing with partners on the Devon Ash Dieback Resilience Forum to look into external funding streams to help plant new trees.

The Leader of the Council, Councillor Steve Darling, referred to a meeting held with the Chief Executive and Leader of South Hams District Council discussing challenges and opportunities where the two authorities could work together. The Leader of the Council also raised the challenges Torbay faced with the new Chairman of the Heart of the South West Local Enterprise Partnership, Karl Tucker.

**76. Matters for Consideration**

The Cabinet considered the following matter, full details of which (including the Cabinet's decisions) are set out in the Record of Decision appended to these Minutes.

**77. Great South West Prospectus Securing Our Future**

**78. Integrated Care System Governance in Devon**

This item has been deferred.

**79. Proposals for the Adult Social Care Precept**

This item has been withdrawn.

**80. New Investment Opportunities**

There were no new Investment Opportunities.

**81. New Economic Growth Fund Opportunities**

There were no new Economic Growth Fund Opportunities.

**82. Update on Existing Investments**

There was no update at this time.

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Chairman

## Record of Decisions

### Great South West Energising our Future

#### Decision Taker

Cabinet on 21 January 2020

#### Decision

That the Great South West Energising our Future prospectus be endorsed.

#### Reason for the Decision

The Great South West Energising our Future seeks Government recognition and support to help trigger a green and blue economic revolution for the Great South West that will deliver a secure, prosperous future for all our communities. The support of Government would enable the Great South West future to be one that is smart, connected, clean and the first to achieve a net zero carbon economy.

#### Implementation

This decision will come into force and may be implemented on 3 February 2020 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Great South West Energising our Future prospectus intends to increase the economy by up to £45 billion, create 190,000 new jobs across the region and unlock the Great South West's huge potential to be the UK's world leader in clean growth backed by the region's wealth of natural and research assets at sea and on land. In doing so, the Great South West can become the UK's smart, connected and clean dynamo with the Government's help.

#### Alternative Options considered and rejected at the time of the decision

None.

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

Yes

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

None.

**Published**

29 January 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet



## Minutes of the Cabinet

4 February 2020

**-: Present :-**

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

(Also in attendance: Councillors Brooks, Bye, Doggett, Douglas-Dunbar, Foster, Kennedy, Chris Lewis, Mills and David Thomas)

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### **83. Apologies**

An apology for absence was received from Councillor Steve Darling. Councillor Cowell in the chair.

### **84. Matters for Consideration**

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

### **85. Budget 2020/21**

### **86. Crowdfunding Torbay**

### **87. Refreshed Visual Identity**

### **88. Budget Monitoring 2019/20 - Quarter Three**

The Budget Monitoring 2019/20 – Quarter Three report was noted.

### **89. Integrated Care System Governance in Devon**

### **90. Domestic Abuse Charter for Employees**

### **91. Exclusion of Press and Public**

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

that the press and public be excluded from the meeting prior to consideration of items 13 and 14 on the agenda on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) was likely to be disclosed.



Prior to consideration of the items in Minute 92 and 93, the press and public were formally excluded from the meeting.

**92. New Investment Opportunities**

**93. Local Investment Opportunity**

Chairman/woman

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## Record of Decisions

### Revenue Budget and Capital Budget 2020/2021

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

The Cabinet recommends to Council the following:

#### Revenue Budget 2020/21

- i) That the proposals identified for efficiencies, service change and income generation in 2020/21 be approved.
- ii) That the net revenue expenditure of £115.868m resulting in a Council Tax requirement of £72.328m for 2020/21 (a 3.99% increase in Council Tax, of which 2% is for Adult Social Care) be approved.
- iii) That the Dedicated Schools Grant be used in accordance with the Schools Financial Regulations and that the Chief Finance Officer be authorised to make amendments as required when the final figures are confirmed and this delegation is included in the next revision of the Council's constitution.
- iv) That the proposed Fees and Charges for 2020/21 be approved.
- v) That, in accordance with the requirement of the Local Government Act 2003, the advice given by the Chief Finance Officer with respect to the robustness of the budget estimates and the adequacy of the Council's reserves (as set out in the report) be noted.
- vi) That it be noted that the Brixham Town Council precept of £0.336m for 2020/21 will be included as part of the Torbay Council budget for Council Tax setting purposes.

#### Capital Plan 2020/21

- i) That the Capital Plan for 2020/21 as set out in Appendix 1 to the submitted report be approved.

#### Review of Reserves

- i) That, in support of the 2020/21 budget setting process, Council note the Council's reserves position.

#### Capital Strategy

- i) That the Capital Strategy 2020/21 be approved.

#### Reason for the Decision

The Council has a statutory obligation to set a budget each financial year and must take

account of all factors when setting the budget.

The Cabinet's response to the recommendations of the Overview and Scrutiny Board were set out in the submitted report.

### **Implementation**

The recommendations of the Cabinet will be considered at the adjourned meeting of Council to be held on 13 February 2020.

### **Information**

The Cabinet considered a report that outlined the draft revenue and capital budgets and implications of the draft service change, income generations and savings proposals. The proposals had been subject to detailed public consultation and examination by the Overview and Scrutiny Board (through its Priorities and Resources Review Panel).

The Overview and Scrutiny Co-ordinator outlined the report of the Overview and Scrutiny Board which provided details of the review of the Cabinet's proposals for the Council's Revenue Budget for 2020/2021. The report had been compiled in light of the findings and conclusions reached by the Overview and Scrutiny Board. The Board had taken into account the views expressed by members of the public and stakeholder representatives.

The Cabinet also gave consideration to the reports on the Review of Reserves and draft Capital Strategy.

Councillor Cowell proposed and Councillor Law seconded a motion which was agreed by the Cabinet as set out above.

### **Alternative Options considered and rejected at the time of the decision**

None.

### **Is this a Key Decision?**

Yes

### **Does the call-in procedure apply?**

No

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

None.

### **Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Crowdfunding Torbay

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

That Crowdfunding Torbay be approved set out in the submitted report.

#### Reason for the Decision

The aim of this approach is to support local projects that make communities stronger, more connected and more empowered by supporting those projects that matter to them.

Some of the key benefits that have been observed from the adoption of the crowdfunding approach across Devon have been:

- That it stretches public sector funding further than would otherwise have been the case.
- Transparency and pace, public body match funding has been found to accelerate funding pledges from the crowd. Devon County Council have noted an exponential increase in pledges from supporters once the Council pledged money. Such that the typical project realises full funding two to four weeks from going live on the crowdfunding site.
- Added value such as non-financial contributions and awareness raising of the initiative or group.

#### Implementation

This decision will come into force and may be implemented on 14 February unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Crowdfunding is a way of raising money for an initiative or venture by getting contributions from a large and potentially diverse pool of people, who often contribute relatively small sums of money. This is primarily, but not exclusively, done online through social media and crowdfunding platforms. This provides greater reach than would otherwise be possible. While this model of fundraising has been commonly used for funding commercial projects and products, more recently it is being used by an increasing number of local authorities as a way of financing community initiatives.

An opportunity has arisen whereby Torbay Council has joined the remainder of a two year Devon Crowdfund pilot (until 30/04/2020) run by Devon County Council and Devon and Cornwall Constabulary. This affords Torbay Council the opportunity to pilot a crowdfunding approach in a cost-effective way. The Council would be able to benefit from the structural and foundation work of the crowdfunding site that is already established, and sharing the cost of the crowdfunding site.

Councillor Stockman proposed and Councillor Carter seconded a motion which was agreed unanimously by the Cabinet as set out above.

**Alternative Options considered and rejected at the time of the decision**

Alternative options were set out in the submitted report.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

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

None.

**Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Refreshed Visual Identity

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

That Torbay Council's refreshed visual identity be rolled out from 1 March 2020 with the aim of only updating physical infrastructure (e.g. signage, vehicle livery and uniforms) as it reaches its usual replacement schedule.

#### Reason for the Decision

The refreshed visual identity is being proposed in order that all of our visual communications are clear and straightforward. This will mean that the Council meets its accessibility requirements – both digitally and in print.

#### Implementation

This decision will come into force and may be implemented on 14 February 2020 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

Torbay Council's 'brand' is made up of a number of elements including our objectives and our values. The Council's visual identity forms part of that brand. It is made up of our logo and the colours and fonts that we use as well as the icons, illustrations and photography which we choose.

The current logo is 21 years old and no longer fit for purpose in the digital age. A new visual identity is proposed which takes into consideration legibility, longevity and flexibility.

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

#### Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

Yes

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

None.

**Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet



## Record of Decisions

### Integrated Care System Governance in Devon

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

- (i) that the proposal for the Integrated Care System Board to be established in 'shadow' form in March 2020 be approved;
- (ii) that the Memorandum of Understanding to secure 'system' working, be approved and signed subject to the Council's Monitoring Officer requesting appropriate alterations to ensure the Memorandum of Understanding concurs with the Council's Constitutional requirements; and
- (iii) that the system assurance framework as the means of ensuring effective governance of the Integrated Care System be approved.

#### Reason for the Decision

The NHS Long-Term Plan set the ambition that every part of the country should be an Integrated Care System by 2021. It requires all organisations in each health and care system to join forces, so they are better able to improve the health of their populations and offer well-coordinated efficient and sustainable services to those who need them. Integrated care happens when NHS organisations, Local Authorities and other key partners work together to meet the needs of their local population. The most ambitious forms of integrated care aim to improve population health by tackling the causes of illness and the wider determinants of health. The Memorandum of Understanding demonstrates a clear commitment to do this.

#### Implementation

This decision will come into force and may be implemented on 14 February 2020 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Integrated Care System, Memorandum of Understanding, is an agreement between the Devon health and care partners. It sets out the details of the partner's commitment to work together in partnership to realise shared ambitions to improve the health of the people who live in our area, and to improve the quality of their health and care services.

Councillor Long proposed and Councillor Stockman seconded a motion which was agreed by the Cabinet as set out above.

#### Alternative Options considered and rejected at the time of the decision

None.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

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

None.

**Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Domestic Abuse Charter for Employees

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

- (i) that the Domestic Abuse Charter and pledge set out at Appendix 1 to the submitted report be approved; and
- (ii) that all Councillors take an active role in supporting and promoting Domestic Abuse awareness across the Council's workforce.

#### Reason for the Decision

Torbay Council is an employer who cares about the impact of Domestic Abuse on its' employees. The introduction of the Charter will provide a strategic approach in supporting this commitment and an overarching framework of actions in which to demonstrate this.

#### Implementation

This decision will come into force and may be implemented on 14 February 2020 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

#### Information

The Domestic Abuse Charter for Employees supports the work that Torbay Council is doing in regard to the wellbeing of its workforce and raising awareness of Domestic Abuse.

Councillor Carter proposed and Councillor Cowell seconded a motion which was agreed unanimously by the Cabinet as set out above.

#### Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report.

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

Yes

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

None.

**Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### New Investment Opportunities 8/01/20

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

That the Investment Opportunity 8/01/20, as set out in the Exempt Cabinet Minute 92, be approved.

(Note: the decisions in respect of Investment Opportunity 8/01/20 are restricted due to exempt information contained within the decisions.)

#### Reason for the Decision

To enable the Council to purchase a new investment from the Council's Investment and Regeneration Fund in order to generate additional revenue for the Council.

#### Implementation

The decision in respect of Investment Opportunity 8/01/20 will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 3 February 2020.

#### Information

The Cabinet considered the submitted Exempt Report on the proposed purchase of one investment on behalf of the Council in line with the Investment and Regeneration Strategy. The decision on this investment has been made, taking account of the current investment criteria and Minister of Housing Communities and Local Government Statutory guidance on Local Government Investments.

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

#### Alternative Options considered and rejected at the time of the decision

None.

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

No

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

None.

**Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet

## Record of Decisions

### Local Investment Opportunity

#### Decision Taker

Cabinet on 04 February 2020

#### Decision

That the decision in respect of a local investment opportunity 9/01/20 as set out the Exempt Cabinet Minute 93, be approved.

#### Reason for the Decision

To enable the Council to utilise the Economic Growth Fund or the Investment and Regeneration Fund in order to support a local investment opportunity in Torbay.

#### Implementation

The decision in respect of Local Investment Opportunity 9/01/20 will come into force immediately as the decision maker has decided that any delay likely to be caused by the call-in process would prejudice the Council's interest. The Overview and Scrutiny Co-ordinator was consulted on 4 February 2020.

#### Information

The Cabinet considered the submitted Exempt Report on a local investment opportunity. The Cabinet considered the proposal against the criteria of the Economic Growth Fund and the criteria of the Investment and Regeneration Fund.

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

#### Alternative Options considered and rejected at the time of the decision

None.

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

No

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

None.

**Published**

6 February 2020

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Leader of Torbay Council on behalf of the Cabinet





**Meeting:** Cabinet/Council

**Date:** 20 and 27 February 2020

**Wards Affected:** All

**Report Title:** One Torbay: Working for all Torbay – Community and Corporate Plan

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** Following approval from Full Council

**Cabinet Member Contact Details:** Councillor Steve Darling, Leader of the Council, [steve.darling@torbay.gov.uk](mailto:steve.darling@torbay.gov.uk)

**Supporting Officer Contact Details:** Kate Spencer, Head of Policy, Performance and Community Engagement, 01803 207014, [kate.spencer@torbay.gov.uk](mailto:kate.spencer@torbay.gov.uk)

## 1. Proposal and Introduction

- 1.1 Following the local elections in May 2019, a Community and Corporate Plan has been prepared by the Cabinet which sets out the ambitions and visions of the Council over the remainder of the term of office and the principles within the Council will operate.
- 1.2 Following the release of the draft plan, the Cabinet have undertaken a range of engagement activities as part of its commitment to changing how the Council engages with its residents, communities and partners, to ascertain views upon the draft. As a result a number of amendments have been made to the Community and Corporate Plan, for final consideration and approval by Full Council.

## 2. Reason for Proposal and associated financial commitments

- 2.1 The Community and Corporate Plan is the overarching document within the Council's Policy Framework setting out the Council's ambitions for the next four years.
- 2.2 The proposals contained in the plan do not commit the Council financially. As each aspect of the Plan is progressed, due consideration will be given to the financial impacts of each decision, and appropriate governance for the decisions will be followed.
- 2.3 Following approval of the plan, it is the intention of Cabinet to bring forward for consideration an immediate action plan, setting out how they will be progressing the ambitions and visions, and this will also reference clearly the strategies that will be underpinning the plan.

### **3. Recommendation(s) / Proposed Decision**

That the Cabinet recommend to Council:

- (i) That “One Torbay: Working for all Torbay” be approved as a Policy Framework document of the Council,
- (ii) That the list of Policy Framework documents in the Constitution be updated to change the name to ‘Community and Corporate Plan.’

### **Appendices**

Appendix 1: One Torbay: Working for all Torbay – Community and Corporate Plan

Appendix 2: Consultation Feedback Report

### **Background Documents**

None

## Section 1: Background Information

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| <b>1.</b> | <b>What is the proposal / issue?</b><br><br>“One Torbay: Working for all Torbay”, the Council’s Community and Corporate Plan has been amended by the Cabinet following consideration of the consultation responses received.   |
| <b>2.</b> | <b>What is the current situation?</b><br><br>Following the Local Elections in May 2019, work has been underway with the Cabinet to articulate the ambition and vision of the Council over the next four years and the longer term.<br><br>All other members of the Council have been invited to share their views through the induction programme which included sessions on the issues facing Torbay and how we could work together to address those issues, and it builds also builds on the findings from the Community Conference held in September 2019.<br><br>Consultation has been undertaken on the draft plan, and it has also been considered by Overview and Scrutiny.   |
| <b>3.</b> | <b>What options have been considered?</b><br><br>The document which is now put forward for final approval has been developed over a period of time and is a result of an iterative process and consultation.   |
| <b>4.</b> | <b>What is the relationship with the priorities within the Partnership Memorandum and the Council’s Principles?</b><br><br>The Plan has been developed based around the priorities within the Partnership Agreement. Further detail is now included around how those priorities can turn into visions for Torbay and the priorities for each of those visions.<br><br>The previous Corporate Plan identified three principles: <ul style="list-style-type: none"><li>• Use reducing resources to best effect</li><li>• Reduce demand through prevention and innovation</li><li>• Integrated and joined up approach</li></ul><br>These are already embedded into the work of the Council and, given the demand and funding pressures faced by the Council, they continue to be appropriate principles against which to operate. |

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|    | <p>The Partnership Agreement also makes clear the Cabinet’s commitment to engage with and empower our communities. Therefore a fourth principle is included:</p> <ul style="list-style-type: none"> <li>• Enable our communities</li> </ul>   |
| 5. | <p><b>How does this proposal/issue contribute towards the Council’s responsibilities as corporate parents?</b></p> <p>The Council’s role and responsibility as a Corporate Parent is central to all that we do. The Corporate Plan is committed to the delivery of good social care services, including the role as corporate parent.</p> |
| 6. | <p><b>How does this proposal/issue tackle poverty, deprivation and vulnerability?</b></p> <p>Tackling poverty and inequalities is central to the Plan. The Plan sets out how the Council will ensure that our residents, as well as the place, thrive.</p>  |
| 7. | <p><b>How does the proposal/issue impact on people with learning disabilities?</b></p> <p>Ensuring that all of the people in Torbay thrive is one of the visions within the Plan. This includes those people with learning disabilities.</p>  |
| 8. | <p><b>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</b></p> <p>The aim of this Plan is to impact on everyone in Torbay and it has been the subject of consultation.</p>   |

## Section 2: Implications and Impact Assessment

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| 9. | <p><b>What are the financial and legal implications?</b></p> <p>There is no statutory requirement to have a Community or Corporate Plan. However, being clear about our ambitions gives the Council, our staff, partners and the community a clear understanding of what we seek to achieve.</p> <p>The Plan identifies the need to explore new and innovative ways to deliver services, as well as the need to integrate with our partners to maximise value for money and deliver the best possible outcomes for and with our communities.</p> |
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| 10. | <p><b>What are the risks?</b></p> <p>Without a Corporate Plan it becomes difficult to set a coherent direction of travel for the Council.</p>   |
| 11. | <p><b>Public Services Value (Social Value) Act 2012</b></p> <p>Not applicable.</p>  |
| 12. | <p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>Feedback received through the Member Induction Programme and the Community Conference had been incorporated into the draft Plan.</p> <p>The consultation and engagement that was undertaken, has been considered in preparing this final version for consideration by Council.</p>   |
| 13. | <p><b>What are key findings from the consultation you have carried out?</b></p> <p>The key areas raised from the consultation in respect of the draft plan included;</p> <ol style="list-style-type: none"> <li>1. Strengthening the commitment in respect of climate change</li> <li>2. Stating that the provision of quality children's and adult social care was a priority,</li> <li>3. Stating that reducing deprivation was a priority</li> <li>4. Inclusion of safer communities as an area to work upon with partners.</li> </ol> <p>There were also many comments in respect of the need to turn the Plan into action. In this respect it is the intention of Cabinet once the plan has been approved to bring forward for consideration an immediate action plan, setting out how they will be progressing the ambitions and visions, and this will also reference clearly the strategies that will be underpinning the plan.</p> |
| 14. | <p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>Amendments to the Plan have been made following the consultation.</p>  |

## Equality Impacts

| 15. | Identify the potential positive and negative impacts on specific groups   |   |                                      |                |
|-----|---|---|--------------------------------------|----------------|
|     |   | Positive Impact   | Negative Impact & Mitigating Actions | Neutral Impact |
|     | Older or younger people   | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | People with caring Responsibilities   | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | People with a disability  | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | Women or men  | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | Religion or belief (including lack of belief)   | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | People who are lesbian, gay or bisexual   | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | People who are transgendered  | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | People who are in a marriage or civil partnership   | The aim of the Plan is to have a positive impact on this group.   |                                      |                |
|     | Women who are pregnant / on maternity leave   | The aim of the Plan is to have a positive impact on this group. . |                                      |                |

|            |   |  |  |  |
|------------|---|--|--|--|
|            | Socio-economic impacts (Including impact on child poverty issues and deprivation)   | The aim of the Plan is to have a positive socio-economic impact.   |  |  |
|            | Public Health impacts (How will your proposal impact on the general health of the population of Torbay)                           | The aim of the Plan is to have a positive impact on the general health of the population of Torbay.  |  |  |
| <b>16.</b> | <b>Cumulative Impacts – Council wide</b><br>(proposed changes elsewhere which might worsen the impacts identified above)          | As the rest of the Council’s Policy Framework is reviewed and developed we will ensure that the cumulative impacts have a positive impact on the area and its residents. |  |  |
| <b>17.</b> | <b>Cumulative Impacts – Other public services</b><br>(proposed changes elsewhere which might worsen the impacts identified above) | The Council is continuing to work with its partners across the public sector to ensure a positive cumulative impact on the area and its residents.                       |  |  |

# One Torbay: Working for all Torbay

Community and Corporate Plan 2019 – 2023





# Our Ambition

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We want Torbay and its residents to thrive.

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

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

## Our Mission

We will be a Council that supports, enables and empowers its residents, our communities and our partnerships.

## Our opportunities and challenges

Torbay can offer an unrivalled quality of life for individuals and families – its natural environment, clean air, climate, location, excellent schools, growing arts and cultural sector, low crime rate and wide range of outdoor activities means that Torbay can provide everyone with the opportunity to live a healthy and fulfilled life.

We need to make sure that everyone benefits from these opportunities whilst at the same time meeting the challenges that we and our communities face:

- **An ageing population**
- **An unprecedented demand for services for children in need safeguarding and the protection of care.**
- **The need for economic and housing growth**
- **The climate change emergency**
- **Substantial reductions in central government funding**

# Working Differently

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At the Community Conference in September 2019, we started a different conversation with the community. We heard four very clear messages from our community. We recognise that people and communities want to be more involved in how we can work together to improve Torbay. We want to have better on-going conversations with individuals, groups and organisations to help us make Torbay thrive.

We will be a Council that supports, enables and empowers its residents, our communities and our partnerships. To do this, we commit to working differently:

## **There needs to be a change of culture in the Council and in communities.**

The Council will embrace a spirit of cooperation and partnership with the people, businesses and organisations in Torbay and those outside Torbay which affect our lives. This will take a change in attitude as well from those potential partners. If we change, we ask others to as well because partnerships cannot work without partners.

## **Trusted relationships with communities need to be built.**

This can only be done by the Council leading at both a strategic and local level with an open approach to the challenges that are faced. Strategically this will be done by the Cabinet being prepared to talk and listen to anyone and everyone. At ward level our councillors will become community champions with support to help them build community level partnerships. We will enable and empower our communities to design and deliver services and to support one another.

## **Communication with communities and individuals needs to improve.**

This is a two-way challenge which the Council accepts must be led by it in the early stages. We want to explore how we can embed partners and communities within the very heart of our decision making. We are committed to continuing conversations with our communities.

## **Celebration of the Bay and its people need to be encouraged.**

For too long the Council and its partners have talked up the problems and challenges and not provided the balance of the great opportunities of this area. We need people to want to live and invest here. We must realistically put forward the many positive sides of Torbay, its opportunities and its people. From now on, we will celebrate Torbay together.

# Four Visions

To deliver our ambition we have identified four visions, each with a number of priority areas.

## Thriving people

The people of Torbay will have a good quality of life with access to excellent schools, affordable housing and great local amenities. We will promote good mental and physical health by providing early help.

We will ensure that all activities of the Council are focused on turning the tide on poverty and that Torbay's residents, young and old have high aspirations and the opportunity to reach their full potential. Our aim is to ensure that all our residents are active, healthy, safe, resilient and self-sufficient with good quality homes, which are affordable and meet their needs. They will have access to high quality employment opportunities whilst living in a community which is vibrant and attractive.

For those in need of extra support, there will be access to good quality children's and adult social care.

We will create a whole community response to make Torbay a child-friendly and age-friendly place. One Torbay: Working for all of Torbay so that the people in our communities thrive. We will:

### Turn the tide on poverty

Protect and involve children and young people

Reducing levels of deprivation in the bay

Improve the delivery, affordability and quality of housing

Make greater use of our natural assets and cultural offer

### Have high aspirations for all of our residents

Support healthy, physically active lives for all

Promote good mental and physical health, reducing the occurrence of preventable illnesses

Reduce reliance on addictive substances

### Build safer communities

Work with partners to tackle crime, including exploitation, and its effects

Work with partners to reduce offending and reoffending and its impacts

Work with partners to tackle domestic abuse and sexual violence and its effects

## Thriving economy

Economic growth is essential if we are to turn the tide on poverty in Torbay. We will capitalise on Torbay's strengths to create more opportunities for jobs and better paid jobs and stimulate economic growth to create change that benefits everyone who lives here.

We will achieve our economic potential and play our distinctive role in the national and international economy. We will be well-connected with skilled individuals, a diverse economy and higher quality, better paid jobs.

We will work to ensure that the local economy is sustainable so as to deliver long term future prosperity and an improved quality of life for all of our residents, especially those living in our most deprived areas. We want to achieve clean, green and inclusive growth.

Through our people, our businesses and our infrastructure, we will create a whole community response to drive forward clean, inclusive growth. One Torbay: Working with all of Torbay so that our economy thrives.

We will:

**Create an environment in which businesses and jobs can grow and where we have a local economy which is successful and sustainable**

Capitalise on the unique strengths of our economy

Focus on areas of significant deprivation

Build community wealth

Support the creation of University College South Devon

Close the educational attainment gap and broaden the skills base within the workforce

Protect and accelerate the development of employment space to accommodate business growth

**Be the premier tourist resort in the UK**

Regenerate and re-invent our town centres

Capitalise on our unique heritage

## Tackling climate change

We recognise that environmental sustainability must influence everything we do. The benefits of taking action on climate change and protecting our environment (for instance for health, the economy, and our communities) means it must be part of our core approach.

Climate change is having major global and local impacts. The Council recognises it has a key role and opportunity to tackle the causes and effects of climate change in Torbay. We will play our part in working towards carbon neutrality and strengthening Torbay's resilience to a changing climate.

As a Council we will protect and enhance our high quality built and natural environment safeguarding it for future generations. We have a role in bringing the bay together, leading by example and encouraging community pride in our wonderful environment.

We will work to reduce consumption and increase recycling. We will promote low carbon energy and work to improve poor air quality and reduce noise and emissions.

We will create a whole community response to protect our environment. One Torbay: Working for all of Torbay to tackle climate change. We will:

### **Become a Carbon Neutral Council and work with others to create a carbon neutral community**

Increase recycling rates

Reduce Torbay's carbon footprint

Encourage a sustainably developed built environment

Implement re-wooding and rewilding

Address flooding risks

Improve communications and transport connectivity and sustainability

## Council fit for the future

We will provide efficient and effective services and be open and transparent with our communities.

We will work collectively to ensure the long-term stability of the Council and the services that it legally has to provide, recognising that there will be difficult decisions to be made. We will be clear as to the services that the Council can provide and we will empower community capacity building. We will work to reduce the cost drivers of our high-cost services, deliver efficiencies and increase the Council's income where possible.

We will fundamentally change the way in which the Council communicates and engages with residents. We will strengthen our relationships within the community and across our partnerships, including ensuring that our plans align.

We will be an organisation that our communities can trust. One Council: Working for all of Torbay to enable our communities and create a Council fit for the future. We will:

### **Create a culture of partnership between the Council and communities**

Use technology to drive change

Promote community resilience

Become an enabling council

# Our Approach

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## Enable our communities

We will engage with our community on how they want to work with the Council to design and deliver services. We will use an asset based approach to build a framework around the community delivering and supporting services – One Torbay: Working for all Torbay. Our councillors will be community leaders, facilitators and advocates of the Council and the community.

## Use reducing resources to best effect

We will continue to ensure that we are working to maximise efficiencies and that every pound and every hour of work is well spent. We will maximise our use of technology so that our residents can take control of when, how and where they consume our services. We will continue to seek innovative solutions such as delivering services with greater community support and through integrated working with partners. We will maximise our income generation opportunities. However, together we may need to find other ways of delivering services and may even need to stop providing some – but in these situations we will have first considered with the community all other options.

## Reduce demand through prevention and innovation

We will build on our current approaches of working together to reduce demand for services. Multi-agency teams will work within communities to deliver joined-up services and respond to the needs of those communities.

We will create an environment where our communities flourish with good physical and mental health – with integrated services where people and families are supported in all aspects of their lives to prevent progression to the need for more intense care. We will work in partnership with the community and voluntary sector to build resilience and ensure they are equal partners on service design and delivery.

Prevention and early intervention will be a key component of all Council services. In providing services which help to address needs earlier and aim to deal with the wider causes of all problems, the Council will improve outcomes for communities and individuals.

## Integrated and joined up approach

We will work together with our communities and partners to address our challenges and work to achieve Torbay's potential – One Torbay: working for all Torbay.

We will continue be part of the Torbay Together partnership, recognising that no organisation can deliver for the community on its own. Torbay Together has developed a vision for the future growth of Torbay which creates wealth, provides opportunities and allows Torbay to contribute more fully to the achievement of a competitive, productive and proud UK economy.

We will also continue to be an active member of the Heart of the South West Joint Committee and the Emerging Greater South West proposals.

At a local level, we will continue to work with our wide range of partner organisations, both within the public sector such as the NHS and Police, the private sector and the community and voluntary sector to ensure we maximise the opportunities to deliver services together.

# Together we can

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The Partnership has a vision of Torbay as a place of ambition, drive and opportunity, the tide is turning in Torbay and we are proud to be leading this.

We fundamentally want to do things differently, working with individuals, communities and partners.

**Together we can....**

**Create One Torbay: Working for all Torbay.**

Councillor Steve Darling

Councillor Darren Cowell

Leader of Torbay Council

Deputy Leader and Cabinet Member for Finance





## One Torbay: Working for all Torbay Draft Community and Corporate Plan 2019/23 Consultation Report January 2020

| Number responses received |
|---------------------------|
| 66                        |

This consultation was open between 27 November 2019 and 24 January 2020.

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# 1. Summary

## Purpose

Following the local elections in May 2019, a draft Community and Corporate Plan was prepared by the Cabinet. This plan identifies the ambition and visions of the Council over the next four years, and sets out how the council intends to deliver them. We developed our plan taking account of the views we heard at our Community Conference in September 2019. We asked to hear the views of the community about our draft Plan. We asked them to read the Plan and tell us;

- ☒ Have we got our ambition, our visions and the priority areas right?
- ☒ Which aspects of the Plan are most important to you?
- ☒ How can we work together with the community to turn the Plan into actions?

## Scope of consultation

Public consultation on the Draft Corporate and Community Plan started on 27 December 2019 and closed on 24 January 2020. The aim of the consultation was to ensure that residents, stakeholders and groups were aware of the proposed new Community and Corporate Plan and to encourage them to provide feedback on it.

The consultation was communicated to the Torbay community via a press release to local media outlets and by posts made on Twitter and Facebook which directed the public to the electronic survey and PDF of the Draft Plan on our website. Posters were also put up in all public facing offices and at Torbay Libraries.

The consultation was promoted to all Community Partnerships and our key stakeholders. They were contacted directly, informed how they can get involved in the conversation, and asked to share awareness within their communities. They were offered the opportunity for a Councillor to attend one of their public meetings in order for them to learn more. Ward Councillors were briefed and asked to distribute posters at key community locations within their wards. The consultation was also promoted to all Council staff via email and at staff briefings.

All local residents, business owners and organisations were invited to give their views via the online questionnaire. Over 400 Viewpoint panel members were emailed a link to the questionnaire and asked to complete it. We received 66 completed questionnaires. Comments are summarised, categorised and shown in tables in this report. There were also three written representations received.

As part of the consultation, the draft plan was considered by members of the Overview and Scrutiny Board. The Board made recommendations of amendments and inclusions for the plan and that they will monitor the Action/Delivery Plans that will sit behind "One Torbay Working for all Torbay".

A drop-in Cabinet Conversation was held on 14 January where members of the public could ask questions about the the Budget, Draft Community and Corporate Plan and the Draft Housing Strategy.

Torbay Community Development Trust (CDDT) asked Council representatives to attend an event on the Budget, Draft Community and Corporate Plan and the Draft Housing Strategy on 23 January 2020. An extract from a report by CDDT about the event is at Appendix 2.

## Social Media

The consultation was promoted widely across all Torbay Council's social media accounts, including Facebook, Twitter, and LinkedIn. A range of social media posts were created and a Facebook Live was held where Cabinet Members answered questions from members of the public.

During the consultation 13 Facebook posts (including Facebook Live itself) and eight tweets relating to the Community and Corporate Plan consultation were posted on the council's accounts and they reached a potential audience of more than 44,500. More importantly, engagement was high across both platforms with a total recorded 3,673 reactions, comments and shares. The engagement percentage rates (the percentage of people reached who liked, shared, commented or clicked on our posts) for both Twitter and Facebook was high, achieving an average of 5.14% for Facebook and 1.35% on Twitter. For comparison, the latest figures show the average engagement rate is 0.1% for Facebook and 0.06% for Twitter.

The Ask Us Facebook Live on Tuesday 7 January, which also answered questions on the 2020/21 Budget proposals and the Housing Strategy, reached a potential audience of over 7,200. At its peak it had 76 live viewers and there were a total recorded 3,200 views of three seconds or more recorded on 27 January.

The posts drove people to the consultation. There were 205 direct link click from our Facebook and Twitter posts to the main consultation webpage and the Community and Corporate Plan consultation webpage.

Most of the feedback on Torbay Council's social media channels was posted on Facebook.

Torbay Council responded to comments to answer any questions posed, to correct misinformation, to signpost people to the consultation, and to refer comments to relevant departments. In addition, members of the Council joined in the conversations and were able to put their views direct to residents.

Themes of the comments in response to our social media posts are listed below.

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- Underutilisation of assets
- Parking meters and cost of parking
- Ambiguous aims and a woolly document – no details
- Better infrastructure for new housing developments
- Closure of toilets and charges
- Maintenance of seafront lights
- LED street lights
- Parking charges
- TOR2 performance and fines
- Lack of funding
- Planning staff turnover
- Lack of professionalism at the Council
- The cost of a carbon neutral Council
- The Council don't listen
- The Council don't respond to comments
- Service changes and community support

## 2. Results

### Have we got our ambition, our visions and the priority areas right?

| Yes – 28   | Maybe (or something is missing) – 17   | No - 18   |
|--|--|---|
| <p>Page 45</p> <ul style="list-style-type: none"> <li>Working in partnership is essential to develop and support Torbay. This needs to be through open and honest conversations without working in silos.</li> <li>It must start now. The talking so far has been good, residents and businesses need to see positive action.</li> <li>We all need to start to treat the climate emergency as a real threat to humanity. The council can help to promote change in this area and lead so that others can follow.</li> <li>Broadly speaking Torbay Council now appears to be displaying a positive, forward thinking attitude, with a keen eye on ensuring that key areas of adult and child care, along with severe poverty are now going to be tackled with a bit of enthusiasm. It is early days and the community will be watching to see how things develop.</li> <li>It's a good start</li> <li>Brilliant - go for it!</li> <li>The strategy is a breath of fresh air. Its emphasis on a change of culture and the need to build trust is enormously welcome. The strategy's recognition of deep-seated problems and the priority given to turning the tide on poverty is neatly coupled with the upward vision to create and sustain a thriving community. The climate emergency should be more powerfully expressed, with the drive being more for a carbon neutral community than just a carbon neutral council. Building community capacity to tackle local and global issues through effective partnerships will be key to success in many areas and this strategy should be the springboard for action.</li> <li>There is a good focus on our communities' needs.</li> <li>I completely agree and support the 'ambitions and vision' for Torbay, and I am especially pleased to see that the Council is committed to "Working Differently" by consulting with (and hopefully listening to) its residents. You have seriously underestimated the enormity of certain obstacles and challenges that must be overcome. Re-gaining the community's trusts has to be the first priority.</li> <li>I think so. A thriving economy, turning the tide on poverty &amp; inequalities, is a critical objective. Otherwise we cannot be a premier resort. Celebrating our exceptional natural environment &amp; geology is also high on the list of the areas we should be emphasising. This then feeds into how do we achieve those objectives, while acting in response to the Climate Emergency.</li> </ul> | <ul style="list-style-type: none"> <li>I fear you may put making money, before what the community really want. You have to listen to what people say.</li> <li>Regeneration should be prioritised.</li> <li>You've clarified the issues in the bay. Not sure of how this can be achieved.</li> <li>How will you achieve these with all the monetary constraints?</li> <li>You have not addressed cleaning up the area.</li> <li>You also need to focus on improving transport links to ensure the elderly residents aren't isolated leading to a further demand on Social Services.</li> <li>The plan doesn't outline exactly how you intend to achieve your aims.</li> <li>It should be more ambitious in regard to climate change. We need to see more detail and an action plan to determine what it shall achieve.</li> <li>Make it simple so people understand.</li> <li>Delivery statements are weak - turning the tide on poverty is about proactive economic development not social welfare.</li> <li>A 'clean and tidy' Torbay should also be our ambition.</li> <li>Needs more on improvements to town centres. Lessen the parking charges to entice residents back to town, thus supporting the local traders and economy.</li> <li>There are a lot of "we will" deliver this and that, without any mention of "how we will".</li> <li>There is nothing wrong with the ambition or vision but some appear to conflict and there is no information as to how it will be achieved. I accept some detail can develop but more should also be set out at this point.</li> </ul> | <ul style="list-style-type: none"> <li>It will create more problems just for the short term gain of plugging an unfair funding system. We are told major development will bring jobs, but the fact is there are no net gains. Out of town has become an urban concrete jungle, while every day we see the decline in our towns. House building should be jobs lead.</li> <li>Putting in parking meters, charging high prices to park will ensure Torbay's decline. How is this empowering child friendly, age friendly, working for all of Torbay? Turn the tide on poverty by making everyone pay high prices to park their car. Local buses hardly provide affordable substitutes. Don't just provide for those on benefits. What about people who earn just above this line? What are you providing for them?</li> <li>Nothing about social care. Nothing about roads and rail and infrastructure. Nothing about policing and security.</li> <li>This is waffle. Visitors are not coming here - parking is an expensive joke. Businesses are sick &amp; tired of paying to have clean, recyclable, waste taken away. Our towns are stuffed full of charity shops selling new stock in direct competition with proper retail, enjoying massive rate reductions &amp; tax breaks.</li> <li>Just read every word. What a complete load of tosh. All you are stating is what you should be doing and should have been doing. Action is required and all I see here is more talking shops and committees.</li> <li>Some too vague or conflict with each other. Sustainability needs to be on human level not just environmental. Economy needs to be of local people not for profiteering big corps. We need to look at places that work - Plymouth, Totnes, Honiton.</li> <li>It doesn't say much about reducing crime or antisocial behaviour.</li> <li>You don't listen to the public, the bay is a dump these days.</li> <li>The most fundamental ingredient which forms the basis of local growth, local prosperity and local resilience is focus, support and priority for local enterprise and locally created and grown businesses, not "play a distinctive role in the national and international economy" as you state in the plan. The "business as usual approach" which is strongly suggested in your plan is no longer fit for purpose, we really must do things creatively and differently.</li> <li>Instead of promoting and supporting new housing developments we should be looking at re-purposing and re-using empty properties first, second improving and retrofitting existing houses, and thirdly, if we must build new houses, do so in brownfield sites and prioritise those developers who will build low carbon Passivhaus standard affordable houses.</li> <li>It's no good building hotels if you're letting the rest of the infrastructure decline.</li> </ul> |

**Which aspects of the plan are most important to you?**

| Thriving Communities - 22   | Thriving Economy - 21  | Tackling Climate Change - 14  | Council Fit for the Future - 8   |
|---|--|---|--|
| <p>Page 46</p> <ul style="list-style-type: none"> <li>Children...we have a time bomb of society which has been failed by their parents (who were failed by theirs etc etc) . Society needs to support that parenting. This doesn't mean throwing money at individuals but money diverted into efforts to mentor and support.</li> <li>Council could get more income by issuing parking tickets to those that consistently park in stupid places. Our roads are not wide enough to cope with the larger more popular vehicles, so consider yellow lines on one side of roads, which allows emergency services to get through!</li> <li>The investment in areas the locals will benefit from. No one is proud to live here, we should be it is beautiful!</li> <li>A pleasant place to live - putting meters in at Preston, you are charging the locals a cost most cannot afford to enjoy the beaches and open spaces that they pay to maintain by paying their council taxes.</li> <li>happy children; more woods and green spaces</li> <li>Projecting our unique and special natural environment is absolutely essential for everyone's wellbeing benefit and especially if tourism is to be maintained as our primary business / growth objective.</li> <li>Working with the community to deliver services using asset based community development.</li> <li>Turning the tide on poverty and its attendant problems of deprivation, ignorance, addiction, homelessness and hopelessness. Addressing the needs of the most vulnerable young and elderly. Tackling the climate emergency. Doing all these things through powerful and effective public/private/voluntary sector partnerships.</li> <li>Get empty housing back into use. Treble tax on long term vacant units. Compulsory purchase. Accommodation over shops should be brought into use.</li> <li>Children, safeguarding, good schools and local amenities</li> <li>Stop ripping off the locals and scaring off the visitors</li> <li>Inspiring young people and creating opportunities for their future.</li> <li>Encouraging people to utilise the local area. Increase footfall into the towns and making them pleasant places to go. Reduce homelessness</li> <li>Making people live and work together for the bettering of Torbay. A safe place for residents.</li> </ul> | <ul style="list-style-type: none"> <li>Inward and external investment- let's encourage it not put obstacles in the way. Premier resort means premier facilities and clean streets, maintained gardens and slipways and beach access not closed but improved</li> <li>Thriving People and the economy.</li> <li>Be the premier tourist resort in the UK - what is the definition for premier please?</li> <li>Poverty and economic development</li> <li>Tourism, events, arts, culture, natural and built environment - but they need to be developed and delivered with the rest of the plan, not in isolation.</li> <li>All important! Thriving economy underpins it all...then Thriving people and I am passionate about Tackling climate change</li> <li>Regenerate Torquay as a place people want to come and visit. Not likely with how much you charge for parking and how many shops are closing. Not to mention the amount of so called homeless people adoring the streets.</li> <li>Helping small businesses, to do this you must stop making parking charges so high, and where ever there is space you must stop putting in parking meters.</li> <li>Encouraging enterprise;</li> <li>Encouraging business and well paid job employment growth is essential if we are to turn the tide on poverty etc, but this will only be achieved if the aspiration is aligned with, and incorporated within, the Housing Strategy.</li> <li>Openness and transparency. Becoming a premier tourist resort.</li> <li>Tourism, this is the bread and butter of Torbay</li> <li>Regeneration of Town Centres.</li> <li>Regeneration of town centres, affordable housing, rubbish collection/recycling.</li> <li>Employment, apprenticeships provision, less intensive housing projects, better facilities, public conveniences(free to use) especially in Brixham where no provision exists. Better transport links, a great idea would be a monorail or similar linking Brixham, Paignton and Torquay to reduce traffic and thereby reducing carbon emissions, make cyclists use the cycle paths that have been provided for them at great expense to the community.</li> <li>Regeneration. Regeneration. Regeneration. Without this how can we start to think our children will be in work, safe and able to provide for their own. We currently have too much greed from our council, too little vision</li> </ul> | <ul style="list-style-type: none"> <li>Climate emergency and clean air</li> <li>Having a clean Torbay is large on my agenda. Having lived in the Bay over 40+ years I have never seen so much plastic and paper in hedgerows. Having cut down bins on streets people just dump the rubbish! Protect our environment or lose it. Also roads are in a really bad way especially away from the main tourist routes! Some have so many holes and bumps I am surprised there are not more accidents especially for the poor motor bike user/cyclists.</li> <li>Taking action on climate change and embedding environmental best practice into all other areas of the vision; seeing economic and social growth as 'in harmony', not at odds with, doing the right thing for the environment and our wildlife. The most important challenge we face as humans on this planet is changing our behaviour in a way that allows nature and technology/economic interests to co-exist. This means not viewing the climate or the environment as a separate issue or topic for discussion -- it must be viewed as the basic starting point for all other conversations. Rewilding, supporting natural habitats, showcasing all that Torbay has to offer and getting the community interested in all of this are the most exciting and necessary areas for me.</li> <li>Climate emergency and clean air</li> <li>Climate change! Schools and residents need to be educated ASAP and made to meet recycling targets</li> <li>Recycling is a joke, we sort everything into the designated boxes and they just bung it all in one wheely bin, to be put in to landfill, I expect. A pleasant place to live and for people to visit, preserve what we have, and don't keep pulling it down to build modern hotels etc, which do not fit in with the character of the bay.</li> <li>Becoming a council who take climate change seriously and work to reduce our carbon footprint</li> <li>Climate Change - This has to be at the very top of all Council decisions. Support, investment and prioritising of locally grown businesses. Working with the community.</li> <li>Tackling Climate Change/Improving the Environment</li> <li>Stop/restrict development on existing green spaces particularly along the A380 and the impact on the environment and the damage to</li> </ul> | <ul style="list-style-type: none"> <li>Changing from a council which is the enemy of the people to one which supports the majority of the population</li> <li>Whose plans, ours the Neighbourhood plans or the ones that keep trying to undermine the community. Why these undemocratic consultations that few know about? Respecting the Neighbourhood plans is what is important to me/us.</li> <li>Reigning in the overspending especially in Children's Services area, which struggle.</li> <li>Co-operation and partnership are essential if the priorities are to be delivered. As indicated social care tops the list for me, followed by a fair distribution of opportunities for all of the towns in the Bay.</li> <li>Change is good ... and is needed as society changes, but how many more visions do we need. The job of the council has not significantly changed.... education, social care, policing, roads and infrastructure, promoting the holiday business ... Stop reinventing the wheel, and relaunching the same council.</li> <li>Commitment to greater community involvement and communication - this is a very welcome change.</li> <li>That it's what residents want and what they get. Putting forward proposals to test the water and then withdrawing idea after public backlash looks good - but the fait accompli is given the following year by unelected steering groups and goes through anyway</li> <li>Lower Council Tax</li> </ul> |

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| <p>A good place to learn and grow. A good place to age.</p> <ul style="list-style-type: none"> <li>• To end the poverty within the Bay and energise our businesses, listening to the community is vital in all regards.</li> <li>• To give Torbay back its identity</li> <li>• Local people's needs. Parking problems for locals to expensive. Clean areas instead of bins overflowing. Better roads no pot holes. Cheap/ free Children's and OP facilities. Empty shops and B&amp;Bs turned into housing or community hubs instead of left to rot as having homes more important than empty shops getting no income making the towns big community places instead of empty dirty places</li> <li>• Healthy Living, Tackling Isolation and improving Transport Links.</li> <li>• Tackling poverty, the mess in the town centre, including the dilapidated and unkempt look of buildings, homelessness and violent behaviour</li> <li>• People. I am concerned that there is a lack of leadership and ownership by the council. Lots about enabling and supporting others and i accept that is important with reduced resources but it lacks information on how the council will direct or lead and use its resources effectively.</li> <li>• Reducing poverty - this will in turn reduce other problems and lead to improvements in people's overall quality of life. Developing a sustainable local economy - including community wealth building, and developing the Social Enterprise sector.</li> <li>• Tackling poverty, homelessness &amp; deprivation; and living somewhere with an ENABLING Council. There is an enormous amount of skill, enthusiasm and capacity to engage with the Bay's communities.</li> </ul> <p>Page 47</p> | <p>and people with no back bone to get the job done - even if it does upset a few!</p> <ul style="list-style-type: none"> <li>• Making town centre better. Making more free activities for children in the bay.</li> <li>• Tourism - parking, beaches</li> <li>• Attracting further investment and industry to Torbay</li> <li>• Providing work for all, so that they can afford to buy or rent homes; caring for those who need it.</li> <li>•</li> </ul> | <p>the substantial but endangered fauna and flora. More development (residential and industrial) on green spaces shall add to levels of CO2 and pollutants and overload the existing stressed road infrastructure. Focus of developments on brown field areas of which there are considerable number. There should be a focus on planting new woodland on greenfield sites which could benefit the local community for healthy leisure activity as well as an economic value in supporting tourism. The lack of trees in Torbay is very noticeable and this must be addressed as a matter of urgency. Destroying trees on new greenfield developments must stop. Only developers/house builders profits benefit whilst the environment and your electorate ultimately shall suffer.</p> <ul style="list-style-type: none"> <li>• Plans to tackle the Climate and Ecological Emergency - this needs to underpin all decisions made in every sector. It cannot be effective if it is viewed as separate.</li> <li>• Climate change. I am concerned that there is a lack of leadership and ownership by the council. Lots about enabling and supporting others and i accept that is important with reduced resources but it lacks information on how the council will direct or lead and use its resources effectively.</li> <li>• Climate Change - if this is not really tackled properly the rest is an increasingly difficult challenge and one with a worse more short term future. An "Emergency" has been declared by the Council but what in terms of delivered actions from the 2014-2019 Environmental Strategy Policy document has been delivered i.e. translated into action ? If the Council believe it is an Emergency action reflecting that needs to be taken giving it at least an equal priority as the short and immediate demands on time and finance of e.g. the Budget and Children's Services. We need to immediately set up a dedicated specific "Climate Change Action Team" to focus on progressing this and put in place a new Strategy Policy and Action Plan.</li> <li>• Addressing the Climate Emergency. There is an enormous amount of skill, enthusiasm and capacity to engage with the Bay's communities.</li> </ul> |  |
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**How can we work together with the community to turn the Plan into actions?**

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|--------------------------------|--|
| <p>Work with the community</p> | <ul style="list-style-type: none"> <li>• Talk to community groups and individuals and follow the Neighbourhood Plans of the three towns.</li> <li>• support and communication with council owned community centres is badly needed to help deliver the identified objectives</li> <li>• Encourage communities to get involved. get staff to help rather than obstruct community work</li> <li>• You don't work with the community. Lots of people give up their time voluntarily to help their communities only to be ignored by you.</li> <li>• Engage more frequently with communities on a smaller basis than the Community Conference. Look for some best practice ideas that can be implemented quickly, which will allow the communities quick and active involvement, helping the council help those self-same communities.</li> <li>• Encourage community groups even more.</li> <li>• Embrace ideas, look for solutions not barriers.</li> <li>• Resource personnel to reach the community.</li> <li>• Many organisations and groups will welcome the opportunity to meet with executive leads, officers and councillors from time to time in order to achieve direct input into TC's delivery strategy.</li> <li>• Consult directly the community and work with organisations such as the Woodland Trust, RSPB and others and make a difference. Ask for community volunteers to plant new trees.</li> <li>• Continue as you have begun. It will take time for people to trust you. Only actions will eventually demonstrate that you mean to empower communities.</li> <li>• Much, much better collaborative work. Has to be a partnership with community and statutory organisations or it will be seen as shifting the buck.</li> <li>• Mutual respect and working together is the only way forward. We don't need Ward Councillors 'riding in on white stallions (or Unicorns!)</li> <li>• What we need is a fundamental change in the Council's culture and a genuine desire to be open, honest and a desire to re-establish trust.</li> <li>• I am part of Torbay Climate Action group and we are keen to collaborate with the council to identify areas of priority and take action.</li> <li>• There are lots of people out there with great knowledge, skills, and abilities. Engage them and use them as the valuable resources they are!</li> <li>• Having a more visible presence in the community will allow typically 'hard to reach' groups to hear and see what the council is up to and how they can be involved more.</li> <li>• create opportunities for our young people to be involved in community projects</li> <li>• There seems to be a wealth of people willing to contribute to improving Torbay but no one bringing them all together.</li> <li>• Clarify aims and make them coherent. People treat others and the world around them the way they themselves have been treated. We need to restore human / humane values and put that first.</li> <li>• Have local councillors hold ward surgeries regularly accessible to all, have them involved at grassroots level on projects, stop hiding in the town hall and be COMPLETELY HONEST about plans. costs and results Keep true to your word /promises</li> </ul> |
| <p>Make Changes</p>            | <ul style="list-style-type: none"> <li>• Stop saying you are going to close the public toilets. Get rid of the drug addicts, i.e. clean up the streets.</li> <li>• Torbay Council are greedy. Go somewhere like the moors and see the difference in parking charges.</li> <li>• Getting rid of politics in local government. Everyone should be working for Torbay.</li> <li>• Campaign against new toilets. And parking meters.</li> <li>• change council senior staff</li> <li>• encourage businesses to invest in the town centres; schemes for locals to have incentives for shopping in our towns</li> <li>• Encourage business and job opportunities which are often delayed or even blocked because of lengthy and petty discussions and arguments or administration within the council.</li> <li>• Ban all petrol/diesel vehicles from parking within 500 metres of school gates, Offer inducements to drivers of pure electric vehicles such as free parking in council owned car parks</li> <li>• Better allocation of money</li> <li>• Reduce tiers of council management ... reduce number of councillors.... stop having meetings about new visions for Torbay.... just get the job done!!</li> <li>• Fund TCDT staff so they can continue finding funding from outside agencies Fund the Ageing Well project, the community builders who are doing much to galvanise members of the community to act for themselves.</li> <li>• Bring council money currently invested outside Torbay back into the Bay to fund local projects</li> <li>• Increase the use of solar panels to provide electricity to council buildings</li> <li>• Ensure that new housing is built with solar panels or other renewable energy sources or they don't get planning permission.</li> <li>• Plant verges and roundabouts with meadow flowers rather than formal flower displays</li> <li>• Make it compulsory that when buildings are refurbished the community is entitled and allowed to salvage what they can.</li> <li>• Encourage the economic life of the town centres by making public transport cheaper and easier to use than cars encourage the use of electric cars by making parking cheap and providing charging points within carparks improve the recycling facilities at the tip.</li> <li>• Look at how Totnes and Newton Abbot, Penzance and Burnham on Sea have organised the skips and the salvaging of goods. Our facility is difficult to use, asking people to climb metal steps carrying large items. Other places have skips which are below ground level so it is easier to throw stuff into them. They have staff constantly rescuing items that can be reused or resold. The shop at Newton Abbot tip is a good example</li> <li>• Work with homeless people to help them find homes and jobs.</li> <li>• Reduce parking charges. Why change what has always worked well on Preston seafront. It was never a problem to find a place for a short stay. Make things easier for the community to get rid of rubbish they don't need so it doesn't get dumped in our countryside.</li> </ul>   |



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|         | <ul style="list-style-type: none"> <li>• This plan is full of words associated with jargon: "Embrace our role of Corporate Parent" "Promote community resilience". Just exactly what do you intend with these statements? This plan has been drawn up using as many "in words" as you could think of, without actually stating anything as a real plan</li> <li>• By making things easier for residents, lots of older people don't want to or don't know how to access Council online.</li> <li>• Work with retailers, public and private car parks to provide large numbers of Electric Vehicle charging points commit to an all-electric council fleet of vehicles Make electric and renewables a key selling point of Torbay</li> </ul>  |
| Listen  | <ul style="list-style-type: none"> <li>• Actually listening to the community is a good start.</li> <li>• As mentioned above, greater community communication and listening to what community's require will be fundamental to success of the strategy and its delivery. Formal liaison with these local community groups will be key to success and making people feel they have a voice. Making them 'officially recognised consultees' would be a good step forward and thereby encourage local residents to participate.</li> <li>• You need to actually listen to the local people and petitions - you seem to ignore everything we put to you and go ahead anyway with the best money making scheme for your selves.</li> <li>• Talk and listen to the people who live here, and where possible act on what they say.</li> <li>• If we actually listened to our traders and took note of concerns and acted on them we might get somewhere.</li> <li>• Having open community forums and listening to residents</li> <li>• By truly listening to the community and acting on our wishes and our interests By delivering on your promises By being honest and transparent</li> <li>• By really listening to the community and not keep pushing the corporate ideas that we do not want. We need our elected council on our side and meeting and listening to us and being brave and bold in these troubling times.</li> <li>• By listening and building confidence if the electorate. How a 25 square mile authority can get it so wrong in so many levels is astounding</li> <li>• Take note and action on what the community are happy/unhappy about, such as parking fees and refuse collections etc.</li> <li>• Monitoring social media channels including Spotted Torquay as I feel that's where a lot of invaluable feedback comes from. Sometimes there is a whole load of input from the community that appears to be ignored.</li> <li>• Only by listening to, and putting local resident wishes first, will you begin to re-establish trust and get support. The Council's current trend of ignoring and fighting against local communities will simply continue and perpetuate the downward spiral of Torbay's decline.</li> </ul> |
| Promote | <ul style="list-style-type: none"> <li>• Start by publicising the Vision in a simple summary positive colourful way.</li> <li>• Residents need to see action on things that matter to them, social media campaign inviting residents to get involved in projects, put community back in communities. The ideas and people power will come from our respect of our council working for us</li> <li>• Put details on Facebook, twitter to encourage people. We need to restore a sense of 'pride' back in the community, so it fosters 'helping each other' attitudes. Be honest with the public, tell it as it is so they know what the real situation is, and foster a 'make a difference' attitude.</li> <li>• Does the community know about 'Community Partnerships'? Are we making noise about what they do? Or when they attend are they 'put off' by same ole faces that dictate rather than foster good relationships.</li> <li>• Difficult but I would suggest the educating the young would be a good place to start. Ask the SD College to set this as a project for students to come up with some ideas.</li> <li>• Use social media as a wider tool of engagement - and extend out of the town hall.</li> <li>• Widely publicise the council's willingness to work in partnership with local community groups and organisations, proactively seeking out those which are already tackling local issues, offering professional and technical support to help build capacity and joining in with good work being done</li> <li>• Keep talking - find ways of communicating with a much wider audience than those that use the web etc. - mail shot to all homes.....expensive but maybe the community can help deliver?</li> <li>• Empower the community through education in impact of adversities on health - physical and mental.</li> <li>• Getting youngsters attention from the day they start school and making them understand this is their home and to be responsible from Day 1.</li> <li>• You need somehow to urgently reduce the immense damage done on a daily basis by people's negative views that are being posted on Social Media.</li> </ul>  |
| Other   | <ul style="list-style-type: none"> <li>• As mentioned, it's not a plan.</li> <li>• Don't ask us: We (over)pay executives to get things done.</li> <li>• Stop ripping off the locals and scaring off the visitors.</li> <li>• We need to come up with innovative solutions. Try them out. And take forward the most successful ones, finding funding sources and groups to implement those ideas.</li> <li>• Through leadership. You need to be clear what the council can do and what it can't and what the council has and will do. Community focus groups with clear task and finish could work but most important that decisions and changes are made promptly.</li> <li>• By being available after 5pm.</li> <li>• By making sure that the right people are in the right place at the right time with enough funding to get the job done. We live in the best part of the UK and it is now time to stand up and be counted. Ambitions, Aspirations and visions are only meaningful if they become reality. Make it happen.</li> <li>• Clear achievable strategies for business, trade and town centres -create wealth and social dependence falls</li> <li>• I could provide numerous examples of how I, my family, and those of other people have been badly treated by different Torbay Council departments over many years.</li> <li>• Provide assurance that only development that is supported by local community will be adopted. Imposing development on communities simply to appease a developer and grab a financial contribution is totally unacceptable.</li> <li>• Often you're expecting the very people needing support to provide groups to support others. So what now do you want from me as part of 'the community'? I'm exhausted Good luck!</li> </ul>  |

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|  | <ul style="list-style-type: none"><li>• Our community spirit is non-existent, if we had people who have leeches off the system putting in a day's graft it would really lift the spirits of actual hard working people that give up their own lives to support the leeches!!</li></ul> |
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### 3. Written Representations

We received three written representations from individuals or organisations as summarised below:

- Marketing the bay as a place of historical interest to encourage investment in our historical assets from elsewhere.
- Amending the Plan to make more reference to the UNESCO Geopark Status to celebrate the success of obtaining the status and incorporate it in the document throughout.
- Approval of the aspirations and targets but concern about the absence of a narrative around achieving safer communities for Torbay and suggesting adding a key priority to the plan around working with partners to achieve this.

## 4. Torbay Community Development Trust Event Report



### *'That was very constructive – I think'*

**The report of the Engagement Meeting  
held by the Torbay Community Development Trust  
on Torbay Council's  
Community and Corporate Plan, 2020-2021 Budget and Housing Strategy  
Thursday 23<sup>rd</sup> January 2020**

#### 1. Introduction

The Torbay Community Development Trust (TCDT) convened a meeting of interested groups and residents on 23<sup>rd</sup> January 2020 as part of the Council's Consultation period for their Community and Corporate Plan, 2020-2021 Budget and Housing Strategy. Cllrs S. Darling, Cowell and Long were in attendance. There were 40 participants drawn from the TCDT network, including members of the formal voluntary sector, Community Partnership network and Torbay Over Fifties Assembly (TOFA).

The invited Cllrs provided some context to the Plan, Budget and Housing Strategy and discussions took place on themed tables. This followed the main prompts developed by the Council for their online consultations, namely:

- In the draft Community and Corporate Plan:
  - Have they got their ambition, their visions and the priority areas right?
  - Which aspects of the Plan are most important to you?
  - How can they work together with the community to turn the Plan into actions?
- In the proposed budget:
  - Do you agree with the proposals that they are putting forward?
  - How can they work with their communities and partners to find alternative solutions to keep valued services in place if at all possible?
- In the draft Housing Strategy:
  - Have the right strengths, issues and opportunities been identified?
  - Have they got the right objective and priorities?
  - What specific actions do they and their partners need to take to deliver our priorities?

Inevitably participants took the opportunity to raise issues through the discussion in the order that made sense to them.

Each participant had a copy of the summary paper prepared for the 'Cabinet Conversation', the relevant documentation was on each table and paper copies of the Budget Consultation questionnaire were available. There were also themed boards around the room for people to 'park' issues that they might not have had a chance to raise at the tables.

The main discussion points follow in the summary below. The verbatim notes from each table are attached as an appendix.

#### 2. Summary

The main areas that attracted comment were the place-based services of the Council, transport, housing, town centre regeneration and working with the community.

##### 2.1 Key messages on place-based services

- Voluntary groups could help with likes of grounds maintenance, gardening – could become opportunities to help people with the likes of learning disabilities, mental health problems (used to have services like Pluss – withdrew due to redundancies)
- Missed opportunity – probation services could do work for Council – clear pathways, significant savings, meaningful work. Community groups engage more with pay back
- Older people are an amazing resource in Torbay. Large proportion of ageing people. Start to target wider age groups – connect intergenerational. Joined up thinking is what is required. Bring teenagers together with older people and get motivated – you have something there! Give people a purpose.
- Sport, greenspaces = health and wellbeing – invest in young people.
- Enabling Council – a great idea. Insurance aspect is a hurdle. If council could cover people's insurance, then provides a way for groups to contribute without risk.
- Do something really good with the £200,000 – make sure it counts? Use as one fund or use as seed funding? The challenge is the culture in the Council needs to change to a 'can do attitude' There is so much enthusiasm in the community – but takes a lot of energy to get things moving.
- Young people still have problems over holidays – Summer scheme – Youth Genesis. Not large pots of money – invest and save.
- General lack of enthusiasm for the name Swissco!
- Solar powered bins could save Torbay money – trial in Brixham suggested savings of quarter of costs, was oversold by company, still a good idea?
- Bigger bins needed for large households and flats – pigeons and rats attracted as pests.
- Mixed comments re plans for toilets – appreciation for £500,000 investment, but some key toilet blocks currently closed eg Lymington Rd, Cary Park.
- Criticism of privatising services, where only the profitable ones survive 'v' council's ability to operate services efficiently.
- Oldway Mansion concerns – what's happening with its finances? How can costs of care/maintenance be raised/reduced?
  - Events to fundraise on grounds?
  - Commercial options?

## 2.2 Key messages on transport

- Transport – inconsiderate parking a result of lack of public transport – namely lack of buses
- Lots of older buses have ended up having to be used – noticeable poor emissions
  - Could central government subsidies help?
  - Services like dial-a-bus or bus equivalent of Uber a potential solution?
  - How do you challenge parking violations effectively? Could cheaper parking help?
- Dilemma of people owning more cars per household – taking up more on-street parking
- Encouraging car-pooling, possibly encourage rise use of electric cars, like Exeter? Idea of transport systems like trams, cable cars
  - How will advances in technology affect future transport?
- Request for Council to lobby Stage Coach for bus services in Brixham. Profitable routes are determining factor for Stage Coach, but they will listen to feedback and recommendations.

## 2.3 Key messages on high street regeneration

- Improving town centres for tourism/business
  - New hotels raising tourist accommodation standards – need to match with higher quality of tourist attractions/leisure options
  - Council could help with finances re: leisure options
  - Cross-party, long-term aspiration to make Torbay a more appealing successful location could really help get these accomplished
- Accepting changes in shopping habits, such as online shopping, out of town shopping
- High costs for parking & toilets off-putting
- Encourage start-ups, independent businesses can help encourage more people into towns
- Empty shops. Think innovatively – community repair shops, community facilities, entertainment
- Idea of extending shopping hours
- Could shrink town centres, make way for more residential spaces
- Totnes a good example of championing independent businesses, not high street/chain businesses
  - Relevance to arts as well – promote local art/artists
  - Parking costs could deter business/funding – where does the council source funding after central gov. cuts?
- Towns can be a challenging place for people with mobility issues to navigate
- St. Marychurch (Torquay) and Brixham positive examples of embracing local businesses, attractive high streets
- Paignton regarded as most in need of attention/regeneration
- Possible plan for part of Crossways to become residential space – fears that it'll all become flats
- Eyesore sites like Victoria Square – may be up for regeneration
- What about regenerating/emphasis of attention on Winner Street? (Paignton) – could become like Totnes high street, champion local businesses
- Crossways – 6 week survey – inject life into town of Paignton. Affordable housing and dynamics required for inner city regeneration – anti social behaviour a concern for some based on affordable housing. Concerns over affordable housing and the people it attracts and may not provide 'mixed' groups of tenants. Final scheme not resolved. Council – planning needs to get the mix right. Affordability links to travel – ie inner town centre.
- Victoria car park – old part will be demolished, Garfield Road. Block will become residential. More doctors and schools in area – neighbourhood plan requires schools.
- Brixham – need to regenerate inner town.

## 2.4 Key messages on housing

- Concern for housing areas - too far from towns/amenities
- General support for more affordable housing
- Need for more supported housing for (extra care) older people reducing numbers needing to go into residential care (Torre Marina)
- More accessible (wheelchair) properties not sheltered or assisted
- McCarthy's – Why so many developments allowed?
- Modular housing (Brixham)
- Private rented housing. Older people being evicted as rents too high, or landlords selling properties. Support needed URGENTLY!
- If we are spending thousands on temporary accommodation, why can't we help people afford private rent by helping people with top ups again.
- If people get help paying the extra £100 - £200 month top up instead of £500 - £1000 a month temp accommodation.
- Employ a council officer do inspect all private rental properties before any housing benefit be paid over. If they do not reach a decent standard – No Benefit. This would force rogue landlords to up their game. This happened in TBC 25 years ago and worked! What about using some of the homelessness monies.
- Need for Council owned housing. Local accountability and income generated stays local
- Community self-build schemes should be considered and supported.
- Concern re conservation areas being built on (St Marychurch)

## Conclusion

There was a good deal of discussion in the room and willingness to discuss some of the challenges 'One Torbay' faces. The Councillors were praised for their willingness to participate and talk openly. One participant commented 'It is difficult when we keep coming to meetings to discuss the same things and there is no tangible actions', this points to the need for more communication after the consultation period. One participant concluded on her table... 'That was very constructive – I think!'

The TCDT have committed to running a follow-up meeting in March 2020 to explore further how the community can help deliver the Community and Corporate Plan and how their potential contribution can be supported by the Council.



**Meeting:** Overview and Scrutiny Board  
Cabinet  
Council

**Date:** 12 February 2020  
**Date:** 20 February 2020  
**Date:** 27 February 2020

**Wards Affected:** All Wards

**Report Title:** Torre Abbey Restoration Project – Phase 3 National Heritage Lottery Fund Bid (NHLF)

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** May 2020

**Executive Lead Contact Details:** Councillor Mike Morey – Cabinet Member for Infrastructure, Environment and Culture, [mike.morey@torbay.gov.uk](mailto:mike.morey@torbay.gov.uk)

**Supporting Officer Contact Details:** Kevin Mowat, Director of Place, [Kevin.Mowat@torbay.gov.uk](mailto:Kevin.Mowat@torbay.gov.uk)

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## 1. Proposal and Introduction

- 1.1. This report seeks Cabinet approval to re-submit a Phase 3 Round 1 bid to the National Heritage Lottery Fund (NHLF) in May 2020 in respect of the Torre Abbey Restoration Programme. Whilst we were unsuccessful with our first Phase 3 Round 1 bid in June 2018, we were encouraged by NHLF to submit an Expression of Interest (EOI) for Torre Abbey in respect of the re-launched Heritage Lottery funding programme. This most recent EOI was successful and as a result, in 2019, the NHLF invited us to submit a Round 1 application for Phase 3 of the Torre Abbey restoration project.
- 1.2. In previous rounds the Council, supported by the TDA, have successfully obtained HLF funding in excess of £7m which has been matched with funding contributions from Torbay Council, the Friends of Torre Abbey (FOTA) and others to reach a total investment of circa £11m for the two earlier Phases of restoration and redevelopment (2006 ~ 2013).

## 2. Reason for Proposal

- 2.1 Having undertaken Torre Abbey Restoration Phases 1 and 2 it is clear, following liaison with Historic England and the NHLF, that securing further Lottery Funding is crucial if Torre Abbey is going to become a premier heritage attraction in the South West and a vibrant cultural hub. Such funding will also allow the Abbey to benefit and contribute fully to Torbay's wider Great Places Scheme, a programme

supported by the Arts Council and HLF, which develops culture and audience growth.

- 2.2 A successful Torre Abbey Restoration Phase 3 project will help to protect the Abbey, a scheduled ancient monument, for the benefit of the local community and our visitors. The project would allow the Council to carry out urgent fabric repairs and improvement works to the Gatehouse, the west & east wings of the south range and the Spanish Barn. This NHLF application also supports the Corporate Plan by helping to ensure that we deliver the vision of 'Thriving People' by making greater use of our cultural offer, as well as being consistent with the Council's wider policy framework. This includes 'use of reducing resources to best effect'.
- 2.3 The Torre Abbey building complex was considered at risk when a scheme of comprehensive repair work commenced in 2005. Following further programmed works in 2006 and 2011 much of the fabric has been repaired and its condition secured for several decades to come. However, the poor state of the remaining elements of the building present a risk and ongoing liability and in these areas the asset continues to decline with rainwater leaking into the fabric.
- 2.4 Undertaking Phase 3 of the restoration/redevelopment programme at Torre Abbey will see the destination positioned as a premier heritage attraction in the South West and a vibrant cultural hub, encouraging wider audience participation and bringing new life into the historic venue. Improvements to the Abbey will also expand existing operations by upgrading and enhancing facilities, in turn augmenting opportunities for income generation and repeat visits to the venue. New and improved on site catering facilities will enable the Council to increase the number of events hosted on the site and the associated income. Proposals to enhance the landscape could remove physical barriers south of the main building, which could enable better access routes, provide for softer landscaping closer to the buildings and deliver greater interpretation of the wider Abbey complex through the landscape. This element of the scheme remains a matter for wider consultation with the various stakeholders.
- 2.5 A Phase 3 restoration and investment project (circa £1.7m) will protect the at risk elements of the buildings by preventing water entering the external fabric, which is exposed to the weather. As a consequence the designated museum collections will also be protected. Of particular concern are the elevations of the south-east and south-west wings, the north elevation of the west range, the gatehouse and the courtyard boundary walls. Also, comprehensive repair to the Spanish Barn roof structure is required. At the end of the restoration and redevelopment there will be a 15-year management and maintenance plan, which will help protect the fabric of Torre Abbey for the foreseeable future.

### **3. Recommendation(s) / Proposed Decision**

The Cabinet recommends to Council:

- 3.1 That the Director of Place be authorised to submit a National Heritage Lottery Fund (Round 1) application for £4.875m for Phase 3 of the Torre Abbey Restoration Programme as described in the submitted report.

3.2 That Council agrees to borrow up to £1.7m to provide the financial commitment outlined in this report and underwrite any possible shortfall in the third party matched funding element of the package.

**Appendices:**

None

**Background Documents**

Report No. Ed/24/03 ~ Torre Abbey Phase 1 Heritage Lottery Fund (HLF) Business Plan - outlining 3 phased redevelopment programme

Torre Abbey Phase 3 - Draft Activity Plan & Draft Business Plan (still to be developed)

Torre Abbey Phase 3 - Project Risk & Issues Register (still to be finalised)

## Section 1: Background Information

### What is the proposal / issue?

Torre Abbey is a building at risk, it is located, most unusually for a medieval monastery, on the sea front. It comprises two Grade I listed buildings, four Grade II listed structures and ancillary buildings, as well as an undesignated formal walled garden, all set in a Scheduled Ancient Monument, 8.8ha in extent (NHLE No. 1009302).

The surrounding parkland contains earthworks and the remains of the Abbey's precinct buildings, including a mill, stables, two watercourses (still flowing), and evidence of 18<sup>th</sup>/19<sup>th</sup> century landscape work. Torre Abbey today is the most complete medieval monastery in Devon and Cornwall, and one of the best-preserved Premonstratensian houses in the UK. The Spanish Barn is the only surviving prison for sailors of the Spanish Armada, which in 1588 united the country against Catholic Europe (hence its name).

Exposure of this history, and its interpretation, could be a vital part of the landscape work in this 3rd phase of redevelopment, especially the proposal to reconnect the Abbey with its wider setting towards the seafront. This element of the scheme remains a matter for wider consultation with the various stakeholders.

The Abbey re-opened to the public in July 2013 at the end of the 2nd phase of redevelopment. At the time of re-opening it was identified that further work to the fabric of the building (repairing the elevations of the south-east and south west wings; north elevation of the west range; gatehouse and courtyard boundary walls) would be required and ongoing deterioration was a concern.

Although the Council were unsuccessful with our first Phase 3 Round 1 bid in June 2018, we were encouraged by NHLF to submit an Expression of Interest (EOI) for Torre Abbey in respect of the re-launched Heritage Lottery funding programme. This most recent EOI was successful and as a result, in 2019, the NHLF invited us to submit a Round 1 application for Phase 3 of the Torre Abbey restoration project.

Following several meetings and discussions with NHLF they consider Torre Abbey to be a priority heritage project in Torbay and the project team have received firm encouragement from them several times to build on our previous success and to re-submit a further phased bid NHLF application.

Recent meetings in the past couple of months with NHLF have once again encouraged the Council to re-submit another application picking up on the NHLF feedback provided to us when the first Round 1 bid failed to achieve funding. Feedback was:

- Proposals for activities and engagement were not sufficiently developed and based on consultation with target audiences. We need to identify communities that need support and target them
- We need to develop both the Activity Plan and Business Plan in more detail



- If there are any job roles as part of the NHLF development we need to give clear job descriptions for the key roles
- Ensure briefs are provided for all key pieces of work (using NHLF templates)
- There was concern at the current level of operating deficit and we need to address long term sustainability and describe how the Council would provide support
- We need to give a clear project evaluation, describe how this would be approached and show a separate budget for undertaking this
- Further context to the landscape proposals was required

Failure to proceed with Phase 3 puts the heritage building, ancillary buildings and regionally important collections at risk and will threaten the previous investment undertaken during Phases 1 & 2.

If successful with the HLF Round 1 bid application the Phase 3 NHLF funding bid of £4.875m will complete the final phase of a 3 - Phased redevelopment programme and it will also improve commercial opportunities at the Abbey, which will help with the ongoing operating costs.

The Phase 3 programme of restoration/redevelopment would consist of :-

Major elements of building work to protect at-risk buildings and collections by completing urgent fabric repairs:

- Comprehensive repair to the Spanish Barn roof structure, opening up the full barn interior for improved event space.
- Comprehensive repair of the Gatehouse. Masonry and render will be consolidated and repaired, roof and guttering renewed, windows made operational. The large lime tree and its roots removed to prevent damage to the building. Some underpinning of the gatehouse wall may be required.
- Removal of cement render and renewal in thrown lime, to the south-east wing, south-west wing, and north end of the chapel, including window and lintel repairs.
- Stripping cement render and making structural repairs to the courtyard walls. (Courtyards 1, 2 and 3)
- Renewal of 1930s structural tying of the south-east wing.
- Repairs to the tower and courtyard walls to the Courtyard 4. (education suite area)
- Ground works to reinstate original levels of Abbey spaces within ruins and enhanced interpretation, together with reinstatement of steps at relevant positions and unblocking of a historic doorway to the former slype.

Upgrading of existing facilities and operations to improve income generation opportunities:

- Introduction of a new permanent café in Courtyard 3 and new seating

|                  |   |
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|                  | <p>area (incorporating the current temporary café kitchen area) – opening up the gate at the north end of the courtyard increasing visitor footfall as it becomes accessible beside the main visitor entrance.</p> <ul style="list-style-type: none"> <li>• Introduction of a new service building to provide ‘back of house’ facilities for revenue generating events in the Spanish Barn.</li> <li>• Introduction of a new storage facility to support events held in the Spanish Barn.</li> <li>• Introduction of a new mobile serviced ‘pod’ within the Spanish Barn as servery/bar/reception/display.</li> <li>• Construction of various features within the gardens north of the Abbey, including a new access from the east, a viewing platform and new garden building on the site of the former peach house.</li> <li>• Clearer interpretation.</li> <li>• Introduction of a glazed internal lobby within the front room at ground floor, south elevation, to improve draft proofing when the south door is used for events.</li> <li>• Introduction of a new pathway from the seafront leading up to the Abbey, this new access path to the Abbey precinct will travel from a symmetrically placed path and viewing point to the slot running alongside the tithe barn, bringing visitors to the gatehouse and a logical route to the west entrance to the Abbey. This allows an experience of the Georgian landscape and the south façade. Small new groups of planting amplify the symmetry and Arcadian quality of the park area, and the good 19th century estate railings used around the pitch and putt area will be repaired to make the boundary to the west side. This element of the scheme remains a matter for wider consultation with the various stakeholders.</li> </ul> |
| <p><b>2.</b></p> | <p><b>What is the current situation?</b></p> <p>Torre Abbey is suffering quite badly with water ingress on the two south wings as a result of cracked lime render and badly fitting windows. This causes a huge risk to the museum collections and the regionally important art collections being the third largest art collection in Devon (after those of Exeter &amp; Plymouth museums). Nationally important works, such as William Holman Hunt and Sir Edward Coley Burne-Jones along with beautiful sculptures, plaster casts and drawings by Frederick Thrupp (the largest collection of Victorian Thrupp works to have survived) are at risk.</p> <p>Failure to make these essential improvements to the external fabric of the building to ensure the building remains weather resistant and protect the internal works of art, furnishings and archaeological finds will impact on the Abbey’s re-accreditation for Museum status and ultimately have a knock on adverse effect on visitor numbers. Undertaking the Phase 3 works will protect at risk buildings and collections by completing urgent fabric repairs (circa</p>   |

£1.7m) and protect the designated museum collections.

It is generally acknowledged that since reopening in 2013 visitor numbers have not increased as forecast due to a variety of factors. Insufficient resources have contributed to an inadequate staffing structure, the lack of a clear Marketing Plan and inconsistent strategic leadership at a service level. Notwithstanding these challenges Torbay Council does recognise the value of Torre Abbey and how it supports the aspiration of its various cultural development plans. Certainly, culture is a driver for change and therefore investment in the Abbey for partnership working and new initiatives such as the Great Place Scheme will help to promote this asset as a quality visitor attraction. Placing the Abbey at the heart of this scheme will demonstrate good strategic and marketing 'fit' and maximise cultural engagement for community well-being.

A draft Activity Plan has been drawn up that sets out core strategies of improvement that will be produced as part of this Phase 3 regeneration programme. This plan will have various actions to position Torre Abbey as the '**cultural hub**' of the Bay, which in turn will increase visitor numbers. The Activity Plan will include various initiatives such as, aiming to target harder to reach lower income families, pupils with special needs (primary & secondary), young people 16+ and children in care, along with older people and the Plan also enables further development of the learning offer. Connections with other educational organisations will help to support the delivery of Torbay's wider Great Places Scheme. An enhanced programme of activities will enable the Abbey to satisfy the interest of a wide range of audiences and a concerted effort to increase membership will also increase income, which would reduce the need for the Council to subsidise this service area.

Undertaking Phase 3 will provide the opportunity to increase footfall (especially walking visitors) as the current facilities are not meeting the needs of the modern intellectual up-to-date visitor. Making improvements will encourage a wider usage of the facilities making a significant contribution to life-long learning and drive return visits and overall footfall throughout the year, not just in the holiday season. Providing clearer public understanding of the medieval estate through better augmented interpretation encourages wider participation bringing new life into the historic venue.

Improving visibility of Torre Abbey from the seaward side by introducing a new access path, and careful tree management, will improve linkages with the main thoroughfare across the seafront area which will in turn improve footfall. This element of the scheme remains a matter for wider consultation with the various stakeholders.

At present an overall uncoordinated and detached quality exists in the areas around the buildings, requiring change to respond to the way the site works, bringing appropriate revisions and additions to the landscape, to demonstrate its relevance and original ambitions on this historic site, and generating something practical and enhancing to visitors.

|  |  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
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|  | <p><b>Proposed Programme</b></p> <table border="0"> <tr> <td>Submit HLF Round 1 Bid for Phase 3</td> <td>May 2020</td> </tr> <tr> <td>NHLF Board Decision on Round 1 Application</td> <td>September 2020</td> </tr> <tr> <td>Submit Planning Application</td> <td>April 2021</td> </tr> <tr> <td>Round 2 Application to NHLF</td> <td>July 2021</td> </tr> <tr> <td>NHLF Board Decision on Round 2 Application</td> <td>October 2021</td> </tr> <tr> <td>Tender process for main contractor</td> <td>December 2021</td> </tr> <tr> <td>Works start on site</td> <td>May 2022</td> </tr> <tr> <td>Handover to Abbey operations team</td> <td>November 2023</td> </tr> </table> <p><b>Costs</b></p> <p>The total costs for the scheme have been estimated at: £6.5m (excluding VAT but including all fees)</p> <p>The costs will be funded by:</p> <table border="0"> <tr> <td>NHLF bid</td> <td>£ 4,875,000</td> <td>(75%)</td> </tr> <tr> <td>Torbay Council</td> <td>£ 1,325,000</td> <td></td> </tr> <tr> <td>Other funders – FOTA, etc.</td> <td>£ 300,000</td> <td></td> </tr> <tr> <td><u>Total costs</u></td> <td><u>£ 6,500,000</u></td> <td></td> </tr> </table> <p>To help secure the funding it is important to the funding body (NHLF) that the Council is clearly willing and <u>able to underwrite any shortfall in the matched funding element of the package</u>, as well as its stand-alone contribution. Therefore, the Council need to approve a maximum contribution of £1,625,000 (£1,325,000 + £300,000). A concerted effort will be made to obtain funding from appropriate 3rd parties in order to reduce the Council's risk in this respect. Council are asked to approve borrowing up to £1.7m and this will mean that any modest uplift in scheme costs (up to £75,000) will not require a further Council decision.</p> | Submit HLF Round 1 Bid for Phase 3 | May 2020 | NHLF Board Decision on Round 1 Application | September 2020 | Submit Planning Application | April 2021 | Round 2 Application to NHLF | July 2021 | NHLF Board Decision on Round 2 Application | October 2021 | Tender process for main contractor | December 2021 | Works start on site | May 2022 | Handover to Abbey operations team | November 2023 | NHLF bid | £ 4,875,000 | (75%) | Torbay Council | £ 1,325,000 |  | Other funders – FOTA, etc. | £ 300,000 |  | <u>Total costs</u> | <u>£ 6,500,000</u> |  |
| Submit HLF Round 1 Bid for Phase 3         | May 2020   |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| NHLF Board Decision on Round 1 Application | September 2020   |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Submit Planning Application                | April 2021   |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Round 2 Application to NHLF                | July 2021  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| NHLF Board Decision on Round 2 Application | October 2021   |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Tender process for main contractor         | December 2021  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Works start on site                        | May 2022   |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Handover to Abbey operations team          | November 2023  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| NHLF bid                                   | £ 4,875,000  | (75%)                              |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Torbay Council                             | £ 1,325,000  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| Other funders – FOTA, etc.                 | £ 300,000  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| <u>Total costs</u>                         | <u>£ 6,500,000</u>   |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |
| 3.   | <p><b>What options have been considered?</b></p> <p>The following options were considered in arriving at this proposal:</p> <ul style="list-style-type: none"> <li>• <b>To abort</b> the concept of obtaining further investment in Torre Abbey through significant NHLF funding to complete the final phase of the redevelopment programme, which would conserve the asset and protect at risk buildings – <b>this was discounted</b> due to the huge risk to the fabric of the historic building exacerbated by water ingress that is ongoing.</li> <li>• <b>To proceed</b> in line with the original 3 Phased Programme of redevelopment that was outlined in the original NHLF Phase 1 bid and further discussions held with the Council and during various Council/MEG meetings – <b>this is the preferred option</b> to protect the investment made to-date on the Torre Abbey complex and to obtain</li> </ul>  |                                    |          |  |                |                             |            |                             |           |  |              |                                    |               |                     |          |                                   |               |          |             |       |                |             |  |                            |           |  |                    |                    |  |

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|           | <p>further NHLF support to complete the objectives postponed from previous phases. This will help greatly to conserve the historic fabric and halt further serious deterioration.</p> <ul style="list-style-type: none"> <li>• <b>To look into Torre Abbey becoming a Charity Trust.</b> This option is currently being investigated by the Torre Abbey operational team.</li> </ul>  |
| <p>4.</p> | <p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</b></p> <p>The Council’s emerging Corporate Plan has ‘Thriving People’ as one of its visions, which seeks to ‘make better use of our natural assets and cultural offer’.</p> <p>The Council’s emerging Corporate Plan has ‘A Council fit for the future’ as one of its visions. To this end the Council will endeavour to ensure, wherever possible, that all Council assets have a more sustainable future.</p> <p>The timing of the project is critical if Torbay Council wants to benefit from NHLF funding to protect at risk buildings and collections by completing urgent fabric repairs. This scheme also allows the Council to work closely with Torbay’s wider Great Place Scheme and the aspiration of these Phase 3 works is to make the Abbey the ‘Cultural Hub’ for Torbay, which aligns with the strategic direction and thinking behind the Great Place Scheme.</p> <p>These proposals present the perfect opportunity to implement the final phase of the Abbey restoration set against these wider initiatives of the Bay.</p> <p>During Phase 3 and thereafter the Council’s aim is to encourage more partnership working and to use more integrated approaches with those partners to deliver a broad cultural offer to both locals and tourists. For instance, working more closely with South Devon College and Plymouth &amp; Exeter Universities to promote the Abbey and its offer. It is important that the Council builds on the significant expertise and knowledge that is emerging from the Arts, Health &amp; Well-being agenda in Torbay by working closely with the appropriate council officers so that the Council can encourage more visitors to walk to the Abbey, to use public transport, including use of the land-train service.</p> <p>Another aim of this project is to strengthen Torre Abbey as a business unit in order to achieve long term sustainability.</p> |
| <p>5.</p> | <p><b>How does this proposal contribute towards the Council’s responsibilities as corporate parents?</b></p> <p>This proposal has no direct link to the Council’s responsibilities as corporate parents other than to improve the quality of life for residents and visitors to</p>   |

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|                  | <p>Torbay, a good percentage of those being children.</p> <p>Also, if the Council is successful in obtaining NHLF funding it will help the Council to maintain its museum accreditation, protect at risk buildings and collections by completing urgent fabric repairs.</p>   |
| <p><b>6.</b></p> | <p><b>How does this proposal tackle deprivation?</b></p> <p>As one of the UK's smallest unitary authorities, responsible for the poorest conurbation in the southern half of England, Torbay Council is financially challenged at the best of times. Within Torbay there are serious levels of deprivation and inequality. The local authority area ranks lowest in the South West and 46<sup>th</sup> out of 325 local authorities in England. Torbay will be doubly challenged by Government's plans to curtail local government expenditure. For Torre Abbey to remain sustainable, it will need to improve its ability to generate revenue by attracting many more paying visitors. Extending the time visitors want to spend in the Abbey, by enhancing the offer, will improve sales in the shop and café. Developing Torre Abbey's attractiveness as a venue for weddings and corporate hire will also expand existing revenue streams. The Abbey must also ensure that it maintains the loyalty and involvement of its Friends organisation (FOTA) and encourage the growth of its small but enthusiastic band of volunteers.</p> <p>Positioning the Abbey as the 'cultural hub' of the Bay: actively engaging with hard-to-reach, young people, low income families and older people, by linking projects in with annual exhibitions and working with partners such as Play Torbay and other health and wellbeing organisations will help to develop exciting opportunities for the community to engage in creative arts, and further develop the learning offer and connections with other educational organisations, thus supporting the delivery of Torbay's wider Great Place Scheme programme.</p> <p>These Phase 3 proposal provides the Council with an opportunity to look at the current structure and governance/management of Torre Abbey and may also provide future employment opportunities. Investment in the Abbey and engagement with educational institutions along with improved marketing &amp; promotion will help to reach ALL sectors of the community.</p> |
| <p><b>7.</b></p> | <p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>The wider community of Torbay and our visitors will be affected by this proposal as well as local residents, stakeholders, businesses and tenants</p> <p>For the purposes of submitting this preliminary Round 1 NHLF application it will be necessary to consult with key local stakeholders, Council Cabinet, ward Councillors, the Council's Senior Leadership Team &amp; Transformation Board and Torre Abbey staff. A recent Communication Stakeholder event was held and as result a Stakeholder map produced.</p>  |

**8.**

**How will you propose to consult?**

Consultation was undertaken previously and is ongoing, with a briefing to invited local stakeholders followed by circulation of the associated briefing paper.

The Council will consult through a series of meetings with relevant stakeholders. Furthermore the Council we will hold workshops as appropriate inviting discussion of the proposals as they unfold. Local press releases will be issued providing updates on project progress and these will be supported with information on the website as well as social media where appropriate. Various notices will be provided around the Abbey complex explaining the nature of the redevelopment and the areas affected, these will include statutory consent notices.

A communications plan will be produced in the next stage of the HLF bidding process.

## Section 2: Implications and Impact Assessment

9.

### What are the financial and legal implications?

The Council is being asked to provide £1,325,000 as a capital contribution to the proposed NHLF bid and to underwrite the risk of a further contribution of £300,000 from other funding bodies. This represents a total financial commitment of £1.625m but would be at least £1.325m.

The Friends of Torre Abbey have already confirmed a commitment of approximately £75,000 and every effort will be made to secure the further third party funding requirements and this will lessen the risk to the Council. However, to give the NHLF application the strongest possible chance of success the Council will need to give the NHLF the assurance that the Council has underwritten this financial element of the HLF bid application.

In recommendation 3.2 above the Council is asked to borrow up to £1.7m to provide the financial commitment outlined in this report and required for submission of the National Heritage Lottery Fund (Round 1) application for £4.875m indicated in recommendation 3.1. This financial commitment will be met through prudential borrowing and the estimated cost of borrowing is £100,000 per annum over the term of the loan (25 years). The £100,000 revenue costs will be funded by the Torre Abbey business unit service budget, which is forecast to reach an improved position following the restoration and improvement works, with additional income generated through increased visitor numbers and a greater ability to host events, weddings, etc.

The Torre Abbey buildings have a significant outstanding repairs and maintenance liability that will be resolved if the HLF bid is successful and the Phase 3 restoration goes ahead.



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| <p><b>10.</b></p> | <p><b>What are the risks?</b></p> <p>A Risk &amp; Issues Register has been created as part of the project management process. This register gives an indicative overview of the risks and it highlights the appropriate mitigations. The high-level risks (Red) for the Financial &amp; Programme sections are extracted below:</p> <ul style="list-style-type: none"> <li>• There may be a lack of resource (funds, time or people) to complete the NHLF bid process effectively.</li> <li>• Council support may not be forthcoming for the NHLF Phase 3 bid process or the associated financial commitment.</li> <li>• Market failure to provide quotations causes time delays.</li> <li>• The project may fail to establish financial parameters (capital, revenue) and the scheme may be subject to funding rejection if the programme is not outlined adequately.</li> <li>• Increase in commodity prices will result in higher costs.</li> <li>• Uncertain ground conditions could delay the programme resulting in higher costs.</li> <li>• On site security could cause a delay to the programme and subsequently costs</li> <li>• The successful contractor's tender price is pitched too low and they seek claims to justify their financial position, leading to budget pressures and time delays.</li> <li>• Construction inflation calculations may be inadequate and the project costs go over budget.</li> </ul> <p>Upon successful support from Council for the NHLF bidding submission and if subsequently the NHLF approve the Round 1 pass the appointed Project Manager will manage the Risk &amp; Issues Register thereafter ensuring risks are mitigated, managed and closed off as necessary.</p> |
| <p><b>11.</b></p> | <p><b>Public Services Value (Social Value) Act 2012</b></p> <p>It will be necessary to procure the main contractor, professional team, (Architectural; Quality Assurance; Project Management; M&amp;E, Structural, etc.), as well as any other suppliers, in line with appropriate regulations. Torbay Council's financial regulations, contract &amp; standing orders and European procurement rules will apply.</p>  |

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| <p><b>12.</b></p> | <p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>We have referred to the following documents:</p> <p>Torre Abbey 1<sup>st</sup> Phase HLF Business Plan<br/> Previous Torre Abbey Phase 2 bid application<br/> Torbay Corporate Plan<br/> Torbay Economic Strategy<br/> Torre Abbey Management Plan<br/> Condition Survey for Torre Abbey &amp; Spanish Barn – structural surveys have been undertaken to assess the repair obligations at Torre Abbey.</p>   |
| <p><b>13.</b></p> | <p><b>What are key findings from the consultation you have carried out?</b></p> <p>Following a recent stakeholder briefing there was general support for the main aims of the Phase 3 restoration project. Some concerns were raised regarding the proposals that relate to the existing pitch and putt facility but this matter will be the subject of wider public consultation.</p> <p>Positive support for the plans has already been received from the Friends of Torre Abbey. Upon a successful HLF Round 1 application the Council will produce a Communication Plan outlining what further consultation will be undertaken during the development &amp; delivery stage, including the media that will be used and the timescales.</p> |
| <p><b>14.</b></p> | <p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>No amendments to the proposals or mitigating actions have resulted from the consultation.</p> <p>It is important to note that this report and the associated recommendations will not commit the Council to every aspect of the proposals as currently drafted and/or designed. It is therefore appropriate to explore all options that might mitigate against the concerns expressed regarding the pitch &amp; putt facility during the next round of the consultation/bidding process. This will include the option not to proceed with this element of the scheme.</p>  |

## Equality Impacts

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| 15  | <b>Identify the potential positive and negative impacts on specific groups</b>                            |   |   |  |
|   | <b>Positive Impact</b>  | <b>Negative Impact &amp; Mitigating Actions</b> | <b>Neutral Impact</b>   |  |
| Older or younger people   | Yes for younger people - with more collaborative working with South Devon College, Universities etc.      |   |   |  |
| People with caring Responsibilities   | There is an opportunity to work with families with caring responsibilities and provide support activities |   |   |  |
| People with a disability  | The Abbey currently has good access with lifts etc.   |   |   |  |
| Women or men  |   |   | No differential impact as the Abbey has availability to all. Various events are held open to all. |  |
| People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> |   |   | No differential impact  |  |

|   |   |  |                        |
|---|---|--|------------------------|
| Religion or belief (including lack of belief)   |   |  | No differential impact |
| People who are lesbian, gay or bisexual   |   |  | No differential impact |
| People who are transgendered  |   |  | No differential impact |
| People who are in a marriage or civil partnership   |   |  | No differential impact |
| Women who are pregnant / on maternity leave   |   |  | No differential impact |
| Socio-economic impacts (Including impact on child poverty issues and deprivation)                       |   |  | No differential impact |
| Public Health impacts (How will your proposal impact on the general health of the population of Torbay) | There will be more open air events encouraging all to attend and the Council intends to work in partnership with the Great Places Arts Council scheme |  |                        |

|           |   |               |
|-----------|---|---------------|
| <b>16</b> | <b>Cumulative Impacts – Council wide</b><br>(proposed changes elsewhere which might worsen the impacts identified above)          | None proposed |
| <b>17</b> | <b>Cumulative Impacts – Other public services</b><br>(proposed changes elsewhere which might worsen the impacts identified above) | None proposed |



**Meeting:** Cabinet

**Date:** 20<sup>th</sup> February 2020

**Wards Affected:** All Paignton Wards

**Report Title:** Contractors Compound on Paignton Green

**Is the decision a key decision?** No

**When does the decision need to be implemented?** Immediately

**Cabinet Member Contact Details:** Cllr Swithin Long and Cllr Mike Morey

**Supporting Officer Contact Details:** Kevin Mowat, Director of Place, 01803 208433, email [kevin.mowat@torbay.gov.uk](mailto:kevin.mowat@torbay.gov.uk)

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## 1. Proposal and Introduction

- 1.1 Planning permission has been granted for development of the sites of the buildings formerly known as “The Lighthouse” and “The Park Hotel” Esplanade Road, Paignton.
- 1.2 The Council has been approached by the contractors (Midas Construction Ltd) acting for the developers of the above site of for permission to use part of Paignton Green as a contractor’s compound while development takes place on the building sites.
- 1.3 The proposed term is for a period of 74 weeks for which Midas would pay a licence fee of £28,900. The detailed terms of the licence are set out at Appendix 1 and a Plan is set out in Appendix 2.
- 1.4 Placing a compound on Paignton Green would breach the wording of a covenant (“the Covenant”) placed over the Green in 2013. In essence the Covenant states that the Council would not allow any permanent structure on the Green. A copy of the Covenant is set out at Appendix 3.

## 2. Reason for Proposal

- 2.1 The Covenant was intended to protect Paignton Green from development by preventing permanent structures. The proposal is a technical breach of the Covenant but will not affect the long-term protection afforded by the Covenant.
- 2.2 The Lighthouse and Park Hotel sites are very constrained and not easily served by any alternative compound in a different location; granting the licence will better enable the prompt development of a highly visible seafront site. These developments will also support economic regeneration for Paignton at a very important time when grant bids, which link to the town centre, are being prepared for Future High Street Funding.

### **3. Recommendation(s) / Proposed Decision**

3.1 That the licence to Midas on the terms set at Appendix 1 be granted.

3.2 That the income received from the licence be utilised as follows;

- (i) a £4,000 grant be given to Paignton Community Partnership to support their activities for the benefit of Paignton,
- (ii) £24,900 be allocated as funding for the delivery of the English Riviera Airshow.

### **Appendices**

Appendix 1: Heads of Terms for licence agreement

Appendix 2: Plan EM3407

Appendix 3: Copy covenant dated 12 June 2013

### **Background Documents**

## Supporting Information and Impact Assessment

|                   |                         |
|-------------------|-------------------------|
| Service / Policy: | Director Place          |
| Cabinet Member    | Swithin Long/Mike Morey |
| Director          | Kevin Mowat             |

|          |   |       |           |         |                        |
|----------|---|-------|-----------|---------|------------------------|
| Version: | 2 | Date: | 12.2.2020 | Author: | Kevin Mowat/James Oram |
|----------|---|-------|-----------|---------|------------------------|

| Section 1: Background Information |  |
|-----------------------------------|--|
| <b>1.</b>                         | <p><b>What is the proposal / issue?</b></p> <p>If the Council grants the licence there will be a technical breach of the Covenant.</p>   |
| <b>2.</b>                         | <p><b>What is the current situation?</b></p> <p>The Council is committed to the long term preservation of Paignton Green. In order to achieve this a voluntary covenant was entered into in 2013 following an unsuccessful application to Register Paignton Green as a town or village green.</p> <p>The definition of “Permanent Structure” in the Covenant is, “any structure intended to remain on the land for a period greater than 6 months in any period of 12 consecutive months”. Given this definition, the proposed licence for 74 weeks would be a breach of the Covenant.</p> |

|           |  |
|-----------|--|
| <b>3.</b> | <p><b>What options have been considered?</b></p> <p><u>To not grant the Licence</u><br/>This would mean that the development of the Lighthouse and the Park sites would be impacted.</p> <p><u>To grant a Licence for 6 months and then move the compound</u><br/>It might be possible to relocate the compound elsewhere on Paignton Green after 6 months and then relocate the compound back to the original location for the remainder of the proposed licence term. This would not cause a technical breach of the Covenant but imposes additional costs on the Developer for no real benefit for the Council or the community of Paignton.</p> <p><u>To grant the Licence for a compound in an alternative location</u><br/>Other sites have been explored close to the Victoria Centre car park or Colin Road car park but Midas have indicated that these locations are not viable sites.</p> |
| <b>4.</b> | <p><b>How does this proposal support the ambitions and principles of the</b></p>   |



|                  |   |
|------------------|---|
|                  | <p><b>Corporate Plan 2015-19?</b></p> <p>This proposal supports the Corporate Plan ambition of Prosperous Torbay by facilitating the development of a highly visible site which will provide employment opportunities both during the construction of the development and permanent jobs when the sites are operational as hotels. It will also bring valuable income to the Council during the licence period.</p> |
| <p><b>5.</b></p> | <p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>The Covenant is expressed to be for the Paignton Wards and the Members of these wards have been consulted together with the TDA. Regeneration within Paignton and the town centre is supported by the Ward Councillors and the TDA.</p>   |
| <p><b>6.</b></p> | <p><b>How will you propose to consult?</b></p> <p>The Ward Councillors have been consulted, as well as the Paignton Community Partnership and the Paignton Green users group, which includes event organisers.</p>  |

## Section 2: Implications and Impact Assessment

|     |  |
|-----|--|
| 7.  | <p><b>What are the financial and legal implications?</b></p> <p>The proposal would bring an income of £28,900.</p> <p>Whilst there would be a technical breach of the Covenant, for which an aggrieved person could seek to enforce by way of an injunction in the High Court, the risks of this being successful are low. The spirit of the Covenant is to preserve Paignton Green from permanent future development and this proposal does not seek to allow any permanent development on the Green (considering the 'normal' definition of permanent i.e. 'lasting or intended to last or remain unchanged indefinitely).</p> |
| 8.  | <p><b>What are the risks?</b></p> <p>Should a person be aggrieved by the proposal then they could seek to enforce the Covenant by way of an injunction in the High Court. The risks are low as a person would need to show that this decision goes against the spirit of the Covenant, which is to preserve Paignton Green from future development. This proposal does not seek to allow any permanent development on the Green.</p> <p>There is clearly a risk of impact to the delivery of the developments and associated investment on the sites of the former Lighthouse and Park Hotel.</p>                                |
| 9.  | <p><b>Public Services Value (Social Value) Act 2012</b></p> <p>Not applicable for this policy.</p>   |
| 10. | <p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The professional advice of the TDA has been used to achieve the best possible terms on which to grant a licence in this location.</p>   |
| 11. | <p><b>What are key findings from the consultation you have carried out?</b></p> <p>It is understood that the Community Partnership have recognised that the developments and investment being undertaken in this key seafront location are important to Paignton and that although the contractor's compound located on the Green is not ideal, it is probably a necessary requirement to deliver progress at pace.</p>  |

|     |  |
|-----|--|
| 12. | <b>Amendments to Proposal / Mitigating Actions</b><br>None applicable. |
|-----|--|

## Equality Impacts

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

|    |   |   |                        |
|----|---|---|------------------------|
|    |   |   |                        |
|    | Socio-economic impacts (Including impact on child poverty issues and deprivation)   | This proposal facilitates much needed development of a site and investment in Paignton, that will bring the employment benefits set out above |                        |
|    | Public Health impacts (How will your proposal impact on the general health of the population of Torbay)                           |   | No differential impact |
| 14 | <b>Cumulative Impacts – Council wide</b><br>(proposed changes elsewhere which might worsen the impacts identified above)          | None  |                        |
| 15 | <b>Cumulative Impacts – Other public services</b><br>(proposed changes elsewhere which might worsen the impacts identified above) | None  |                        |



### **Heads of Terms for licence to erect a compound on the Green, Paignton Seafront, Paignton, Devon**

- 1. PARTIES**
- Licensor** Torbay Council of Town Hall, Castle Circus, Torquay TQ
- Licensee** Midas Construction Ltd
- Surveyor** TDA's surveyor acting on behalf of Torbay Council
- 2. LICENCE AREA** The Licence areas shall be as shown coloured red on the attached plan measuring a width of 17 metres from Esplanade road and a length of up to 22 metres hereinafter referred to as "the Land".
- 3. TERM** The term shall commence on an agreed date in January 2020 and expire after 74 weeks once the Council's Surveyor is satisfied that the yield up has been complied with.
- The Licensee shall not allow any equipment on site prior to the date of commencement.
- 4. LICENCE FEE** £28,900 for the duration of the licence payable in tranches of £10,155 on the signing of this licence, a further £10,155 on 1 July 2020 and a last payment of £8,590 due on 1<sup>st</sup> February 2021.
- 5. TERMINATION** This Licence may be terminated at any time by the Council in the event of a breach by the Licensee of any of the terms herein contained.
- 6. USE** The licensor may only use the land for its welfare and site office facilities in connection with their work at the Park Hotel site.
- 7. ACCESS** Access to the Land shall be permitted at all reasonable times. Any damage to areas outside the Land shall be made good at the Licensee's expense to the satisfaction of the Licensor's Surveyor.
- Any vehicular access required for delivery of equipment is to be from pier approach road. Pedestrian access for the normal use of the compound is to be from Esplanade Road.

## **8. WORKS**

The Licensor consents to the Licensee exploratory works on the Land in order to carry out investigation to link up services.

The licensor may only remove 1 tree within the licensed area with the additional consent and satisfaction of the Council.

The licensor is required to move the existing dog waste bin within the land to an agreed position on the adjacent side of the pathway.

The Licensee shall be responsible for obtaining any other necessary consent's in respect of the use of the Land for this purpose.

The Licensee shall provide a full method statement to the Licensor of the proposed works prior to commencement of work.

The Licensee shall provide a full risk assessment to the Licensor in advance of commencement of the works.

The Licensee shall not permit anything to be done upon the Land which may cause damage, nuisance, danger or inconvenience to the Council or the owners or occupiers of any adjoining or neighbouring land.

The Licensee shall ensure the use does not obstruct public access on the adjacent land.

## **9. ADVERTISING AND BOARDING**

The licensee will be responsible for erecting boarding around the compound security fencing and the Council requires this to be painted in a green colour approved by the Council's Surveyor. The Council reserves rights in full to be able to advertise on all of the hoarding area (excepting the licensee's legally required safety notices) during the whole course of the licence period

## **10. SECURITY AND SAFETY**

When the site is not occupied, all materials/equipment of a portable nature shall be removed from the Land.



The Licensee will be responsible for keeping the Land in a safe condition and protecting the safety of all persons who may use the Land from time to time with or without the permission of the Licensee.

The Council will accept no responsibility for damage or contamination to the Land.

#### **11. UTILITY CHECKS**

The Licensee shall make all necessary utility service checks prior to commencing works and shall take responsibility for any damage caused during the works. Any business rates payable for the site will be the responsibility of the Licensee.

#### **12. YIELDING UP**

At expiry or sooner determination of the term (however the same may be determined) peaceably to yield up to the Council the Land in such state and condition as the Land was in before commencement of the works, including the re-instatement of the soil / grass, re-laying of paving, repair of any damage and cleaning of any contamination that may occur to the Land as a result of its use in connection with the consents granted under this Licence.

At expiry or sooner determination of the term (however the same may be determined), the Licensee shall remove all items that have been placed upon the Land by the Licensee.

On completion of reinstatement works the Licensee shall notify the Council so that the Council's Surveyor & Parks Officer may inspect the Land to check that the Licensee has complied with all of the covenants within this Licence.

This Licence will not be deemed terminated until the Council's Surveyor & Parks Officer is satisfied that all of the covenants within this Licence have been complied with.

#### **13. INDEMNITY**

The Licensee will indemnify the Council from and against all actions, proceedings, costs, claims, demands, damages and liability, including damage to property and injury to persons whether or not fatal arising from the grant of this Licence, other than injury or death

to persons attributable to negligence or wilful default on the part of the Council, its employees or agents.

This indemnity shall be underwritten by an appropriate policy of public liability insurance in the sum of at least £5,000,000 (Five Million Pounds) for any one incident but otherwise unlimited during the period of the policy.

**14. SURVEYORS FEES**

The Licensee shall pay the Council's Legal fees of £375(plus VAT) plus Surveyors fees and administration costs of £350(plus VAT)

I have read, understood and agree to the above terms and conditions. I am authorised to sign this Licence on behalf of the Licensee.

SIGNED.....DATED.....

PRINT NAME.....



EM Plan No: EM3407  
Date: 23rd December 2019  
Title: Site Compound, Paignton Green.

Asset No: P0253ZZ  
LR Title No: DN524674  
Scale: 1:1250  
Area: 361.52m<sup>2</sup>



These are the notes referred to on the following official copy

Title Number DN524674

The electronic official copy of the document follows this message.

This copy may not be the same size as the original.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

THIS DEED is made the 12th of JUNE two thousand and thirteen

BY

THE COUNCIL OF THE BOROUGH OF TORBAY of the Town Hall, Castle Circus, Torquay TQ1 3DR ('the Council').



**BACKGROUND**

(A) The Council is the freehold owner of Paignton Green in the Borough of Torbay.

(B) The Council considers that the part of the green edged red on the attached plan should be protected from development so that the green can continue to be enjoyed by future generations.

**THE COVENANT**

The Council covenants with all inhabitants of the wards of Blatchcombe, Clifton with Maidenway, Goodrington with Roselands, Preston and Roundham with Hyde ("the Paignton Wards") that for a period of 100 years beginning on the date of this deed it will not on the land shown edged red on the plan attached erect or permit the erection of any permanent structure without any such proposal first obtaining the majority of votes in a referendum of the persons who at the day of the referendum would be entitled to vote as electors at an election of councillors for any of the Paignton Wards and are registered as local government electors at an address within the Paignton Wards. For the purposes of this covenant 'permanent structure' shall mean any structure intended to remain on the land for a period greater than 6 months in any period of 12 consecutive months. This covenant shall not apply to the installation, construction or renewal (whether by statutory undertakers or otherwise) of any media for the supply or removal, electricity, gas, water, sewage, energy, telecommunications, data and all other services and utilities and all structures, machinery and equipment ancillary to those media.



This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

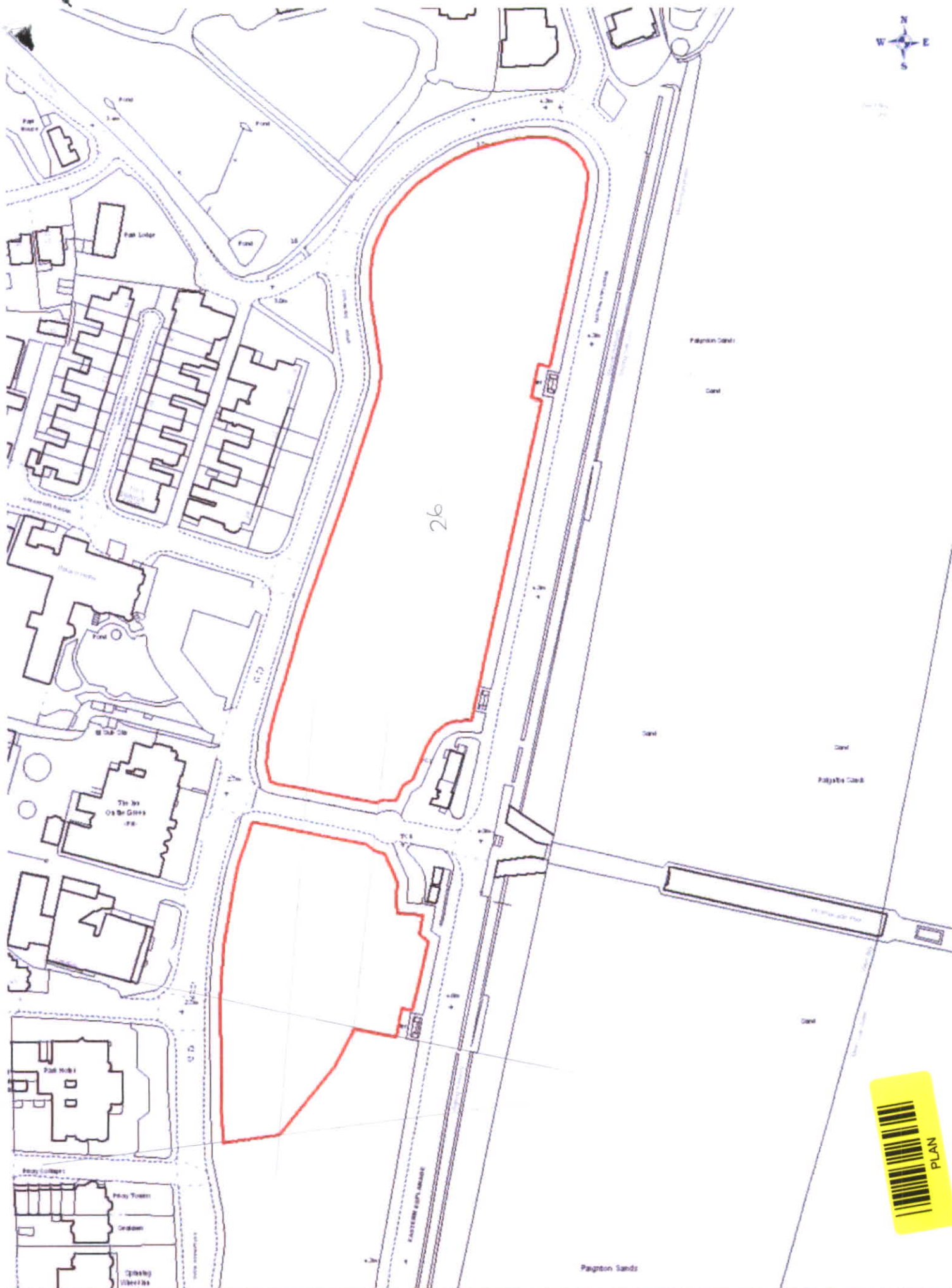
Executed as a deed )  
by affixing the Common )  
Seal of the COUNCIL OF )  
THE BOROUGH OF )  
TORBAY in the presence of )

Proper Officer and Authorised Signatory



The Council of The  
Borough of Torbay S / No: 5159





Title: Paignton Greens.

TORBAY DEVELOPMENT AGENCY - ASSET MANAGEMENT

This map is based upon Ordnance Survey data with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.

EM Plan No: EM2278b  
Asset No: P0253  
Date: 21st September 2012  
Scale: 1:1250





**Meeting:** Cabinet

**Date:** 20 February 2020

**Wards Affected:** All

**Report Title:** Extension of the Joint Community Equipment Contract

**Is the decision a key decision?** No

**When does the decision need to be implemented?** Immediately, for continuation of the existing contract from 1 April 2020.

**Cabinet Member Contact Details:** Jackie Stockman, Cabinet Member for Adult Services and Public Health, [Jackie.stockman@torbay.gov.uk](mailto:Jackie.stockman@torbay.gov.uk)

**Supporting Officer Contact Details:** Joanna Williams, Interim Director of Adult Services, 01803 207175 and [joanna.williams@torbay.gov.uk](mailto:joanna.williams@torbay.gov.uk)

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## 1. Proposal and Introduction

- 1.1 This report seeks Cabinet approval to extend the current contract with Nottingham Rehab Limited trading as NRS Healthcare, for the delivery of the Joint Community Equipment Service and minor adaptations within Torbay. The current contract with NRS Healthcare ends in March 2020 and this report requests the extension of this arrangement for one plus one years (potentially until March 2022) for the reasons outlined below.
- 1.2 The extended contract will continue to be commissioned jointly by the council and NHS Devon Clinical Commissioning Group (CCG). The contract extension will enable the council, along with its NHS partners, to undertake a review of our aids, adaptations and assistive technology functions, to provide a more joined-up offer to people who use our services and how this can be better provided, potentially by working in partnership with other local authorities.
- 1.3 The extended contract would commence on 1 April 2020.

## 2. Reason for Proposal and associated financial commitments

- 2.1 NRS Healthcare provide the Joint Community Equipment Service function in Torbay. This is commissioned jointly by the council and the CCG. This includes the provision of equipment on loan to people living in the community, enabling them to remain in their home environment for longer. It provides simple and complex aids for daily living, along with minor adaptations for people with health and social care needs living in Torbay (or who are registered with a Torbay GP). The current contract with NRS Healthcare ends in March 2020.

- 2.2 In our future retendering of this service we are looking to continue to innovate and improve the service we offer, making the best use of resources and providing better outcomes for adults and children to support people to manage their health and wellbeing within their community. This includes looking differently at how we combine aids, adaptations and assistive technology services, to provide a more joined-up offer and how this might be better achieved by working in partnership with others.
- 2.3 In part this is driven by our involvement in the Devon Sustainability and Transformation Partnership (STP) and emerging integrated care system (ICS) for the county. Working in partnership the Devon STP states that in future, “..our main focus will be on helping more people to live healthily and happily at home, with support and care from the NHS and social care services.” This is supported by a number of strategic priorities, including:
- enhancing self-care and community resilience;
  - integrating and improving community services and care in people’s homes; and
  - delivering modern, safe and sustainable services.

By delivering on these priorities the Devon STP seeks to realise a number of benefits, including:

- more people managing their health and wellbeing, living in resilient communities;
  - people receiving joined-up care and support between services and organisations; and
  - more care being available in the community and people’s homes.
- 2.4 Our experience already of working together as part of the Devon STP and integrating care at a local level is important and means we can be responsive to people’s needs, making good use of local assets and resources. This recognises that people do not just access health and care services linked to their local geography. For example, residents in Torbay may sometimes use services from outside the Bay e.g. some of the specialist functions provided by the larger acute providers of University Hospitals Plymouth NHS Trust (Derriford) and Royal Devon and Exeter NHS Foundation Trust (Wonford). Likewise, people can receive services from providers who operate across local authority boundaries in Devon or care placements may be commissioned by one authority but located in another council area.
- 2.5 It is our intent that the benefits that we have achieved from working together locally, are enhanced by the advantages of being part of a wider Devon integrated care system and the resilience, sharing of good practice, and economies of scale that this has to offer.
- 2.6 A core element of the emerging approach is the development of integrated strategic commissioning, which can act across health and social care. The three local authorities (Devon County Council, Plymouth City Council and Torbay Council) have been active in this approach to date; sharing elements of commissioning, collaborating in our shared geographies and delegating significant investment into joint commissioning arrangements with our CCG. From April 2019 NHS Devon CCG commissions health services across the whole of the ceremonial county of Devon.



- 2.7 Torbay commissioners believe the partnership model could contribute to improved service delivery, better outcomes for adults and children, and the opportunity to realise efficiencies through shared or merged service elements. This includes how better we might join-up different types of services from the perspective of the public and also possibly over a wider geography than just Torbay.
- 2.8 Commissioners in Torbay Council have already had initial discussions with their counterparts in neighbouring authorities. We will continue to explore with Plymouth City Council and Devon County Council whether there is an appetite and potential benefits of closer collaboration for the provision of aids, adaptations and assistive technology, enabling greater opportunity for service innovation, sharing knowledge, expertise and capacity in order to jointly realise benefits for service users and manage costs.
- 2.9 Cross-border work (covering a wider geography and population) could allow all three authorities to use their combined purchasing power to work with economic operators to identify the best aids, adaptations and assistive technology solutions for people, standardise products and set clear expectations on quality.
- 2.10 The approach of having one Joint Community Equipment Service covering more than one local authority (and in some case an entire county) has been adopted in other parts of England. Examples include: Bedfordshire and Luton; Bristol and South Gloucestershire; and Dorset with Bournemouth, Christchurch and Poole.
- 2.11 This report does not commit Torbay Council and any potential partners to a specific option at this stage, merely the request to extend our existing Joint Community Equipment contract in the short-term to enable further research and discussions to take place with regards to aids, adaptations and assistive technology services.
- 2.12 Any future recommendations would need to come back to Cabinet and Council for approval, supported by a detailed and costed options appraisal. Any subsequent agreed tenders would be supported by an open and transparent procurement process. This work might result in one of the following outcomes for the Torbay Service (this list is not exhaustive and the scope, in terms of geography and services to be included, will need to be determined by the review of aids, adaptations and assistive technology):
- procurement of a Torbay only service, covering just community equipment;
  - procurement of a Torbay only service, encompassing a wider range of functions;
  - procurement of a Torbay and Plymouth service, based on either of the above; or
  - procurement of an STP-wide service, that may or may not include a wider range of services, with some STP Partners potentially joining at a later date.
- 2.13 The proposals contained in this report will commit the council financially in respect of approximately £1m (based on 2019/20 budget), subject to any changes as a result of future budget setting for 2020/21 and the contract being extended for two years. The amount reflects the council's contribution over two years, to be matched by the CCG. This does not include any potential overspend, which will be funded as it has in previous years via a three-way split between the council, CCG and Torbay and South Devon NHS Foundation Trust.
-

### **3. Recommendation(s) / Proposed Decision**

- 3.1 That Cabinet approves the decision to extend the current contract with Nottingham Rehab Limited trading as NRS Healthcare, for the delivery of the Joint Community Equipment Service and minor adaptations within Torbay.
- 3.2 Torbay Council awards its current economic operator a new one year contract to run until 31 March 2021, with an option to extend for a further 12 months in the event this is required for a more complex tender, following the completion of a review of our aids, adaptations and assistive technology services.

## Section 1: Background Information

### 1. What is the proposal / issue?

Statutory guidance states that:

***“Local authorities must provide or arrange services, resources or facilities that maximise independence...meeting a person’s needs in their own home...for example, community equipment services and adaptations...”***

(Source: Care and Support Statutory Guidance - issued under the Care Act 2014, paragraph 2.9, updated 26 October 2018, Department of Health & Social Care)

Within the Care Act 2014, community equipment is guided by a number of key principles and duties including determining eligible needs, personalisation, prevention and wellbeing.

Aspects of the provision of community equipment are also covered by a number of other pieces of legislation including the Children Act 1989, Equality Act 2010 (and subsequent public sector Equality Duty), Public Services (Social Value) Act 2012 and Children and Families Act 2014.

Community equipment includes complex items (such as mattresses, lifting equipment and beds), to small products such as commodes. Community equipment enables individuals of all ages to cope independently, often without the need for other services, helping to reduce the package of care or indeed enabling care to be delivered in the person’s own home (and occasionally in a care home setting). It helps both family and paid carers (such as domiciliary care workers) to support people with complex physical disabilities in their own homes, in a safe and effective manner. It enables the safe delivery of a number of services e.g. providing support with personal care, a return home for someone at the end of life, intermediate care and replacement care. Having community equipment in place is an important element in timely hospital discharge, helping to avoid hospital and residential care admissions, preventing falls and supporting reablement. Equipment is needed to maintain independence and reduce risk of injury, which is seen to increase with age.

### 2. What is the current situation?

The existing contract with Torbay Council’s provider of community equipment finishes in March 2020 and currently only covers Torbay.

We are recommending the extension of our existing contract (commissioned jointly by the council and the CCG). The contract extension will enable the council, along with its NHS partners, to undertake a review of our aids, adaptations and assistive technology functions, to provide a more joined-up offer to people who use our services and how this can be better provided, potentially by working in partnership with other local authorities.

|                  |   |
|------------------|---|
| <p><b>3.</b></p> | <p><b>What options have been considered?</b></p> <p>A re-procurement could take place now (but would still likely take a year and would therefore require an extension), to provide the service based on the existing model solely for Torbay. However, given the uncertainty around the ongoing financial outlook of local government and funding pressures on current health and care budgets (including the Joint Community Equipment Service), a joint approach across parts or all of Devon could offer a more innovative way to deliver services and maximise value for money. A short term contract with another provider is unlikely to be attractive due to the costs and times associated with putting a new service in place, which would include the transfer of existing staff under TUPE regulations.</p> |
| <p><b>4.</b></p> | <p><b>What is the relationship with the priorities within the Partnership Memorandum and the Council’s Principles?</b></p> <p>Adopting a more sustainable model that maximises value for money, whilst retaining a service that enables people to remain in their home environment for longer, supports the new council administration’s vision, in particular:</p> <ul style="list-style-type: none"> <li>• Thriving people; and</li> <li>• Council fit for the future.</li> </ul>   |
| <p><b>5.</b></p> | <p><b>How does this proposal/issue contribute towards the Council’s responsibilities as corporate parents?</b></p> <p>Community equipment is used by some children. As part of the council’s responsibilities as corporate parents, in instances where services are directly provided for children and young people in care and care leavers they are scrutinised to deliver to a high standard and to all statutory requirements.</p>  |
| <p><b>6.</b></p> | <p><b>How does this proposal/issue tackle poverty, deprivation and vulnerability?</b></p> <p>Equipment provision is not means tested but is provided following assessed needs (primarily by NHS prescribers/practitioners, such as district nurses, occupational therapists, physiotherapists, etc.) and is demand led. The main users are an ageing population, with more complex conditions and long-term needs, though younger people can also have equipment.</p> <p>The provision of community equipment supports the council’s and its NHS partners’ priorities to tackle poverty, deprivation and vulnerability, particularly with regards to enabling people to live in their home/community.</p>   |

|           |   |
|-----------|---|
| <p>7.</p> | <p><b>How does the proposal/issue impact on people with learning disabilities?</b></p> <p>The provision of community equipment supports people with a range of needs and disabilities and therefore plays a positive role in enabling people. As we are recommending to extend the existing contract there are no proposed significant changes at this stage.</p>   |
| <p>8.</p> | <p><b>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</b></p> <p>As we are recommending to extend the existing contract there are no proposed significant changes at this stage. However, as part of the subsequent review of aids, adaptations and assistive technology we plan to consult and engage with a range of stakeholders including service users, NHS operational colleagues, potential partner agencies, etc.</p> |

## Section 2: Implications and Impact Assessment

### 9. What are the financial and legal implications?

The proposals contained in this report will commit Torbay Council financially in respect of approximately £1m (based on 2019/20 budget), subject to any changes as a result of future budget setting for 2020/21 and the contract being extended for two years. The amount reflects the council's contribution over two years, to be matched by the CCG. This does not include any potential overspend, which will be funded as it has in previous years via a three-way split between the council, CCG and Torbay and South Devon NHS Foundation Trust.

The proposed approach has been discussed with procurement colleagues, including the mitigating actions identified below.

The extension to the contract will be supported by: a signed Variation to the existing contract; signed S75 agreement with the CCG and Torbay and South Devon NHS Foundation Trust; and extension of the lease arrangements between NRS and the landlord of the community equipment store (via colleagues in the TDA and legal team).

### 10. What are the risks?

There is a risk that other providers could challenge the extension of the current contract. This has been mitigated by producing (in partnership with procurement colleagues) a Voluntary ex ante transparency (VEAT) notice in 2019, which has been published to the market explaining our rationale for requesting an extension to the current contract. This was supported by telephone conversations with representatives of the main providers in this market. The contract extension will then be followed by an open and transparent re-procurement process that both current and new providers can bid for. It should be noted that no provider concerns were raised during the 10 day standstill period following publication of the VEAT notice.

This recommendation is supported by a parallel Request to Waive Financial Regulations/Standing Orders in Relation to Contracts. Ordinarily Contract Procedures do not permit waiver requests for above EU threshold contracts. By notifying the market via a VEAT notice of the intention to direct award the contract the council is complying with its obligations under the Public Contracts Regulations, thereby enabling the waiver request to be made.

The purpose of this waiver is to obtain the necessary officer/member approval for the direct award to enable this report to go to Cabinet to request commitment of funding for this contract from 01 April 2020 to 31 March 2022.

|                   |   |
|-------------------|---|
| <p><b>11.</b></p> | <p><b>Public Services Value (Social Value) Act 2012</b></p> <p>Following extension of the current contract a detailed timetable would need to be agreed with commissioners and procurement colleagues in those authorities who agree to implement any subsequent approach and procurement. This would include the provision of an outline plan to procure any new service by April 2021 or April 2022. It is recommended that the procurement team from one of the authorities takes the lead on any joint work (in partnership with commissioners from all three authorities and the CCG).</p> <p>It is recommended that the future contract length is of a suitable duration, to give the provider/s stability to support longer-term planning. Funding levels would need to strike the right balance between being affordable and value for money, and delivering the necessary quality and ability to meet the Joint Community Equipment Services functions (and any other services that are included within scope).</p> <p>All existing providers within Devon would obviously be able and encouraged to bid for the new contract, along with other potential suppliers (existing or new).</p> |
| <p><b>12.</b></p> | <p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>Initial research has been undertaken, looking at how other local authorities commission aids, adaptations and assistive technology services.</p> <p>Commissioners have also had initial conversations with their counterparts in neighbouring councils.</p> <p>More detailed research would form part of the proposed review of aids, adaptations and assistive technology, to inform any future re-procurement.</p>   |
| <p><b>13.</b></p> | <p><b>What are key findings from the consultation you have carried out?</b></p> <p>N/A.</p>   |
| <p><b>14.</b></p> | <p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>N/A.</p>   |

## Equality Impacts

| 15. | Identify the potential positive and negative impacts on specific groups   |   |                                      |                |
|-----|---|---|--------------------------------------|----------------|
|     |   | Positive Impact   | Negative Impact & Mitigating Actions | Neutral Impact |
|     | Older or younger people   | The extension of the community equipment contract will enable continued support to both older and younger people.                               |                                      |                |
|     | People with caring Responsibilities   | The extension of the community equipment contract will enable continued support to people with caring responsibilities.                         |                                      |                |
|     | People with a disability  | The extension of the community equipment contract will enable continued support to people with a disability.                                    |                                      |                |
|     | Women or men  | The extension of the community equipment contract will enable continued support to both women and men.  |                                      |                |
|     | People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> | The extension of the community equipment contract will enable continued support to people who are black or from a minority ethnic background.   |                                      |                |
|     | Religion or belief (including lack of belief)   | The extension of the community equipment contract will enable continued support to people with a religion or belief (including lack of belief). |                                      |                |



|            |  |  |  |  |
|------------|--|--|--|--|
|            | People who are lesbian, gay or bisexual  | The extension of the community equipment contract will enable continued support to people who are lesbian, gay or bisexual.  |  |  |
|            | People who are transgendered   | The extension of the community equipment contract will enable continued support to people who are transgendered.   |  |  |
|            | People who are in a marriage or civil partnership  | The extension of the community equipment contract will enable continued support to people who are in a marriage or civil partnership.  |  |  |
|            | Women who are pregnant/ on maternity leave   | The extension of the community equipment contract will enable continued support to women who are pregnant/on maternity leave.  |  |  |
|            | Socio-economic impacts (Including impact on child poverty issues and deprivation)  | The extension of the community equipment contract will enable continued support to people from a range of socio-economic backgrounds, including people facing issues related to poverty and deprivation. |  |  |
|            | Public Health impacts (How will your proposal impact on the general health of the population of Torbay)                  | The extension of the community equipment contract will enable continued support to people within our community, impacting positively on their general health.  |  |  |
| <b>16.</b> | <b>Cumulative Impacts – Council wide</b><br>(proposed changes elsewhere which might worsen the impacts identified above) | N/A.   |  |  |

|     |   |      |
|-----|---|------|
| 17. | <b>Cumulative Impacts – Other public services</b><br>(proposed changes elsewhere which might worsen the impacts identified above) | N/A. |
|-----|---|------|



**Meeting: Cabinet/Council**

**Date: 20/27 February 2020**

**Wards Affected: All wards in Torbay**

**Report Title:** Torbay Council Annual Pay Policy Statement including Gender Pay Gap Report and Review of Pensions Discretions

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** 27<sup>th</sup> February 2020

**Executive Lead Contact Details:** Christine Carter, Cabinet Member for Corporate and Community Services, (01803) 207087, [Christine.Carter@torbay.gov.uk](mailto:Christine.Carter@torbay.gov.uk)

**Supporting Officer Contact Details:** Anne-Marie Bond, Director of Corporate Services, (01803) 207160, [Anne-marie.bond@torbay.gov.uk](mailto:Anne-marie.bond@torbay.gov.uk)

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## **1. Proposal and Introduction**

- 1.1 Section 38 (1) of the Localism Act 2011 requires English and Welsh Authorities to produce a pay policy statement for each financial year. This is a statutory requirement, and the pay policy statement must be approved formally by Full Council. The pay policy statement draws together the Council's overarching policies on pay and conditions and will be published on the Council's Website.
- 1.2 The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 requires the Council to publish our gender pay gap data and provide a written statement on our public-facing website and report our data to Government.
- 1.3 Under the current Pensions Regulations, Torbay Council is able to exercise a range of discretions in regard to how the Local Government Pension Scheme (LGPS) is applied to its employees who are members of the Scheme.

## **2. Reason for Proposal**

- 2.1 The Annual Pay Policy Statement 2020/21 must be approved by the Council in order for the Council to be compliant with Section 38 (1) of the Localism Act 2011.
- 2.2 The Gender Pay Gap Report contains information which ensures that the Council is compliant with Gender Pay Reporting requirements under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.
- 2.3 The Employers Pensions Discretions must be reviewed and approved by Council

annually in line with the LGPS regulations.

### **3. Recommendation(s) / Proposed Decision**

That Council be recommended:

- 3.1 That the Torbay Council Annual Pay Policy Statement 2020/21 as set out in Appendix 1 to the submitted report be approved for publication.
- 3.2 That the Torbay Council Gender Pay Gap Report, contained within the Annual Pay Policy Statement 2020/21 in Appendix 1 be approved for publication.
- 3.3 That the Employers Pensions Discretions set out in Appendix 2 to the submitted report be approved for publication.

### **Appendices**

Appendix 1: Torbay Council Pay Policy Statement and Gender Pay Gap Report 2020/21

Appendix 2: Torbay Council Pension Discretions

### **Background Documents**

Copies of Torbay Councils associated Pay Policies will be made available upon request.

All current policies are held on the Council's MyView system:-

<http://insight/humanresources>

The following documents/files were used to compile this report:-

Localism Act Pay Policy Guidance from the Local Government Association

<http://www.local.gov.uk/localism-act>

Gender Pay Gap Reporting guidance from GOV.UK and Acas:-

<https://www.gov.uk/guidance/gender-pay-gap-reporting-make-your-calculations>

[https://archive.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing\\_gender\\_pay\\_reporting\\_07.02.19.pdf](https://archive.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing_gender_pay_reporting_07.02.19.pdf)

## Section 1: Background Information

### 1. What is the proposal / issue?

The publication of the Annual Salary Statement is a statutory requirement under Section 38 (1) of the Localism Act 2011. If Council does not approve the Salary Statement then the Council will be in breach of the legislation.

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 requires all local authorities and other public, private and voluntary sector organisations to publish their gender pay gap data. They must also publish a written statement on their public website and Government website using the gender pay gap reporting service.

See Annual Pay Policy Statement, Appendix 1, for full details.

Under the current Pensions Regulations, Torbay Council is able to exercise a range of discretions in regard to how the Local Government Pension Scheme (LGPS) is applied to its employees who are members of the Scheme. The Employers Pensions Discretions must be reviewed and approved by Council annually in line with the LGPS regulations.

Some additional discretions have been included for 2020/21 which are non-mandatory but recommended by Peninsula Pensions (Appendix 2, pages 5 – 7).

See Pensions Discretions, Appendix 2, for full details of the existing and recommended discretions.

### 2. What is the current situation?

There has been a positive change in the median figures since the 2019/20 Annual Pay Policy Statement was published which reflects a more balanced pay difference between the highest salary and the median and lowest salaries. This is due to a slight reduction in headcount, involving staff across various different pay grades coupled with pay rises nationally that have increased the value of the pay grades and the National Living Wage.

The Gender Pay Gap Report (Appendix 1 of Pay Policy Statement) provides the standard set of calculations required to calculate the Council's Gender Pay Gap. This report shows the mean and median hourly earnings between men and women within the Council. A narrative has been provided within the report to explain the current gender pay gap, i.e. -1.06% (mean) and -0.9% (median).

|           |  |
|-----------|--|
|           | Employee and employer pension contribution rates are not yet available for 2020/21 although it is expected that these new rates will be confirmed imminently.  |
| <b>3.</b> | <p><b>What options have been considered?</b></p> <p>There are no options to be considered in regard to the publication of the Pay Policy Statement including the publication of Gender Pay Gap information as these are statutory requirements under Section 38 (1) of the Localism Act 2011 and The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.</p> <p>There are no options to be considered in regard to the publication of the Pay Policy Statement as it is a Statutory requirement of the requirement under Section 38 (1) of the Localism Act 2011.</p> <p>The Employers Pensions Discretions were last approved by Council in February 2019. Although there are no changes proposed, Council are required to approve these discretions on an annual basis.</p> |
| <b>4.</b> | <p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</b></p> <p>The Council is statutorily required to approve these documents, and therefore it supports the corporate functions that contributes to the delivery of the Council's ambitions.</p>   |
| <b>5.</b> | <p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>Torbay Council employees and those within the Council's Maintained Schools, including all employees who are members of the Local Government Pension Scheme.</p>  |
| <b>6.</b> | <p><b>How will you propose to consult?</b></p> <p>Trade Unions representing staff within Torbay Council and its' Schools will be consulted at Joint Consultative meetings.</p>   |

## Section 2: Implications and Impact Assessment

|            |   |
|------------|---|
| <b>7.</b>  | <b>What are the financial and legal implications?</b><br><br>The Council would be in breach of its statutory obligation if it does not publish its Annual Pay Policy Statement and Gender Pay Gap information in accordance with the Localism Act 2011 and The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.<br><br>The Pay Policy Statement and associated pay policies set out the processes and procedures by which the Council pays its staff. These practices are in accordance with the Equality Act 2010 and associated employment law and so must be approved in order to maintain compliance.   |
| <b>8.</b>  | <b>What are the risks?</b><br>Non-Compliance with Section 38 (1) of Localism Act 2011, The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, see above. It is currently not determined as to whether there would be a financial penalty for non-compliance with the Localism Act however, under employment law non-compliance could result in heavy penalties for the Council (e.g. Equal pay and discrimination claims).<br><br>In regard to non-compliance with Gender Pay Gap Reporting, this is included in the explanatory note to the Regulations that states that failure to comply with the duty will constitute an "unlawful act" within the meaning of s.34 of the Equality Act 2006, which empowers the Equality and Human Rights Commission (EHRC) to take enforcement action.<br><br>In addition to the risk of enforcement action by the EHRC, the Council should also consider the potential damage to their reputation of non-compliance with the gender pay gap reporting duty. |
| <b>9.</b>  | <b>Public Services Value (Social Value) Act 2012</b><br><br>The decisions will not relate to the above Act as there are no associated services or goods that need to be purchased or hired.   |
| <b>10.</b> | <b>What evidence / data / research have you gathered in relation to this proposal?</b><br><br>Reference has been made to the Localism Act 2011 and supplementary guidance supplied by the Department for Communities and Local Government ("Openness and Accountability in Local Pay: Supplementary Guidance").<br><br>Advice and information has also been provided by the Local Government Association.   |

|     |   |
|-----|---|
|     | <p>Reference has been made to the Gender Pay Gap Reporting guidance from GOV.UK and Acas:-<br/> <a href="https://www.gov.uk/guidance/gender-pay-gap-reporting-make-your-calculations">https://www.gov.uk/guidance/gender-pay-gap-reporting-make-your-calculations</a><br/> <a href="https://archive.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing_gender_pay_reporting_07.02.19.pdf">https://archive.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing_gender_pay_reporting_07.02.19.pdf</a></p>                            |
| 11. | <p><b>What are key findings from the consultation you have carried out?</b></p> <p>The key findings to date from consultation have revealed nothing significant as this is a policy that affects Torbay Council staff. Consultation takes place with the Council's Trade Unions on behalf of its staff, the expectation is that the Council has a legally compliant pay policy in place that is fair and transparent.</p> <p>Consultation regarding the findings of the Gender Pay Gap Report will be ongoing with Trade Unions as part of the action plan.</p> |
| 12. | <p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>Feedback will be sought from Trade Unions regarding any changes affecting Torbay Council staff. Any changes or mitigating actions put forward will be fully considered.</p>  |



## Equality Impacts

| 13. | Identify the potential positive and negative impacts on specific groups   |   |                                      |  |
|-----|---|---|--------------------------------------|--|
|     |   | Positive Impact   | Negative Impact & Mitigating Actions | Neutral Impact   |
|     | Older or younger people   |   |                                      | Employers Pensions Discretions affecting employees who are 55 years and above. A neutral impact as the proposal is that the discretions will not change since they were last reviewed in 2019. |
|     | People with caring Responsibilities   |   |                                      |  |
|     | People with a disability  |   |                                      |  |
|     | Women or men  | An Equality Impact Assessment was undertaken for the Council's Pay and Grading structure in 2019 – this indicates that men and women are both positively impacted by the new pay and grading structure. |                                      |  |
|     | People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i> |   |                                      |  |
|     | Religion or belief (including lack of belief)   |   |                                      |  |

|            |   |  |   |
|------------|---|--|---|
|            |   |  |   |
|            | People who are lesbian, gay or bisexual   |  |   |
|            | People who are transgendered  |  |   |
|            | People who are in a marriage or civil partnership   |  |   |
|            | Women who are pregnant / on maternity leave   |  |   |
|            | Socio-economic impacts (Including impact on child poverty issues and deprivation)   |  |   |
|            | Public Health impacts (How will your proposal impact on the general health of the population of Torbay)                           | <b>Cumulative Impacts – Council wide</b><br>(proposed changes elsewhere which might worsen the impacts identified above) | Neutral, no public health impact identified as a result of proposals. |
| <b>14.</b> | <b>Cumulative Impacts – Other public services</b><br>(proposed changes elsewhere which might worsen the impacts identified above) |  |   |
| <b>15.</b> | <b>Cumulative Impacts – Other public services</b><br>(proposed changes elsewhere which might worsen the impacts identified above) |  |   |



# TORBAY COUNCIL ANNUAL PAY POLICY STATEMENT APRIL 2020/21

Human Resources

This document can be made available in other languages and formats. For more information please contact:-

[HRPolicy@torbay.gov.uk](mailto:HRPolicy@torbay.gov.uk)

## 1. *Purpose and Scope of the Policy Statement*

- 1.1 Section 38 (1) of the Localism Act 2011 requires the Council to prepare an Annual Pay Policy Statement.
- 1.2 Supplementary guidance was published in February 2013 – “Openness and Accountability in Local Pay: Supplementary Guidance”. Due regard has been given to that guidance in preparation of this policy.
- 1.3 In dealing with staff pay it is the Council’s strategy to ensure that our Pay Policy facilitates the recruitment and retention of staff with the skills and capabilities the Council needs.
- 1.4 Arrangements for staff pay must comply with Equal Pay legislation.
- 1.5 This Pay Policy Statement applies to the Chief Executive/Head of Paid Service, Directors, Executive Heads and Senior Officers within Torbay Council. It addresses the legal requirement to set out how pay is determined for this group. This includes the following posts within Torbay Council:

Chief Executive/Head of Paid Service

Directors

Assistant Directors

Senior Officers – these are posts with specific responsibility such as Section 151 Officer and/or where the salary is above £50,000

- 1.6 This Pay Policy Statement is a supplement to Torbay Council's overarching Pay and associated policies which form part of the terms and conditions of employees. These include but are not limited to:-

Torbay Council Pay Policy

Job Evaluation Scheme Policies (Greater London Provincial Councils Job Evaluation Scheme).

NJC Terms and Conditions of Employment (Green Book)

JNC Terms and Conditions for Chief Executives

JNC Terms and Conditions for Chief Officers (Directors within Torbay Council are appointed to these Terms and Conditions).

NHS Terms and Conditions

Torbay Council Local Government Pension Scheme Policy Discretions

Employment of Apprentices Policy

Re-Evaluation Policy

Temporary Acting Up Policy

Temporary Additional Duties Policy

Expenses Policy

Market Supplement Policy

Market Forces Policy

Staff Travel Plan

Key Skills Retention policy

Key Skills Golden Hello Scheme

Key Skills Student Loans Allowance Scheme

Flexible Retirement

## Retirement and Long Service Award

## Re-organisation and Redundancy Policy

1.7 Guidance from the Secretary of State makes reference to the Hutton Review of Fair Pay. This indicated that the most appropriate metric for pay dispersion is the multiple of Chief Executive pay to median salary. Tracking this multiple will allow the Council to ensure that public services are accountable for the relationship between top pay and that paid to the wider workforce. This annual pay policy statement will publish this multiple along with the following information:

- The level of salary for each of the Officers as defined in 1.5 above;
- The salary of the lowest paid employee

This information can be found in Appendix 1 of this policy.

## **2. Arrangements for Officer Pay**

2.1 The general terms and conditions of employment are governed by the following national agreements:

Chief Executive/Head of Paid Service - JNC for Chief Executives of Local Authorities,

Directors and Assistant Directors - JNC for Chief Officers of Local Authorities,

Senior Officers - NJC for Local Government Services

Educational Advisors and Inspectors/ Educational Psychologists – Soulbury Pay and Conditions

All other Employee Groups – NJC for Local Government Services

Public Health – NHS Terms and Conditions of Service (for employees who have transferred under TUPE)

2.2 The Council uses two forms of Job Evaluation to identify officer pay. This is either through the Council's GLPC Job Evaluation Scheme or the Hay Evaluation Scheme. The Hay Evaluation scheme produces both a Know How Score and a total points score for each post evaluated. Torbay Council pays salary (with a pay band of 4 spinal points) on the basis of the Know How Score only (not the final points score). Know-How is the sum of every kind of knowledge, skill and experience required for standard acceptable job performance.

2.3 The Hay Job Evaluation scheme is used to evaluate the following roles within the Council.

Chief Executive/Head of Paid Service

Directors and Assistant Directors

Senior Officers - check

All Grade N and O roles are evaluated under GLPC and Hay (this is due to the cross over point of the two schemes).

Public Health posts are evaluated on the Council's GLPC Job Evaluation Scheme.

Public Health posts can also be evaluated using the "Agenda for Change" job evaluation scheme in order to provide Market Forces information.

All other posts within the Council are evaluated under the Torbay Council GLPC evaluation scheme in accordance with the agreed policies.

- 2.4 A review of Hay salary data was purchased in 2018 and salaries were reviewed in line with this and with South-West public and private sector data. This salary information, together with corresponding job descriptions, is available from the Council's internet page, link as follows:- <http://www.torbay.gov.uk/council/finance/salary-levels/>
- 2.5 In determining the salary for the Chief Executive/Head of Paid Service within the Council, and in the absence of appropriate data from Hay, the Council will take advice from the Head of Human Resources and the Director, Corporate Services.. In such a scenario independent advice will be sought from South West Councils (HR and Employment Services) and other professional organisations to advise the Council as to the appropriate level of remuneration to be awarded.
- 2.6 The Chief Executive under the general scheme of delegation within the Council will determine the terms and conditions of employment of all officers. Advice will be sought from the Head of Human Resources and Director, Corporate Services as required.
- 2.7 Following significant changes in duties, any post can be re-evaluated. The evaluation will be based on a Job Evaluation Questionnaire which will be assessed by an independent panel of Job Evaluation trained assessors. External advice and benchmarking will also be undertaken if necessary to ensure that market conditions are taken into account for pay and grading.
- 2.8 Salary increases in relation to cost of living will be applied to all posts according to the awards made by the appropriate National Joint Council as described in paragraph 2.1.

The Council's pay and grading structure is available from the Council's website :-

<https://www.torbay.gov.uk/council/jobs/what-we-offer/salary-and-grades/>

- 2.9 No additional payments are made to in respect of:

Bonus payments or Performance payments to the Senior Officers defined in 1.5, unless where given as a result of protections under TUPE e.g. Director of Public

Health whose protected medical terms and conditions include access to additional NHS allowances in regard to Clinical Excellence and on-call duties, details can be found on the NHS Employers webpage as follows: - <https://www.nhsemployers.org/-/media/Employers/Documents/Pay-and-reward/Junior-Doctors/FINAL-Pay-and-Conditions-Circular-MD-12017-MARCH-2018.pdf>

Additional enhancements are paid to NJC Employees who are employed on SCP 23 or below of the Torbay Council Salary Scale. These enhancements were varied in accordance with a Collective Agreement with our Trades Unions, dated 13<sup>th</sup> December 2016.

2.10 Additional payments are made to any Council Officers who act as Returning Officers, Deputy Returning Officers and those who carry out specific duties at elections. These payments are calculated according to the approved scale or set by a government department depending on the nature of the election. This is treated as a separate employment as and when required.

2.11 In comparing the Chief Executive/Head of Paid Service pay with the wider workforce the Council will use the following definitions:

The lowest-paid employee: the employee or group of employees with the lowest salary (full-time equivalent) employed by the Council at the date of assessment.

The median: the mid-point salary when full-time equivalent salaries are arranged in order of size (highest to lowest). Based on salary levels of staff on the date of assessment.

This excludes those employed on casual contracts of employment, but includes part time employees where their salaries are normalised to the full-time equivalent. It also excludes Apprentices who are employed on the Torbay Council apprentice pay grade.

### **3. Pension contributions and other Terms and Conditions**

3.1 All staff who are members of the Local Government Pension Scheme make employee contributions to the scheme in accordance with the following LGPS contributions table. However, these figures represent the 2019/20 contribution rates and bandings which could be subject to change and have not yet been confirmed for 2020/21.



| <b>Band</b> | <b>Salary Range</b>         | <b>Contribution Rate</b> |
|-------------|-----------------------------|--------------------------|
| <b>1</b>    | <b>£0 To £14,400</b>        | <b>5.50%</b>             |
| <b>2</b>    | <b>£14,401 To £22,500</b>   | <b>5.80%</b>             |
| <b>3</b>    | <b>£22,501 To £36,500</b>   | <b>6.50%</b>             |
| <b>4</b>    | <b>£36,501 To £46,200</b>   | <b>6.80%</b>             |
| <b>5</b>    | <b>£46,201 To £64,600</b>   | <b>8.50%</b>             |
| <b>6</b>    | <b>£64,601 To £91,500</b>   | <b>9.90%</b>             |
| <b>7</b>    | <b>£91,501 To £107,700</b>  | <b>10.50%</b>            |
| <b>8</b>    | <b>£107,701 To £161,500</b> | <b>11.40%</b>            |
| <b>9</b>    | <b>More than £161,501</b>   | <b>12.50%</b>            |

- 3.2 The employer pension contribution rate is: 16.70% for Core Council and 18.50% for Schools based staff which has been set from 1<sup>st</sup> April 2020.
- 3.3 All employees are currently able to apply for a Car Parking permit, which enables employees to park on Council property for a reduced daily rate.

#### **4. *Payments on Termination – Chief Officers***

The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, at retirement age or prior to this, is set out within its Redundancy policy and is in accordance with Regulation 5 of the Local Government (Early termination of Employment) (Discretionary Compensation) Regulations 2006 and Regulations 8 and 10 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007. Final payment details are submitted to Full Council for approval.

#### **5. *Salary Packages upon Appointment***

- 5.1 Any salary package offered in respect of a new appointment for a Chief Executive /Head of Paid Service will be approved by Full Council. This will include **any new salary package** equating to £100,000 or more.

In the case of salary packages for Directors and Assistant Directors, this will need to be approved by the Council's Employment Committee, acting on behalf of Full Council. This will include **any salary package** equating to £100,000 or more.

#### **6. *Settlement Agreements***

- 6.1 Torbay Council will only enter into Settlement Agreements in exceptional circumstances where it is in the Council's overall commercial and financial interests to do so. Any Settlement Agreement for the Chief Executive/Head of Paid Service will be approved by the Full Council. This will include **any severance package** including associated pension costs equating to £100,000 or more.

In the case of Settlement Agreements for Directors and Assistant Directors, this will need to be approved by the Council's Employment Committee acting on behalf of full Council. This will include **any severance package** including associated pension costs equating to £100,000 or more.

Settlement Agreements for any other member of staff will need to be authorised by the Director of the service following consultation with the Chief Executive/Head of Paid Service.

## **7. Gender Pay Gap Reporting**

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 requires Torbay Council to calculate and publish the pay gap between male and female employees every year. Pay data must be based on a 'snap-shot' of the pay situation as at 31<sup>st</sup> March the preceding year and must be published by 30<sup>th</sup> March 2020 to the Government and also on Torbay Council's website:- <https://www.torbay.gov.uk/council/finance/salary-levels/>

The Government publishes the results on their Gender Pay Gap Viewing Service:- <https://gender-pay-gap.service.gov.uk/>

The Pay Gap Report is included as part of this policy, see Appendix 2 – Gender Pay Gap Report.

## **8. Publication**

8.1 Once approved by Full Council, this Policy and any subsequent amendment will be published on the Council's website. Human Resources Policy will be responsible for the annual review to ensure an accurate pay policy is published ahead of each financial year.

8.2 In accordance with the Code of Practice on Local Authority Accounting, the annual Statement of Accounts includes pay details of Senior Officers reporting directly to the Chief Executive/Head of Paid Service and statutory posts where the salary is above £50,000 per annum.

8.3 Full Council decisions in relation to staff pay matters are available from the Council's internet page, link as follows:-

<http://www.torbay.gov.uk/DemocraticServices/ieDocHome.aspx>

### **Current Salary Levels for Chief Executive/Head of Paid Service, Directors and other Senior Officers**

Torbay Council publishes a Salary Levels list with post details, salary bands and full-time equivalent salaries, available from Torbay Council's web-site:- <http://www.torbay.gov.uk/council/finance/salary-levels/>

## ***Equality Statement***

This policy applies equally to all Council employees regardless of their age, disability, sex, race, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership. Care will be taken to ensure that no traditionally excluded groups are adversely impacted in implementing this policy. Monitoring will take place to ensure compliance and fairness.

## ***Appendix 1 - Multipliers***

The idea of publishing the ratio of the pay of an organisation's top salary to that of its median salary has been recommended in order to support the principles of Fair Pay and transparency. These multipliers will be monitored each year within the Pay Policy Statement.

In comparing the highest paid salary with the wider workforce the Council will use the following definitions:

The lowest-paid employee: the employee or group of employees with the lowest rate of pay (full-time equivalent) employed by the Council at the date of assessment. This includes all types of employment within the Council.

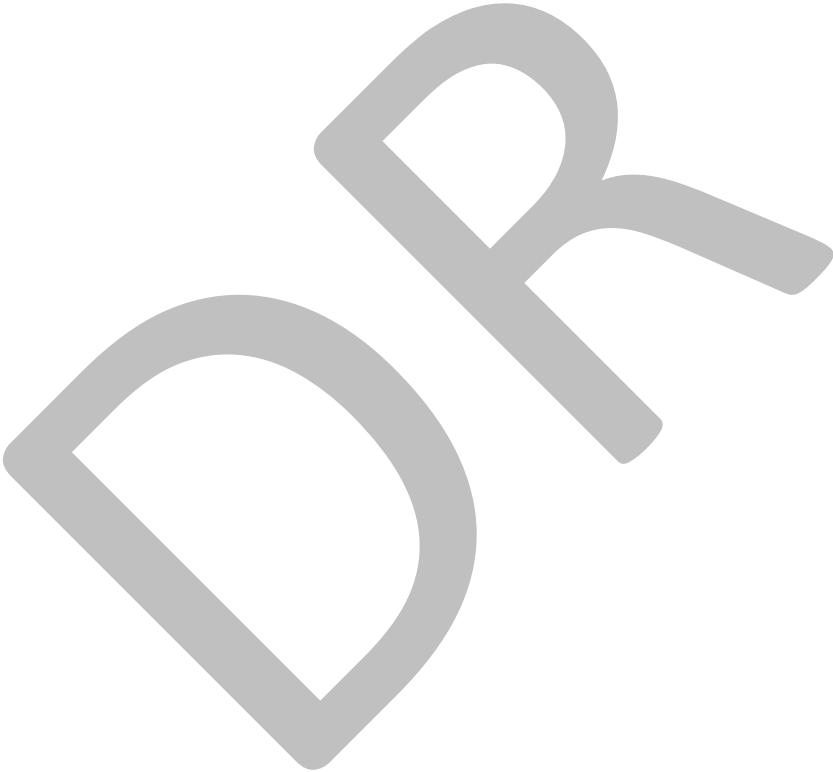
The median: the mid-point salary when full-time equivalent salaries of all core council staff are arranged in order of size (highest to lowest). Based on the salary levels of staff on the date of assessment. This includes all types of employment within the Council.

The Council's current ratio in this respect is 5.17:1, i.e. the highest salary earns 5.17:1 times more than the Council's median salary. The lowest full time equivalent salary is £17,364 which is Point 6, Grade A. When measured against the lowest salary the ratio is 8.05:1.

Date of assessment: December 2019.

|                          | <b>Annual Salary</b>                         | <b>Ratio to Highest</b> |
|--------------------------|--|-------------------------|
| Highest Salary           | Within the banding<br>£135,000 -<br>£139,999 |                         |
| Median (Mid-point) value | £26,999                                      | 5.17:1                  |
| Lowest full time salary  | £17,364                                      | 8.05:1                  |

There has been a positive change in the figures since the 2019/20 Annual Pay Policy Statement was published which reflects a more balanced pay difference between the highest salary and the median and lowest salaries. This is due to a reduction in headcount, involving staff across various different pay grades coupled with pay rises nationally that have increased the value of the lower pay grades in particular.



## **Appendix 2 – Gender Pay Gap Report**

This report is provided in compliance with the 'The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017' which came into force on 31 March 2017.

### **Scope**

This report covers all employees of Torbay Council including all staff permanently and temporarily employed on the reporting 'snapshot date' (31 March 2019). This includes those on casual contracts that worked during the pay period ending 31 March 2019.

In accordance with the Regulations, employees of Torbay Council's maintained schools\* are treated as being employed by the governing body of the school and not as Council employees. Consequently, employees in maintained schools have been excluded from the Council's gender pay calculations. The duty to report GPG information applies to organisations with 250 or more employees. None of Torbay Council's maintained schools individually exceed this figure and so will not need to make a submission. In the case of schools who are part of a multi-academy trust and which may collectively exceed 250 employees, they will be required to report their gender pay information as the employer and take advice as appropriate.

\* Maintained schools are regarded as foundation, community, voluntary, nursery or special schools. (<https://www.gov.uk/guidance/gender-pay-gap-reporting-overview>)

### **Definition of Pay**

Under the regulations, and therefore in this report, 'pay' includes: basic pay, paid leave (including annual leave, sick leave, maternity, paternity, adoption and parental leave (except where an employee is paid less than usual because of being on leave)), allowances, shift premium pay and bonus pay. 'Pay' does not include: overtime pay, expenses, the value of salary sacrifice schemes (however the reduction to salary is included), benefits in kind, redundancy pay and tax credits.

### **Gender pay gap and equal pay**

The gender pay gap is defined as the difference between the pay of men and women. While there are many ways of presenting this data, under the regulations and in this report there are only two measures: median hourly pay and mean hourly pay. Each is represented as the percentage of the difference with men's pay being the divisor. Therefore, where men are paid more than women, the pay gap will be 'positive' (i.e. with a 3% pay gap women earn 97p for every £1 a man earns). Negative pay gaps are represented as minus percentages (i.e. with a negative pay gap of minus 3% women earn £1.03 for every £1 a man earns). Gender pay gap is not about men and women being paid differently for the same job which has been prohibited by equal pay legislation since 1975. Even with this legislation, historically certain occupations have attracted greater pay due to the value placed on typical masculine and feminine skills.

To comply with equal pay legislation, we operate a recognised job evaluation scheme which covers all posts within the Council. This is supported by periodic pay data reviews to ensure that our pay structure remains transparent and free from gender bias. The Council seeks external advice on JE where required and regularly benchmarks against market data.

### ***Defining pay gaps***

A gender pay gap of less than +/- five percent is considered to be acceptable as defined by the Equality and Human Rights Commission's Equal Pay Toolkit. All gender pay gaps of three percent or more are subject to further analysis to identify the main causes and contributory factors of any pay differences.

A positive pay gap indicates that men are paid more, a negative pay gap indicates that women are paid more.

### ***Analysing pay gaps***

In regard to Gender Pay Gap Reporting, both the mean and median figures have to be reported, however, the median is referred to, to highlight the overall gender pay gap as it is more representative of the average earnings of a typical person (Annual Survey of Hours and Earnings, 2017:5). Significant pay gaps can often be explained by length of service, market factors, pay protection and/or progression.

### ***Findings***

The following summary has been prepared in line with the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 which requires public sector employers to publish specific details of their gender pay, as follows:-

- Median gender pay gap in hourly pay.
- Mean bonus gender pay gap.
- Median bonus gender pay gap.
- Proportion of males and females receiving a bonus payment.
- Proportion of males and females in each pay quartile.

### **The difference between the average (mean and median) hourly rate of pay for male and female employees**

1. The mean pay for women is £15.18 per hour and mean pay for men is £15.02 per hour. Therefore the mean gender pay gap -1.06%

2. The median pay for women is £14.49 and the median pay for men is £14.36 per hour. Therefore the median gender pay gap is -0.9%.

**The difference between the average (mean and median) bonuses paid to male and female employees over the period of 12 months ending with the snapshot date of 31 March 2019.**

3. No bonuses were paid to employees during this period.

**The proportion of male employees, and of female employees, who were paid bonuses during the period of 12 months ending with the snapshot date of 31 March 2019.**

4. No bonuses were paid to employees during this period.

**5. The proportions of male and female employees in each quartile of the pay distribution – to be supplied**

| Quartile                  | Posts | Men (Count) | Men ( % ) | Women (Count) | Women ( % ) |
|---------------------------|-------|-------------|-----------|---------------|-------------|
| A - Lower (0-25%)         | 245   | 53          | 21.63%    | 192           | 78.37%      |
| B - Lower Middle (25-50%) | 245   | 80          | 32.65%    | 165           | 67.35%      |
| C - Upper Middle (50-75%) | 245   | 91          | 37.14%    | 154           | 62.86%      |
| D - Upper (75-100%)       | 245   | 100         | 40.82%    | 145           | 59.18%      |
| Total Posts               | 980   | 324         | 33.06%    | 656           | 66.94%      |

**Findings**

Torbay Council employed 980 employees on 31<sup>st</sup> March 2019, as a headcount figure. This figure does not include our School employees.

The previous Gender Pay Gap Report highlighted a -1.12% mean gap in favour of women and a -1.36% median gap in favour of women, however this years' figure shows the gap to be -1.06% mean gap and a -0.9% median gap in favour of women, therefore a slight improvement in the gap between men and women's pay. Although there is still a minimal pay gap in favour of women, this can be attributed to the slight increase in the number of women in the Council's workforce who occupy managerial and senior managerial roles and who predominantly occupy job roles in the upper quartile.



The Council's gender pay gap position remains well below the public and private sector averages. The mean gender pay gap for the whole economy (according to the November 2019 Office for National Statistics (ONS) Annual Survey of Hours and Earnings (ASHE) figures) is 16.2% and 15.7% for the public sector (**provisional figures**).

The median gender pay gap for the whole economy (according to the October 2019 ONS ASHE figures) is 17.3% and 16.8% for the public sector (**provisional figures**):-

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/annualsurveyofhoursandearningsashegenderpaygaptables>

The Council introduced a new pay and grading structure in April 2019 and a full equality impact assessment was undertaken to assess any adverse impact upon certain groups, including a gender analysis. This has since been reviewed and changes to the Council's job evaluation conventions have further been consulted on with Trades Unions to ensure that evaluation of any new and existing jobs continues to be fair and equitable. .

In addition to this, the following proposals are put forward to review and minimise any pay gaps going forward:-

- Review gender pay gap to explore the root causes contributing to any pay gaps and actions required to reduce the gap.
- Further work to review our pay and grading structure to ensure that it remains transparent and free from gender bias.
- Review Market Forces and Market Supplement process, criteria and the appropriateness of Market Forces and Supplements to ensure they reflect market conditions.
- Review of Recruitment Strategy and associated policy and processes.
- Regular Audits of Job Evaluations Grading outcomes to ensure consistency, fairness and equality of approach and compliance to scheme.
- Implement consistent monitoring of internal promotions and progressions by gender.
- Continue to utilise staff development and talent management opportunities (e.g. through the management development programme, appraisals and apprenticeships).
- Continue monitoring the impact of restructures on staff with protected characteristics such as gender.

The above listed proposals may also be applied to other protected characteristics such as age, disability and ethnicity.

Signed by:-

Print Name and Job Title:-

Date:-

## Sources of Information:-

### Equality and Human Rights Commission:-

<https://www.equalityhumanrights.com/sites/default/files/research-report-109-the-gender-pay-gap.pdf>

### ACAS:-

[https://archive.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing\\_gender\\_pay\\_reporting\\_07.02.19.pdf](https://archive.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing_gender_pay_reporting_07.02.19.pdf)

### Office for National Statistics:-

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/bulletins/annualsurveyofhoursandearnings/2017provisionaland2016revisedresults>

<https://www.ons.gov.uk/releases/understandingthegenderpaygap>

## Policy Feedback

Should you have any comments regarding this policy, please address them to the HR Policy Feedback mailbox –

[HRpolicy@torbay.gov.uk](mailto:HRpolicy@torbay.gov.uk)

## History of Policy Changes

This policy was first agreed by members of the Torbay Joint Consultative Committee in March 2012

| Date                          | Page    | Details of Change  | Agreed by:                              |
|-------------------------------|---------|--|---|
| November 2012                 | Various | Amendment from Chief Executive to Chief Operating Officer  | SSG 8.11.12<br>Approved by Full Council |
| 6 <sup>th</sup> December 2012 | 4-5     | Update to pension ranges re: LGPS contribution rates Addition of Payments upon Termination Section | Approved by Full Council                |
| 6 <sup>th</sup> December 2012 | 7       | Update to Ratio + Multiplier information (Appendix 2)  | Approved by Full Council                |

|                               |         |  |  |
|-------------------------------|---------|--|--|
| 6 <sup>th</sup> December 2012 | 6       | Update to current salary levels + addition of newly appointed posts (Appendix 1)   | Approved by Full Council                 |
| 5 <sup>th</sup> December 2013 | Various | Update to current salary levels and reference to Chief Executive Officer throughout. Inclusion of Public Health information. | To be approved by Full Council – 5.12.13 |

DR

|                         |         |   |  |
|-------------------------|---------|---|--|
| 5th<br>December<br>2014 | Various | Update to current salary levels and pension rates, reference to Executive Head of Commercial Services.  | To be approved by Full Council – 4.12.14 |
| November<br>2015        | Various | <p>-Update to reflect structure changes, e.g. Chief Officer/Head of Paid Service and Assistant Director roles. Reference to National Living Wage from 1.4.16.</p> <p>New section (5) relating to approval process for Chief Officer/Head of Paid Service appointments and changes to Section 6 (Settlement Agreements) to reflect approval process, i.e. delegation to Employment Committee for decisions relating to Directors and Assistant Directors.</p> <p>Reference to “Openness and Accountability in Local Pay: Supplementary Guidance”</p> | Approved by Full Council – 10.12.15      |
| February<br>2017        | Various | <p>Update to reflect change in job title – Chief Officer to Chief Executive.</p> <p>Changes to Appendix 1 – Multipliers, due to salary pay award in 2016 and introduction of National living Wage. Changes to terms and conditions relating to enhancements and other terms and conditions that have been varied through Collective Consultation.</p> <p>Updated to reflect Hay 2016 rates low to medium and spinal scales.</p> <p>General re-wording to take into account constitution, general delegations.</p>                                   | Approved by Full Council February 2017   |

|              |                         |   |   |
|--------------|-------------------------|---|---|
| June 2017    | Wording to 2.5 updated. | To reflect how Chief Executive salary will be reviewed following recommendation from Employment Committee.  | Approved by Full Council 10 <sup>th</sup> May 2017.   |
| January 2018 | Various                 | <p>Changes to job titles to reflect Senior Leadership Team restructure.</p> <p>Replace external link to Salary Disclosure information.</p> <p>Update to pensions contributions information.</p> <p>Update to Appendix 1 – multiplier information.</p> <p>Inclusion of Appendix 2 – Gender Pay Gap Report</p>                                  | Full Council Approval 22 <sup>nd</sup> February 2018. |
| January 2019 | Various                 | <p>Insertion of new section 2.9 re:- pay and grading structure changes.</p> <p>Update to Pensions information – Section 3</p> <p>Update to Appendix 1 – multiplier information.</p> <p>Update of Appendix 2 – Gender Pay Gap Report</p> <p>Amendment to Scope of Gender Pay Gap Report – pay calculations no longer include Schools data.</p> | Full Council Approval 21 <sup>st</sup> February 2019. |

|              |         |   |   |
|--------------|---------|---|---|
| January 2020 | Various | Update to Appendix 1 – multiplier information.<br>Update of Appendix 2 – Gender Pay Gap Report<br>ONS Annual Earnings Survey Results included for private and public sectors. | Full Council Approval 27th February 2020. |
|--------------|---------|---|---|

Policy to be reviewed December 2020.

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## Employer Pensions Discretions Policy

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**The LGPS Regulations 2013  
and**

**The LGPS Regulations 2014**

(Transitional Provisions and  
Savings)

**and**

**The LGPS Regulations 2008**

(Benefits, Membership and Contributions)

**(as at 14<sup>th</sup> May 2018)**



**Employer name:** TORBAY COUNCIL

**Policy effective from:** 01/04/2020

These policies may be subject to review from time to time. Affected employees will be notified of any subsequent change to this Policy Statement.

**Print name of authorised officer:** Anne-Marie Bond

**Job title:** Director of Corporate Services & Operations

**Date:**

**Signature of authorised officer:**

## Mandatory LGPS 2013 & 2014 discretions

### Power of employing authority to grant additional pension Regulation R31

An employer can choose to grant extra annual pension\* (at full cost to themselves) to:

- a) an active member; or
- b) to a member, within 6 months of leaving, whose employment was terminated on the grounds of redundancy or business efficiency

*\*(Current maximum additional pension allowed is £6,822 (figure at 1 April 2018))*

Please state your decision below:

Torbay Council will not normally exercise the discretion to grant additional pension except in exceptional circumstances.

### Shared Cost Additional Pension Scheme Regulation R16 (2) (e) and R16 (4) (d)

Where an active member wishes to purchase extra annual pension by making additional pension contributions (APCs)\*, an employer can choose to voluntarily contribute towards the cost of purchasing that extra pension via a shared cost additional pension contribution (SCAPC)

*\*(Current maximum additional pension allowed is £6,822 (figure at 1 April 2018))*

**NOTE:** this discretion does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work (or such a longer period as the Scheme employer may allow) to pay a SCAPC to cover the amount of pension 'lost' during that period of absence. That is because, in those cases, the Scheme employer must contribute 2/3rds of the cost to a SCAPC; there is no discretion [regulation 15(5) of the LGPS Regulations 2013].

Please state your decision below:

Torbay Council will not normally enter into a Shared Cost Additional Pension Contribution contract to count towards a member's APC purchase except in exceptional circumstances.



### **Flexible Retirement**

#### **Regulation R30 (6) and TP11 (2)**

Under the regulations, once an employee reaches age 55, they may remain in employment and draw their retirement benefits.

However, there are certain conditions that must be met:

- a) The employer must agree to the release of the pension.
- b) The employee must reduce either their hours, and/or their grade. *(The specific reduction required is not set out in the regulations, but instead must be determined by the employer, whom must specify the requirements within their flexible retirement policy).*

In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights).

**If flexible retirement is permitted, employers will need to publish a Flexible Retirement Policy and send Peninsula Pensions a copy. This can be done on the final section of this template.**

### **Please state your decision below:**

Torbay Council will take all reasonable steps to accommodate an employee's request for Flexible Retirement.

The Council will consider waiving a reduction to pension benefits where flexibility will enable the Council to retain key skills within critical service areas.

The Council will also consider requests where an employee is aged between 55 and 60, satisfies the 85 year rule and in which case the decision incurs a pension strain cost. Such requests will be considered by the Head of Paid Service and/or the Council, dependent on the seniority of the role and the associated cost, in line with the Local Government Transparency Code 2015.

### **Waiving of actuarial reduction**

#### **Regulation R30 (8) , TP3 (1), TPSch2, Para 2(1), B30 (5) and B30 (A) (5)**

Employers have the power to waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits paid on the grounds of flexible retirement.

Employers may also waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits for deferred members and suspended tier 3 ill health pensioners who elect to draw benefits on or after age 60 and before normal pension age.

### **Please state your decision below:**

Torbay Council will consider waiving a reduction to pension benefits in the event of Flexible Retirement where flexibility will enable the Council to retain key skills within critical service areas.

The Council will not waive the actuarial reduction applied to deferred member's benefit requests, suspended tier 3 ill health pensioners

Employers also have the power to waive, in whole or in part, the actuarial reduction applied to active members' benefits when a member chooses to voluntarily draw benefits on or after age 55 before age 60 and on or after age 60 and before Normal Pension Age (NPA).

or active members who retire voluntarily and draw benefits from age 55 to Normal Pension Age.

**Power of employing authority to 'switch on' the 85 year rule (excludes flexible retirement) upon the voluntary early payment of benefits.**

**TP1(1)(c) Sch2**

The 85-year rule does not (other than on flexible retirement) automatically fully apply to members who would otherwise be subject to it and who choose to voluntarily draw their benefits on or after age 55 and before age 60.

An employer can therefore choose whether to switch on the 85-year rule for members:

- 1) who voluntarily draw their benefits on or after age 55 and before age 60 and,
- 2) former members who ceased active membership between 1<sup>st</sup> April 2008 and 31<sup>st</sup> March 2014 and choose to voluntarily draw their suspended tier 3 ill health pension (on or after 14 May 2018) on or after age 55 and before age 60.
- 3) former members who ceased active membership between 1<sup>st</sup> April 1998 and 31<sup>st</sup> March 2014) and elect for voluntary early payment of any deferred benefits

**Please state your decision below:**

Torbay Council will not 'switch on' the 85 year rule for current or former members who voluntarily draw their pension benefits early, except in exceptional circumstances.

## Non-Mandatory/Recommended LGPS 2013 & 2014 discretions

### Regulation R17 (1) and TP15 (1) (d) and A25 (3) and definition of SCAVC in RSch 1

#### Shared Cost Additional Voluntary Contribution Arrangement

An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution via a shared cost arrangement (SCAVC). An employer will also need to decide how much, and in what circumstances to contribute to a SCAVC arrangement.

#### Please state your decision below:

Torbay Council will not currently contribute to a member's Shared Cost Additional Voluntary Contribution arrangement.

### Non-mandatory policies but recommended by Peninsula Pensions:

**Reg 16(16)** - An employer can extend the 30-day deadline for a member to elect for a SCAPC upon return from a period of absence from work with permission with no pensionable pay (otherwise than because of illness or injury, relevant child-related leave or reserve forces service leave).

**Reg 22(7) and (8)** - Whether to extend the 12-month time limit for a member to elect not to aggregate post 31<sup>st</sup> March 2014 (or combinations of pre-April 2014 and post March 2014) deferred benefits.

**Reg 27 of the LGPS (Amendment) Regs 2018** - Whether to extend the 12-month option period for a member to elect to aggregate pre-1st April 2014 deferred benefits.

**R100 (6)** - Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS

**R9(1) & R9(3)** - Determine rate of employees' contributions and when the contribution rate will be assessed

#### Please state your decision below:

Reg 16(16) – Torbay Council will not extend the 30-day deadline upon return from a period of absence allowing for a member to elect for a SCAPC unless the Council have not provided sufficient time to enable the member to make the election.

Reg 22(7) and (8) – Torbay Council will not extend the 12-month time limit except in exceptional circumstances.

Reg 27 of the LGPS (Amendment) Regs 2018 - Torbay Council will not extend the 12-month option period except in exceptional circumstances.

R100 (6) – Torbay Council will consider member requests for the acceptance of transfer values on an individual basis.

R9(1) & R9(3) – Torbay Council will assess and determine an employee's contribution rate on a monthly basis.



## Pre LGPS 2014 discretions

To cover scheme members who ceased active membership on or after 1 April 2008 and before 1 April 2014 (no need to complete if not applicable).

### **Reg 30(5) , TP2(1) Sch2, Reg 30A(5) TP2(1) Sch 2**

#### **Early payment of benefits**

Whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to deferred benefits which are paid before age 65

Whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to any suspended tier 3 ill health pension benefits which are brought back into payment before age 65

### **Policy decision**

Torbay Council will not waive the actuarial reduction to the early payment of a deferred benefit except in exceptional circumstances.

Torbay Council will not waive the actuarial reduction to any suspended tier 3 ill health pension benefits which are brought back into payment before age 65.

To cover scheme members who ceased active membership between 1 April 1998 and 31 March 2008 (no need to complete if not applicable).

### **Regulation 31(2), 31(5), 31(7A) of the LGPS Regulations 1997 and paragraph 2(1) of Schedule 2 to the LGPS (TP) Regs2014**

#### **Early payment of benefits**

Employers can allow the early payment of deferred benefits to former members of the LGPS between the ages of 50 and 55.

Employers can also choose, on compassionate grounds, to waive any actuarial reduction that would normally be applied to benefits which are paid before age 65

#### **Regulation D11(2)(c) of the LGPS Regulations 1995**

**In relation to members who ceased active membership before 1 April 1998:**

### **Policy decision**

Torbay Council will consider requests for the early payment of deferred benefits to former members between age 55 and 55 where there is no cost to the Authority.

Torbay Council will not waive any actuarial reduction that would apply to benefits paid before age 65 where there is a cost to the Council.

Reg D11(2)(c) of the LGPS Regs 1995 – Torbay Council will only grant applications for early release of deferred pension benefits on

Whether to grant applications for the early payment of deferred pension benefits on or after age 50 and before NRD on compassionate grounds.

compassionate grounds to former members between age 50 and NRD where there is no cost to the Council.



## Flexible Retirement Additional Policy

### Flexible Retirement (Regulation R30 (6) and TP11 (2))

#### This must be completed if you allow flexible retirement

You will need to consider; -

1. The minimum reduction in hours or grade required.
2. Whether the employee should commit to a reduction in hours or grade for a minimum period.
3. Whether the employee should commit to remaining in employment with the employer for a minimum period

You should also state; -

1. Whether, in addition to the benefits the member has accrued prior to 1<sup>st</sup> April 2008(which the member must draw) to permit the member to choose to draw;
  - All, part, or none of the benefits they accrued after 31<sup>st</sup> March 2008 and before 1<sup>st</sup> April 2014 and/or,
  - All, part, or none of the benefits accrued after 31<sup>st</sup> March 2014, and,
  - Whether to waive, in whole, or in part, any actuarial reduction which would normally be applied to the benefits for Flexible retirement taken before normal retirement age.

#### Please state your decision below:

1. The minimum recommended reduction in hours is 40%, however, reductions of 20% will also be considered. The minimum reduction in grade is one full grade.
2. The employee must commit to a permanent reduction in hours or grade.
3. The employee must commit to remaining in employment for a minimum period of 1 year, however, the Council can terminate that employment prior to the 1 year deadline.
  - Torbay Council will permit Flexible Retiree's to draw all of their benefits accrued after 31<sup>st</sup> March 2008 and before 1<sup>st</sup> April 2014.
  - The Council will permit members to draw all of their benefits accrued after 31<sup>st</sup> March 2014.
  - The Council will not waive, in whole, or in part, any actuarial reduction which would normally be applied to benefits taken before NRA except in exceptional circumstances.

