

Tuesday, 12 May 2026

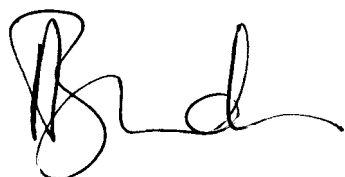
Adjourned Annual Meeting of the Council – Revised Agenda

Dear Member

I am pleased to invite you to attend an adjourned annual meeting of Torbay Council which will be held in **The Forum, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 14 May 2026** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,



Anne-Marie Bond
Chief Executive

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

A Healthy, Happy and Prosperous Torbay

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

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

Adjourned Annual Meeting of the Council Revised Agenda

1. Apologies for absence

2. Declarations of interests

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

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

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

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

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

3. Minutes

(Pages 5 - 14)

To confirm as a correct record the minutes of the meeting of the Council held on 26 February 2026.

4. Communications

To receive any communications or announcements from the:

- Civic Mayor, to include:
 - a presentation on the Believe to Achieve Celebration.

(Please note that the scheduled apology from Councillor Steve Darling has been removed from the agenda pending consideration of the matter by the Local Government Ombudsman.)

- Leader of the Council; and
- Chief Executive.

5. **Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Lead Members**
To consider the appointment of the Overview and Scrutiny Co-ordinator and the appointment of Scrutiny Lead Members for the 2026/2027 Municipal Year.
6. **Appointments to Council Committees, Working Parties and Appointment of Committee Chairs and Vice-Chairs for 2026/2027** (Pages 15 - 50)
To appoint the Council's committees, working parties, Chairs and Vice-Chairs for the new municipal year, in accordance with Council Standing Order A1.2(x).
7. **Composition and Constitution of the Cabinet and Record of Delegations of Executive Functions** (Pages 51 - 54)
To receive details from the Leader of the Council of the composition and constitution of the Cabinet for 2026/2027, together with the record of delegations of Executive functions (in accordance with Standing Order C2).
8. **Members' Questions** (Pages 55 - 60)
To respond to the submitted questions asked under Standing Order A12.
9. **Notice of motions**
To consider the attached motion, notice of which has been given in accordance with Standing Order A13 by the Members indicated.
- (a) **Objection to current Policy Framework - Corporate Asset Management Plan** (Pages 61 - 62)
In accordance with the Constitution at paragraph F4.9, to consider a Motion requesting the Council to formally object to the current Corporate Asset Management Plan in respect of implications for disposals or leases.
10. **Redevelopment of former Crossways Shopping Centre, Paignton for the delivery of Extra Care Housing** (Pages 63 - 108)
To consider the Cabinet's recommendations and a report on the above.
11. **Gillard Road, Brixham - Public Path Creation Order** (Pages 109 - 124)
To consider the Cabinet's recommendations and a report on a proposal to formally designate a Public Right of Way for a path running along and off Gillard Road, Brixham.
12. **Torbay Joint Health and Wellbeing Strategy: post consultation report** (Pages 125 - 172)
To consider the recommendations of the Cabinet and a report setting out the Torbay Joint Health and Wellbeing Strategy: post consultation report (Policy Framework document).

13. **Code of Corporate Governance (Constitution Amendment)** (Pages 173 - 190)
To consider the submitted report which sets out the revised Code of Corporate Governance, which forms part of the Council's Constitution.
14. **Overview and Scrutiny Annual Report 2025/2026** (Pages 191 - 210)
To receive the Overview and Scrutiny Annual Report for 2025/2026.
15. **Audit Committee Annual Report 2025/2026** (Pages 211 - 224)
To receive the Audit Committee's Annual Report for 2025/2026.
16. **Urgent Council Decision taken by the Chief Executive** (Pages 225 - 226)
To note the submitted Report setting out details of an urgent Council decision taken by the Chief Executive in accordance with Paragraph 1.20 of Schedule 2 to Part 3 (Responsibility of Council Functions) of the Council's Constitution.
17. **Standing Order D11 (in relation to Overview and Scrutiny) - Call-in and Urgency** (Pages 227 - 228)
To note the schedule of Executive decisions to which the call-in procedure does not apply as set out in the submitted Report.

Live Streaming

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

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

26 February 2026

:- Present :-

The Worshipful The Mayor of Torbay (Councillor Barbara Lewis) (In the Chair)
Deputy Civic Mayor of Torbay (Councillor Foster)

Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Fellows, Fox, Johns, Law, Chris Lewis, Long, Maddison, Penny, Pentney, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Tyerman and Virdee

57 Opening of meeting

The meeting was opened with a prayer.

58 Apologies for absence

Apologies for absence were received from Councillors Douglas-Dunbar, Harvey, Hutchings, Nicolaou and Twelves.

59 Minutes

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

that the Minutes of the meeting of the Council held on 11 December 2025 were confirmed as a correct record and signed by The Worshipful The Mayor of Torbay.

60 Declarations of interests

At the invitation of The Worshipful The Mayor of Torbay, the Monitoring Officer reminded Members of the dispensation granted in respect of Members' interests in relation to the setting of the budget and Council Tax and matters relating to Council controlled companies where Members were appointed as unpaid directors by the Council. It was noted that the dispensation permitted Members to discuss and vote on the budget in respect of these matters without the need to declare an interest.

No interests were declared.

61 Communications

The Leader of the Council:

- a) informed Members that, on 26 February 2026, he welcomed 10 contestants from around the country to Torbay as the Council was hosting the second leg of the Local Government Challenge. The Challenge developed the next generation of local government leaders and the Leader of the Council advised he would be part of the panel of judges; and
- b) was pleased to announce that Ofsted had rated Torbay's Children's Services as good, and, with the consent of The Worshipful The Mayor of Torbay, the Leader of the Council invited the Cabinet Member for Children's Services to provide further information on Ofsted's report. The Cabinet Member for Children's Services outlined the good rating was a great achievement for Torbay and the rating covered all areas of the inspection including:
 - the impact of leaders on social work practice with children and families;
 - the experiences and progress of children who need help and protection;
 - the experiences and progress of children in care;
 - the experiences and progress of children care leavers; and
 - overall effectiveness.

On behalf of the Council, the Cabinet Member, expressed thanks to the Children's Services Team, the voluntary sector and foster carers for the difference that they make for children and young people.

The Overview and Scrutiny Co-ordinator reported that the call-in procedure had been initiated for the Cabinet's decision on the implementation of the English Riviera Beach Standards (ERBS), which would replace the Blue Flag scheme. The call-in would be presented at the scheduled Overview and Scrutiny Board on 11 March 2026.

62 Petitions

In accordance with Standing Order A23, the Council received a petition requesting the Council to reduce the current speed limit for the Roundham Road area, to 20 miles per hour and provide yellow or red lines at the eastern junction with Alta Vista Road (30 valid signatures).

At the invitation of The Worshipful The Mayor of Torbay, Mr Matthews addressed the Council in relation to the petition referred to above.

It was noted that the petition would be referred to the Director of Pride in Place for consideration in consultation with the Cabinet Member for Pride in Place, Transport and Parking.

63 Members' questions

Members received a paper detailing questions, notice of which had been given in accordance with Standing Order A12. The paper also contained the answers to the questions which had been prepared by Councillors Billings, Chris Lewis, Long, Jaqueline Thomas, Tranter and Tyerman, and was circulated prior to the meeting.

Supplementary questions were put and answered by Councillors Billings, Chris Lewis, Jaqueline Thomas, Tranter and Tyerman, arising from their responses in respect of questions 1, 2, 4, 5, 9, 10, 12, 18, 20, 23, 24 and 25. [Question 4 was presented by Councillor George Darling in the absence of Councillor Harvey and questions 18 and 24 were presented by Councillor Long in the absence of Councillor Douglas-Dunbar.]

64 Revenue and Capital Budget 2026/2027

Members considered the recommendations of the Cabinet in relation to the Revenue Budget 2026/2027, the Fees and Charges for 2026/2027, the Revenue Reserves Statement, the Capital Strategy 2026/2027 and the Treasury Management Strategy 2026/2027 (as set out in the submitted report and supporting documents).

In accordance with legislation, The Worshipful The Mayor of Torbay advised that recorded votes would be taken on all the budget items on this agenda.

Councillor David Thomas proposed and Councillor Tyerman seconded a motion as set out below:

1. that Council Tax is increased by 4.99% for 2026/27, which includes a 2.99% increase plus a 2% levy for Adult Social care);
2. that for 2026/27 net revenue expenditure of £205.3m, resulting in a Council Tax requirement of £101.2m, (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care), be approved;
3. that the proposed Fees and Charges for 2026/27 be approved;
4. 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 Reserves Statement published in November 2025), be noted;
5. that it be noted that the Brixham Town Council precept for 2026/27 of £656,123 will be included as part of the Torbay Council budget for Council Tax setting purposes;
6. that the Capital Strategy 2026/27 and Treasury Management Strategy 2026/27 be approved as published for Cabinet on 2 December 2025;

7. that any technical adjustments to the Revenue and Capital Budget be delegated to the Section 151 in consultation with the Cabinet Member for Housing and Finance; and
8. that it is agreed that any underspend from the current financial year, (2025/2026), will be considered for allocation into priority areas, which take into account the consultation results on the 2026/2027 budget.

The Worshipful The Mayor of Torbay advised that two notices of motions to amend the Cabinet's revenue budget proposals had been received, in accordance with Standing Order A13.4.

Councillor Long proposed and Councillor Cowell seconded an amendment to the motion as follows:

1. that Council Tax is increased by 4.99% for 2026/27, which includes a 2.99% increase plus a 2% levy for Adult Social care);
2. that for 2026/27 net revenue expenditure of £205.3m, resulting in a Council Tax requirement of £101.2m, (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care), be approved, subject to the allocation of £50,000 one off funding to support a programme for improving the appearance of street name signage across Torbay. This would focus on cleaning, refurbishment and repair (on a prioritised basis); and this funding to be identified from the Paignton and Preston Waterfront reduced income allocation of £300,000;
3. that the proposed Fees and Charges for 2026/27 be approved;
4. 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 Reserves Statement published in November 2025), be noted;
5. that it be noted that the Brixham Town Council precept for 2026/27 of £656,123 will be included as part of the Torbay Council budget for Council Tax setting purposes;
6. that the Capital Strategy 2026/27 and Treasury Management Strategy 2026/27 be approved as published for Cabinet on 2 December 2025;
7. that any technical adjustments to the Revenue and Capital Budget be delegated to the Section 151 Officer in consultation with the Cabinet Member for Housing and Finance; and
8. that it is agreed that any underspend from the current financial year, (2025/2026), will be considered for allocation into priority areas, which take into account the consultation results on the 2026/2027 budget.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Fox, Johns, Law, Long, Maddison, Penny, Pentney and Virdee (15); Against: Councillors Billings, Brook, Bryant, Bye, Fellows, Foster, Barbara Lewis, Chris Lewis, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter and Tyerman (16); and Absent: Councillors Douglas-Dunbar, Harvey, Hutchings, Nicolaou and Twelves (5). Therefore, the amendment was declared lost.

Councillor Cowell proposed and Councillor Long seconded an amendment to the motion as follows:

1. that Council Tax is increased by 4.99% for 2026/27, which includes a 2.99% increase plus a 2% levy for Adult Social care);
2. that for 2026/27 net revenue expenditure of £205.3m, resulting in a Council Tax requirement of £101.2m, (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care), be approved, subject to the allocation of £50,000 ongoing funding to reintroduce a rolling programme, on a priority basis, of street cleaning in local community shopping areas (i.e. excluding main Town Centres); and this funding to be allocated from the Brighter Bay budget;
3. that the proposed Fees and Charges for 2026/27 be approved;
4. 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 Reserves Statement published in November 2025), be noted;
5. that it be noted that the Brixham Town Council precept for 2026/27 of £656,123 will be included as part of the Torbay Council budget for Council Tax setting purposes;
6. that the Capital Strategy 2026/27 and Treasury Management Strategy 2026/27 be approved as published for Cabinet on 2 December 2025;
7. that any technical adjustments to the Revenue and Capital Budget be delegated to the Section 151 Officer in consultation with the Cabinet Member for Housing and Finance; and
8. that it is agreed that any underspend from the current financial year, (2025/2026), will be considered for allocation into priority areas, which take into account the consultation results on the 2026/2027 budget.

A recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Carter, Cowell, George Darling, Mandy

Darling, Steve Darling, Fox, Johns, Law, Long, Maddison, Penny, Pentney and Virdee (15); Against: Councillors Billings, Brook, Bryant, Bye, Fellows, Foster, Barbara Lewis, Chris Lewis, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter and Tyerman (16); and Absent: Councillors Douglas-Dunbar, Harvey, Hutchings, Nicolaou and Twelves (5). Therefore, the amendment was declared lost.

Councillor David Thomas' and Councillor Tyerman's original motion was then considered and agreed by the Council (by recorded vote) as set out below:

- 1. that Council Tax is increased by 4.99% for 2026/27, which includes a 2.99% increase plus a 2% levy for Adult Social care);**
- 2. that for 2026/27 net revenue expenditure of £205.3m, resulting in a Council Tax requirement of £101.2m, (a 4.99% increase in Council Tax, of which 2% is for Adult Social Care), be approved;**
- 3. that the proposed Fees and Charges for 2026/27 be approved;**
- 4. 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 Reserves Statement published in November 2025), be noted;**
- 5. that it be noted that the Brixham Town Council precept for 2026/27 of £656,123 will be included as part of the Torbay Council budget for Council Tax setting purposes;**
- 6. that the Capital Strategy 2026/27 and Treasury Management Strategy 2026/27 be approved as published for Cabinet on 2 December 2025;**
- 7. that any technical adjustments to the Revenue and Capital Budget be delegated to the Section 151 in consultation with the Cabinet Member for Housing and Finance; and**
- 8. that it is agreed that any underspend from the current financial year, (2025/2026), will be considered for allocation into priority areas, which take into account the consultation results on the 2026/2027 budget.**

The voting was taken by roll call as follows: For: Councillors Billings, Brook, Bryant, Bye, Fellows, Foster, Barbara Lewis, Chris Lewis, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter and Tyerman (16); Abstain: Councillor Amil, Atiya-Alla, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Fox, Johns, Law, Long, Maddison, Penny, Pentney and Virdee (15); and Absent: Councillors Douglas-Dunbar, Harvey, Hutchings, Nicolaou and Twelves (5).

65 Council Tax 2026/2027

The Council received the submitted report in relation to the setting of Council Tax for 2026/2027.

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

- 1. that it be noted on 11 December 2025 Council approved the following Council Tax Bases for 2026/27:**
 - a) for the whole Council area as 49,488.48 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and**
 - b) for dwellings in the Brixham Town Council area as 6,622.66 to which a Parish precept relates;**
- 2. that the Police and Crime Commissioner for Devon and Cornwall, and the Devon and Somerset Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table in 5. below.**

That the Council is recommended to approve:

- 3. the Council Tax requirement for the Council's own purposes for 2026/27 (excluding Brixham Town Council) of £101,159,897;**
- 4. that the following amounts be calculated for the year 2026/27 in accordance with Chapter Three of the Act:**
 - a. £458,149,581 being the estimated aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account the precept issued to it by Brixham Town Council;**
 - b. £356,333,561 being the estimated aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;**
 - c. £101,816,020 being the amount by which the aggregate at 4 a. above exceeds the aggregate at 4 b. above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax Requirement for the year (item R in the formula in Section 31B of the Act);**
 - d. £2,057.37 being the amount at 4 c. above (Item R), all divided by Item T (1 a. above), calculated by the Council, in**

accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);

- e. £656,123 being the aggregate amount of all special items (Brixham Town Council) referred to in Section 34(1) of the Act; and
- f. £2,044.11 being the amount at 4 d. above less the result given by dividing the amount at 4 e. above by Item T (1 a. above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
5. that the Council, in accordance with Chapter Three of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2026/27 for each part of its area and for each of the categories of dwellings; and

	Valuation Band							
	A	B	C	D	E	F	G	H
Ratio of each band-to-Band D	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
Torbay Council	1,362.74	1,589.87	1,816.99	2,044.11	2,498.35	2,952.60	3,406.85	4,088.22
Police and Crime Commissioner	202.13	235.82	269.51	303.20	370.58	437.96	505.33	606.40
Devon and Somerset Fire and Rescue Authority	73.12	85.31	97.49	109.68	134.05	158.43	182.80	219.36
Aggregate of Council Tax Requirements ex. Town Council	1,637.99	1,911.00	2,183.99	2,456.99	3,002.98	3,548.99	4,094.98	4,913.98
Brixham Town Council	66.05	77.05	88.06	99.07	121.09	143.10	165.12	198.14
Aggregate of Council Tax Requirements including Brixham Town Council	1,704.04	1,988.04	2,272.05	2,556.06	3,124.07	3,692.09	4,260.10	5,112.12

Note: Torbay Council's precept includes the Adult Social Care "precept" set in 2016/17 to 2018/19 and 2020/21 to 2026/27.

6. **that it is noted that the Council's basic amount of Council Tax for 2026/27 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. (Refer to paragraph 5.7 of the submitted report).**

The voting was taken by roll call as follows: For: Councillors Amil, Atiya-Alla, Billings, Brook, Bryant, Bye, Carter, Cowell, George Darling, Mandy Darling, Steve Darling, Fellows, Foster, Fox, Johns, Law, Barbara Lewis, Chris Lewis, Long, Maddison, Penny, Pentney, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter, Tyerman and Virdee (31); and Absent: Councillors Douglas-Dunbar, Harvey, Hutchings, Nicolaou and Twelves (5).

66 Torbay Council Annual Pay Policy Statement and Review of Pensions Discretions

The Council considered the Cabinet's recommendations on the Council's Annual Pay Policy Statement, as required under Section 38(1) of the Localism Act 2011 (as set out in the submitted report). It was noted that the Pay Policy Statement drew together the Council's overarching policies on pay and conditions which would be published on the Council's website. The report also set out the annual review of pensions discretions as required by the Local Government Pension Scheme Regulations.

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

1. **that the Annual Pay Policy Statement 2026/27 as set out at Appendix 1 to the submitted report is approved; and**
2. **that the Employers Pensions Discretions as set out at Appendix 2 to the submitted report is approved.**

67 Civic Mayor Elect 2026/2027

In accordance with the Council's Standing Orders (A9.1), the Council was requested to consider selecting The Worshipful The Mayor of Torbay-Elect for the 2026/2027 Municipal Year. The Worshipful The Mayor of Torbay confirmed that, in accordance with Standing Order A9.1, Councillor Foster had given consent to her nomination prior to the meeting.

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

that Councillor Foster be selected as The Worshipful The Mayor of Torbay (Elect) for the 2026/2027 Municipal Year.

The voting was taken by roll call as follows: For: Councillors Amil, Billings, Brook, Bryant, Bye, Fellows, Foster, Barbara Lewis, Chris Lewis, Spacagna, Stevens, Strang, David Thomas, Jacqueline Thomas, Tolchard, Tranter and Tyerman (17); Against: Atiya-Alla, Carter, George Darling, Mandy Darling, Steve Darling, Fox, Johns, Law, Long, Penny, Pentney and Virdee (12); Abstain: Cowell and Maddison (2); and Absent: Councillors Douglas-Dunbar, Harvey, Hutchings, Nicolaou and Twelves (5).

68 Deputy Civic Mayor Elect 2026/2027

In accordance with the Council's Standing Orders (A9.1), the Council was requested to consider selecting the Deputy Civic Mayor-Elect for the 2026/2027 Municipal Year. The Worshipful The Mayor of Torbay confirmed that, in accordance with Standing Order A9.1, Councillor Fellows had given consent to his nomination prior to the meeting.

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

that Councillor Fellows be selected as the Deputy Civic Mayor (Elect) for the 2026/2027 Municipal Year.

The Worshipful The Mayor of Torbay

Meeting: Adjourned Annual Council

Date: 14 May 2026

Wards affected: All Wards

Report Title: Appointments to Council Committees and Working Parties and Appointment of Committee Chairs and Vice-Chairs for 2026/2027

When does the decision need to be implemented? May 2026

Cabinet Member Contact Details: Councillor Jackie Thomas, Cabinet Member for Culture, Tourism & Events and Corporate Services, Jackie.thomas@torbay.gov.uk

Director Contact Details: Matthew Fairclough-Kay, Director of Corporate Services, matthew.fairclough-kay@torbay.gov.uk

1. Purpose of Report

- 1.1. To appoint the Council's committees, working parties, Chair and Vice-Chair for the new municipal year, in accordance with Council Standing Order A1.2(x). In addition to ensure the committees and working parties have appropriate terms of reference and appointments to those bodies are made in accordance with the relevant statutory requirements.

2. Reason for Proposal and its benefits

- 2.1. The proposals in this report help us to deliver the ambition set out in the Community and Corporate Plan 2023-2043, by ensuring the Council complies with relevant statutory and Constitutional requirements thereby supporting all the priorities with the plan.
- 2.2. The Constitution requires Members at the Annual Meeting of the Council to determine which committees to establish for the forthcoming municipal year, their size and terms of reference and the allocation of seats in accordance with the rules of political balance.

3. Recommendation(s) / Proposed Decision

- 3.1. That the overall political balance of the committees as set out at Appendix 1 be approved;
- 3.2. That, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 be approved;

- 3.3. That, subject to 3.1 and 3.2 above, the Terms of Reference and membership for the Council's Committee's and working parties be approved as set out in Appendix 3;
- 3.4. That, subject to 3.3 above being approved, nominations from Group Leaders be received to fill the seats on the committees;
- 3.5. That, subject to 3.3 above, the Chair and Vice-Chair of those Committee's be approved as set out in Appendix 4;
- 3.6. That, a Sub-Committee of both the Statutory Licensing Committee and Regulatory Committee be established both to comprise three Members of the relevant Statutory Licensing Committee or Regulatory Committee;
- 3.7. That both the Statutory Licensing Sub-Committee and Regulatory Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations; and
- 3.8. That the Head of Governance Support be authorised to empanel Members from the Statutory Licensing Committee and Regulatory Committee to serve on the Statutory Licensing Sub-Committee and Regulatory Sub-Committee as and when required.

4. Appendices

Appendix 1: Political Balance of Committees

Appendix 2: Political Balance of Working Parties

Appendix 3: Committee Terms of Reference and Membership of Committees and Working Parties

Appendix 4: Nominations for Chairs and Vice-Chairs

5. Background Documents

- None

Supporting Information

6. Introduction

- 6.1. The political composition of the Council is 17 members of the Conservative Group, 15 members of the Liberal Democrat Group, 3 members of the Independent Group and 1 Independent ungrouped Councillor (Councillor Hutchings). The political balance is:

Conservative Group	17 seats	= 47.22%
Liberal Democrat Group	15 seats	= 41.67%
Independent Group	3 seats	= 8.33%
Councillor Hutchings	1 seat	= 2.78%

- 6.2. The proportional distribution of seats on Committees between political groups remains as agreed by Council on 24 July 2025.

- 6.3. Whilst not a legislative requirement, the Council has included in its Constitution for Working Parties to also be politically balanced. Similarly to Committees, the Group Leaders have been consulted on the proportional distribution of seats on Working Parties.
- 6.4. In order to ensure the Council uses its resources in an effective and efficient manner, it is proposed that Council appoints the Sub-Committee's for both the Statutory Licensing Committee and Regulatory Committee, avoiding the necessity for full Committees to be convened solely to make a decision on this matter.
- 6.5. In accordance with, Committee and Sub-Committee Meetings Standing Order B1, the Council will also appoint the Chair and Vice-Chair for Committees, except for those Committees that meet on an ad hoc basis.
- 6.6. Appendix 3 sets out the terms of reference for Council Committees and Working Parties.
- 6.7. A proposed amendment to the Audit Committee Terms of Reference is to amend the wording on section 19 as follows 'To ~~monitor approve~~ and ~~monitor review~~ the council policy on 'Counter Fraud and Corruption' and to be responsible for the Council's procedure for investigating and responding to complaints.' Ordinarily policy approval of this nature would sit with the Cabinet or Director, however CIPFA professional guidance suggests it is not appropriate for Cabinet or Directors to approve the Counter Fraud and Corruption Policy because they both form part of the Council's senior leadership and is therefore subject to the very controls, standards and investigative processes that the policy governs. Approving the framework that applies to their own conduct would create a conflict of interest and undermine the independence required for effective oversight. In contrast, the Audit Committee is a non executive assurance body specifically tasked with scrutinising governance, risk management and internal control arrangements. Its independent role makes it the appropriate forum to review and approve the policy, ensuring transparency, impartiality and alignment with CIPFA guidance on audit committee responsibilities. It is therefore recommended that the Audit Committee Terms of Reference are amended.

7. Options under consideration

- 7.1. The calculation and approval of the political balance of committees is a statutory requirement. Legislation requires the Council to formally approve a political balance allocation to ensure that appointments to committee seats accurately reflect the political composition of the Council. Failure to approve the political balance would place the Council in breach of its statutory duties and would prevent the lawful appointment of Members to committees.
- 7.2. It is possible for alternative arrangements to be considered which does not apply political balance principles however in order to do this a vote needs to be taken where no councillor voted against them.

8. Financial Opportunities and Implications

- 8.1. The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to the members and agreed without any councillor

voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:

(a) that not all seats on the body are allocated to the same group;

(b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;

(c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of Members of that group to the membership of the authority; and

(d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that group to the membership of the authority.

- 8.2. The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the distribution would be proportional as set out at Appendix 1.
- 8.3. The allocation of seats includes a statutory bar on members of the Cabinet to be on the Overview and Scrutiny Board and a Council decision to exclude members of the Cabinet on the Audit Committee.
- 8.4. Political balance requirements may be dis-applied under Section 17, Local Government and Housing Act 1989 and Regulation 20, Local Government (Committees and Political Groups) Regulations 1990. This would allow the relevant seats to be allocated to another group. Any decision to dis-apply would require a resolution of the Council with no member voting against.
- 8.5. In respect of Working Parties, the Council's Constitution states that Working Parties considering non-executive functions will be appointed in accordance with the principles of political balance.

9. Legal Implications

- 9.1. The Constitution and legislation require the Council to undertake the annual appointments of committees, working parties and chairs and vice-chairs. There are no risks unless members fail to determine the matter.

10. Engagement and Consultation

- 10.1. The Group Leaders have received the proposed allocations to Council Committees and Working Parties, along with the appointments to Chair and Vice-Chair and have been

requested to provide options for political balance and nominations from their respective groups.

11. Procurement Implications

11.1. Not applicable.

12. Protecting our naturally inspiring Bay and tackling Climate Change

12.1. No impact.

13. Associated Risks

13.1. None.

14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<ul style="list-style-type: none"> 18% of Torbay residents are aged under 18 years old. 55% of Torbay residents are aged between 18 to 64 years old. 27% of Torbay residents are aged 65 and older. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Carers	<ul style="list-style-type: none"> At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these carers provided 50 hours or more of care. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Care experienced	<ul style="list-style-type: none"> As of January 2026, there were 277 former care experienced young people aged 18-24 in Torbay. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Disability	<ul style="list-style-type: none"> In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited 	There are no equality implications of the decisions required	Not applicable	Not applicable

	a little or a lot by a physical or mental health condition or illness.			
Gender reassignment	<ul style="list-style-type: none"> In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Marriage and civil partnership	<ul style="list-style-type: none"> Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Pregnancy and maternity	<ul style="list-style-type: none"> Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 56.0 per 1,000) than the Southwest (53.4) and broadly in line with England (56.3). For the period 2022 to 2024, rates in Torbay (44.6) have been significantly below England (50.0). 	There are no equality implications of the decisions required	Not applicable	Not applicable

<p>Race</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 22</p>	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following:</p> <ul style="list-style-type: none"> • 1.6% as Asian, Asian British or Asian Welsh • 0.3% as Black, Black British, Black Welsh, Caribbean or African • 1.5% as being of Mixed or Multiple ethnic groups • 96.1% as White • 0.4% described their ethnicity another way. <ul style="list-style-type: none"> • Black, Asian and minoritised ethnic communities are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England. 	<p>There are no equality implications of the decisions required</p>	<p>Not applicable</p>	<p>Not applicable</p>
<p>Religion and belief</p>	<p>The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following;</p> <ul style="list-style-type: none"> • 48.5% are Christian • 0.4% are Buddhist • 0.2% are Hindu • 0.6% are Muslim • Less than 0.1% are Sikh • 0.1% are Jewish • 0.7% have another religion • 43.2% have no religion • 6.3% did not answer 	<p>There are no equality implications of the decisions required</p>	<p>Not applicable</p>	<p>Not applicable</p>

Sex	<ul style="list-style-type: none"> • 51.3% of Torbay's population are female. • 48.7% of Torbay's population are male. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Sexual orientation	<p>In the 2021 Census, residents described their sexuality as follows;</p> <ul style="list-style-type: none"> • 89% as Straight or Heterosexual • 1.7% as Gay or Lesbian • 1.1% as Bisexual • 0.1% as Pansexual • 0.1% described their sexuality another way • 7.4% of people didn't answer the question 	There are no equality implications of the decisions required	Not applicable	Not applicable
Armed Forces Community	<ul style="list-style-type: none"> • In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. • In Torbay, 5.9% of the population have previously served in the UK armed forces. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	<ul style="list-style-type: none"> • Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025. 	There are no equality implications of the decisions required	Not applicable	Not applicable

Public Health impacts (Including impacts on the general health of the population of Torbay)	<ul style="list-style-type: none"> For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Human Rights impacts				
Child Friendly				

15. Cumulative Council Impact

15.1. None

16. Cumulative Community Impacts

16.1. None

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Review of Political Balance of Committees

Committee	Conservative Group	Liberal Democrat Group	Independent Group	Councillor Hutchings	Total
Audit Committee (excluding Cabinet Members)	3	2	1	0	6
Civic Committee	2	2	0	0	4
Employment Committee (to include a Cabinet member)	3	2	1	0	6
Harbour Committee	3	3	0	0	6
Regulatory Committee (excluding Cabinet Member with responsibility for Licensing)	4	4	1	1	10
Overview and Scrutiny Board (excluding Cabinet Members)	5	4	1	0	10
Planning Committee (excluding Cabinet Member with responsibility for Planning)	4	4	0	0	8
Standards Committee	2	2	1	0	5
Totals	26	23	5	1	55

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Political Balance of Non-Executive Council appointed Working Parties

Working Party	Conservative Group	Liberal Democrat Group	Independent Group	Total
Community Asset Transfer Panel (including appropriate Cabinet Member)	3	2	0	5
Corporate Parenting Board	2	2	1	5
Harbour Asset Working Party (plus external advisors and membership restricted to Harbour Committee)	2	2	0	4
Harbour Budget Working Party (plus external advisors and membership restricted to Harbour Committee)	2	2	0	4
Local Plan Working Party	3	2	1	
Totals	12	10	2	24

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Schedule 4 – Terms of Reference
Overview and Scrutiny Board and Sub-committees, Regulatory and Other Committees,
Area Committees, Working Parties and Other Bodies

Name and Terms of Reference	Membership
<p>Audit Committee</p> <p>Audit Activity:</p> <ol style="list-style-type: none"> 1. To consider the Head of Internal Audit’s annual report and opinion, and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can give over the Council’s corporate governance arrangements. 2. To approve, but not direct, the Internal Audit Strategy and annual audit plan ensuring that appropriate risk assessments have been carried out when formulating the internal audit plan and to monitor performance against the plan. 3. To review any revisions to the plan as advised by the Head of Internal Audit and agreed by the Director of Finance. 4. To review half yearly internal audit reports and the main issues arising and seek assurance from management that action has been taken, where necessary 5. To consider summaries of specific Internal Audit reports as requested. 6. To consider reports dealing with the management and performance of the providers of Internal Audit Services. 7. To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale. 8. To consider the External Auditor’s Annual Letter, relevant reports, and the report to those charged with governance. 9. To consider specific reports as agreed with the External Auditor. 	<p>6 members of the Council excluding members of the Cabinet, in accordance with the political balance requirements.</p> <p>Normally chaired by an Opposition Member, where political balance allows.</p> <p>Conservative Group (3):</p> <p>Liberal Democrat Group (2):</p> <p>Independent Group (1):</p> <p>Non-voting Independent Member:</p>

Name and Terms of Reference	Membership
<p>10. To comment on the scope and depth of external audit work and to ensure it gives value for money.</p> <p>11. To liaise with the Public Sector Audit Appointments Ltd over the appointment of the Council’s external auditor.</p> <p>12. To commission work from Internal and External Audit within approved resources.</p> <p>13. To support the Council’s compliance with the CIPFA Code of Practice for Treasury Management in Public Services including the role as nominated Committee to be responsible for ensuring effective scrutiny of the capital strategy, treasury management strategy and policies.</p>	
<p>Regulatory Framework</p> <p>14. To maintain a strategic overview of the Council’s Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour (the primary responsibility for considering and ensuring that the constitution is fit for purpose lies with the Monitoring Officer and the Standards Committee in relation to the codes of conduct).</p> <p>15. To maintain a strategic overview of the Council’s compliance with the prevailing Accounts and Audit Regulations.</p> <p>16. To review any issue referred to it by the Chief Executive, a Director, the Monitoring officer, Section 151 Officer (Chief Finance Officer) or any Council body.</p>	

Name and Terms of Reference	Membership
17. To monitor the effective development and operation of risk management and corporate governance in the Council and agree necessary actions to ensure compliance with best practice	
18. To monitor the “Whistle blowing Policy” which meets the requirements of the Public Interest Disclosure Act 1998, to encourage employees to report suspected malpractice, fraud or crime by other staff, the public or organisations having dealings with the Council.	
19. To monitor approve and monitor review the Council Policy on ‘Counter Fraud and Corruption’ and to be responsible for the Council’s procedure for investigating and responding to complaints.	
20. To consider the findings of reviews of the effectiveness of the system of internal control including the Annual Governance Statement and to recommend its adoption.	
21. To oversee the Council’s arrangements for corporate governance and consider necessary actions to ensure compliance with best practice.	
22. To monitor the Council’s compliance with its own and other published standards and controls.	
23. To maintain a strategic overview of the Council’s compliance with the Regulation of Investigatory Powers Act 2000 (RIPA).	
Accounts	
24. To consider the External Auditor’s report to those charged with governance on issues arising from the audit of the accounts.	

Name and Terms of Reference	Membership
<p>25. On behalf of the Council, to consider and approve the annual statement of accounts.</p> <p>26. To consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.</p>	
<p>Civic Committee:</p> <p>1. To consider nominations for the title of Honorary Freeman and Honorary Alderman subject to, those individuals meeting the criteria as set out in Section 249 of the Local Government Act 1972 and by unanimous vote, make recommendations to the Council as to acceptance of any nominations.</p> <p>2. To identify individuals to nominate for the King’s Birthday Honours and New Years’ Honours list subject to those individuals meeting the criteria as set out in Government guidance and by unanimous vote, request the Chief Executive to consider progressing applications for potential nominees.</p>	<p>4 members of the Council in accordance with the political balance requirements</p> <p>Conservative Group (2):</p> <p>Liberal Democrat (2):</p>
<p>Employment Committee:</p> <p>1. To make recommendations to Council on the appointment of the Head of Paid Service including the terms and conditions of his/her employment.</p> <p>2. To determine appointments to post of Director or equivalent positions of the Council and senior management positions at Hay Grade 528 or above, or for the most senior management position where this is lower, for its wholly owned companies, including the terms and conditions of contracts, appointment procedures and arrangements.</p> <p>3. To consider applications for the position of Coroner and to recommend to Council the person to be appointed to that post.</p>	<p>6 members of the Council in accordance with the political balance requirements (to include a Cabinet member)</p> <p>Conservative Group (3):</p> <p>Liberal Democrat Group (2):</p> <p>Independent Group (1):</p>

Name and Terms of Reference	Membership
<ol style="list-style-type: none"> 4. To hear and determine appeals in relation to disciplinary matters, in relation to dismissal. 5. To consider any matters referred by the Chief Executive on the appointment of Non-Executive Directors on Council owned companies. 6. To consider any matters referred by the Chief Executive on strategic matters relating to pay and conditions. 7. To consider any disciplinary or grievance matters in relation to the Chief Executive. 8. To consider and determine requests for Flexible Retirement from Senior Officers. 	
<p>Harbour Committee</p> <p>To determine all matters relating to the strategic management of the Council’s function as a Harbour Authority as stipulated in The Port Good Governance Guidance, Tor Bay Harbour Port Masterplan and the Council’s Policy Framework. Specifically, the Committee will:-</p> <ol style="list-style-type: none"> 1. manage all of the Harbour’s financial matters in accordance with The Port Good Governance Guidance, approved Council financial procedures and the Council’s aspirations for the harbour to be self financing as outlined in the Tor Bay Harbour Port Masterplan and including (but not limited to): <ol style="list-style-type: none"> (a) the setting of harbour charges from time to time (including in-year changes to the schedule) normally following consultation with the relevant Harbour Liaison Forums and Director of Finance 	<p>6 members of the Council in accordance with the political balance requirements, plus up to five external non-voting advisors appointed by the Committee on a four year term.</p> <p>(Group Leaders will be asked to take account of the geographical spread of members in making appointments to the Committee)</p> <p>Conservative Group (3):</p> <p>Liberal Democrat Group (3):</p>

Name and Terms of Reference	Membership
<p>(b) to make recommendations to the Cabinet on the annual ring-fenced Harbour revenue budget to form part of the Cabinet’s overall recommendations to the Council on the Annual Revenue budget;</p> <p>(c) receiving quarterly budget monitoring reports and to approve variances as appropriate; and</p> <p>(d) monitoring the harbour reserve funds and to seek to ensure that the funds are kept above an appropriate minimum contingency level and ensure the harbour remains self-financing;</p> <p>2. to act as Duty Holder for the purposes of the Port Marine Safety Code, the accountability for which cannot be assigned or delegated;</p> <p>3. approve and monitor a business plan for Tor Bay Harbour, in line with the Council’s policy framework, and address any issues relating to performance;</p> <p>4. review these terms of reference annually and request the Council to make any necessary amendments and/or additions;</p> <p>5. review annually the powers delegated to the Head of Tor Bay Harbour Authority and refer any proposed changes to the Council for determination. The Committee itself shall not authorise any changes;</p> <p>6. consider any other matters referred to the Committee by the Head of Tor Bay Harbour Authority;</p> <p>7. establish any sub-committee or working parties as the Committee sees fit;</p> <p>8. recommend the format, composition and governance of the Harbour Liaison Forums and keep the arrangements under review;</p>	

Name and Terms of Reference	Membership
<p>9. to provide strategic direction to the Head of Tor Bay Harbour Authority and the Cabinet in relation to those assets within Tor Bay Harbour and the harbour estate that are managed by Tor Bay Harbour Authority; and</p> <p>10. appoint advisors following receipt of recommendations from the Harbour Appointments Sub-Committee. Appointments will be merit based and be in accordance with the Local Protocol for members of the Harbour Committee.</p>	
<p>Harbour Appointments Sub-Committee</p> <p>1. To consider ad hoc applications for external advisor positions on the Harbour Committee and recommend to the Harbour Committee the persons who should be appointed to those posts as and when vacancies arise, and to determine the rolling programme for advisors’ tenure.</p>	<p>5 members of the Council in accordance with the political balance requirements to include the Chair and Vice-Chair of the Harbour Committee appointed from the Harbour Committee.</p> <p>Conservative (3):</p> <p>Liberal Democrat (2):</p>
<p>Health and Wellbeing Board</p> <p>1. To encourage those who arrange for the provision of any health or social care services in the area to work in an integrated manner for the purpose of advancing the health and wellbeing of the people in its area.</p> <p>2. To provide advice, assistance and support, as it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 (arrangements between NHS bodies and local authorities) of the National Health Service Act 2006 in connection with the provision of such services.</p> <p>3. To encourage those who arrange for the provision of health-related services in its area to work closely with the Health and Wellbeing Board.</p>	<p>Leader of the Council or their nominee</p> <p>Director of Adults and Community Services;</p> <p>Director of Children’s Services;</p> <p>Director of Public Health;</p> <p>A representative of Healthwatch Torbay;</p> <p>A representative of Devon Integrated Care Board;</p> <p>A representative of NHS England;</p>

Name and Terms of Reference	Membership
<p>4. To encourage those who arrange for the provision of any health or social care services in its area and those who arrange for the provision of any health-related services in its area to work closely together.</p> <p>5. To exercise the functions of Torbay Council and South Devon and Torbay Clinical Commissioning Group under sections 116 (health and social care: joint strategic needs assessments) and 116A (health and social care: joint health and wellbeing strategy) of the Local Government and Public Involvement in Health Act 2007, namely:</p> <ul style="list-style-type: none"> • Preparation of a Joint Strategic Needs Assessment; and • Preparation of a Joint Health and Wellbeing Strategy. <p>6. To assess needs for pharmaceutical services in Torbay and publish a statement of its first assessment and of any revised assessment.</p> <p>7. To provide the Council its opinion on whether the local authority is discharging its duty under section 116B (duty to have regard to assessment and strategies) of the Local Government and Public Involvement in Health Act 2007.</p> <p>8. To exercise the statutory duty to promote co-operation between Torbay Council, its relevant partners and other partners or bodies as the Council considers appropriate, to improve the well-being of children in the area.</p> <p>9. To consider the annual report of the Torbay Safeguarding Children’s Board.</p> <p>10. To make any decisions that legislation or government guidance reserves to Health and Wellbeing Board’s and/or proposes that Health and Wellbeing Boards would be appropriate forum for such decisions to be made.</p>	<p>Cabinet Member for Children’s Services;</p> <p>Torbay and South Devon NHS Foundation Trust;</p> <p>Devon Partnership NHS Trust;</p> <p>Torbay Community Development Trust;</p> <p>Chair of Safer Communities Torbay;</p> <p>Chair of Torbay Safeguarding Children Board;</p> <p>Chair of Torbay Safeguarding Adults Board;</p> <p>Representative from Devon and Cornwall Police;</p> <p>Divisional Director for Community and Customer Services;</p> <p>Representative of the Ageing Well Assembly;</p> <p>Representative of Primary Care;</p> <p>Representative of the Department for Work and Pensions;</p> <p>Representative of Torbay Schools.</p>

Name and Terms of Reference	Membership
<p>Statutory Licensing Committee:</p> <ol style="list-style-type: none"> 1. To discharge the functions of the Council as a Licensing Authority, with the exception of approving the Gambling and Statement of Licensing Policy which is function of the Council. 2. To approve future reviews and adoption of the Cumulative Impact Assessment. Since the introduction of section 5A of the Licensing Act 2003, all matters regarding Cumulative Impact Assessments are now the responsibility of the statutory Licensing Committee, by virtue of section 7(1), as it is no longer part of the Licensing Act 2003 Statement of Policy. 	<p>10 members of the Council.</p> <p>(Note: Under the Licensing Act 2003 this Committee must be between 10 and 15 members and is not required to be politically balanced)</p> <p>Conservative Group (5):</p> <p>Liberal Democrat Group (4):</p> <p>Independent Group (1):</p>
<p>Statutory Licensing Sub-Committee</p> <p>To consider and determine all matters in connection with licensing applications (including those set out in the Statement of Licensing Policy and Gambling Act Policy/Statement of Principles).</p>	<p>To comprise 3 Members of the Statutory Licensing Committee.</p>
<p>Regulatory Committee</p> <p>To discharge the functions contained in schedule 101 and 102 of the Local Government Act 1972.</p>	<p>10 Members of the Council in accordance with the political balance requirements</p> <p>Conservative Group (4):</p> <p>Liberal Democrat Group (4):</p> <p>Independent Group (1):</p> <p>Independent (1):</p>

Name and Terms of Reference	Membership
<p>Regulatory Sub-Committee</p> <p>To consider and determine all matters in connection with Hackney Carriage and Private Hire Licences, Sex Establishment Licences, Street Trading Licences and Consents.</p>	<p>To comprise 3 members of the Regulatory Committee</p>
<p>Overview and Scrutiny Board:</p> <ol style="list-style-type: none"> 1. To approve and co-ordinate the work programme for the overview and scrutiny function for the year. 2. To appoint sub-committees and/or working parties to perform the overview and scrutiny function (the membership of such bodies to be in accordance with Standing Order D2 in relation to Overview and Scrutiny). 3. To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are the responsibility of the Cabinet. 4. To make reports or recommendations to the Authority or the Cabinet with respect to the discharge of functions which are the responsibility of the Cabinet. 5. To make reports or recommendations to the Authority or the Cabinet with respect to the discharge of functions which are not the responsibility of the Cabinet. 6. To make reports or recommendations to the Authority or the Cabinet or the Council’s partner authorities (as defined by the Local Government and Public Involvement in Health Act 2007) on matters which affect the Authority's area or the inhabitants of that area. 7. To consider all matters and issues arising from the Council’s power to review or scrutinise decisions made, or other action taken, in connection with the 	<p>10 members of the Council in accordance with the political balance requirements (including the Overview and Scrutiny Co-ordinator and Overview and Scrutiny Lead Members) excluding Members of the Cabinet and the Chair of the Council plus 2 Diocesan and 2 Parent Governor Representatives</p> <p>Normally chaired by an Opposition Member, where political balance allows</p> <p>Conservative Group (5):</p> <p>Liberal Democrat Group (4):</p> <p>Independent Group (1):</p>

Name and Terms of Reference	Membership
<p>discharge by the responsible authorities of their crime and disorder functions in accordance with the Police and Justice Act 2006.</p> <p>8. To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area in accordance with Flood and Water Management Act 2010.</p>	
<p>Adult Social Care and Health Overview and Scrutiny Sub-Board:</p> <p>1. to review how the needs and interests of adults are met by all departments, policies, services and decisions; and how performance is evaluated and improved;</p> <p>2. to review universal, targeted and specialist services for adults including:</p> <ul style="list-style-type: none"> • prevention and management of risk; • social care; • adults wellbeing; • education – supporting and enabling learning for adults; • internal and external partnership working for adults; • supporting adults and carers; and • relevant financial management; <p>3. to consider all matters and issues arising from the Council's power of scrutinising local health services in accordance with the Health and Social Care Act 2001, the National Health Service Act 2006 and Health and Social Care Act 2012;</p> <p>4. to assess the effectiveness of decisions of the Cabinet in these areas of the Council's statutory activity; and</p>	<p>This is a Sub-Committee of the Overview and Scrutiny Board and comprises 5 members of the Council in accordance with the political balance requirements (excluding Members of the Cabinet), Chaired by the Scrutiny Lead for Adult Services and Health.</p> <p>Conservative Group (3):</p> <p>Liberal Democrat Group (2):</p> <p>Non-Voting Co-opted Members:</p> <p>Healthwatch (1):</p> <p>Chair of Voluntary Sector Network (1):</p>

Name and Terms of Reference	Membership
<p>5. to make reports and recommendations as appropriate arising from this area of overview and scrutiny.</p>	
<p>Children and Young People’s Overview and Scrutiny Sub-Board:</p> <p>1. to review how the needs and interests of children and young people are met by all departments, policies, services and decisions; and how performance is evaluated and improved;</p> <p>2. to review universal, targeted and specialist services for children and young people including:</p> <ul style="list-style-type: none"> • prevention and management of risk; • social care; • children’s and young people’s wellbeing; • education – supporting and enabling learning for all children and young people; • internal and external partnership working for children and young people; • supporting parents and families; and • relevant financial management; <p>3. to assess the effectiveness of decisions of the Cabinet in these areas of the Council’s statutory activity; and</p> <p>4. to make reports and recommendations as appropriate arising from this area of overview and scrutiny.</p>	<p>This is a Sub-Committee of the Overview and Scrutiny Board and comprises 5 members of the Council in accordance with the political balance requirements (excluding Members of the Cabinet), Chaired by the Scrutiny Lead for Children’s Services.</p> <p>Conservative Group (3):</p> <p>Liberal Democrat Group (2):</p> <p>Statutory Education Co-opted Members:</p> <p>Statutory parent governor representatives (primary, secondary and academy trust) (3):</p> <p>Statutory Church of England representative (1):</p> <p>Statutory Roman Catholic Diocesan representative (1):</p> <p>Non-Voting Co-opted</p>

Name and Terms of Reference	Membership
	<p>Members:</p> <p>Devon and Cornwall Police representative (1):</p> <p>Voluntary and Community Sector and Alternative Provider (Education) representative (1):</p> <p>Representatives from the Children in Care Council, Special Educational Needs and Disabilities (SEND) Youth Forum or Young Person’s Panel to participate in meetings where there are specific areas of interest to them.</p>
<p>Planning Committee:</p> <ol style="list-style-type: none"> 1. At all times to have regard to the Development Plan (as defined in S.38 of the Planning and Compulsory Purchase Act 2004) for Torbay. 2. To consider and (if appropriate) determine (unless such determination is reserved by law to Council) all applications and all other matters (including issuing notices, making Orders and requesting the Monitoring Officer to issue civil or criminal proceedings) relating to: <ul style="list-style-type: none"> Town and Country Planning, including <ul style="list-style-type: none"> • Conservation Areas • Listed Buildings • Scheduled Ancient Monuments 	<p>8 members of the Council (excluding the Cabinet Lead with responsibility for Planning, in accordance with the political balance requirements) with membership comprising, if reasonably possible, members from the various areas of the Borough</p> <p>Conservative Group (4):</p> <p>Liberal Democrat Group (4):</p>

Name and Terms of Reference	Membership
<ul style="list-style-type: none"> • The display of advertisements • Tree Preservation Orders • Complaints about high hedges • Public Rights of Way • Minerals • Highways matters • Waste • Enforcement; and • Environmental Assessment <p>so far as they are set out in Schedule 2 of this Part 3 of the Constitution (Council Functions) or are identified as Council functions in Schedule 1 of this Part 3 (Local Choice Functions): i.e. so far as they are not Executive functions.</p> <p>3. The Committee shall not determine any application (or other matter) in a manner that would (in the opinion of the Divisional Director Planning, Housing and Climate Emergency or the opinion of the Director of Pride in Place) not be in accordance with the Development Plan for Torbay unless they recommend such determination and the determination is consistent with the Divisional Director’s recommendation.</p> <p>If, contrary to officer recommendation, the Committee consider that an application (or other matter) shall be determined not in accordance with the Development Plan for Torbay then (unless their determination is consistent with the recommendation of the Divisional Director Planning, Housing and Climate Emergency) the item shall be referred to Council for determination.</p>	
<p>Standards Committee:</p> <p>1. To promote and maintain high standards of conduct by councillors, co-opted members and church and parent governor representatives.</p>	<p>5 members of Torbay Council in accordance with the political balance requirements</p> <p>Conservative Group (2):</p>

Name and Terms of Reference	Membership
<p>2. To assist councillors, co-opted members and church and parent governor representatives to observe the Members’ Code of Conduct.</p> <p>3. To advise the Council on the adoption or revision of the Members’ Code of Conduct.</p> <p>4. To monitor the operation of the Members’ Code of Conduct.</p> <p>5. To advise, train or arrange to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members’ Code of Conduct.</p> <p>6. To assist the Monitoring Officer in carrying out his/her responsibilities pursuant to the Code of Conduct and its protocols.</p> <p>7. To review the Council’s local protocols as contained in the Constitution.</p> <p>8. To review the Constitution in relation to ethics and probity issues.</p> <p>9. To advise others on probity and ethics.</p> <p>10. To consider any alleged breaches of local protocols by members.</p> <p>11. To share experience with other standards committees.</p> <p>The Council may arrange for the Standards Committee to exercise such other functions as the Council considers appropriate.</p>	<p>Liberal Democrat Group (2):</p> <p>Independent Group (1):</p>
<p>Community Asset Transfer Panel</p> <p>To assess applications made at Stage 1 and Stage 2 of the Community Asset Transfer process in accordance with the criteria set out in the Community Asset Transfer Policy.</p>	<p>5 members of the Council in accordance with the political balance requirements, to include the appropriate Cabinet Member</p> <p>Conservative Group (3):</p>

Name and Terms of Reference	Membership
<p>Corporate Parenting Board</p> <p>1. To provide a forum for regular, detailed discussions of issues in relation to, and a positive link with, our Children Looked After, in accordance with the Council's Children Looked After and Corporate Parenting Strategy.</p>	<p>Liberal Democrat Group (2):</p> <p>5 members of the Council in accordance with the political balance requirements (plus the Leader of the Council as a contributing Member)</p> <p>Conservative Group (2):</p> <p>Liberal Democrat Group (2):</p> <p>Independent Member (1):</p>
<p>Harbour Asset Working Party (plus external advisors)</p> <p>1. To review all assets within Tor Bay Harbour and the Harbour Estate.</p> <p>2. To establish how each asset is performing.</p> <p>3. To identify any assets that are surplus.</p>	<p>4 members of the Council in accordance with the political balance requirements (membership restricted to Harbour Committee members)</p> <p>Conservative Group (2):</p> <p>Liberal Democrat Group (2):</p>
<p>Harbour Budget Working Party (plus external advisors)</p> <p>1. To scrutinise the draft Tor Bay Harbour Authority budget prior to presentation to the Harbour Committee and to review the full range of harbour charges.</p> <p>2. To assist Officers to monitor and review the budget ahead of each quarterly Harbour Committee meeting.</p>	<p>4 members of the Council in accordance with the political balance requirements (membership restricted to Harbour Committee members)</p> <p>Conservative Group (2):</p>

Name and Terms of Reference	Membership
	Liberal Democrat Group (2):
<p>Local Plan Working Party</p> <p>To assist Officers with the preparation of the revised draft Local Plan including the content, timing and scope of key consultation and submission documents in accordance with the timetable as set by the Local Development Scheme (or similar document required by subsequent legislation); to make appropriate recommendations to Cabinet and Council; and to respond to issues that may arise during examination.</p>	<p>6 members of the Council in accordance with the political balance requirements (to include the Cabinet Members for Place Development and Economic Growth), appointed by Council</p> <p>Conservative Group (3):</p> <p>Liberal Democrat Group (2):</p> <p>Independent Member (1):</p>

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Nominations for Chairs and Vice-Chairs of Committee's 2026-2027

Committee	Chairman/woman	Vice-Chairman/woman
Audit Committee	Councillor Penny	Councillor Brook
Harbour Committee	Councillor Strang	Councillor Carter
Health and Wellbeing Board (Note: In accordance with Standing Order H3.1 nominations reflect the members of the Health and Wellbeing Board which includes officers and partners.)	Councillor David Thomas	Karen Barry (partner representative)
Statutory Licensing Committee	Councillor Spacagna	Councillor Douglas-Dunbar
Regulatory Committee	Councillor Barbara Lewis	Councillor Pentney
Overview and Scrutiny Board	Councillor Long	Councillor Spacagna
Children and Young People Overview and Scrutiny Board (Sub-Committee of Overview and Scrutiny) (Note: position of Chairman/woman held by Scrutiny Lead)	Councillor Law	Councillor Fellows
Adult Social Care and Health Overview and Scrutiny Sub-Board (Sub-Committee of Overview and Scrutiny) (Note: position of Chairman/woman held by Scrutiny Lead)	Councillor Johns	Councillor Spacagna
Planning Committee	Councillor Brook	Councillor Fox

Standards Committee	Councillor Jackie Thomas	Councillor Atiya-Alla
Civic Committee	Councillor Stevens	Councillor Mandy Darling
Employment Committee	Councillor David Thomas	Councillor Law

(Note: In accordance with Committees and Sub-Committees Standing Order B1, Committees that meet on an ad hoc basis and require a different Chairs are not included. The appointments above also reflect the Leaders Agreement.)

Schedule 5 - Scheme of Delegation of Executive Functions to the Cabinet, Committees of the Cabinet and Officers

This report is presented to the Adjourned Annual meeting of Council on 14 May 2026 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 of Part 3) of the Constitution of Torbay Council.

1. The names, addresses and wards of the people appointed to the Cabinet by the Leader of the Council are set out below:

Name	Address	Electoral Ward
Cabinet Member for Place Development and Economic Growth and Deputy Leader – Councillor Chris Lewis	Torbay Council Town Hall Torquay TQ1 3DR	Preston
Cabinet Member for Pride in Place, Transport and Parking – Councillor Billings	Torbay Council Town Hall Castle Circus Torquay TQ1 3DR	Churston with Galmpton
Cabinet Member for Housing, and Finance – Councillor Tyerman	Torbay Council Town Hall Torquay TQ1 3DR	Churston with Galmpton
Cabinet Member for Adult and Community Services, Public Health and Inequalities – Councillor Tranter	Torbay Council Town Hall Torquay TQ1 3DR	Goodrington with Roselands
Cabinet Member for Children’s Services - Councillor Bye	Torbay Council Town Hall Torquay TQ1 3DR	Wellswood
Cabinet Member for Tourism, Culture & Events and Corporate Services – Councillor Jackie Thomas	Torbay Council Town Hall Torquay TQ1 3DR	Kings Ash

2. The Cabinet will carry out all the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution. Executive functions will be exercised collectively unless the Leader of the Council directs otherwise in accordance with Article 6.06 of the Constitution.

Cabinet Member	Service Areas
<p>Leader of the Council</p> <p>Councillor David Thomas</p>	<p>Oversight of all areas</p> <p>Strategy and Place Leader, Regional Policy and external relations</p>
<p>Cabinet Member for Place Development and Economic Growth and Deputy Leader</p> <p>Councillor Chris Lewis</p>	<p>Asset Management Services, Economic Growth, Development Management, Strategic Planning (excluding Transport), Building Control and Climate Emergency</p>
<p>Cabinet Member for Pride in Place, Transport and Parking</p> <p>Councillor Billings</p>	<p>SWISCo Services</p> <p>Harbours, Beaches, Transport and Parking</p>
<p>Cabinet Member for Housing and Finance</p> <p>Councillor Tyerman</p>	<p>Housing, Finance, Procurement, Debt Recovery, Council Tax, Business Rates,</p>
<p>Cabinet Member for Adult and Community Services, Public Health and Inequalities</p> <p>Councillor Tranter</p>	<p>Adult Social Care delivery Adult Social Care Inspection regime Market Management</p> <p>Customer Services Housing Standards Housing Options Anti Social Behaviour and Vulnerability</p> <p>Public Health Improvement Health Protection Equalities (Directorate crossing)</p>
<p>Cabinet Member for Children's Services</p> <p>Councillor Bye</p>	<p>Children's Social Care Education Youth Justice</p>

Cabinet Member	Service Areas
Cabinet Member for Tourism, Events & Culture and Corporate Services Councillor Jackie Thomas	Tourism, Culture & Events, Legal, IT, Business Improvement and Change, Libraries, Coroner, Emergency Planning, Health and Safety, Policy, Performance and Community Engagement, Governance, Human Resources

3. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
4. The Leader of the Council has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council’s Standing Orders in relation to the Cabinet.
5. So far as the Constitution requires officers to consult with “the relevant member”, the areas of responsibility of the Cabinet Members are as set out paragraph 2 above.

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Adjourned Annual Meeting of the Council, Thursday, 14 May 2026

Members' Questions Under Standing Order A12

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

First Round

Urgent Question

Councillor Pentney to the Cabinet Member for Place Development and Economic Growth

Last month's fire at the derelict Sherwood Hotel highlighted the severe risks posed by unused and unsecured sites. With reports of anti-social behaviour rising at the former Upton Bowling Club, will the Cabinet Member commit to securing this location immediately to prevent further damage?

Question 1

Councillor Cowell to the Cabinet Member for Place Development and Economic Growth

A recent online report quoted the Director of Regeneration while addressing the Torquay Place Leadership Board state that 10 new projects across Torbay will create 1200 permanent jobs and generate £41m in wages.

Of course this is to be welcomed, but can the Cabinet Member please identify by each project how many jobs will be created and the estimated wages?

Question 2

Councillor Carter to the Cabinet Member for Adult and Community Services, Public Health and Inequalities

Can the Cabinet Member advise when Paignton will have showering facilities that the homeless can use, to save people having to travel to Torquay?

Question 3**Councillor Fox to the Cabinet Member for Pride in Place, Transport and Parking**

One of the entrances to Nightingale Park in Torquay is closed off due to the wooden structure that serves as a footpath is broken. Female residents advise that this makes them feel vulnerable when walking through Nightingale Park. Can the Cabinet Member please advise when this entrance will be open again?

Question 4**Councillor Penny to the Cabinet Member for Housing and Finance**

Judging by casework I have received, there may be delays in the department that deal with business rates. Please can the Cabinet Member provide the following information: the total number of delayed cases, the number of cases that are 28 days old or more, the mode, median, and mean average time taken to deal with business rates cases.

Question 5**Councillor Long to Cabinet Member for Housing and Finance**

The Council received a grant from the Brownfield Release Fund from the Government to get the land in Edginswell to the rear of Wickes ready for employment land. Please can the Cabinet Member advise if this grant is at risk if the area becomes a car park for the hospital?

Question 6**Councillor Law to the Cabinet Member for Pride in Place, Transport and Parking**

The Council often refers to "the final mile" where Swisco prioritise their work – please can this area be defined by the Cabinet Member??

Question 7**Councillor Virdee to the Cabinet Member for Housing and Finance**

The previous Lib Dem/Independent administration budgeted for a Town Centre manager. Please can the Cabinet Member confirm why the Conservative administration has not brought this position forward?

Question 8**Councillor Atiya-Alla to the Cabinet Member for Pride in Place, Transport and Parking**

A number of council car parks have had partial works to prepare them for electric car chargers. Can the Cabinet Member confirm when the work will be completed?

Question 9**Councillor Harvey to the Cabinet Member for Children's Services**

In Torbay's recent Ofsted report, inspectors praised a Torbay Council initiative "enabling some young people to move ... into properties with long leases and **the option to buy in the future** - an option rarely seen in local authorities. Similar projects that integrate local businesses into corporate solutions are already in the planning stage."

Please could the Cabinet Member provide details of this "option to buy in the future" scheme and the "similar projects that integrate local businesses into corporate solutions"?

Question 10**Councillor Mandy Darling to the Cabinet Member for Pride in Place, Transport and Parking**

It has been great to see the work undertaken recently at Beacon Cove, including graffiti removal, gate repairs, and new alcohol-free zone signage. However, as evenings grow lighter and footfall increases, residents are reporting a rise in anti-social behaviour including late-night fires, littering, and broken glass.

Will the Cabinet Member please confirm if the Council will commit to reviewing what further preventative measures can be taken — such as improved lighting, more frequent cleaning visits, and enhanced enforcement patrols — to ensure the cove

remains safe and welcoming for residents and visitors as we move into the summer months?

Question 11

Councillor Steve Darling to the Cabinet Member for Pride in Place, Transport and Parking

Please can the Cabinet Member confirm if the Local Authority will publish a risk assessment for users of all its bathing water beaches across Torbay

Second Round

Question 12

Councillor Long to the Cabinet Member for Tourism, Culture & Events

Can the Cabinet Member confirm how Torbay Council marked LGBTQ+ History Month?

Question 13

Councillor Atiya-Alla to the Cabinet Member for Pride in Place, Transport and Parking

The Railway Bill currently going through Parliament will give Local Authorities a greater influence over Railway Plans. In light of this will the Cabinet Member confirm whether Torbay Council will be bringing forward a rail prospectus as an appendix to the Local Transport Plan.

Question 14

Councillor Mandy Darling to the Cabinet Member for Pride in Place, Transport and Parking

The Melville area is home to a dedicated community who take real pride in their area. However, its proximity to the town centre and dense population mean it faces persistent litter and fly-tipping challenges. There has been a recent positive step with a dog bin successfully reinstated after being previously removed, however there is more to be done to support the community here.

Given the particular pressures this area faces, can the Cabinet Member please confirm if the Council will explore increasing the frequency of street cleansing in the Melville area?

Question 15**Councillor Steve Darling to the Cabinet Member for Housing and Finance**

Can the Cabinet Member confirm how much section 106 monies were received from developers on the Willows estate Torquay, and how much of these monies received for the Willows remain.

Question 16**Councillor Pentney to the Chair of Planning Committee**

In respect of the recent planning permission for the Indigo Hotel, can the Chairman of Planning please advise why officers were not instructed for this matter to be decided at a committee meeting?

Third Round

Question 17**Councillor Long to the Cabinet Member for Place Development and Economic Growth and Deputy Leader**

Residents of Grasmere Close in Torquay have a stipulation in their deeds that they have to seek permission from the Council if they wish to have a fence over a certain height in their front gardens. A Sanctuary Housing property now has a fence over the stipulated height and permission has apparently been sought retrospectively - apparently Sanctuary are experiencing problems in securing a response to their request. Please can the Cabinet Member confirm when will the council respond to this request and will other residents' views be taken into account?

Question 18

Councillor Steve Darling to the Cabinet Member for Housing and Finance

The Government have recently introduced changes around the payment of council tax. Please can the Cabinet Member confirm how the Local Authority is using this change to the system to greater support those in financial hardship in Torbay?

Question 19

Councillor Mandy Darling to the Cabinet Member for Pride in Place, Transport and Parking

The recent fire at the Sherwood Hotel on Belgrave Road has highlighted the very real dangers posed by empty and derelict buildings in Torbay. Residents are rightly asking what is being done to prevent such incidents, and it is clear that a proactive rather than reactive approach is needed.

I understand that since the fire a multi-agency meeting with police and fire service partners is to be planned. Please can you the Cabinet Member provide an update on the scope and timeline of that review, and commit to keeping councillors informed of its progress?

Objection to current Policy Framework – Corporate Asset Management Plan

Opposition Notice of Motion

Adjourned Annual Council Meeting 14 May 2026

That the Council formally objects to the current Corporate Asset Management Plan on the basis that the Plan should state any disposals or leases shall not be contrary to the adopted Local Plan or Neighbourhood Plans.

In accordance with the Constitution at F4.9, the Council therefore requires the Cabinet to consider this objection at its meeting on 9 June 2026 and either:

- a) submit a revision of the Corporate Asset Management Plan with the reasons for any amendments to the Council for its consideration; or
- b) inform the Council of any disagreement that the Cabinet has with any of the Council's objections and the Cabinet's reasons for any such disagreement.

Proposer: Councillor Cowell

Seconder: Councillor Long

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Meeting: Adjourned Annual Council

Date: 14 May 2026

Wards affected: Roundham with Hyde

Report Title: Redevelopment of former Crossways Shopping Centre, Paignton for the Delivery of Extra Care Housing

When does the decision need to be implemented? 31 May 2026

Cabinet Member Contact Details:

Councillor Hayley Tranter – Cabinet Member for Adult, Communities, Public Health and Inequalities, Hayley.tranter@torbay.gov.uk <mailto:alan.tyerman@torbay.gov.uk>

Councillor Chris Lewis – Cabinet Member for Place Development and Economic Growth, Chris.Lewis@torbay.gov.uk

Director Contact Details:

Anna Coles – Director of Adult and Community Services, anna.coles@torbay.gov.uk,

David Carter – Director of Regeneration, david.carter@torbay.gov.uk

1. Purpose of Report

- 1.1. The Crossways redevelopment is a cross-Council project, bringing together Adult Social Care, Housing and Regeneration to deliver strategic outcomes for adult social care delivery, whilst also delivering regeneration in Paignton town centre.
- 1.2. This report seeks the endorsement for the redevelopment of the former Crossways Shopping Centre for 91 social rented homes and associated infrastructure, and a bespoke Day Care Centre for adults with complex learning disabilities - for households with a local connection to Torbay.
- 1.3. For Cabinet to recommend the Council an uplift to the capital programme of £54.000m and approve Prudential Borrowing to a maximum amount of £16.300m.
- 1.4. To approve an application to Homes England to support the social housing element of the project.
- 1.5. To authorise the appropriation of the Land, as legal owner, in accordance with Section 203 of the Housing and Planning Act 2016 (“the Act”), and as outlined in Appendix 2. Noting that appropriation and reliance on section 203 of the Act to override third-party rights is permissible, as planning permission for the new scheme was approved by Torbay’s Planning Committee in December 2025.

2. Reason for Proposal and its benefits

- 2.1. The development of sheltered housing with integrated health and social care services, known colloquially as 'extra care housing', along with the re-provision of specialist resources for people with profound and multiple learning disabilities remains a key part of the Council's market transformation strategy to meet future care market demand of the next 20 years.
- 2.2. With regards to the supported housing needs of cognitively / physically frail older adults and adults of working age with disabilities, ongoing engagement with people that draw on social care services indicates that they would rather continue to live in a home of their own, making choices about and having control over the care and support they receive to enable them to remain independent. This in turn supports the health and social care system to push back the point at which people need to enter more intensive, higher cost services such as residential care, whilst also being a more cost effective model for delivering services to vulnerable people because it offers a specifically designed supportive environment and limits staff travelling miles to deliver care.
- 2.3. Built on engagement carried out in 2016/17 by Housing LIN for Torbay Council, taking a long view of specialist housing demand for adults drawing on health and social care, the Blueprint for Market Transformation in Torbay: Adult Social Care Commissioning 2020 to 2030 sets out a high-level summary of the planned outcomes, outputs and activities required to meet adult social care needs across Torbay in line with ongoing demographic demand, changing customer expectations and current social policy locally and nationally, in order to meet the Council's duties towards the social care market under the Care Act 2014:
 - Enabling more people to be healthy and stay healthy;
 - Enhancing self-care and community resilience;
 - Integrate and improve community services and care in people's homes; and
 - Deliver modern, safe and sustainable services.
- 2.4. The delivery of the Crossways scheme as a development of modern, purpose-built supported apartments will make a significant contribution to the Council's stated target of 200 additional extra care apartments by 2030.
- 2.5. Under the latest Section 75 Partnership Agreement with Torbay and South Devon NHS Trust for the delivery of integrated health and social care Torbay Council committed to have two Extra Care facilities in delivery by the end of the current agreement (2025 to 2030). The 91 Units of Extra Care on the Crossways site represented the first of these and will be completed in 2029.
- 2.6. Although the NHS Hospital Trust have given notice to terminate the integrated care arrangements in Torbay by serving notice on the Section 75 Agreement, the overall need for additional Extra Care units remains and support the delivery of a more outcome focussed and financially sustainable care offer in Torbay.

- 2.7. With regard to the provision of specialist day support for adults with profound and multiple disabilities in Torbay, the Council continues to see an increase in demand for these services and people live longer and more young adults enter the adult social care system with a range of complex physical, developmental and behavioural disabilities requiring specialist support and a specially designed environment. The modern dedicated provision being planned for the Crossways site will support adults being supported at home to develop skills for independence and to receive a range of commissioned meaningful daytime activities to support their health and wellbeing. At the same time, the service will ensure the Council meets its duties to carers of people with profound disabilities, ensuring that they receive the respite that they need to maintain their caring responsibilities for as long as possible.
- 2.8. The NHS Trust currently operates a day care centre at Hollacombe, Paignton, to provide support for local adults with complex Learning Disabilities. This is known as Hollacombe Community Resource Centre (CRC) and is a specialist facility, providing activities, food, support and therapy to some of our most vulnerable members of society.
- 2.9. The buildings that Hollacombe CRC utilise has reached 'end of life' and due to the nature and composition of their prefabricated construction, it is not feasible to extend operational use beyond the next few years. Without a new site coming on stream shortly, the facility would be forced to close, which would be to the detriment of residents. This facility is considered important in providing health & wellbeing outcomes for vulnerable members of our community.
- 2.10. Additionally, providing a new facility will allow support for a larger cohort than the current building is able to. The new Centre has been designed to support up to 50 adults with profound and multiple Learning Disabilities, 5 days per week, representing an increase of 35% in capacity compared to current provision. In addition, the new centre will be able to support the wider learning disability and autistic community of Torbay by hosting evening and weekend activities run by a range of service providers.
- 2.11. This report brings forward a proposal that will see the delivery of the extra care housing whilst simultaneously providing a solution for the services provided out of Hollacombe CRC.
- 2.12 Cabinet will be considering the proposal at its meeting on 12 May 2026 and is requested to make recommendations to Council as set out in paragraph 3 below. The Cabinet is also being recommended:

That Cabinet:

- (i) Provide delegated authority to the Director of Finance, in consultation with the Director of Regeneration and Cabinet Member for Place Development and Economic Growth, to award an NEC-A Design & Build contract to Willmott Dixon Construction for the redevelopment of the site, which will allow the Design Development to continue up to construction and then proceed to construction,

subject to Final Business Case approval and securing the necessary Homes England grant funding for delivery; and

- (ii) Note that the Final Business Case for the redevelopment of the former Crossways site will be presented to Cabinet for approval on 15 July 2026, which will include the full and final build cost and associated project costs and funding breakdown (including internal capital resources, external grant secured capital receipts).

2.13 A copy of the Cabinet's decision will be published prior to the Council meeting.

3. Recommendation(s) / Proposed Decision

3.1. That Cabinet recommend to the Adjourned Annual Council meeting on 14 May 2026:

- (i) To use the Council powers of Appropriation for the Crossways Site and adjacent highway land (shown in Appendix 2) that is no longer required for the purpose for which it is currently held and is now required for planning purposes to enable the proposed redevelopment (Redevelopment of site for residential extra care dwellings including Day Centre (Use Class E(f)), comprising a building of up to six storeys with communal facilities and cafe, associated parking, infrastructure and landscaping.)
- (ii) Authorise the Director of Regeneration to undertake all necessary steps to affect the appropriation of the Crossways site and adjacent land as identified in Appendix 2 for planning purposes, and delegate to Cabinet consideration of any objections and final confirmation of decision.
- (iii) That the Capital Programme be uplifted to a maximum of £54.000m to deliver the project.
- (iv) That a maximum of £16.300m of prudential borrowing to deliver the project be approved, noting that this level of prudential borrowing is supported by rental income based on the 91 extra care units and long lease for the Day Care facility.

Appendices

- a) Appendix 1 – Location Plan
- b) Appendix 2 – Area of Land over which Appropriation rights are being exerted.
- c) Appendix 3 – Outline Business Case for Crossways (December 2025)

Background Documents

- Regeneration Partnership and appointment of preferred Partner – available here: <https://www.torbay.gov.uk/DemocraticServices/ieDecisionDetails.aspx?Id=5350>

- Place Vision for Paignton – available here: <https://www.torbay.gov.uk/news/pr9387/>

4. Introduction

- 4.1. The Crossways Site in Paignton was approved by Council to be acquired CPO in September 2019 for redevelopment.
- 4.2. A planning application for the site was submitted July 2020 and approved in February 2021 for: Redevelopment of redundant shopping centre comprising: Five storey sheltered scheme block of 13 flats, commercial and associated ancillary space. Seven storey extra care scheme of 76 flats, commercial, communal and associated ancillary space.
- 4.3. Due to the combination of, post COVID construction inflation and decline in sub-prime residential property values, and with introduction of the Building Safety Act 2022 (which increases the construction cost and consenting complexity of buildings over 18m (approximately 6 stories)) the scheme consented in 2021 proved to be commercially unviable when reappraised in 2023.
- 4.4. A new planning application was submitted in August 2025 for: Redevelopment of site for residential extra care dwellings including Day Centre (Use Class E(f)), comprising a building of up to six storeys with communal facilities and cafe, associated parking, infrastructure and landscaping., which gained consent in December 2025.
- 4.5. Torbay – along with most of the country, currently faces acute housing challenges, caused largely by the successive challenging housing and economic market conditions we have seen since the Covid pandemic in 2020. These market conditions have reduced developer and investor confidence and led to a slowdown of commercially driven housing growth. This has a knock-on impact on the supply of new affordable housing, and general ability of the sector to maintain construction rates, leading to a decline in overall market conditions.
- 4.6. The impact is arguably most acutely felt by those in need of housing with linked care and support. Extra Care housing is considerably more expensive to deliver than standard market or general needs affordable housing because it requires additional facilities in respect of communal/shared spaces, as well as enhanced facilities within individual homes. Extra Care Housing is generally only provided by market housing providers as ‘executive style’ housing, or by Registered Providers/Local Authorities as part of grant funded programmes with Homes England.
- 4.7. With market conditions as they have been, developers have been hesitant to take on the commercial risk of new such development in marginal value areas like Torbay (and this would not cater to the local need anyway); similarly, the local Registered Provider sector has significantly reduced output of new directly delivered homes in recent years (including specialist housing).
- 4.8. Torbay is a uniquely beautiful yet economically vulnerable coastal region facing significant and compounding housing challenges. While the area is nationally renowned for its natural

environment and appeal as a tourism destination, these attributes mask entrenched issues of housing unaffordability, deprivation, and inequality. The Bay faces:

- A lack of affordable housing: There is a significant shortfall in homes available for social rent. Residents become priced out of the local market due to private rent inflation, low average incomes and open market sales values that are not affordable to the local working population.
- Stagnant housing delivery: Private market delivery has slowed significantly in recent years due to viability concerns, developer reluctance, and the limited availability of unconstrained, developable land.
- High housing demand and unmet need: 1,700 households are typically registered on Devon Home Choice with a need for social housing in Torbay at any given time. This includes growing numbers of families, older people, single-person households, and those facing eviction or unsuitable living conditions. In addition to Home Choice demand, the Adult Social Care Team have identified a specific demand for an additional 300 Extra Care units for social rent, to meet the needs of current supported households, and the projected demand of our rapidly aging population.
- Increased reliance on temporary accommodation: The Council has seen a rise in homelessness presentations and is experiencing pressure to find suitable placements, without a supply of social housing to meet this need, this leads to a revenue cost to the Council in securing short-term, unsustainable temporary accommodation solutions.
- Poor housing quality and hidden homelessness: A significant proportion of Torbay's housing stock is older and in poor condition, particularly in the private rented sector. This has led to health inequalities, increased fuel poverty, and greater demand on local health and social care services.

- 4.9. These factors combined are creating a housing system under strain, with consequences that extend beyond bricks and mortar that impact upon community wellbeing, public health, and economic prosperity.
- 4.10. This report proposes a deliverable opportunity to significantly increase the social housing stock for local people, at a rent that is genuinely affordable. This would be achieved by redeveloping the former Crossways Shopping Centre site, through our established Regeneration Partnership with Willmott Dixon-Milligan, into a bespoke 91-unit Extra Care facility for 100% social rented housing and associated ancillary infrastructure, along with a purpose-designed replacement day care centre for adults with complex Learning Disabilities.
- 4.11. Specialist architects have been procured to reimagine the site, into a form of housing specifically designed to meet the needs of people as they age, and to live independently for as long as possible. The resulting scheme is attractive, modern – yet respectful to the area's history and surroundings. As a large site in the centre of Paignton, it is essential that the redevelopment achieves our ambition to provide a 'regenerative effect' to the local surrounding neighbourhood. Residents will enjoy very high specification homes, build to

exceed Building Regulations requirements, and have the benefit of private balconies and several shared outside spaces, as well as access to a café providing hot food and on-site care and support provided by our commissioned provider. The scheme will also make provision for Biodiversity Net Gain improvements compared to its current and former use and offer Air Source Heat Pumps and a large array of photovoltaic panels on the roof to minimise impact on the environment (and our residents' bills for space and water heating).

- 4.12. The project has been worked up in considerable detail, to maximise the amount of residential accommodation that could be provided on the site, to increase income potential from rent and grant. Historically, a planning consent was secured for 89-units with ground floor commercial space on the site in 2021. However, due to the changing nature of the Building Regulations, introduction of the Building Safety Act and other changes to the regulatory frameworks since this time, the Council determined that it was unable to build the original planning consent. Additionally, the current approach to housing delivery – to maximise density, whilst seeking to reduce non-revenue earning space – means that a different approach to design is now required. As such, the new scheme (approved by Torbay Planning Committee in December 2025) is entirely new. Bearing in mind the complexity of integrating a bespoke Day Care Centre within the same structure as (but entirely separate to) 91-Extra Care apartments and café etc., the new consent represents the maximum extent of development that is considered achievable in this location, bearing in mind the implications of the new Building Safety Act in respect of schemes that exceed the 18m 'High Rise' threshold.
- 4.13. Housing delivery at this scale represents a considerable investment for the Council. Added to which, the type of housing – Extra Care – is more expensive to construct than general needs social housing due to the enhanced standards that we have to meet in respect of the Happi Guidelines and Building Regulations for adaptable homes. All homes exceed the minimum space standards for social housing, and feature additional enhancements, such as balconies etc., which would not necessarily be provided on standard housing schemes. Consequently, the cost of building this project is high, particularly bearing in mind the bespoke nature of the ground floor space as a replacement Day Care Centre.
- 4.14. Officers recommend setting an overall project 'ceiling' of £54.000m to deliver the scheme in its entirety. This would be funded by a combination of Prudential Borrowing, capped at £16.300m, with the remaining cost to be funded by internal subsidies, external grant (including Homes England grant for the affordable housing), and relevant capital receipts.
- 4.15. It is anticipated that the Final Business Case (FBC) will come in below this overall financial ceiling. The Outline Business Case (attached at Appendix 3) sets out the estimated costs and budget contributions at the time it was issued in December 2025 there will be a slight variance to the numbers in the FBC as would normally be expected.
- 4.16. Schemes of this scale require considerable infrastructure improvements as part of the overall construction programme. As at the time of writing, the expectation is that the site will be available for use as temporary car parking throughout the busy summer tourist season, with an anticipated 'out of use' date from early September 2026 when works will then commence on site and in the adjoining highway.

- 4.17. Torbay has adopted an ambitious plan to fundamentally regenerate its towns, to breathe new life into our high streets, and transition our commercial centres to providing a greater amount of higher quality residential accommodation. The Council has long recognised the need to strategically intervene in this regard, culminating in December 2025 with the adoption of the 'Place Vision for Paignton', which specifically recognises the importance of the former Crossways site as a location for housing growth, to support our local high street, and bring people within a greater proximity of local businesses.
- 4.18. The proposal supports a number of other key local and national strategic aims:
- Torbay Council Housing Strategy: directly contributes to the objective of “delivering more, better and affordable homes”, unlocking new supply and promoting inclusive growth.
 - Torbay Local Plan: supports policy aims around sustainable development, brownfield land use, and meeting identified housing needs, as well as increasing the number of homes built in the early part of the new Plan period.
 - One Torbay: Working For All: The Corporate Plan emphasises inclusive communities, fairness, and tackling deprivation. The proposed scheme offers good quality affordable homes in a high-demand area to people that need care and support, who can find that housing becomes increasingly unaffordable as they age.
 - Devon Home Choice: The homes will be allocated to local people in housing need.
- 4.19. This scheme is one of several proposals that have come to Cabinet in recent months and mark a turning point in Torbay Council’s approach to tackling housing challenges head-on. It further demonstrates our commitment to using our resources proactively and strategically to meet the needs of our communities. The scheme represents:
- Direct intervention in the housing market to unlock underutilised land.
 - Provides much needed Extra Care accommodation which works alongside Adult Social care to reduce/mitigate the economic impact and keeps more people living independently, for longer.
 - Leadership in place-regeneration, in a coastal town with limited development opportunities and a high street in need of activation.
 - A model of how we can work proactively within the private sector to kick-start the local construction sector and wider economy to meet our social, environmental and spatial priorities.
 - A strong signal of commitment to Paignton and to working in partnership with our appointed Regeneration Partner to boost investment in the local economy when overall confidence in the housing market is low.
 - The Council strengthens its reputation as a progressive, forward-thinking authority willing to take action to stimulate growth where market-led delivery is stalling.

5. Options under consideration

- 5.1. Acknowledging that the Council has been working on the delivery of this project since approximately 2021, there have been a range of corporate, strategic decisions taken in respect of working this site up for redevelopment for Extra Care Housing, including through

the acquisition of this land specifically for this purpose, and in determining in 2025 that it was right to proceed with a revised planning application for the site. As such, there is a clear, strategically endorsed pathway to the redevelopment of this site for this purpose.

- 5.2. Notwithstanding the above, however, there are still a number of decision 'gateways' to proceed through, prior to committing the Council to the considerable capital expenditure (and associated risk) of a project of this magnitude. As such, there are effectively 3 options for consideration at this point (acknowledging that the decision has already been taken about the form of development proposed for the site):
- 5.3. **Option 1** – approve the Recommendations as set out and proceed to contract (and ultimately construction) as soon as is practicable, to deliver 91-units of Extra Care Housing for social rent and associated infrastructure, and a new Day Care Centre to replace the existing facility at Hollacombe.
- 5.4. **Option 2** is not to proceed, effectively stepping away from the opportunity to bring forward a brownfield site to support the local housing market. This will avoid capital risk but will not improve the housing situation and will be less likely to secure delivery of the site to meet Local Plan targets in the medium term. It would be reputationally damaging for the authority in respect of a project that has wide political support and is supported for this use by the vendor. It would also mean Torbay misses an opportunity to increase its social housing stock and would place enhanced risk on the Council in respect of grant that has been secured specifically to deliver the project from the Brownfield Land Remediation Fund/Future High Streets fund etc.
- 5.5. **Option 3** would be to pause the scheme, pending review in 12-18-months in the hope that market conditions have improved and costs come down. Whilst this would be a legitimate consideration, there is no guarantee that market conditions/prices would improve; indeed, with the current state of play in the Middle East, there is a reasonable chance that the situation may worsen in that period, making the scheme even more financially challenging to deliver. Delay would also impact on existing grant funding conditions and increase the risk of being required to repay spent monies.
- 5.6. On the balance of considerations, officers recommend proceeding as set out in **Option 1**.

6. Legal Implications

- 6.1. The Council has previously completed the acquisition of the site utilising a Compulsory Purchase Order. The legal implications of this were fully considered through this process, and at the time of acquisition.
- 6.2. Within the identified risks of the scheme are Rights of Light and access rights of existing neighbouring properties. As such this report seeks approval to levy the Council's Planning Appropriation Rights under Section 203 of the Act to the site. This protects the scheme from injunction by any of the forementioned parties.

7. Engagement and Consultation

- 7.1. The community has been consulted throughout the planning process as well as at regular events since the scheme's inception in 2021.
- 7.2. Additional engagement will be undertaken throughout the pre-construction and construction period. This will mainly focus on the community within the affected ward and is also expected to extend to schools and community groups.
- 7.3. The Project Team has liaised extensively with the staff and service users of the current Hollacombe CRC, and all are aware of the proposals and our ambitions for the site.
- 7.4. The Head of Strategic Housing & Delivery and Director of Regeneration have extensively briefed the Portfolio Holder for Housing and Finance and the Deputy Leader - and the other Cabinet members in advance of this proposal. The Shadow Cabinet Member has also been briefed regularly.
- 7.5. Senior Council officers have also been made aware of the proposal through the Capital & Growth Board and Housing Capital Programme Board.

8. Procurement Implications

- 8.1. This project falls under the Procurement Act 2023. Therefore, a formal procurement procedure is required, to reflect the size of the investment (and associated risk).
- 8.2. Willmott Dixon Construction Limited have been appointed via a directly awarded Pre Construction Services Agreement through the Pagabo Major Works Framework, on an open book basis. This framework aligns with Gold Standard principles and is compliant with procurement regulations. Willmott Dixon Construction are then obliged to suitably procure any relevant sub-consultant/contractor services necessary to deliver the scheme.
- 8.3. The final construction contract will be awarded as the next work stage of the above framework route.
- 8.4. In addition to this the Council will still comply with its own internal Contract Procedure Rules and demonstrate best value in line with the Local Government Act 1999, this includes:
 - Evidence that the acquisition and development represents value for money;
 - A clear and transparent decision-making process; and
 - Appropriate financial and legal due diligence.
- 8.5. The Council has obtained a Value for Money report from Coreus, an RICS accredited firm of Quantity Surveyors, to provide assurance of the construction sum. A copy of the final report will be an appendix to the Final Business Case, to be considered by Cabinet in July 2026.

9. Protecting our naturally inspiring Bay and tackling Climate Change

- 9.1. The proposal outlined represents an opportunity to embed climate-conscious, environmentally responsible and sustainable design principles into the fabric of our built environment. It supports Torbay Council's declared Climate Emergency and the subsequent Climate Emergency Action Plan by creating homes that are low-carbon, environmentally sustainable and cost effective to live in, while preserving the character and ecological integrity of the Bay.
- 9.2. The development will be delivered in accordance with current best practice in sustainable construction and environmental protection, delivering:
- Energy-efficient homes: The development will be designed to at least meet minimum Building Regulations, with a focus on enhanced fabric performance (insulation, air tightness, and glazing) to reduce energy consumption and fuel poverty. If further enhancements can be viably delivered above the minimum standards at the point of delivery, they will be. The project team anticipates achieving an EPC rating of B overall.
 - Low-carbon building materials and methods: The scheme will promote the use of sustainable, low-emission materials and modern methods of construction (MMC) where possible to minimise environmental impact.
 - Renewable energy and futureproofing: The project will include the integration of solar panels, energy-efficient heating systems (e.g. air source heat pumps), and electric vehicle (EV) charging infrastructure to support low-carbon lifestyle for residents. The scheme will be delivered without recourse to carbon-intensive space and water heating (i.e. "no gas").
 - Sustainable transport: Residents will have good access to public transport will reduce car dependency, in line with sustainable travel objectives.
- 9.3. Climate change disproportionately affects vulnerable populations. Providing safe, secure, and energy-efficient housing contributes to climate resilience by reducing exposure to extreme weather conditions; helping low-income households better manage rising costs; and support equitable access to housing that meets modern environmental and health standards.

10. Associated Risks

- 10.1. There are risks associated with any commercial activity. However, the risks associated with this scheme are described throughout this paper.

11. Equality Impact Assessment

Equality Act Protected characteristics and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigating activities
<p>Age</p> <p>Page 74</p>	<p>There are 139,479 people in Torbay (ONS Mid-Year Estimate 2022), and 1 in 4 are aged 65 or over (36,612 people, or 27%) which is higher compared to across England (where the 65s and over make up 18%).</p> <p>By 2043, it is estimated that over one in three (34%) of Torbay's population will be aged 65 years and over (52,033), compared to 24% across England.</p>	<p>This purpose-built accommodation will reduce the need to go into a residential care home in the early stages of a resident's care need increasing. Extra care housing comprises self-contained homes with design features and support services to enable independent living.</p> <p>Communal facilities will provide opportunities for social interaction and help combat social isolation, a long-standing challenge for aging populations.</p> <p>The Scheme meets the needs of the Adult Social Care Team to support people to live independently, as long as possible.</p>	<p>Consideration during the letting process to ensure benefit of this accommodation is maximised for those that need it most.</p> <p>The importance of non-institutional design has been emphasised throughout the design process, avoiding clinical aesthetics, promoting a sense of dignity and home.</p>	<p>Housing Management</p>

<p>Carers</p>	<p>At the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours+ of care.</p> <p>4.8% of over 5's within Torbay were identified as carers in the 2021 survey.</p>	<p>The Extra Care Scheme may provide relief for carers to support their wellbeing.</p>	<p>Not applicable</p>	<p>Adult Social Care</p>
<p>Disability</p>	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited by a physical or mental health condition or illness.</p> <p>The Torbay Joint Strategic Needs Assessment highlights that two-thirds of adults aged over 65 are expected to be living with multiple health conditions (multi-morbidity) by 2035. Seventeen percent would be living with</p>	<p>Extra Care Housing supports a range of people. Some may have a disability and or physical/ mental health needs. It supports people to live independently with additional on-site support. The level of support available can be tailored to meet the needs of the resident, meaning that the model is more flexible than domiciliary care.</p> <p>The design of the building will be accessible and have level access and lift provisions. This will sit alongside thoughtful design which will promote wellbeing and amenity spaces suitable for mobility equipment.</p> <p>Additionally, an inclusive design has been considered for neurodivergent residents, with consideration given to</p>	<p>Considerable emphasis has been given to creating a space that meets service user needs, is fully accessible and is a welcoming and inclusive.</p> <p>The scheme complies with the M4 (2) and M4(3) standards, which outlines space requirements and accessibility for dwellings. These standards ensure the facilities are suitable for users with reduced mobility.</p> <p>The project team accompanied the architect PRP to view existing extra care facilities with Barnet Council. Viewing these operational facilities assisted in understanding the complex needs</p>	<p>Adult Social Care</p>

	four or more diseases, double the number in 2015. One-third of these people would have a mental illness like dementia or depression	colour palates and other interior qualities.	of the end user and how spaces need to work in practice. Particular focus on dementia friendly design, use of colour coded floors and personalised objects to assist in navigation of the building for example.	
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Management & Adult Social Care
Marriage and civil partnership	At the 2021 Census, 44.2% of people were married or in a civil partnership.	There will be a mix of apartment sizes which will cater for single and multiple occupancy homes with varying living arrangements.	Not applicable	Housing Management
Pregnancy and maternity	There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	Residents will not be excluded from Crossways based on pregnancy/maternity status, if they otherwise meet the requirements of the scheme. However, other schemes may be more appropriate for	Not applicable	Not applicable

		eligible households with this additional requirement.		
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Management & Adult Social Care Teams
Religion and belief	64.8% of Torbay residents stated that they have a religion in the 2021 census.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Management & Adult Social Care Teams
Sex	51.3% of Torbay's population are female and 48.7% are male	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Management & Adult Social Care Teams
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Management & Adult Social Care Teams

	sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	The British Attitude Survey highlights that 67% of people think a relationship between two people of the same sex is never wrong, compared to 17% in 1983. However, the reports suggest that the figure decreases for those in older population groups. The above training and understanding of discrimination will assist management.		
Armed Forces Community	In Torbay, 5.9% of the population have previously served in the UK armed forces. This is higher than the average for England (3.8%).	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	The design team includes ex-armed forces and reservists; their input has been part of the design process.	Housing Management & Adult Social Care Teams
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	Torbay's economy is ranked among the weakest in England. Average wages continue to be significantly below the regional and national average with less of the population in full-	The Scheme provides affordable housing for some of the most vulnerable in our society.	The extra care scheme will be creating management jobs, and the Holcombe facility will retain the staff numbers.	Housing Delivery Team

	time employment than England.			
Public Health impacts (Including impacts on the general health of the population of Torbay)		Pollution	The scheme has significant resident amenity spaces, and residents are less likely to be car-users than the general public. Nearby bus stops promotes sustainable travel, supporting access to the community.	Public Health Teams
Human Rights impacts		No human rights impacts are anticipated. Residents will have an ASC assessment in line with best practice where required.	Not applicable	Not applicable
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	Due to the nature of the scheme, and the care requirements that will be part of the selection process for tenants, this scheme is unlikely to support families with children. However, the Council is actively bringing on stream a number of other housing initiatives specifically designed for this cohort, that would be better suited to families that include children.	Not applicable	Housing Delivery Team

12. Cumulative Council Impact

- 12.1. An increase to the Council's portfolio of social housing, which requires ongoing management etc. However, allowances are always made in the financial modelling to ensure the long-term, appropriate management and maintenance of our housing stock.

13. Cumulative Community Impacts

- 13.1. The provision of additional affordable accommodation will reduce future pressure on having to pay for expensive residential care placements when they are not really required. The whole purpose of this and similar schemes is to provide a stock of homes that are designed to help people live independently for as long as possible. To that end, it is worth noting that the project has the specific support from colleagues in the Adult Social Care team, as it will help them manage demand on their services, and provide efficient care services to a number of households in a single location.
- 13.2. There would be significant positive impact on local communities by addressing long-standing housing-needs, improving the quality of life for vulnerable residents, and contributing to the overall sustainability and cohesion of neighbourhoods within Torbay.
- 13.3. Keeping residents in Torbay ensures continued local spending and engagement with small businesses, schools, GPs and community services, as well as paying rental income to service the debt associated with the construction.

Location of Former Crossways Shopping Centre, Hyde Road, Paignton






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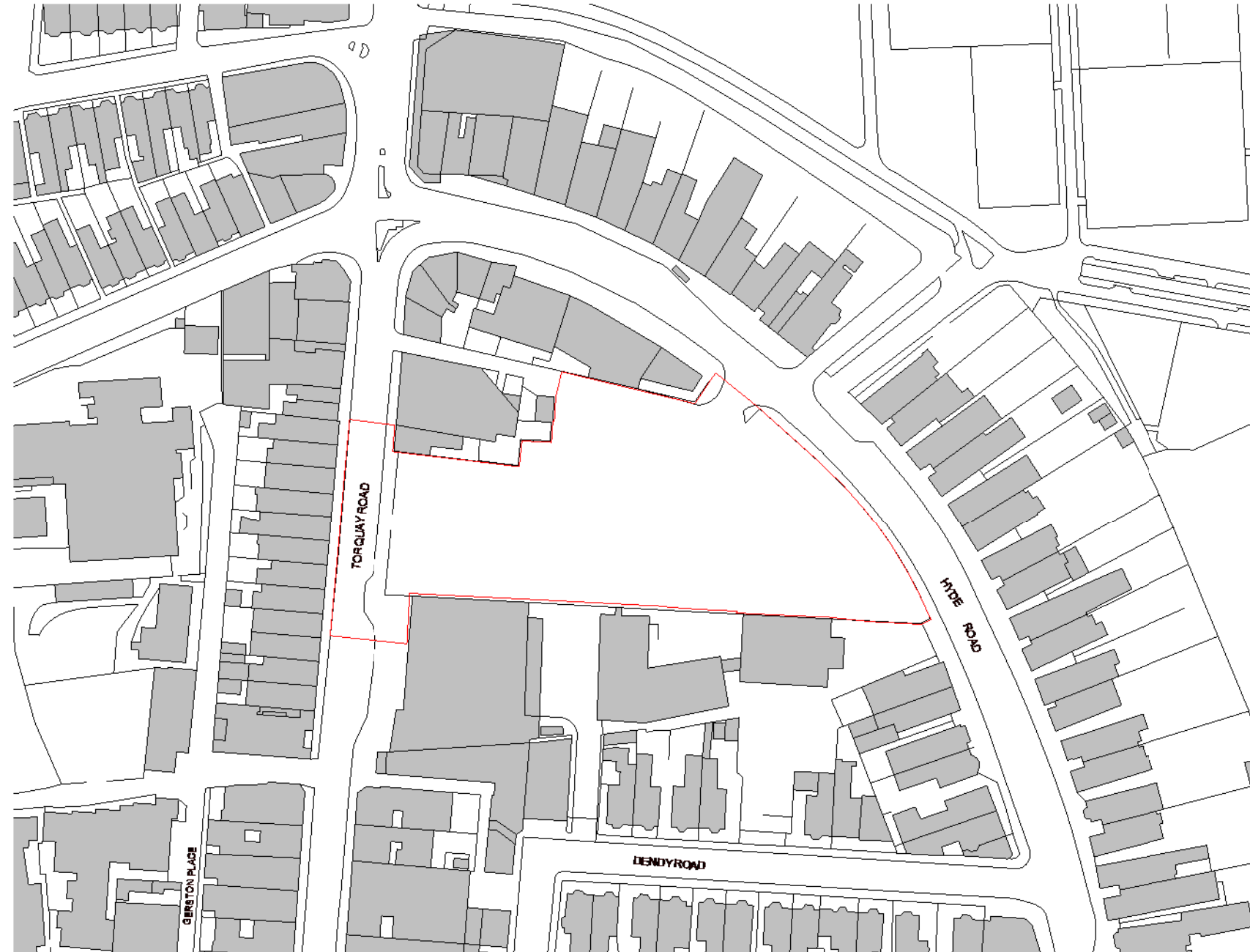
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Where products have been specified, PRP have reviewed applicable products available in the UK at the time of writing the specification, from which products named in the specification have been selected. Where the Principal Contractor wishes to propose alternative products, representative samples and a full technical appraisal demonstrating that their proposed alternative has equal or better performance should be submitted by the Principal Contractor in accordance with the agreed project Change Control Procedures. On any Higher Risk Building (HRB), the Principal Contractor should confirm if they consider the alternative (and / or any consequential impacts) as a recordable, notifiable or major change under Regulation 26 of The Building (Higher-Risk Buildings Procedures) (England) Regulations 2023.

Key

-  Vehicle Entrance
-  Site Application Boundary
-  Existing Buildings

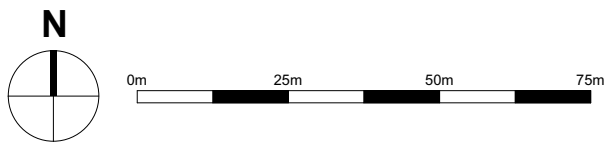
Site Area - 5190.5 m²



Ordnance Survey, (c) Crown Copyright 2024. All rights reserved. Licence number 100022432

Existing Site Location Plan

1 : 1250



The Principal Contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be notified to the Architect before proceeding with the works. Where an item is covered by drawings to different scales the larger scale drawing is to be worked to. Do not scale drawing. Figured dimensions to be worked to in all cases.

CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record. All intellectual property rights reserved.

Rev	Date	Description
P02	28/07/25	Planning Issue
P03	31/07/25	Boundary Amendment
P04	01/08/25	Landscape Updated for Planning
P05	14/08/25	Updated to Planning Comments

Dwn	Ckd	Drawn	EH
EH	JB	Checked	JB
EH	JB	Date	July 2025
BF	JB	Scale @ A3	As indicated

Crossways

Existing Site Location Plan

Project	Origin	Function	Space	Form	Discipline	Number
CWY-	PRP	- XX -	XX	- D -	A -	2000
Revision			Status			
P05 -			Planning -			

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Crossways, Paignton

Outline Business Case (OBC)

SRO:	Sam Irving	Head of Strategic Housing & Delivery
Project Manager:	Chris Wheeler (WDM)	National Head of Development



Version 1.0	Name	Signature	Date
Prepared by:	Chris Wheeler		21 st November 25
Reviewed by:	Sam Irving		21 st November 25
Reviewed by:	Patrick Rafferty		
Approved by:	Capital Growth Board		
Approved by:	Cabinet / Council		

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1 Introduction

1.1 Purpose of this report

This report considers the redevelopment of the former Crossways shopping centre, Paignton and its immediate surrounds to Hyde Road and Torquay Road.

It has been prepared with reference to the Crossways SOC business case (November 2024) and subsequent planning documentation. It should also be cross-referenced with ProVal model: **Crossways_91ECH/DCC_(OBC)_26Nov25**.

The following approvals are sought:

- Authorisation to place an ECI/PCSA (Pre Construction Services Agreement) with Willmott Dixon Construction.
- To approve an additional in-phase budget of £1.729m (plus underspend from SOC activities), to undertake this activity from YQB08; and,
- To endorse the proposed delivery and procurement model set out in this paper.
- Authorise the instruction of SWW to undertake diversion works at a cost of £521,000 (Included in the £1.729m noted above) to allow the unhindered delivery of the scheme post FBC.

1.2 Executive Summary

The 0.477ha site is owned by the Council. Originally the site was identified for an 89-unit Extra Care facility, for which a planning consent was granted in February 2021. Demolition of the former shopping centre commenced in 2023 and substantially completed in April 2024. It is currently in-use as a temporary shopper's car park, pending redevelopment.

A fundamental scheme review was undertaken in 2023, following identification that the previous scheme was unviable. Responsibility for delivery has transferred to the Head of Strategic Housing and Delivery (as client), with project management and development management services provided by Willmott Dixon / Milligan – "WDM". This has culminated in the submission of a new planning application to significantly improve the efficiency of the building by measure of nett to gross area and increase in units. Additionally, a new day care centre has been included, to replace the existing Hollacombe Centre, which is a life-expired asset.

The costs to date for the CPO, design and demolition is £5,738,783. These costs include the acquisition and abortive works of the previously consented scheme.

The scheme has attracted £2.7m of FHSF and £950k of BLRF; several other smaller local subsidies have been committed, too. There is also a provisional allocation from Adult Social Care (ASC) including Disabled Facilities Grant (DFG) funds and other project specific subsidies. To progress this project, the SRO has assumed all the subsidies and grants allocated to the project in the November 2024 SOC remain.

A preferred scheme for the redevelopment has been worked up to RIBA Stage 3+ with a Planning Application submitted in July 2025. The SRO/WDM consider that this produces the best balance of viability, development size, regenerative effect and deliverability. We are expecting consent to be issued in December 2025.

A further tranche of pre-construction activity, as set out below, is recommended to improve cost certainty on the viability and deliverability of the proposals.

The recommendation is as follows:

1. Appoint Willmott Dixon Construction Limited under ECI/PCSA to develop the scheme design through RIBA Stage 4 and provide a commercial proposal based on a Design and Build contract sum.
2. At the completion of RIBA 4 undertake a design gateway review, a cost and value review and recast the development appraisal having regard to Torbay Council's standard Employers' Requirements.
3. Independently commission Coreus to provide client-side VfM assessment and 'Managing Surveyor' services, which will ensure robust oversight of WDC during the construction/ECI/PCSA phases and provide assurance direct to the client throughout.
4. Discharge any pre-commencement planning conditions, to facilitate a start on site.

5. Engage with Wilmott Dixon Construction under a ECI/Pre-Construction Services Agreement (PCSA) to work up and agree a Building Contract and Building Contract Sum for the delivery of the preferred scheme (such Instruction to be made under the existing Pagabo Developer Led Framework).
6. (Client) Engagement with Homes England regarding Affordable Housing Grant to secure viability.

This tranche of activity would be carried out over the next 6 months with a target end date of Q2 2026.

The Total Scheme Cost (including land assembly and interim operating costs) for the preferred scheme is currently £50,129,777. An in-phase budget of £1.729m is required to complete the activity through to RIBA 4. This is in addition to expenditure already incurred/approved for the feasibility, SOC, land assembly and estate management activity (but within the overall £50.2m budget). This is a high-level estimate and will need to be market tested and confirmed with the wider development team with frequent reports issued to the SRO team for approval.

Within the above £1.729mm OBC to FBC budget is £521,000 to instruct SWW to undertake the diversion works to allow a prompt start on site post FBC as an Enabling Works Package. A key objective of the ECI/PCSA will be to identify cost savings and further efficiencies. This will be reported at FBC stage.

2 Strategic Case

2.1 Strategic Needs

2.1.1 Existing arrangement

Crossways Shopping Centre was purchased by Torbay Council in 2022. The buildings have been demolished, and the site is being utilised as a deck level car park. There is an identified need for Extra Care housing, which this scheme will address.

2.1.2 Business needs – current and future

The brief for the scheme is for a residential led (Extra Care) mixed-use development. The Business Needs remain the same as previously outlined at SOC.

2.1.3 Strategic need

2.1.3.1 Corporate & Community Plan alignment

The Strategic Needs remains the same as previously outlined at SOC.

2.1.3.2 Other relevant strategies

This has previously been considered at SOC stage.

2.2 Objectives

The key objectives and respective targets for the project are set out in the table below.

Challenge	Objective	Measure	Target
Oversupply of poor-quality retail space	Condense retail offer and diversify land use	Less retail space and increase in other uses in town centre	Better-quality high-street experience
Lack of housing and increasing deprivation	Provide access to high quality housing	Increase in residents living in good quality housing	Reduced poor quality housing
Improving Paignton's image	Improved residential and health offer	Investor confidence; existing and new establishments	Increased investment activity
Replacement Day Care Centre	Purpose-built replacement facility	Delivery of said facility	Quality provision to allow service to flourish

2.3 Other considerations

The scheme has been designed to meet a range of needs identified by Adult Social Care, including homes for people to age-well, and provision of a bespoke day care facility to replace an end-of-life scheme that is central to the partnership between Torbay Council and the local NHS trust.

3 Economic Case

3.1 Critical success factors

The critical success factors (CSF's) were considered at SOC.

3.2 Options for consideration

At SOC stage, a series of preferred options were identified with a decision made to proceed with 91 Extra Care units and a Hollacombe replacement, to Stage 3 and Planning Application. A significant level of design development was undertaken during this process and has resulted in a finalised design scheme (set out below).

3.3 Preferred option

- New 4-6 Storey Extra Care Residential Development fronting Torquay Road and Hyde Road consisting of:
 - 76 No 1 Bed Apartments
 - 7 No 1 Bed Apartments for Wheelchair Users
 - 8 No 2 Bed Apartments
- Associated ancillary/communal space and gardens.
- New Café for the use of the above residents.
- 11,453 ft2 of space for the replacement Hollacombe Day Care Centre including dedicated garden space.

4 Commercial Case

4.1 Introduction

a Pre- Development Agreement (PDA) has been entered into for the site to facilitate its immediate progression. The PDA has acted as the delivery mechanism for all activity on the scheme to date (with all current team members procured pursuant to the PDA); the PDA will continue to be used for all activity in the next stage up to FBC.

Consideration has been given to appoint Willmott Dixon Construction on Construction phase given their project knowledge through development. Review of procurement options identified that this would be possible via the Pagabo Major Works framework. This was proposed to CGB at OBC stage and subsequently approved.

To develop the contract sum and RIBA Stage 4 pack, Willmott Dixon Construction will be appointed to undertake the works associated under an ECI/PCSA within the existing PDA structure. At/beyond FBC stage the PDA is to be replaced with a Development Management Agreement (on identical commercial terms to the PDA) to facilitate the delivery of the scheme (this process is set out in the PDA).

At the point a contract sum can be agreed Willmott Dixon Construction will be appointed utilising a preferred framework which will sit alongside the DMA mentioned above. The preferred framework is likely to be Pagabo Major Works to ensure compliance and like-minded procurement.

Whilst Torbay Council's Commercial Services team continues to hold concerns regarding the legitimacy of a direct appointment of Willmott Dixon Construction, and the strength of the justification for doing so, based on the commercial analysis undertaken and the wider public cost–benefit position, we are satisfied that it would be inappropriate at this juncture to reverse or revisit the approach.

4.2 Market analysis

A schedule showing the basis of the assumptions for the input metrics to the Development Appraisal is below:

Metric	Data Source/Basis of Calculation
Acquisition Cost	Based on purchase costs incurred (provided by TC).
Construction Cost	Based on RIBA 3 cost plans prepared by the Construction Cost Consultant (Coreus) against each of the development option for Crossways. This has been subsequently tested by Willmott Dixon Construction with a value for money process underway with Coreus. Coreus have verified the construction cost
Planning Cost	Planning costs incurred have been utilised.
Professional Fees	Cost estimates based on quotations from the core team along with benchmark data from other projects. ECI/PCSA fee quoted by Willmott Dixon which is built up from quotes from the consultant design team.
Finance	Assumed debt finance based on long-term PWLB borrowing by TC at a rate of 4.65%, utilising an 'interest only' model (as agreed with the Director of Finance).
Residential Sales and Rental Values	Residential values have been provided by Vickery Holman based on 1999 values with a 10% uplift for Extra Care housing (this is the standard requirement for social housing).
Commercial Rents/Incentives	Assessment of market rents and incentive provided by Vickery Holman.
Investment Yields	Assessment of market investment yields for anticipated uses by Vickery Holman.
Growth	Both cost and value growth have been included in the appraisals advised by Coreus and Vickery Holman: <ul style="list-style-type: none"> Construction cost inflation estimated to mid-point of construction. Value growth estimated to exit/sales point.

4.3 Routes to market

TC have entered into a Pre Development Agreement with WDM, which provides the necessary Development Management and Project Management Services to deliver the project.

Procurement of the professional and design consultancy team to date, which has been necessary to progress the concept design and Planning Application, has been done pursuant to the linked Pre-Development Agreement.

The budget requested below will again be procured through a compliant framework route namely the Developer Led and Major Works frameworks. This will be set out in the forthcoming FBC.

A core development team has been assembled and will be expanded as the development process continues under the employment of Willmott Dixon Construction Limited.

Discipline	Entity
ECI/PCSA	Willmott Dixon Construction Limited
Water Diversion	South West Water – Appointed direct by the Council
Cost Management/VfM/monitoring-EA	Coreus

Procurement of construction related services will be required to facilitate diversion of the mains sewer with South West Water. The rationale for procuring a separate Enabling Works contract is that these works can be done more quickly than a Main Contract and therefore will potentially facilitate a quicker start on site. Furthermore, if included

within the Main Construction Contract, these works would likely be subject to higher preliminary and overhead costs associated with the larger contract. Additionally, due to the precise nature of the topographical levels associated with these works the wider team have advised SWW are asked to complete the works.

4.3.1 Preferred Route to market.

Enabling Works Contract (South West Water)

- Output: A robust contract sum.
- Process: Direct Appointment due to lack of competition in utilities market.
- Procurement Programme: Approx 6 months.

The formal legal and administrative process for this procurement process would be carried out by TC with full technical/commercial support from WDM pursuant to the PDA.

Main Building Contract

- Output: A Building Contract and market tested contract sum with Willmott Dixon Construction (WDC) on an open book basis
- Process: Pre-Construction Services Agreement (ECI/PCSA) issued under the existing Project PDA leading to the main contract to be let by Direct Award under Pagabo Major Construction Works Framework.
 - Pagabo Major Works Fee of 0.22% payable through construction.
- Procurement Programme: approx. 1 month. Main works instructed post FBC approx. 9 months from OBC (inc. drafting and agreeing contract).

The formal legal and administrative process for this procurement process would be carried out by TC with full technical/commercial support provided by WDM pursuant to the PDA.

The ECI/PCSA is an open-book process whereby a contract sum is established by tendering all the construction works packages to the supply chain and applying pre-procured rates for Preliminary Costs and OH&P to the aggregate of the package costs.

It is also necessary to have the process/output audited by a 3rd party cost consultant to confirm the output was market tested and VFM. This service will be employed directly by the Council, and the proposal is to direct award to Coreus, based on their existing (very detailed) knowledge of the project.

The fee for the ECI/PCSA services will be payable to WDC under the contract and has been ratified by Coreus a 3rd party RICS accredited cost consultant/QS.

The arrangements above will, however, necessitate an incremental approach to the future production of the Full Business Case (FBC) for the scheme as follows:

OBC

- Contract details for the Enabling Works Contract
- ECI/PCSA with Willmott Dixon Construction Limited placed through the Pagabo Major Construction Works Framework.

FBC

- Final contract details for the Main Works Contract

Following completion of the surveys and investigations (post Enabling) the Main Contract could be finalised and the Main Contract placed through a suitable Framework, most likely Pagabo Major Works.

4.4 Contractual arrangements

Enabling Works Contract

- Client: Torbay Council
- Form of Contract: SWW agreement appropriate for the value of works.
- Approx Value: £521k
- Duration: Circa 6 months

- Payment: Monthly
Contractor provides a Guaranteed Maximum Price

Cost Consultant & NEC Project Manager and Supervisor

- Client: Torbay Council
- Supplier: Coreus
- Form of Contract: Direct appointment via a framework using framework terms or Council short form service contract
- Approximate Value: £46,250-55,000 for ECI/PCSA period & £70-80,000 for the Construction Period (anticipate above threshold service contract)
- Duration: 33 months (or full duration of ECI/PCSA and construction)
- Payment: Monthly

ECI/PCSA

- Client: Torbay Council
- Supplier: Willmott Dixon Construction
- Form of Contract: Pagabo Major Works PCSA
- Approx Value: £1.283m
- Duration: Circa 9 months
- Payment: Monthly

Main Building Contract

- Client: Torbay Council
- Form of Contract: NEC4 Option A
- Approx Value: £42.85m
- Duration: Circa 24 months (to be confirmed via PCSA process)
- Payment: Monthly (based on valuations)

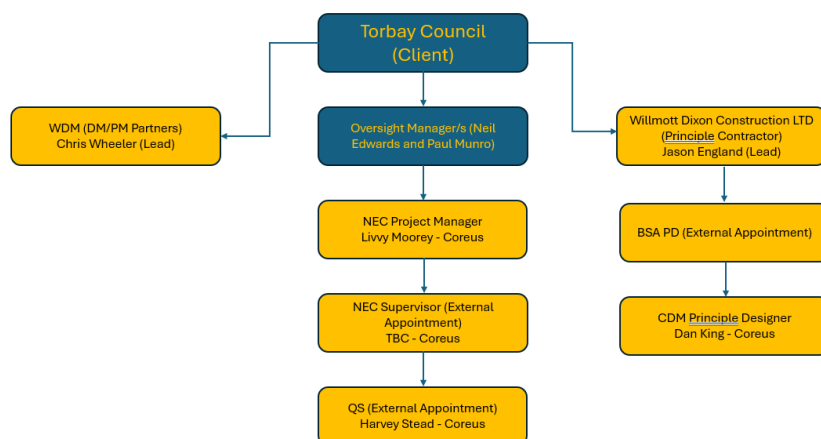
4.5 Contract management

Up to the point of commencement of the procurement process for the Building Contracts the development process will be managed by WDM pursuant to the PDA (as has been the case up to now). From the commencement of procurement the Council will be responsible for the management of the project.

The form of contract utilised for the construction will be reviewed and confirmed at FBC. However the Councils current preference and requirement will be to enter into an NEC form of contract providing:

- Extensive shared experience in delivering schemes under this form of contract.
- Provides cost certainty.
- Contract utilised across the market for complex schemes.
- Simple process when utilising the Sypro software.

Through discussions with internal and external stakeholders the below management structure has been shaped based upon the utilisation of an NEC Option A Contract. This form of contract demands unique roles which Torbay Council have a duty to ensure are met to ensure the efficient running of the contract and mitigation of risk.



Financial case

4.6 Introduction

A detailed Development Appraisal has been produced for the preferred option utilising (industry standard) ProVal modelling. All of the assumptions utilised in the appraisal have been discussed and agreed directly with the Director of Finance and Cabinet Member or Housing & Finance. This includes:

- PWLB borrowing at 4.65%, over 50 years (with NPV discount to match)
- Annual management charge of £600 per unit, per annum
- Annual maintenance charge of £600 per unit, per annum
- Void & Bad Debt allowance of 2.5% (equivalent to 9 days void per year)
- Tapered major repairs sinking fund (0.1% of Build Cost in Year 6, raising to 0.5% per annum by Year 10+).
- Service charge (to cover communal maintenance, and any care/support costs)
- Social rents at 110% of 1999 values, as endorsed by Vickery Holman

£34.293m of subsidy is required to deliver the project, including an assumed bid of £15.015m from Homes England.

Utilising the Interest only model, there is currently a small surplus in Year 1, which means that there is sufficient income to cover the minimum debt payment. Over the 50-year period, the surpluses grow to a point where there is sufficient headroom to repay the whole of the debt. Clearly, this is a simplified model, and it would be advantageous to pay off debt incrementally, using the surpluses. An extract from ProVal is provided at **Appendix A**.

The rents for the Day Care Centre have been set at £20.00ft² as advised by Vickery Holman; whilst this is a significant increase compared to the current cost of Hollacombe, the figure is still significantly below comparable market rents for other sites of this type. The existing site is also at end of life stage, and so it would not be reasonable to charge the full commercial rate to the hosting service for this site anyway. However, moving to a new site will create a revenue pressure that the Council will have to absorb. An exercise will be undertaken in due course to plot the 'sweet spot' in respect of reducing rent liability versus increasing subsidy to support the day care centre.

4.7 Working costs for next project stage

Set out below is an estimate of the costs required to progress the preferred scheme through to FBC stage. These costs are projected to up to the point of FBC Stage 2 (i.e. sufficient to fully crystallise the Enabling **and** the Main Works Contract through an ECI/PCSA process).

Description	Value	Comments
ECI/PCSA Fees	£1,283,798	Placed with Willmott Dixon Construction Limited (Framework fee due within construction)
SWW Diversion	£520,301	Placed with SWW

DM/PM Fees	£206,801	Fees agreed through Partnership Agreement Nov-July
Professional Fees	£100,000	Misc (QS, EA, re valuation as required)
Contingency	£381,835	Saving carried forward from saving in SOC
Total	£ 2,110,900	

Table 1 - Working cost for business case development.

4.8 Funding

4.8.1 The tables below set out the proposed funding strategy for the scheme:

Funding Stream (A):	Amount allocated:	Cost centre:	Currently allocated to:	Reallocate to:
ASC Capital	£1,321,869	YQB08	Crossways	N/A
ASC Revenue	£2,696,740	YQB08	Crossways	N/A
ASC Revenue	£935, 260	YQB08	Crossways	N/A
BLRF	£950,000	YQB08	Crossways	N/A
DFG	£2,252,619	YQB08	Crossways	N/A
DFG Future Allocations	£634,860	YQB08	Crossways	N/A
Future High Streets	£2,765,897	YQB08	Crossways	N/A
Homes England AHP	£15,015,000	Yet to be secured	N/A	N/A
Housing RHP	£200,044	YQB08	Crossways	N/A
HSG Advances	£1,458,044	YQB08	Crossways	N/A
Jack Sears	£1,100,000	YQB08	Crossways	N/A
LPSA Performance	£214,000	YQB08	Crossways	N/A
S106 (AH) OSC	£736,489	YQB08	Crossways	N/A
TC Capital Receipts*	£4,012,551	YQB08	Crossways	N/A
Sub-total	£34,293,373			

Table 5 – Crossways existing allocated internal subsidy

*this includes a future sales receipt of £1.000m from the disposal of Hollicombe Day Care Centre, and £3.000m from the sale of Preston Down Road (being 50%, restricted to specifically fund affordable housing in Paignton). If the PDR receipt does not reach the expected £6.000m bid, more of the geographically unrestricted receipt will be required.

The proposed scheme requires significant capital borrowing. Residential and health uses have been modelled on an interest only basis (with the capital sum being repaid through cashflow surpluses at the term end). The scheme requires a loan of £15,836,404.

However, with considerable subsidy from Torbay Council, along with a grant bid to Homes England, ensures that the net revenue once the asset is stabilised at **at all times exceeds** the annual loan repayment. The scheme provides a (small) cashflow surpluses from Year 1, ensuring the Council's revenue position is not exposed to further risk because of these borrowing activities.

4.9 Capital Costs (Non-Recurrent)

The table below sets out the capital cost (less grant funding and interim income) to PC+1 Year.

Description	Value
Acquisition	£2,606,489
Works	£38,370,871

Fees	£4,691,417
Other Costs	£4,461,000
Total	£50,129,777
Subsidy	- £34,293,373
Opening Loan	- £15,836,404

Table 2 – Capital Costs

4.10 Ongoing costs / (Recurring commitment)

All occupiers and tenants of the completed scheme will contribute to a Service Charge account which will be used to meet the running costs of the asset. Where tenant/occupier voids occur, the landlord will meet the void costs of the vacant space. An initial projection of the management costs are detailed within the PROVAL model in Appendix A.

4.11 Tax considerations

A review of tax considerations will be undertaken following approval of this business case.

The use of the Café is to be reviewed through the next stage and finalised prior to FBC. At the moment the facility is inward facing to mitigate against development and ongoing Tax liabilities.

4.12 Financial summary

		Expenditure to date	Forecast to complete (including contingency)	Total
Required Budget (Overall)	£50,129,777	£6,040,211	£44,089,566	£50,129,777
Required Phase Budget (OBC)	£ 8,330,691	£6,040,211	£ 2,290,480	£ 1,728,346

Spend figure is up to end Sept 25

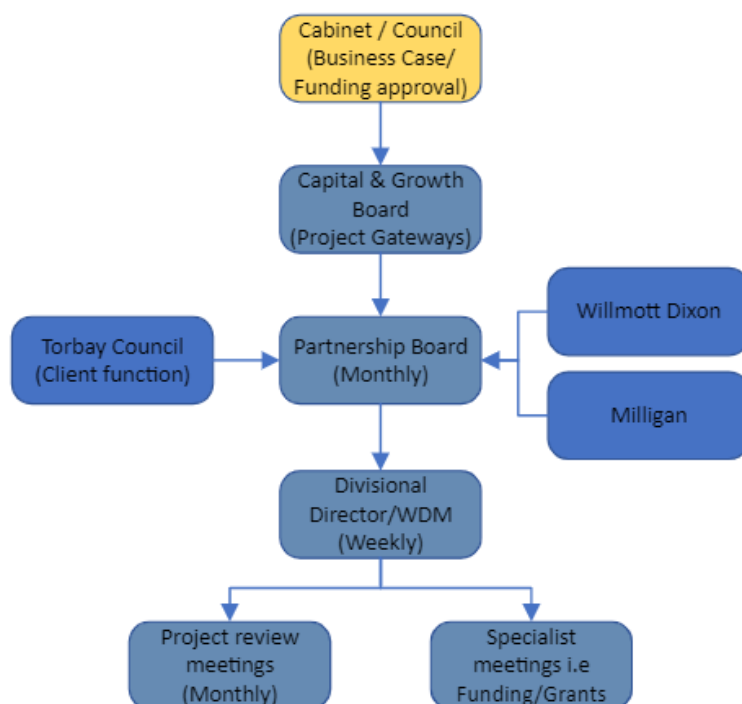
Table 4 – Overall project Budget

5 Management case

5.1 Governance arrangement

5.1.1 Governance Structure

This project is one of the regeneration partnership schemes which is being delivered collaboratively between Torbay Council, Wilmott Dixon and Milligan. The below identifies the governance structure for this arrangement:



The regeneration partnership board consists of the below persons / roles and meets monthly to discuss progress on its portfolio of projects.

Name	Title	Organisation	Project Role
Anne-Marie Bond	Chief Executive	Torbay Council	Executive Officer
Alan Denby	Director of Pride in Place	Torbay Council	Strategic Fit
Malcom Coe	Director of Finance & S151 officer	Torbay Council	Financial Oversight
David Carter	Director of Regeneration	Torbay Council	TC Project Sponsor
Sam Irving	Head of Strategic Housing & Delivery	Torbay Council	TC scheme SRO
Chris Wheeler	Regional Head Land and Development	Willmott Dixon	Dev Management (Delivery)
Stuart Harris	Chief Exec	Milligan	Dev Management (Commercial)
Mike Anderson	Chief Investment Officer	Milligan	Dev Management (Investment)
Jon Munce	Head of Development	Milligan	Dev Management (Delivery)

Table 5 – Regen Partnership Board Membership

The delivery of the project will be managed by the above client and project management time with further assistance in the form of the below structure, showing reporting lines through arrows.

The CDM and PD roles are appointed by the appropriate part in Torbay Council and Willmott Dixon Construction.

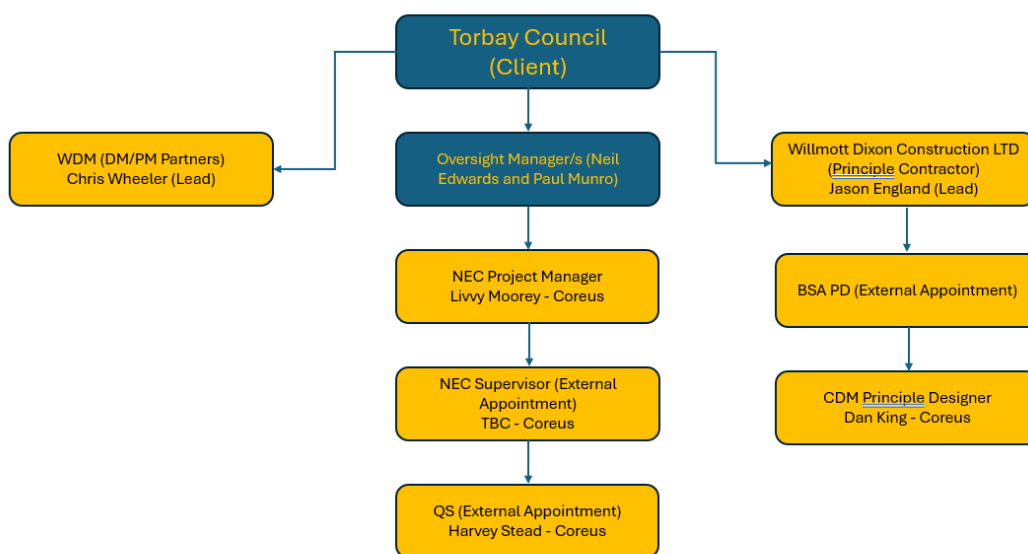
The Project Board consists of :

- Budget Holder - Sam Irving
- Oversight PM – Paul Munro
- Customer – Neal Edwards
- Communications – Emma Faulkner
- Head of Development & Project Management – Chris Bartlett
- Development Partner – Chris Wheeler
- **Optional – Torbay Procurement** – Chanelle Busby
- Optional – Director of Regeneration and Place Delivery - David Carter
- Optional – Head of Corporate Finance – Paul Matravers

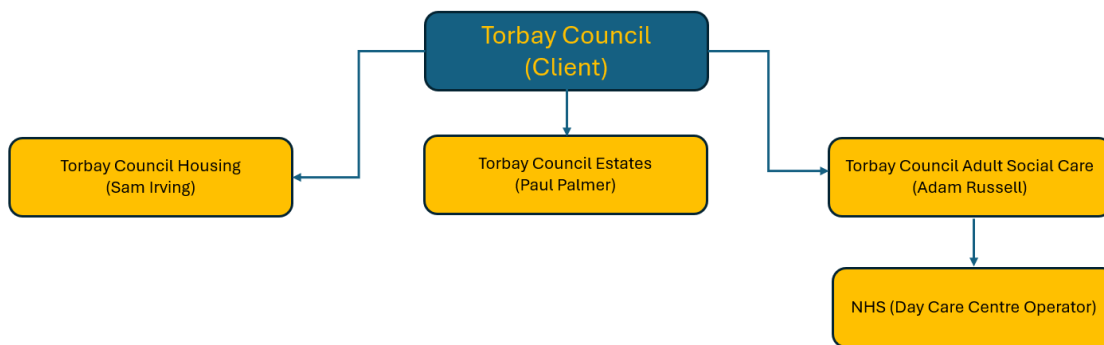
Key Stakeholders:

WDM will maintain and overview PM/DM role on the scheme on behalf of the client with a Torbay Council appointed set of oversight managers. To provide further reassurance of VfM an external monitoring Employers agent will be employed to ratify when required any WDM approved changes to cost or programme throughout the contract. Operational reviews will be undertaken with the PCSA supplier with Project Boards held within the following week to ensure decision making is made within a timely period.

Coreus will provide PM/QS and NEC Supervisor roles subject to procurement being sought.



Key Stakeholders



5.1.2 Project Monitoring & Reporting

Project monitoring and reporting structure is defined in the chart in 5.1.1. It will be facilitated by the generation of monthly Highlight reports and delivered into the project board forum for review by the wider project team. Monthly CGB RAG updates will be provided to ensure oversight as part of the wider Capital Plan.

The project falls within the Regeneration Partnership so will be reported within the Partnership Board and regular meetings with the senior leadership team.

A project board will be established as above which will report progress and cost implications back through the RAG reports and CGB.

The below RACI schedule shows the clear reporting and governance structure that the Council and external advisors will take.

Task	Torbay Council		Coreus		Developer	Contractor	Comments
	Project Oversight	DM/Client	PM	QS	WDM	WDC	
Reporting							
Monthly ECI/PCSA Report	I	A	C	C	C	R	
Monthly ECI/PCSA Programme	I	A	C	C	C	R	
Monthly ECI/PCSA Budget Update	I	A	C	C	C	R	
Update IRS Schedule	I	A	C	C	C	R	Live document issued.
Respond to IRS	I	R	A	A	C	I	
RAG Reports	R	A			A		
Homes England Reports		R			A		
Partnership Board Reporting		A			R		
Change							
Informing Cost Change	I	C	R	R	C	R	Sypro to be utilised, 2 way process.
Informing Programme Change	I	C	R	R	C	R	Sypro to be utilised, 2 way process.
Informing Quality Change	I	C	R	R	C	R	Sypro to be utilised, 2 way process.
Informing Design Change	I	C	R	R	C	R	Sypro to be utilised, 2 way process.
Change Decision Making	A	R	A	A	A	I	Sypro to be utilised, 2 way process.
Instructing Cost Change	A	A	R	R	I	I	Sypro to be utilised, 2 way process.
Instructing Programme Change	A	A	R	R	I	I	Sypro to be utilised, 2 way process.
Instructing Quality Change	A	A	R	R	I	I	Sypro to be utilised, 2 way process.
Instructing Design Change	A	A	R	R	I	I	Sypro to be utilised, 2 way process.
Meetings							
Design Meetings	I	I	C	C	C	R	Internal & External
Organising PCSA Meetings	I	I	R	R	C	A	Treat as principles meeting?
Chairing PCSA Meetings	I	I	R	R	C	A	Treat as principles meeting?
Organising Project Board Meetings	C	C			R		
Chairing Project Board Meetings	C	C			R		
Partnership Board Reporting		R			R		
Informal Contractor/Client Touch Points	I	I	R	R	I	R	Coreus/WD to arrange
Operational/Estates Meeting	A	R			A	R	
Stakeholder Engagement	C	C	C	C	R	R	TC to attend and manage external stakeholders.
Sharing							
Drawings	I	I	R	R	I	R	Dalux System; drawing submittal and comments to be issued within this system.
Instructions/Governance	I	I	R	R	I		Sypro System
Procurement							
SCP PCSA Design Package Approval	I	C	R	R	I	R	
SCP PCSA Design Consultant Approval	I	C	R	R	I	R	

5.1.3 Approvals and exception reporting

Subject to approval of this business case, authority to spend up to the amount identified within section 5.2 for this stage of project delivery and business case development should be delegated to the project sponsor.

Where there is a requirement for additional funding, this will be highlighted to Capital Growth Board in the first instance and onwards to Cabinet and Council as required.

5.2 Key milestones

Below are the indicative key milestones for the project. A full estimated project plan / schedule has been provided in Appendix C.

Item	Negotiated Procurement
Feasibility	Nov 2024 (Complete)
Instruct WDM under PDA	Oct 2024 (Complete)
RIBA 2 Concept Design	Feb 2025 (Complete)
OBC	Dec 2025
Procure Preferred Contractor via PCSA	Jan 2026
RIBA 3/Planning Application Submission	July 2025 (Complete)
Planning Application Determination	Dec 2025
FBC	July 2026
Start on Site	Aug 2026
Practical Completion	Aug 2028
Completion of Defects	Aug 2029

Table 6 - Key Milestones

5.3 Benefits delivery

Benefits for this scheme will be measured via the below key performance indicators:

1. Delivery of Extra Care residential units (Nr)
2. Delivery of new health space (Social Care)

WDM will review the impacts and delivery against both the consented and Option 2 throughout the process.

5.4 Risk management

Risks will be reviewed and managed using a standard risk matrix. The initial risks identified and their mitigations at this stage have been provided in **Error! Reference source not found.**

Risks

- Sustainability Standards i.e. impending Future Homes Standard – The extant planning application contained limited Sustainability standards or design information. If NCZ is to be sought, then an uplift on build costs of 8% is forecast in addition to the figures included within this report. This has been mitigated through discussions with Jacqui Warren. The scheme includes additional PV and will be consented prior to any more onerous standards are statutory.
- Acquisition of the Site – It is our understanding that the acquisition under CPO is finalised.
- Rights to Light – The schemes have the potential to evoke further rights to lights claims. This will be mitigated using Planning Appropriation rights post consent. WDM and SRO to instigate through cabinet.
- Construction market costs – As with any project inflation is a key consideration. £1.48m has been allowed within the cost plan to protect the scheme around this.
- Planning – Currently being determined so still at risk. The key considerations are height and DLSL although the scheme outperforms the consented scheme.
- Secured Grant – The scheme is in a fortunate position of having secured multiple grants, a key risk will be securing extensions to this funding, several of which have already lapsed.

- Unsecured Grant – All of the appraisals assume AHP grant from Homes England to bolster the affordable homes delivery. A bi will need to be submitted by the SO for this, which cannot be confirmed until consideration by Homes England.
- Additional Subsidy – Both options assume additional subsidy from the Council. This is most likely through existing capital programmes or grant pots but will need to be finalised.
- Car parking is limited and as such any scheme will be subject to review by the LPA and highways.

Opportunities

- Rent values – A rent of £20.00 ft² has been assumed for the day care centre compared to the consultant recommendations of circa £23ft².
- Additional residents providing revenue to the local economy throughout the year. – Residential units will yield both council tax at £1,488 to £1,736.66 per property per annum and have a wider economic benefit to the area through disposable incomes.
- Ability to regenerate the area.
- Potential to utilise Torbay Council’s ability to raise Homes England AHP grant.
- Creating a new location with longevity for Hollacombe.
- Rights to Light – The scheme along with planning appropriation rights have the potential to mitigate any rights to light claims.

5.5 Resource requirements

In addition to the Regeneration Partnership resource, it is forecast that the below resource will be required to bring the scheme to the FBC stage.

Name	Title	Responsible for	Time requirement
Sam Irving	Head of Strategic Housing & Delivery	Budget Holder	<i>Weekly catch-up meetings, Strategic oversight. along with monthly reporting. Business case development</i>
Neil Edwards	Development Consultant	<i>Technical matters</i>	<i>Expected 0.5 days per week</i>
Paul Munro	Client project Manager	Project Oversight	<i>Responsible for project management and performance (4 to 7 hrs per week)</i>
Chris Bartlett	Senior Supplier	<i>Provision of project delivery resources</i>	<i>Strategic resourcing</i>

Table 7 - Resource

5.6 Communications & Stakeholder engagement

5.6.1 Communications plan

A communications and stakeholder group has been formed between WDM and Torbay Council consisting of comms officers and directors/SRO from both parties. This group will establish a strategy and implement accordingly.

In addition, allowance has been made for sufficient public consultation from a planning perspective.

5.6.2 Stakeholder engagement

Name	Title	Responsible for	Time requirement
Nigel Mills	Regeneration Manager	Project monitoring for Towns Deal funding	Monthly Regen Partnership Board reports

Adult Social Care	Various	ECH/Day Care centre delivery	Project Board Minutes
Policial party members		delivery alignment with political policy	Monthly members briefings and CGB highlight reports

Table 3 – Key Stakeholders

5.7 Equality Impact Assessment

The Council has a public sector duty under the Equality Act 2010 to have ‘due regard’ to advancing equality of opportunity between those persons who share a relevant protected characteristic and persons who do not share it. The Act also seeks to eliminate discrimination, harassment and victimisation. It is important that you carefully and thoroughly consider the different potential impacts that the decision being taken may have on people who share protected characteristics.

An Equality Impact Assessment (EIA) has been carried out and can be found in Appendix D**Error! Reference source not found.****Error! Reference source not found.**

Appendix A. Development Appraisal Extracts

E - Total Scheme Costs

Appraisal	Social Rent	Day Care Centre				
	Total	Average per unit (92)	Average per person (205)	Average per m² (8454.773)	% of Market Sales Value	% of Total Scheme Cost
Acquisition	2,606,489	28,331	12,715	308	14.56%	5.20%
Works	38,370,871	417,075	187,175	4,538	214.27%	76.54%
Acquisition & Works	40,977,360	445,406	199,890	4,847	228.83%	81.74%
Fees	4,691,417	50,994	22,885	555	26.20%	9.36%
Other Costs	4,461,000	48,489	21,761	528	24.91%	8.90%
Interest Costs	0	0	0	0	0.00%	0.00%
Fees, Other & Interest	9,152,417	99,483	44,646	1,083	51.11%	18.26%
Total	50,129,777	544,889	244,535	5,929	279.94%	100.00%
Subsidy	34,293,373	372,754	167,285	4,056	191.50%	68.41%
MSV	17,907,500	194,647	87,354	2,118	100.00%	35.72%
Month 1 Sales	0	0	0	0	0.00%	0.00%
Opening Loan	15,836,404	172,135	77,251	1,873	88.43%	31.59%
Offset Sales	0	0	0	0	0.00%	0.00%
Year 1 Net Rent	718,992	7,815	3,507	85	4.02%	1.43%

Tab D – ProVal Development cashflow

Development Cashflow Forecast

Please select a cashflow: Crossways ECH, AH, SEND (Optic)

	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	2040/41	2041/42	2042/43	2043/44	2044/45	2045/46	2046/47	2047/48	2048/49	2049/50	2050/51		
Opening loan				-16,995,980	-15,748,930	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	
Capital	-686,829	3,663,364	-23,939,159	1,187,966	-28,390																							
Revenue				63,299	13,260	30,530	48,349	66,736	72,055	56,635	38,667	19,836	111	28,412	40,526	50,959	61,597	72,452	106,429	119,802	131,319	143,067	155,053	192,563	207,329	220,049		
Indicators																												
Net Rent				659,076	734,395	751,680	769,499	787,886	793,204	777,784	759,816	740,986	721,260	749,561	761,675	772,108	782,747	793,602	827,578	840,952	852,468	864,216	876,203	913,712	928,479	941,198		
Rent, rcpts & interest				63,299	13,260	30,530	48,349	66,736	72,055	56,635	38,667	19,836	111	28,412	40,526	50,959	61,597	72,452	106,429	119,802	131,319	143,067	155,053	192,563	207,329	220,049		
Interest cover				99.9%	102.0%	104.4%	106.9%	109.5%	110.0%	107.7%	105.2%	102.5%	99.8%	104.3%	105.7%	107.2%	108.7%	110.2%	115.2%	116.7%	118.3%	120.0%	121.6%	127.2%	128.9%	130.7%		
X-Subsidy																												
Handovers				15,808,014	28,390																							
Post Dev CF excl loan				2,579,645	13,260	30,530	48,349	66,736	72,055	56,635	38,667	19,836	111	28,412	40,526	50,959	61,597	72,452	106,429	119,802	131,319	143,067	155,053	192,563	207,329	220,049		
Post Dev CF				2,520,561	13,260	30,530	48,349	66,736	72,055	56,635	38,667	19,836	111	28,412	40,526	50,959	61,597	72,452	106,429	119,802	131,319	143,067	155,053	192,563	207,329	220,049		
Cumulative Post Dev CF				2,520,561	2,533,821	2,564,352	2,612,701	2,679,437	2,751,492	2,808,127	2,846,793	2,866,630	2,866,740	2,895,152	2,935,678	2,986,637	3,048,234	3,120,686	3,227,115	3,346,917	3,478,236	3,621,303	3,776,356	3,968,919	4,176,249	4,396,298		
Financial Forensics																												
Opening LT Loan Balance				-15,748,930	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320
Closing LT Loan Balance				-15,748,930	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320
Opening Dev. Loan Balance	3,966,643	3,279,815	6,943,179	-16,995,980																								
Closing Dev. Loan Balance	3,279,815	6,943,179	-16,995,980																									
Minimum Loan Repayment				654,861	721,134	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149
Available Loan Repayment				654,861	721,134	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149
Other Receipts																												
Sales																												
Surplus					12,205	30,530	48,349	66,736	72,055	56,635	38,667	19,836	1,522	28,540	40,526	50,959	61,597	72,452	106,429	119,802	131,319	143,067	155,053	192,563	207,329	220,049		
Deficit				15,803,799	27,334								1,411	128														
Loan repayment				654,861	721,134	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149	721,149
Closing loan			-16,995,980	-15,748,930	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320	-15,777,320

Appendix B. Project Risks

Risks will be reviewed and managed using a standard risk matrix. The initial risks identified and their mitigations at this stage have been provided in **Error! Reference source not found.**

We have been working with the wider team to develop the key risks for the scheme. We have taken the approach of utilising a list of succinct risks and opportunities to ensure the relevant attention can be paid to close out risk or realise the opportunity.

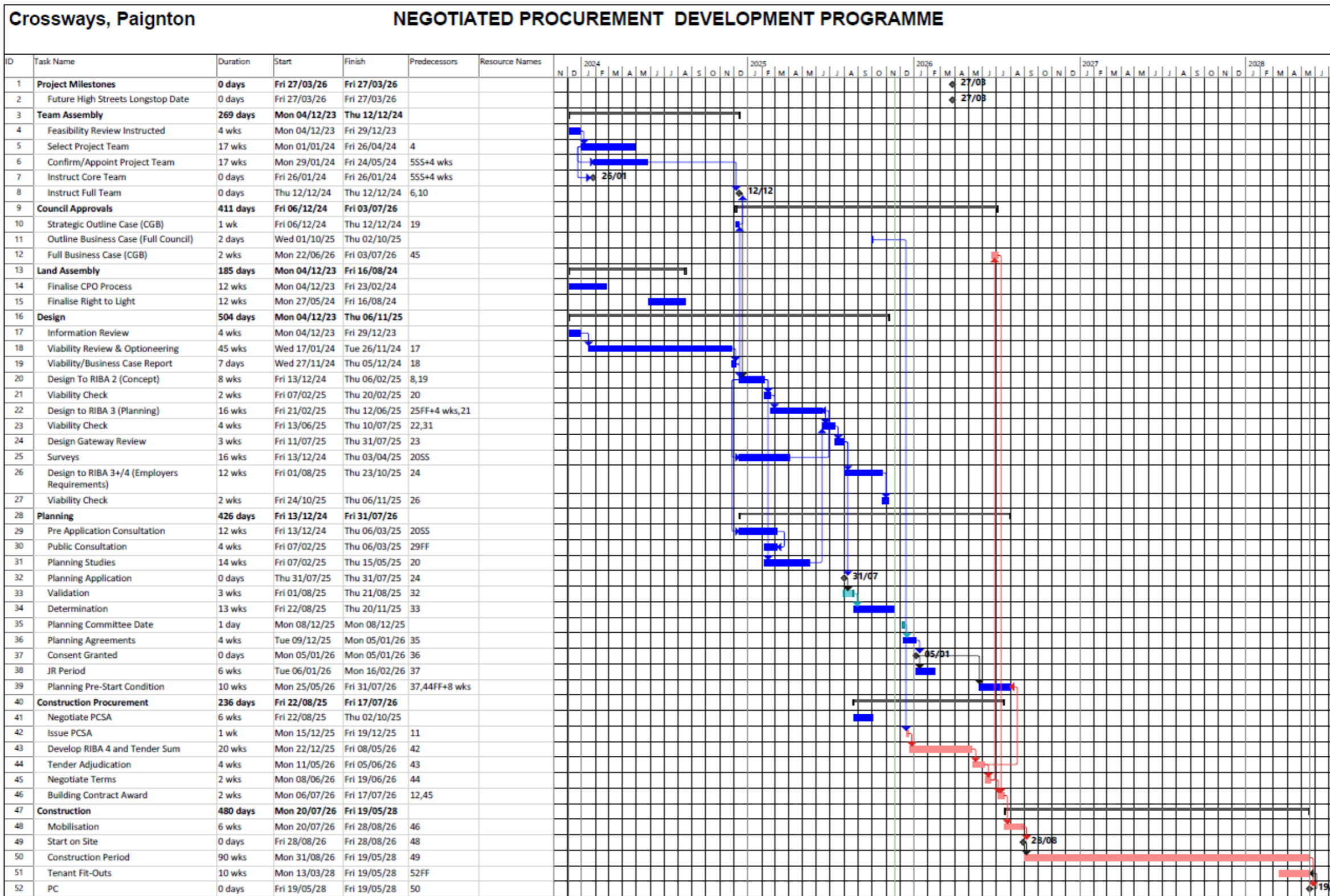
Risks

- Sustainability Standards i.e. impending Future Homes Standard – The extant planning application contained limited Sustainability standards or design information. If NCZ is to be sought, then an uplift on build costs of 8% is forecast in addition to the figures included within this report.
- Acquisition of the Site – It is our understanding that the acquisition under CPO has been finalised, and no further costs will be incurred.
- Rights to Light – A number of the schemes have the potential to evoke further rights to lights claims. The team will work with cabinet to utilise Planning Appropriation rights at the correct time. This will mitigate against injunction and potential costs.
- Construction market costs – As with any project inflation is a key consideration. £1.48m has been allowed within the cost plan to protect the scheme around this.
- Planning – Currently being determined. Main considerations at this time are height and DLSL.
- Secured Grant – The scheme is in a fortunate position of having secured multiple grants, a key risk will be securing extensions to this funding, a number of which have already lapsed.
- Unsecured Grant – All of the appraisals assume AHP grant from Homes England to bolster the affordable homes delivery. We are currently awaiting announcement of application details of the new programme so funding may be at risk.
- Additional Subsidy – Both options assume additional subsidy from the Council. This is most likely through existing capital programmes or grant pots but will need to be finalised.
- Car parking is limited and as such any scheme will be subject to review by the LPA and highways.

Opportunities

- Rent values – A rent of £20.00 ft² has been assumed for the day care centre compared to the consultant recommendations of circa £23ft².
- Additional residents providing revenue to the local economy throughout the year. – Residential units will yield both council tax at £1,488 to £1,736.66 per property per annum and have a wider economic benefit to the area through disposable incomes.
- Ability to regenerate the area.
- Potential to utilise Torbay Councils ability to raise Homes England AHP grant.
- Creating a new location with longevity for Hollacombe.
- Rights to Light – A number of the schemes have the potential to mitigate any rights to lights claims. The team will work with cabinet to utilise Planning Appropriation rights at the correct time. This will mitigate against injunction and potential costs.

Appendix C. Project Schedule



Appendix D. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old. 55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>There are 139,479 people in Torbay (ONS Mid-Year Estimate 2022), and 1 in 4 are aged 65 or over (36,612 people, or 27%) which is higher compared to across England (where the 65s and over make up 18%).</p> <p>By 2043, it is estimated that over one in three (34%) of Torbay's population will be aged 65 years and over (52,033), compared to 24% across England.</p>	<p>This purpose-built accommodation will reduce the need to go into a residential care home when residents' care needs increase. Extra care housing comprises of self-contained homes with design features and support services to enable independent living.</p> <p>Communal facilities like a shared lounge will provide opportunities for social interaction and help combat social isolation, a long-standing challenge for aging populations.</p> <p>This housing is limited to those aged 55+ to provide vital accommodation in an area where this is a higher-than-average older population. The Scheme complements the aims of Adult Social Care to support people to live independently and with dignity where possible.</p>	<p>Consideration during the design process is required to creating a space that meets service user needs, is fully accessible and is a welcoming and inclusive environment.</p> <p>The importance of non-institutional design has been emphasised throughout the design process, avoiding clinical aesthetics, promoting a sense of dignity and home.</p>	WDM - Ongoing
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p> <p>4.8% of over 5's within Torbay were identified as carers in the 2021 survey.</p>	The Extra Care Scheme may provide relief and relive some carers of their caring responsibilities, supporting their wellbeing.	Not applicable	WDM – Housing Delivery Team
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</p> <p>The Torbay Joint Strategic Needs Assessment highlights that two-thirds of adults aged over 65 are expected to be living with multiple health conditions (multi-morbidity) by 2035. Seventeen percent would be living with four or more diseases, double the number in 2015. One-third of these people would have a mental illness like dementia or depression</p>	<p>Extra Care Housing supports a range of residents. Some may have a disability, and or physical/ mental health needs. The residence supports people to live independently in extra care housing but with additional on-site support. The level of support available can be tailored to meet the needs of the resident, meaning that the model is more flexible than domiciliary care.</p> <p>The Extra Care scheme is naturally designed for people with physical disability and mental health needs. The design of the building will be accessible and have level access and lift provisions. This will sit alongside thoughtful design which will promote wellbeing and amenity spaces suitable for mobility equipment.</p> <p>Additionally, an inclusive design has been considered for neurodivergent residents, with consideration given to colour palates and other interior qualities.</p>	<p>Consideration during the design process is required to creating a space that meets service user needs, is fully accessible and is a welcoming and inclusive environment.</p> <p>The scheme complies with the M4 (2) and M4(3) optional standards, which outlines space requirements and accessibility items for dwellings. These standards ensure the provisions provided are suitable for users with wheelchairs and reduced mobility.</p> <p>The project team accompanied the architect PRP to view existing extra care facilities with Barnet Council. Viewing these operational facilities, it assisted in further understanding the complex needs of the end user and what spaces work for them in practice. Particular focus on dementia friendly design, using colour coded floors and personalised objects to assist in navigation of the building.</p>	WDM - Ongoing
Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	WDM – Ongoing
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	There will be a range of mix of apartment sizes which will cater for single and multiple occupancy homes with varying living arrangements.	Not applicable	WDM – Housing Delivery Team

Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	No adverse impacts are expected.	Not applicable	Not applicable
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Delivery Team
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Delivery Team
Sex	51.3% of Torbay's population are female and 48.7% are male	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	Not applicable	Housing Delivery Team
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity. The British Attitude Survey highlights that 67% of people think a relationship between two people of the same sex is never wrong, compared to 17% in 1983. However, the reports suggest that the figure decreases for those in older population groups. The above staff training and understanding of discrimination will assist management.	Not applicable	Housing Delivery Team
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	No adverse impacts are anticipated. Staff will receive training to ensure that they treat all residents and colleagues with respect and dignity.	The design team includes ex-armed forces and reservists; their input has been part of the design process.	Housing Delivery Team
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	Torbay's economy is ranked among the weakest in England. Average wages continue to be significantly below the regional and national average with less of the population in full-time employment than England.	The Scheme provides affordable housing across various tenures along with Adult Social Care provision.	The extra care scheme will be creating management jobs, and the Holcombe facility will retain the staff numbers.	Housing Delivery Team
Public Health impacts (Including impacts on the general health of the population of Torbay)		Pollution	The scheme has reduced parking provisions and thus reducing pollution in the area and promoting increased amenity space in the scheme. Nearby bus stop also promotes sustainable travel, supporting access to the community.	WD - Ongoing
Human Rights impacts		No human rights impacts are anticipated. Residents will have an ASC assessment in line with best practice where required.	Not applicable	Not applicable
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	No adverse impacts are anticipated. This scheme is specifically designed for those aged 55 and over to support ASC service delivery.	Not applicable	Housing Delivery Team

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	18 per cent of Torbay residents are under 18 years old. 55 per cent of Torbay residents are aged between 18 to 64 years old. 27 per cent of Torbay residents are aged 65 and older.	Accessibility and visual impacts.	Extra Care scheme naturally designed for 55+ demographics will have suitable level access and lift provisions along with amenity spaces suitable for mobility equipment.	WDM - Ongoing
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	Cost of living and affordability of housing.	Equitable housing and potential to provide relief and mitigation to carers responsibilities.	WDM – Housing Delivery Team
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	Accessibility and visual impacts.	Extra Care scheme naturally designed for demographics with physical and mental needs, will have suitable level access and lift provisions along with amenity spaces suitable for mobility equipment.	WDM - Ongoing
Gender reassignment	In the 2021 Census, 0.4% of Torbay’s community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	Accessibility	Spaces will be designed to be sympathetic with a multitude of demographics and needs.	WDM – Ongoing
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	Access to suitable housing.	Mix of apartment sizes to cater for single and multiple occupancy.	WDM – Housing Delivery Team
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.			
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	Accessibility	Agnostic letting strategy.	Housing Delivery Team
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	Accessibility	Agnostic letting strategy.	Housing Delivery Team
Sex	51.3% of Torbay’s population are female and 48.7% are male	Accessibility	Agnostic letting strategy.	Housing Delivery Team
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	Accessibility	Agnostic letting strategy.	Housing Delivery Team
Armed Forces Community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	Accessibility	Agnostic letting strategy.	Housing Delivery Team
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Access to services	Scheme provides affordable housing across various tenures along with Adult Social Care provision.	Housing Delivery Team
Public Health impacts (Including impacts on the general health of the population of Torbay)		Pollution	Scheme reduced parking requirements and thus reducing pollution in the area. Will be delivered to high sustainability requirements.	WD - Ongoing
Human Rights impacts				
Child Friendly	Torbay Council is a Child Friendly Council, and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	Access to services	Scheme provides affordable housing across various tenures along with Adult Social Care provision.	Housing Delivery Team

Appendix E. Economic Case (Hardisty Jones)

Meeting: Adjourned Annual Council

Date: 14 May 2026

Wards affected: St Peters with St Marys

Report Title: Gillard Road, Brixham – Public Path Creation Order

Cabinet Member Contact Details: Councillor Chris Lewis, Cabinet Member for Place Development and Economic Growth, chris.lewis@torbay.gov.uk

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

1. Purpose of Report

- 1.1 The proposal seeks consent to convert an existing permissive path running along and off Gillard Road, Brixham into a formally designated Public Right of Way (PROW). This involves changing the current informal, permission based access arrangement into a legally recorded route on Torbay Council's Definitive Map and Statement.
- 1.2 Historically, access has been permitted voluntarily and is therefore subject to withdrawal. The path if designated would become a permanent Public Right of Way with full legal protection and maintenance responsibility assigned to Torbay Council.
- 1.3 The intended outcome is to secure long-term public access, improve certainty for residents and visitors, and support safer, well connected pedestrian movement within the area. Formal designation will ensure the route remains available, enhancing the local walking network and supporting wider community and sustainability goal.

2. Reason for Proposal and its benefits

- 2.1. The proposal in this report will help us deliver our vision of a healthy, happy, and prosperous Torbay by securing a safe, reliable, and accessible walking route for everyday use. By protecting this connection, the proposal strengthens local neighbourhood links and encourages active travel, contributing to healthier lifestyles and stronger community participation fully aligned with the Community and People theme.
- 2.2. The proposal will enhance the Pride in Place by investing in Brixham's local walking infrastructure and improving the quality, certainty, and visibility of an important pedestrian route. Establishing a PROW makes better use of an existing community asset, ensuring that residents and visitors benefit from a well-maintained, attractive, and clearly defined path that supports the town's distinct identity. This helps put residents at the heart of service planning responding to established patterns of public use and need.

- 2.3. The decision if approved will strengthen Torbay's wider sustainable transport network, supporting economic growth by encouraging greater footfall within Brixham, promoting low impact tourism, and improving access to local businesses. A protected PROW demonstrates collaborative working between the Council, landowners, and the community, while also enabling efficient long-term management and reducing risks associated with the potential loss of access.
- 2.4. Cabinet will be considering the proposal at its meeting on 12 May 2026 and requested to make recommendations to Council as set out in paragraph 3 below. A copy of the Cabinet's decision will be published prior to the Council meeting.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Divisional Director for Place Strategy be requested to exercise his delegated powers to authorise the making of a Public Path Creation Order under Section 26 of the Highways Act 1980 in respect of the footpath at/off Gillard Road, Brixham shown edged red on the plan attached at appendix 1; and
- 3.2 That the Divisional Director for Place Strategy, in consultation with the Cabinet Member for Place Development and Economic Growth, be given delegated authority to confirm the Order if there are no objections or objections are withdrawn. In circumstances whether there are objections, the Divisional Director for Place Strategy shall seek confirmation of the Order from the Secretary of State.

4. Appendix

Appendix 1: Site Plan - Gillard Road, Brixham

5. Background Documents

N/A

Supporting Information

6. Introduction

- 6.1 The existing path running alongside and off Gillard Road, Brixham shown edged red on the plan attached as appendix 1 is presently a permissive path, meaning public access is allowed voluntarily by the landowner but can be withdrawn at any time. Recent uncertainty arose when the land, previously owned by Torbay Coast and Countryside Trust (TCCT), entered liquidation and was placed for sale, raising concerns that public access could be lost without formal protection.
- 6.2 Torbay Council already manages and maintains its existing PROW network, including the Definitive Map and Statement, the legal record of all protected routes. The Council inspects PROWs, works with landowners on maintenance issues, and responds to public reports of problems. However, permissive paths such as this are not included on the Definitive Map and therefore carry no legal protection or maintenance responsibility by the authority.

- 6.3 Because the path is permissive rather than statutory, its continued availability is not guaranteed, particularly given the change in land ownership following liquidation of TCCT. Without PROW designation, the community risks losing an important and safe walking link that residents and visitors rely on. Securing it as a PROW provides legal permanence, supports safe active travel, and aligns with statutory duties to protect and maintain the public rights of way network.
- 6.4 The proposal is therefore to seek to designate the path as a PROW by issuing a Public Path Creation Order under Section 26 of the Highways Act 1980. This is the formal mechanism to follow to legally establish the PROW.

7. Options under consideration

- 7.1 There are several options available to the Council. The Council could continue to rely on landowners' voluntary permission for public access, with no move to legally record the route. This would result in no immediate resource requirement or legal process for the Council to instigate. The do-nothing approach might see the current walking access maintained in the short term. However, public access would remain insecure and could be withdrawn at any time by the new owners. There would be a real possibility of the path being lost in the near future due to the land sale and change of ownership.
- 7.2 An alternative option would be to seek a long-term permissive access agreement with the new landowners without creating a PROW. The advantages of this approach would allow continued public use by agreement and would be a less administratively complex process to follow than a Public Path Creation Order. This approach would nevertheless carry a future risk of the permissive access being withdrawn at any time, even if formalised. This approach would mean there would be no statutory maintenance obligation for the Council, leading to inconsistent quality of the path.
- 7.3 Another option would be to enter into a Public Path Agreement under Section 25, Highways Act 1980 with landowners for the voluntary dedication of the path as a PROW. Following the sale of the TCCT land, ownership of the land over which the path runs will however be fragmented and negotiations likely to be protracted.
- 7.3 The preferred option is to seek a Public Path Creation Order. This will provide a permanent, legally protected PROW that cannot be removed except through formal legal processes. It would support wider active travel, wellbeing, and connectivity goals and allow the Council to maintain the path to required standards, improving safety and accessibility for residents and visitors. This approach will require the completion of statutory processes, including notices and potential consultation or objections. It will also generate ongoing maintenance responsibilities and associated costs for the Council.

8. Financial Opportunities and Implications

- 8.1 Once the permissive path is designated as a PROW, Torbay Council will assume responsibility for maintaining it as part of the legally recorded PROW network. This includes inspection, addressing safety issues, vegetation management, and ensuring the route remains unobstructed consistent with the Council's current duties for PROWs. Furthermore, reasonable adjustments may be required should it be established the pathway fails to reach

the required accessibility standards. These activities will require allocation of staff time within the Highways and Green Infrastructure teams and may incur minor works costs depending on the condition of the route once brought into the statutory network.

- 8.2 Establishing the route as a PROW under a Public Path Creation Order requires a formal process, including, notices, potential consultation, and drafting of an Order and, if confirmed, a Definitive Map Modification Order. This process will involve officer time, publication and administrative costs and legal costs if objections are lodged and are not withdrawn.
- 8.3 Failure to secure the route could lead to additional costs in the future for example, identifying or constructing alternative access, negotiating with new landowners, or responding to community concerns. The urgency created by the recent disposal of the land at auction highlights the risk of access being withdrawn if formal designation does not proceed. Formalising the route therefore helps avoid future costs arising from lost connectivity or the need for new infrastructure.
- 8.4 Designating the path maximises an existing community asset, aligning with Torbay Council's approach to efficient use of resources and the strategic aim of supporting active travel through the rights of way network. The Council already holds structures, processes, and teams for maintaining PROWs, meaning the addition of this route creates only proportionate incremental cost within an existing service framework.
- 8.5 There is a possibility for claims for compensation for loss caused by a Public Path Creation Order. The level of compensation payable is limited to the value of an interest of a person owning the land being depreciated or the owners of the land being able to demonstrate they have suffered damage by being disturbed in their enjoyment of the land, in consequence of the coming into operation of a Public Path Creation Order.

9. Legal Implications

- 9.1 Under Section 26, Highways Act 1980 the Council can make a Public Path Creation Order, imposing a footpath on a landowner. The Council must consider there is need for a footpath, having regard to:
 - the extent to which the path would add to the convenience or enjoyment of a substantial section of the public, or to the convenience of residents in the area.
 - the effect that the creation of the path would have on the rights of those interested in the land, having considered provisions available for payment of compensation.
- 9.2 The Council must be satisfied that, on both criteria. it is expedient to make the Order. This applies in respect of the principle of the footpath but also to the detail of its alignment, length and width. Due regard must be given to the needs of agriculture and forestry and to the desirability of conserving flora and fauna and geological and physiographical features. The Council must balance the public interest in creation of the public path against the private interest of the landowner.
- 9.3 The Order, once made, is open to objection and is subject to confirmation.
- 9.4 Where the Order is opposed (where objections are lodged and are not withdrawn) the Order will have to be confirmed by the Secretary of State. Where it is unopposed, it may be

confirmed by the Council. In either case, the confirming body must have regard to any material provision of a rights of way improvement plan prepared by the Highway Authority.

- 9.5 Where objections have been lodged there will be a public inquiry or, alternatively, a public hearing into the objections at which the landowner and any other objector may appear to oppose the confirmation of the Order. The effect of the Order is to acquire compulsorily the right for the public to pass over the land, but not to acquire ownership of the land.9.6 In addition, the Wildlife and Countryside Act 1981, Section 53 establishes the legal mechanism for modifying the Definitive Map and Statement where a public right of way should be added. Local authorities, including Torbay Council, maintain a statutory Definitive Map, which is the conclusive legal record of public rights of way.
- 9.7 Once recorded on the Definitive Map, the Council becomes legally responsible for keeping the route unobstructed and safe for use. In addition, it will be responsible for ensuring legal compliance by landowners in preventing obstruction or interference with the right of way. The Council must also maintain clear signage and ensure the path remains accessible, consistent with its responsibilities for the wider PROW network.

10. Engagement and Consultation

- 10.1 Brixham Town Council played a direct role in prompting Torbay Council to explore the protection of the route. They formally approached the Council to act, highlighting the path's importance to the community and advocating for long-term protection.
- 10.2 Consultation has included notifying the Liquidators handling the sale of the land, ensuring they are aware of the Council's intention to pursue statutory protection. This forms part of early landowner engagement.

11. Procurement Implications

- 11.1 At this stage, the proposal to designate Gillard Road path as a PROW is primarily a statutory and administrative process, involving the preparation of a Public Path Creation Order, consultation, notice publication and officer time.
- 11.2 As such, no significant external procurement of goods, services, or works is anticipated at this stage. Any work arising (e.g., signage installation, minor path surfacing, vegetation clearance) would likely fall within existing Highways and Green Infrastructure operational budgets and frameworks and be delivered by the Council's existing contracted partners.

12. Protecting our naturally inspiring Bay and tackling Climate Change

- 12.1 The designation of the route as a PROW does not involve constructing new infrastructure or commissioning new buildings, fleet, ICT, or energy consuming assets. Any future minor maintenance (e.g., signage, vegetation management) would fall within normal PROW operations and would not introduce significant new emissions.
- 12.2 PROW support active travel by providing carefree routes for walking. Strengthening such networks can help reduce transport emissions. The path already exists and is in longstanding community use. Designating a PROW does not require physical alteration

of the landscape. It may help maintain the land in a more consistent and environmentally sensitive state by ensuring vegetation management is carried out appropriately, avoiding unmanaged deterioration or overgrowth and protecting the route from inappropriate obstruction.

13. Associated Risks

- 13.1 If the path is not designated as a PROW, the community risks losing access entirely. The land has recently been sold following the liquidation of TCCT, and permissive access may be withdrawn at any time by the new landowners. This risk has already been highlighted publicly, and concern has been expressed by Brixham Town Council and residents.
- 13.2 The path is an important pedestrian link used by residents and visitors. Losing it would remove a safe, traffic free walking route, undermine active travel objectives and potentially increase reliance on motorised transport. Public footpaths provide important networks for walking and access to nature.
- 13.3 If access is lost, the Council may face pressure to identify, negotiate, purchase, or construct an alternative route. This could result in significantly higher long-term financial burden compared with securing the existing route now. Evidence shows the current route is already valued and well used, meaning replacing it would be difficult and costly.
- 13.4 A Public Path Creation Order is open to objection. Where the Order is opposed and objections not withdrawn the Order will have to be confirmed by the Secretary of State. There will be a public inquiry or, alternatively, a public hearing into the objections and potential costs implications.
- 13.5 Landowners may claim compensation for depreciation or disturbance as a consequence of a Public Path Creation Order.

14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<ul style="list-style-type: none"> 18% of Torbay residents are aged under 18 years old. 55% of Torbay residents are aged between 18 to 64 years old. 27% of Torbay residents are aged 65 and older. 	Improve community engagement with opportunities for the wider community of all ages.	No adverse impact.	Not applicable
Carers	<ul style="list-style-type: none"> At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these carers provided 50 hours or more of care. 	No differential impact specific to this group	Not applicable.	Not applicable
Care experienced	<ul style="list-style-type: none"> As of January 2026, there were 277 former care experienced young people aged 18-24 in Torbay. 	No differential impact specific to this group	No adverse impact.	Not applicable
Disability	<ul style="list-style-type: none"> In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited 	It is recognised that people with disabilities especially those who use wheelchairs face numerous barriers to	Highways to provide an assessment of the paths current accessibility standards.	Highways and Green Infrastructure team.

	<p>a little or a lot by a physical or mental health condition or illness.</p>	<p>accessing green space. This includes difficulties using wheelchairs on uneven ground and navigating steep gradients.</p> <p>The accessibility of the path and its suitability for wheelchair users is yet to be determined.</p>		
<p>Gender reassignment</p>	<ul style="list-style-type: none"> In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. 	<p>No differential impact specific to this group</p>	<p>No adverse impact.</p>	<p>Not applicable</p>
<p>Marriage and civil partnership</p>	<ul style="list-style-type: none"> Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership. 	<p>No differential impact specific to this group</p>	<p>Not applicable.</p>	<p>Not applicable</p>
<p>Pregnancy and maternity</p>	<ul style="list-style-type: none"> Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 56.0 per 1,000) than the 	<p>No differential impact specific to this group</p>	<p>No adverse impact.</p>	<p>Not applicable</p>

	<p>Southwest (53.4) and broadly in line with England (56.3).</p> <ul style="list-style-type: none"> For the period 2022 to 2024, rates in Torbay (44.6) have been significantly below England (50.0). 			
Race	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following:</p> <ul style="list-style-type: none"> 1.6% as Asian, Asian British or Asian Welsh 0.3% as Black, Black British, Black Welsh, Caribbean or African 1.5% as being of Mixed or Multiple ethnic groups 96.1% as White 0.4% described their ethnicity another way. <ul style="list-style-type: none"> Black, Asian and minoritised ethnic communities are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England. 	No differential impact specific to this group	No adverse impact.	Not applicable
Religion and belief	<p>The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following;</p> <ul style="list-style-type: none"> 48.5% are Christian 	No differential impact specific to this group	No adverse impact.	Not applicable

	<ul style="list-style-type: none"> • 0.4% are Buddhist • 0.2% are Hindu • 0.6% are Muslim • Less than 0.1% are Sikh • 0.1% are Jewish • 0.7% have another religion • 43.2% have no religion • 6.3% did not answer 			
Sex	<ul style="list-style-type: none"> • 51.3% of Torbay's population are female. • 48.7% of Torbay's population are male. 	No differential impact specific to this group	No adverse impact.	Not applicable
Sexual orientation	<p>In the 2021 Census, residents described their sexuality as follows;</p> <ul style="list-style-type: none"> • 89% as Straight or Heterosexual • 1.7% as Gay or Lesbian • 1.1% as Bisexual • 0.1% as Pansexual • 0.1% described their sexuality another way • 7.4% of people didn't answer the question 	No differential impact specific to this group	No adverse impact.	Not applicable
Armed Forces Community	<ul style="list-style-type: none"> • In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. • In Torbay, 5.9% of the population have previously served in the UK armed forces. 	No differential impact specific to this group	Not applicable.	Not applicable

Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	<ul style="list-style-type: none"> Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025. 	No differential impact specific to this group	Not applicable.	Not applicable
Public Health impacts (Including impacts on the general health of the population of Torbay)	<ul style="list-style-type: none"> For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females. 	Improve community health whilst contributing to healthier lifestyles and stronger community participation.	Access to Green Space provides various known benefits and promotes exercise.	Not applicable
Human Rights impacts		The proposal raises implications under the First Protocol Article 1 of the Human Rights Act 1998 which protects a person's peaceful enjoyment of his possessions (including property). It is considered that the making of a public path creation order (PPCO), for the reasons set out in this report, is in the public interest and the interference with the peaceful enjoyment of landowners' property proportionate having regard to legitimate aims in pursuing the proposed PPCO.	Appropriate engagement with the landowners.	Finance

Child Friendly		No differential impact specific to this group	No adverse impact.	Not applicable
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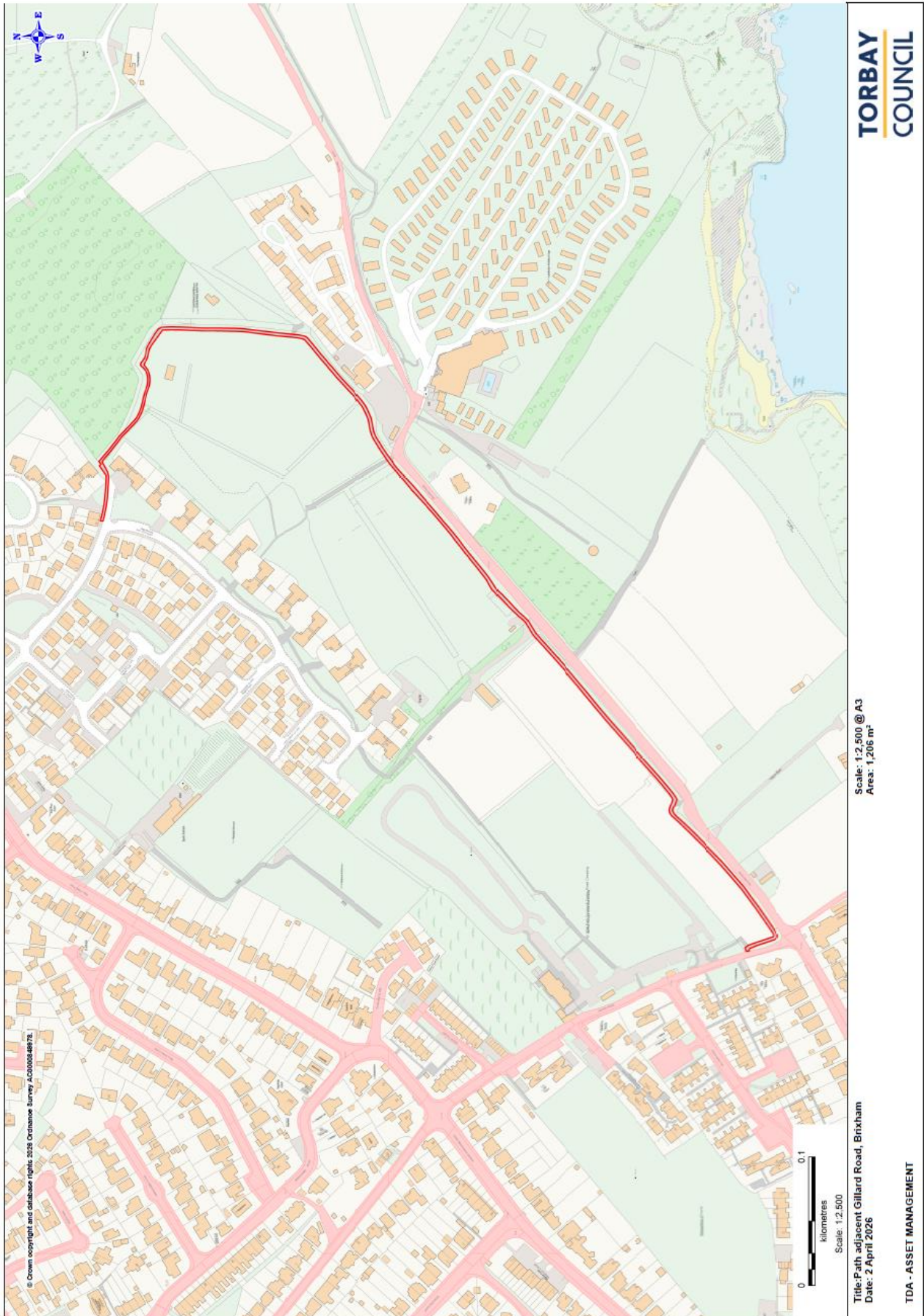
15. Cumulative Council Impact

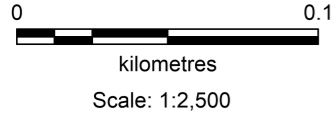
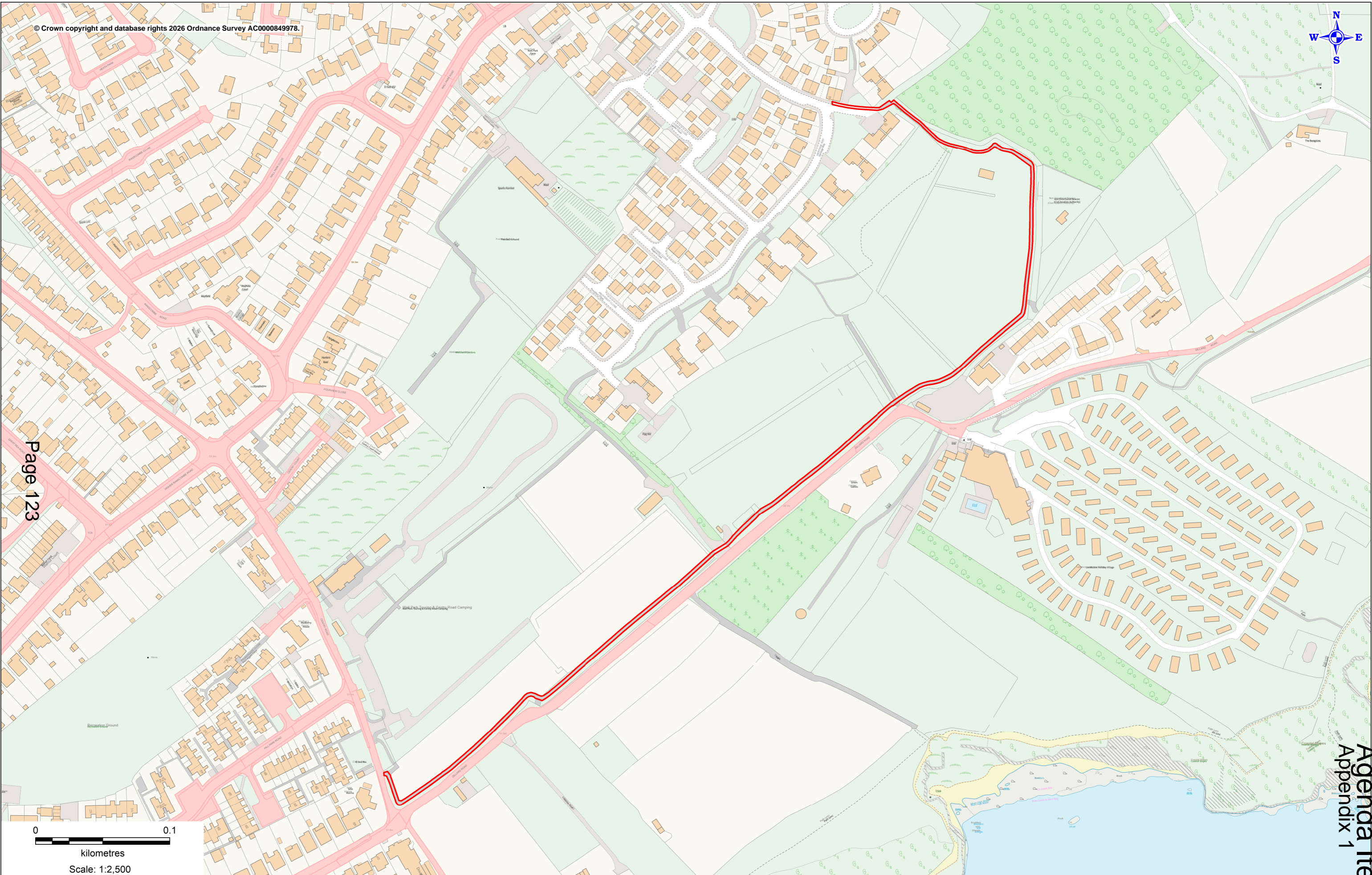
15.1 None

16 Cumulative Community Impacts

16.1 None

Appendix – Site Plan: Gillard Road, Brixham





Scale: 1:2,500

Title: Path adjacent Gillard Road, Brixham
Date: 2 April 2026

Scale: 1:2,500 @ A3
Area: 1,206 m²

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Meeting: Adjourned Annual Council **Date:** 14 May 2026

Wards affected: All

Report Title: Torbay Joint Health and Wellbeing Strategy: post consultation report

When does the decision need to be implemented? This document will be presented to Full Council for approval on 14 May 2026.

Cabinet Member Contact Details: Councillor Tranter, Cabinet member for Adult and Community Services, Public Health and Inequalities, hayley.tranter@torbay.gov.uk

Director Contact Details: Lincoln Sargeant, Director of Public Health, lincoln.sargeant@torbay.gov.uk

Author: Julia Chisnell, Consultant in Public Health julia.chisnell@torbay.gov.uk

1. Purpose of Report

1.1 This report sets out the public consultation on the Joint Health and Wellbeing Strategy 2026-30 and requests approval to proceed to full Council for endorsement and publication of the Strategy as a Policy Framework Strategy.

2. Reason for Proposal and its benefits

- 2.1 The programmes of work described in the Strategy will help us to deliver our vision of a healthy, happy and prosperous Torbay by helping to promote the health and wellbeing of our population.
- 2.2 Public consultation ran from 19 January – 8 February 2026. 112 responses were received. Responses were supportive of the direction and priorities of the Strategy, although emphasising the need to be able to demonstrate a real and visible impact. There was also a range of comments on specific issues. The substance of the views and comments is described below.
- 2.3 Cabinet will be considering the proposal at its meeting on 12 May 2026 and requested to make recommendations to Council as set out in paragraph 3 below. A copy of the Cabinet's decision will be published prior to the Council meeting.

3. Recommendation(s) / Proposed Decision

- 3.1 That the 'Our Healthy Neighbourhoods' Torbay Joint Health and Wellbeing Strategy 2026 – 2030 (as set out in Appendix 1) be approved as a Policy Framework document of Torbay Council.

Supporting Information

1 Background

Cabinet received a summary of the approach to development of the Strategy, and key content, in December 2025.

Local authorities and NHS have a joint duty to produce, through the Health and Wellbeing Board: (1) a Joint Strategic Needs Assessment (JSNA) and (2) a Joint Health & Wellbeing Strategy.

The Strategy should:

- address the needs & inequalities identified in the JSNA
- set out key strategic priorities for action & outcomes members will jointly achieve
- inform local commissioning
- promote integration between health & care, as well as other Local Authority functions such as housing, transport, economy, and environment.

The draft Torbay Joint Health and Wellbeing Strategy 2026-30 was developed with Health and Wellbeing Board members during 2025. The consultation draft was agreed at the December meeting of the Board and approved by Cabinet on 16 December 2025.

The **vision** of the Strategy is around *healthy neighbourhoods*, with a focus on delivering *prevention in place*.



It also sets out our **aspirations** for promoting healthy neighbourhoods.

Health & Care services	<ul style="list-style-type: none"> •go where people are •are easy to access •are enabling •are designed in partnership •start with prevention
Natural & built environments	<ul style="list-style-type: none"> •enhance health & wellbeing •promote physical activity & social connections
Housing, Employment, Education, Transport	<ul style="list-style-type: none"> •are suitable & secure •promote health & wellbeing •promote independence •reduce inequalities
Citizens	<ul style="list-style-type: none"> •are in charge of their health & wellbeing •are partners in their care •are seen in their context

The Strategy highlights **activities for all partners** in Torbay to address the key challenges identified in the 2025 Joint Strategic Needs Assessment. These cover:

- **Economy, housing and inequalities:** poverty reduction; jobs, skills, homes and culture; pipeline from education into employment; a focus on the determinants of health; targeting to reduce inequality

- **Children and young people:** focus on prevention and enabling; universal to targeted support and early help; breaking the cycle of disadvantage, poor health and wellbeing; co-design with those intended to benefit
- **Working age adults:** employment opportunities and skills; support for those out of work due to ill-health; housing provision; community based health and care; promoting positive mental health
- **Older adults:** enabling approach building on people's strengths; focus on prevention; *Age Friendly* communities; supporting and enabling carers
- **Health behaviours:** screening and immunisation uptake; system approach to healthy weight, food and environments; starting early; focus on healthy places and spaces.

Priority delivery programmes for the first year, which will be sponsored by the Health and Wellbeing Board, are:

- **Healthy spaces - children and young people**
 - Tackling the issues of low physical activity, poor diet, home or school insecurity, education underachievement, and unreadiness for work.
 - Focusing on the work relating to the 'play' domain begun under the auspices of Child Friendly Torbay.
 - Led by community groups in partnership with the local authority and other stakeholders.
 - Involving a programme of activities to build physical, mental and social health and wellbeing.
- **Healthy work - working age adults**
 - Tackling the issues of unemployment through physical or mental ill health, NEETs, and disparities in opportunity for care experienced young people and carers
 - Focusing on Connect to Work with wrap around support from NHS and VCSE partners
 - Building confidence, employment opportunities, mentoring, practical, health, and social support.
- **Healthy ageing - older adults**
 - Tackling disparities in frailty onset, ill-health, and dependence on social care, isolation, housing insecurity
 - Age Friendly actions around housing, transport and health
 - Led by VCSE, with local authority and other partners

Consultation ran from 19 January to Sunday 8 February 2026.

There was an online survey on the Council's website and this was promoted initially via a range of channels including a Members Briefing and e-newsletter, press release to all local media and a wider distribution covering community partnerships and key partners from all sectors.

Council Leader and Chair of the Health and Wellbeing Board David Thomas promoted the survey through a video which was shared through the Torbay Council YouTube channel, website, social media, newsletters and the local media.

On the day of the launch a consultation event was held at Paignton Library and Community Hub. Representatives from the Public Health and Engagement and Communications teams also met with the Stroke Survivors Support Group who were holding their regular group at the Library. In addition Public Health attended the Grassroots collective of Women's groups in Torbay to gain their views on the Strategy.

Paper copies of the Strategy and survey were made available at Paignton Library, Torquay Library, Brixham Library, and Brixham Town Council. The survey was also promoted via the Council's One Torbay residents e-newsletter, Staff News, and on Facebook, NextDoor, Instagram and LinkedIn.

In total, taking into account online and paper surveys, there were **112 responses** to the consultation, including group responses.

2 Response to consultation

Agreement with the vision for healthy neighbourhoods

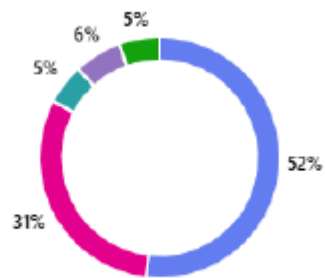


Agreement with priority 1: healthy spaces for children and young people



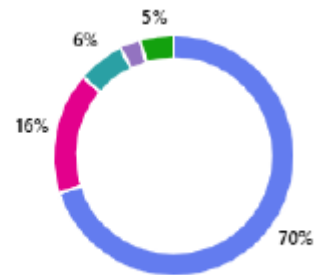
Agreement with priority 2: healthy work

Strongly agree	57
Tend to agree	34
Neither agree nor disagree	6
Tend to disagree	7
Strongly disagree	6



Agreement with priority 3: healthy ageing

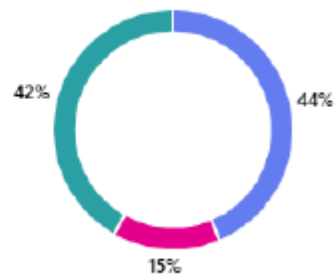
Strongly agree	77
Tend to agree	18
Neither agree nor disagree	7
Tend to disagree	3
Strongly disagree	5



Demographics

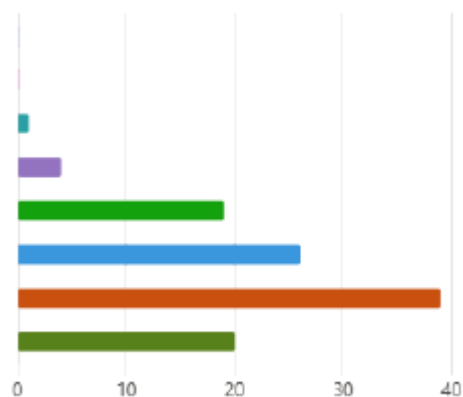
Geographical representation

Torquay	48
Brixham	16
Paignton	46



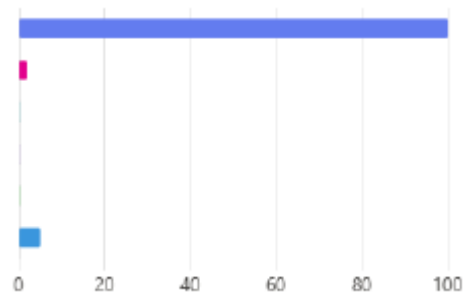
Age

0-15	0
16-24	0
25-34	1
35-44	4
45-54	19
55-64	26
65-74	39
75+	20



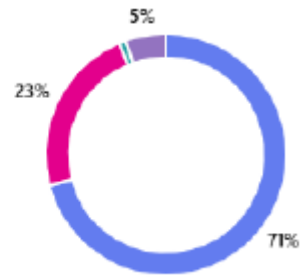
Ethnicity

● White	100
● Mixed ethnicity	2
● Asian or Asian British	0
● Black or Black British	0
● Chinese	0
● Other ethnic group	5



Gender

Female	78
Male	25
In another way	1
Prefer not to say	6



Employment status

Working full-time in Torbay	12
Working full-time elsewhere in Devon	5
Working part-time in Torbay	17
Working part-time elsewhere in Devon	2
Self-employed - full or part time	3
Student	0
Looking after family/home	0
Temporary sick	0
Long term sick	5
Retired	59
Unemployed	0
Other	7



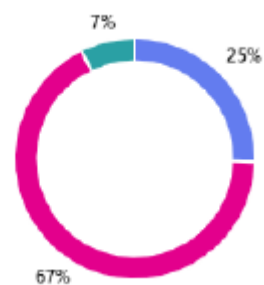
Disability

Yes	43
No	65



Unpaid carer

Yes	28
No	74
Prefer not to say	8



Comments – produced by Torbay Council Communications and Engagement Team.

This summary presents the top themes, concerns and opportunities emerging from all public comments received during the Torbay Health & Wellbeing Strategy consultation. Feedback reflects engagement from residents, community groups, carers, older adults, and people with lived experience of health conditions.

1. Access to Health & Care Services

Access to the NHS—particularly primary care and specialist services—is the most dominant theme across all feedback.

Key issues raised

- Difficulty obtaining GP appointments, especially face-to-face.
 - Loss or reduction of key services including stroke support, cardiac care, dementia workers, and community hospital capacity.
 - Concern about NHS dentistry, with adults and children unable to access care.
 - Anxiety about funding cuts, especially for stroke coordinators and community-based services.
 - Need for better integration between the NHS, social care, housing and voluntary sector.
 - Calls for a clear directory of services and improved support after hospital discharge.
-

2. Transport, Accessibility & Mobility

Transport barriers—particularly for older adults—are a major concern across Torbay.

Key issues raised

- Limited or reduced bus routes in Paignton, Preston and other neighbourhoods (a number citing the 67 bus service in Brixham).
 - Unsafe or inaccessible pavements and drop kerbs, especially for mobility users.
 - Concerns about perceived anti-car policies and the need not to restrict access.
-

3. Children, Young People & Safe Spaces

Residents highlighted a lack of activities and environments for children and young adults.

Key issues raised

- Strong need for youth clubs, sports opportunities and safe indoor/outdoor spaces.
- Desire for better play parks, similar to Paignton, Teignmouth, Dawlish and Shaldon.
- Requests for multi-sports/all-weather areas

- Concerns about online safety and excessive screen time.
 - Recognition that early years (0–4) must be included in planning.
-

4. Housing, Neighbourhoods & the Local Environment

People want healthier, safer, cleaner neighbourhoods and affordable homes.

Key issues raised

- Growing anxiety about housing affordability, especially for older adults and young single people.
 - Fears about homelessness and fuel poverty among pensioners.
 - Calls to protect and maintain green spaces such as Victoria Park and Oldway Gardens.
 - Concerns about litter, dog fouling and general neighbourhood upkeep.
 - Interest in grants for home improvements and landlord enforcement.
-

5. Prevention, Nutrition, Mental Health & Inequality

Residents believe prevention must be central to the strategy.

Key issues raised

- Strong emphasis on nutrition education, cooking skills and reducing reliance on ultra-processed foods.
 - Mental health support for young men, newly bereaved people, carers and those living alone.
 - The importance of falls prevention, frailty support and community-level activities.
 - Concerns that digital approaches risk excluding those without technology.
 - Calls for better communication, transparency and ongoing co-design with communities.
-

A full list of comments received is available for members to review on request.

3 Post consultation Strategy review

Responses to consultation were predominantly supportive of the neighbourhood health approach, mission, priorities, and three priority action areas identified for year 1.

There was a large proportion of comments in favour of a focus on young people – given the capacity for impact throughout life – and a large proportion supportive of a focus on older adults – given the demographic trends in Torbay. There were also comments emphasizing

the importance of attracting and retaining an active working age population. The three priority action areas in the Strategy cover these areas of the lifecourse, so it is proposed that these are retained.

Mental health was mentioned fairly strongly among responses. Each of the priority action areas has an element of support for mental health and wellbeing underpinning the activity, but this may be an area that the Health and Wellbeing Board may want to take as a separate 'priority to sponsor' in years 2, 3 or 4.

Concerns were expressed around:

- The availability of green space and areas for children and young people, in the light of priority action area one
- The need to demonstrate delivery of the Strategy and to show what has changed as a result
- The importance of working in partnership with local communities when developing and delivering the priority action areas.

These will need to be considered during implementation and the Health and Wellbeing Board may wish to use the second and third point to test out progress on delivery as part of the monitoring process.

Health and Wellbeing Board members agreed at their meeting in March 2026 to nominate a lead member to sponsor each of the three priority delivery areas and to lead reporting on progress back to the Board.

4 Alignment with other Strategies

As highlighted through the last year, the Strategy was developed with an eye to other local strategies including:

- The new Devon Health and Care Strategy

This has a focus on moving to neighbourhood health in the context of the three key shifts set out in the NHS Plan for England:

- Hospital to community
- Analogue to digital
- Treatment to prevention

The Health and Wellbeing Strategy is also designed around neighbourhood health, with a focus on prevention.

- Torbay Corporate Plan, Economic Strategy, Housing and Homelessness Strategies, regeneration plans, and strategic plans relating to Children's and Adults Social Care.

Torbay Adult Social Care Strategy has a vision for 'thriving communities where people can prosper'. Priorities are around helping people to live well and independently, with choice and control.

The vision of the Health and Wellbeing Strategy is aligned to this, with a vision of 'healthy neighbourhoods where people of all ages can live, work and thrive', and actions designed to promote health and independence across all ages and into later life.

Torbay Children and young People's Plan looks to fulfil the target of the Council's Corporate Plan to 'Protect all children and give them the best start in life'.

The Health and Wellbeing Strategy includes an emphasis on the building blocks for promoting health and wellbeing from a young age, with a year 1 priority action area around healthy spaces for children and young people.

Torbay Council Corporate and Community Plan has a vision of a 'healthy, happy and prosperous Torbay' which again aligns with the vision of the Health and Wellbeing Strategy around health promoting neighbourhoods. The strategic themes of the Corporate Plan are community and people, pride in place, and economic growth. As well as emphasising the relationship between the economic and physical health of communities, the Health and Wellbeing Strategy includes a priority action area around health and work.

To be effective, the Health and Wellbeing Strategy will need to be delivered alongside these and other related strategic plans, working closely with all relevant partners.

5. Timetable

The post consultation Strategy is due to be endorsed by the full Council in May 2026.

6. Implementation and monitoring

The Health and Wellbeing Board will receive updates on progress during the year. Members have agreed to review each September their priority delivery areas for the following year.

7. Financial Opportunities and Implications

7.1 None identified

8. Legal Implications

8.1 None identified

9. Engagement and Consultation

9.1 The draft Strategy has been developed with input from stakeholders including Health and Wellbeing Board and Torbay Place Board members, Council teams, commissioners, Local Care Partnership representatives, Voluntary and Community sector colleagues. It incorporates feedback from recent public engagement in relation to the NHS 10 Year Plan including the plan for neighbourhood health.

10. Procurement Implications

10.1 None identified

11. Protecting our naturally inspiring Bay and tackling Climate Change

- 11.1 Promoting health and wellbeing includes enhanced use of our natural green and blue spaces through active travel, physical activity, healthy spaces, and connecting with nature.
- 11.2 Climate change is an identified risk to health through increased infections, population displacement, excess heat and cold, and mental distress. Actions to mitigate the impact are included in our recommendations around health protection and health promotion.

12. Associated Risks

- 12.1 No specific risks are identified. The Strategy is built on tackling the needs and risks to population health highlighted in the Joint Strategic Needs Assessment.

13. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>Different age-groups have different health risks; these are highlighted for priority activity.</p>	<p>Strategy includes recommendation to analyse and address inequalities through commissioning.</p> <p>Specific age-groups are included as priorities for support.</p>	<p>Strategic and commissioning partner organisations, over the lifetime of the Strategy.</p>
Carers	<p>At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.</p>	<p>Carers are highlighted as a priority for support.</p>	<p>Strategy includes recommendation to analyse and address inequalities through commissioning.</p> <p>Carers are included as a priority for support.</p>	<p>Strategic and commissioning partner organisations, over the lifetime of the Strategy.</p>
Disability	<p>In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.</p>	<p>People with physical and mental ill-health and disabilities are highlighted for activity.</p>	<p>Strategy includes recommendation to analyse and address inequalities through commissioning.</p>	<p>Strategic and commissioning partner organisations, over the lifetime of the Strategy.</p>

Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	No differential impact anticipated.	Not applicable	
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	No differential impact anticipated.	Not applicable	
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	No differential impact anticipated.	Not applicable	
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.	No differential impact anticipated.	Impact of deprivation is targeted through the priority programmes. Strategy includes recommendation to analyse and address inequalities through commissioning.	Strategic and commissioning partner organisations, over the lifetime of the Strategy.

Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No differential impact anticipated.	Not applicable	
Sex	51.3% of Torbay's population are female and 48.7% are male	No differential impact anticipated.	Strategy includes recommendation to analyse and address inequalities through commissioning.	Strategic and commissioning partner organisations, over the lifetime of the Strategy.
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	No differential impact anticipated.	Not applicable	
Armed Forces community	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously served in the UK armed forces.	No differential impact anticipated.	Not applicable	
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		People in more challenged socio-economic circumstances are at greater risk of poor health and wellbeing and are therefore highlighted for priority activity.	Priority programmes designed to address socio-economic impacts.	Strategic and commissioning partner organisations, over the lifetime of the Strategy.
Public Health impacts (Including impacts on		All programmes are designed to improve population health.	All programmes are designed to improve population health.	Strategic and commissioning partner

the general health of the population of Torbay)				organisations, over the lifetime of the Strategy.
Human Rights impacts		Services and providers will remain cognisant of human rights, including the right to life, health, privacy, education and prohibition of discrimination.	Not applicable	
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.	Highlighted as a priority activity.	Highlighted as one of the priority activities.	Strategic and commissioning partner organisations, over the lifetime of the Strategy.

14. Cumulative Council Impact

- 14.1 The Strategy takes account of priorities and activities across People and Place teams, including economic strategy, adult and children's social care, education and housing.
- 14.2 All teams are expected to take note of the needs and priorities highlighted in the Strategy when developing strategy or commissioning services.

15. Cumulative Community Impacts

- 15.1 All of these programmes involve close partnership working across the Integrated Care System, including voluntary, community and social enterprise (VCSE) sector, and all are intended to promote and improve health across the whole of our population.



Our Healthy Neighbourhoods

Torbay Health & Wellbeing Strategy

2026-30

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Why do we need a Strategy for Health & Wellbeing?

What is a Health & Wellbeing Strategy?	Why do we need one?	Who is involved?	How does it improve health & wellbeing?
<ul style="list-style-type: none">• A Strategy to address the needs & inequalities of our population & set out our strategic priorities for action	<ul style="list-style-type: none">• To improve health & wellbeing, & reduce inequalities, through working better together	<ul style="list-style-type: none">• All Health & Wellbeing Board partners, in consultation with our community	<ul style="list-style-type: none">• By informing local commissioning• Promoting integration between health & care, housing, economy, transport & environment

Health and Wellbeing Boards bring together local authorities, health and care organisations, police, voluntary sector, and other partners, with the aim of improving health and reducing inequalities.

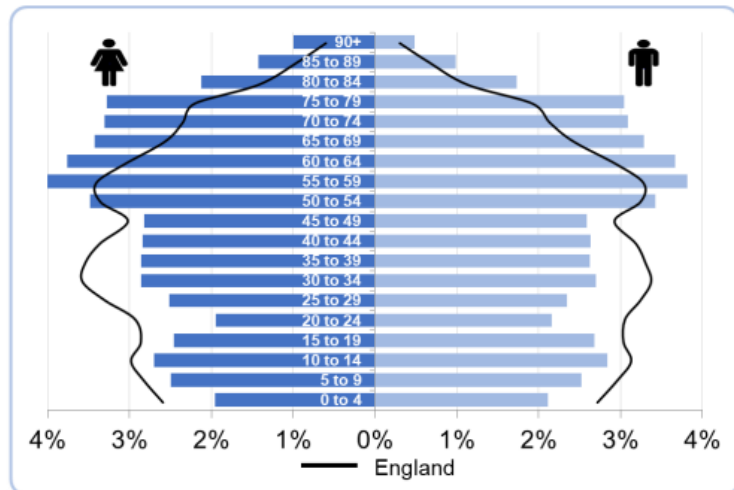
Every Health and Wellbeing Board is required to develop a Health and Wellbeing Strategy setting out the plan for improving the health and wellbeing of the local population. These will be very relevant to the expectations in the NHS 10 Year Plan for the development of *neighbourhood health*.

What could be more important than improving the health and wellbeing of our population?

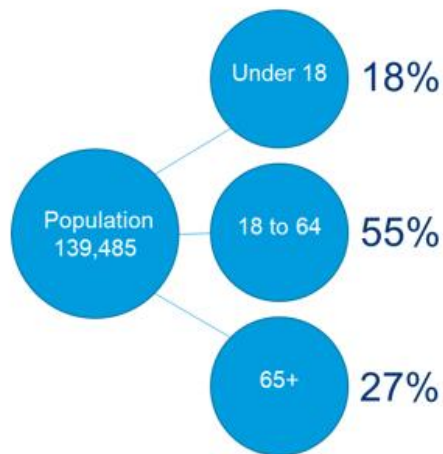
Torbay at a glance

Torbay is a coastal community with comparatively high levels of deprivation, and strong natural and human assets

We have a significantly older age profile than England, with an average age of 49 compared with 40 nationally



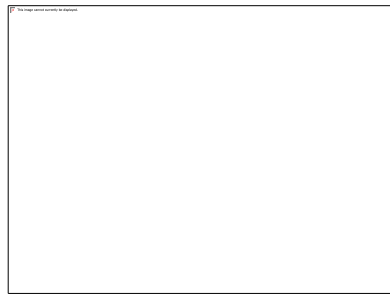
We have a much lower working age population than England and the South West



1 in 3 of our residents will be aged 65 and over by 2033



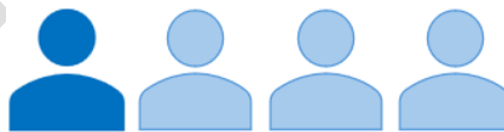
There is 23 years difference in the median age between King's Ash and Wellswood wards



How long we live varies significantly between men and women, and between the different wards in Torbay

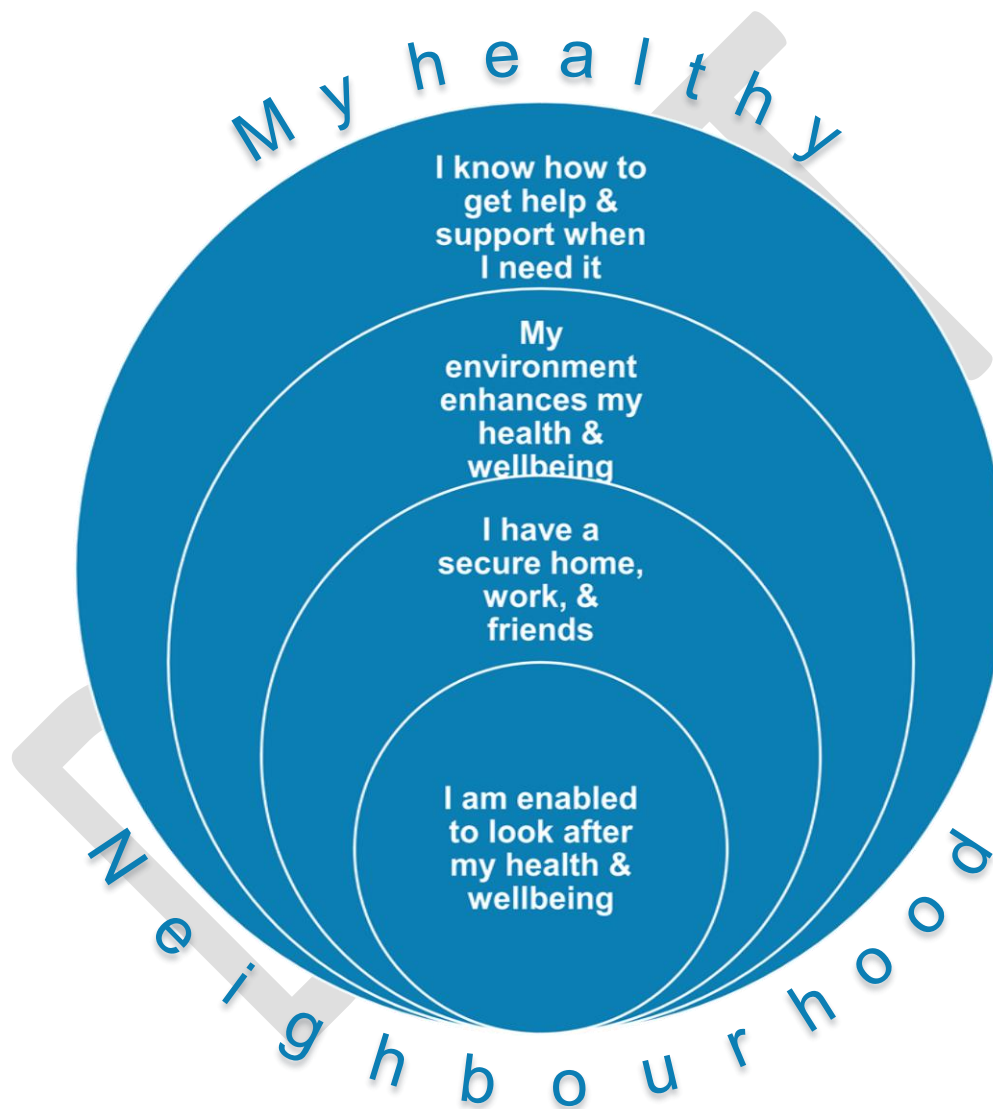


Almost 1 in 4 of our residents have health conditions or disabilities that reduce their ability to carry out day-to-day activities. Numbers are much higher in our more deprived wards



Our vision

*Healthy neighbourhoods where people of all ages
can live, work and thrive*



What makes a healthy neighbourhood?

What does national policy and strategy say?

Under the Government's 'Plan for Change' there are five national missions to deliver a decade of national renewal. All five are relevant to our work as statutory and voluntary partners in Torbay, but there is particular resonance in the focus on economic growth, the NHS, and breaking down the barriers to opportunity through giving every child the best start in life.

In order to build an NHS fit for the future, the 10 year Health Plan for England refocuses health around three key shifts:

- Hospital to community
- Analogue to digital
- Sickness to prevention

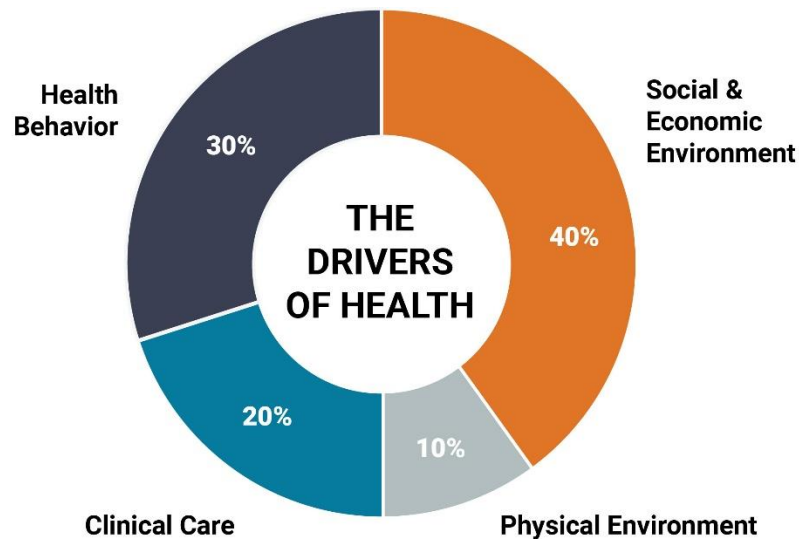
These are supported by the creation of a *neighbourhood health service* in which all care should be as local as it can be - in the home if possible - and digital by default.

Healthy communities, or healthy places, are not new. With an emphasis on prevention, *healthy neighbourhoods* are a function of all the determinants of health working together to influence individual and community wellbeing.



Dahlgren and Whitehead, 1991

Health and care services have a relatively minor influence on our health, with the greater impact from the way we live, and the environment we live in. And when the way we live is so heavily influenced by environmental factors, they indeed play by far the largest role.



Neighbourhood health is not only, or even predominantly, the responsibility of health services. A response to these and similar problems requires the coordinated mobilisation of the assets in a community including communities themselves.

Department of Health & Social Care July 2025

What constitutes a *neighbourhood* is not formally defined. A neighbourhood might be different things to different people, and to different organisations. The important thing is the move to *local* - wherever we live, work and spend our time - and the opportunity to develop local services and programmes in real collaboration with the people who live there.

What are our communities telling us?

Through engagement in Torbay and Devon to inform the NHS Long Term Plan, residents were asked what was important to them in terms of neighbourhood health. This is what they said.

Health promoting communities

Healthy communities are:

- Connected, with strong local networks and support systems
- Inclusive, especially for people with disabilities, older adults, and ethnically diverse communities
- Empowered, with access to information and the ability to shape services

Fair and easy access to support

We want to see:

- Better access to GPs and primary care
- Joined-up services across health, social care, and community support
- Equity in service provision, especially in coastal, rural, and deprived areas
- Digital inclusion:
 - Technology should support—not replace—human care
 - Services must remain accessible to those without digital skills or internet access

Enabling us to look after our own health

We support a shift from treating illness to preventing it, through:

- Health education in schools and communities
- Annual health checks, especially for older people
- Lifestyle support (e.g. healthy eating, exercise, smoking cessation)
- Screening services for early detection
- Not blaming individuals for poor health outcomes

Locally based care

We support moving care from hospitals into communities:

- Services closer to home – providing care that is community-based, accessible, personalised, and empowering
- Increased convenience, and earlier detection through community diagnostic centres and virtual wards


Support to look after our mental and emotional health

We want to see:

- Mental health support in schools
- Early intervention
- Listening to young people's concerns
- More education around mental health and wellbeing
- Accessible community mental health services

In summary

A healthy neighbourhood is somewhere where...



Health & Care services	<ul style="list-style-type: none">•go where people are•are easy to access•are enabling•are designed in partnership•start with prevention
Natural & built environments	<ul style="list-style-type: none">•enhance health & wellbeing•promote physical activity & social connections
Housing, Employment, Education, Transport	<ul style="list-style-type: none">•are suitable & secure•promote health & wellbeing•promote independence•reduce inequalities
Citizens	<ul style="list-style-type: none">•are in charge of their health & wellbeing•are partners in their care•are seen in their context

How will we deliver our vision for neighbourhood health?

This Strategy is designed to influence the implementation of health and wellbeing improvement programmes through the following routes:

- 1 **Highlighting the needs** in our population that all of us developing strategies, or commissioning services, must respond to
- 2 **Summarising the areas of activity** required to address our population needs, in the ways people have said they want to see
- 3 Identifying the **priority areas** we want to focus on as a Health and Wellbeing Board over the next four years.
- 4 Describing the **principles** which underpin our Strategy and how it is implemented.
- 5 Developing a decision framework to guide selection of Health & Wellbeing Board **annual delivery programmes**, sponsored by the Board, to deliver our priorities. These will be reviewed annually but a delivery programme may be continued through more than one year.

What are the needs of our population?

Our key challenges

Economy, housing & inequalities

- Torbay is ranked as the most deprived local authority in the South West and our **economy** is ranked among the weakest in England.
- Average wages are significantly below the regional and national average with less of the population in full-time **employment** than England.
- There is a continuing impact of the pandemic and persistent high **cost of living**, especially in utilities and food.
- Those who live in the most **deprived areas of our communities are disproportionately affected.**
- Torbay has a growing number of households experiencing **fuel poverty**. Old housing stock is particularly fuel inefficient.
- There is a consistent pattern of **worse health and educational outcomes** for those people who live **in more deprived areas.**
- There is significant **variation in health and wellbeing** across the bay.
- In our most affluent areas residents can expect to live on average almost eight years longer than those in our more deprived communities.
- There are significant **gaps in healthy life expectancy** (years in good health) between the most affluent and deprived areas.

Children & young people

- The number of **cared for children** within the local authority remains significantly higher than England. Rates of referrals to children's social care are consistently much higher than England.
- Torbay schools have a significantly higher proportion of pupils requiring **special educational needs** support through an Education, Health & Care Plan than England although the gap has narrowed.
- Persistent pupil **absenteeism** remains at significantly high levels following the pandemic. Rates are much higher among children from our more deprived areas.
- **Teenage pregnancies** (under 18 years) have fallen over the last decade but are still higher than England.
- Our children have **poor oral health**. There are consistently high rates of hospital dental extractions among children due to dental decay, particularly among Torbay's more deprived communities.

Working age adults

- The number of those who are of **working age is projected to fall** over the next 20 years to approximately 50% of the population from its current rate of 55%.
- A consistently high rate of people are **homeless** or threatened with homelessness.
- There are high **levels of vulnerability** in the population, including groups with specialist needs and high levels of mental ill health.
- There are consistently high levels of **self-harm and suicide**.

Older adults

- Torbay has high levels of need requiring **support from Adult Social Care** in the 18 to 64 population and also in the population over 65.
- We have very **high rates of unpaid carers**. The 2021 Census showed that there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care. This care is disproportionately provided by women.
- We have an **ageing population** with 1 in 3 Torbay residents expected to be 65 and over by the middle of the next decade. This will also put increasing demand on health and social care.

Protecting our health

- **Screening and immunisation** rates are lower than they need to be to protect our population from disease. There have been falls in breast and cervical cancer screening rates, childhood immunisation rates, and HPV vaccination rates in girls, since the pandemic.

Health behaviours

- Approximately **1 in 3 adults in Torbay are obese**. **1 in 4 reception age children** and more than **1 in 3 Year 6 children are overweight or obese**.
- Around **1 in 6 adults in Torbay smoke**.
- There are high levels of **admissions to hospital related to alcohol**, and high levels of preventable deaths from liver disease.

The needs in more detail

More detail about the needs of our population can be found in the annual **[Joint Strategic Needs Assessment and Ward Profiles](#)**

Activities required to address our population needs

These are the overall areas of activity required to address our population needs, in the ways people have said they want to see.

They are intended to be a guide for all of us developing strategies or commissioning services in Torbay.

Economy, housing & inequalities

- Take a **poverty reduction** approach in all policies
- Ensure there are the **jobs, skills, homes & culture** in the Bay that make it attractive to live and work here
- **Start early** – support the pipeline from education into employment
- Recognise the links between health & wealth; **focus on the determinants of health** & wellbeing (jobs, homes, education) as well as access to health & care
- In every intervention, **consider the deprivation gradient** – who has the poorest outcomes & the greatest need? **Target interventions proportionately** to reduce inequalities

Children & young people

- **Focus on prevention and enabling**
- Take a graded approach – from **universal to targeted support** when needed
- Gather a **team around the family** to support healthy development for all our children
- Maintain the **'early help'** approach, getting the right support, when & where it is needed
- **Co-design** interventions with those intended to benefit (eg people with SEND, those who are care experienced)

- Develop interventions that will **break the cycle** of disadvantage, poor health & wellbeing
- Improve access to **good oral health**; focus on prevention

Working age adults

- Strengthen **employment opportunities & skills** for all age groups
- Support & enable people who are **out of work through ill-health** back into employment
- Develop **sufficient housing** for people to live & work in the Bay
- Ensure health & care **reach out into the community, going where people are**
- Make it **normal to talk about mental health**; promote resilience & confidence around the *ways to wellbeing*; increase access to information & support; expand peer support & training

Older adults

- Take an **enabling, 'coaching' approach**, building on people's strengths
- Think **'home first'**, enabling people to stay at home rather than go into hospital or long term care
- **Focus on prevention**; expand *healthy ageing* initiatives enabling people to build their physical, mental and social health & wellbeing
- **Implement Age Friendly** initiatives to promote healthy environments as we age, including housing, transport, planning, employment
- **Support & enable carers** to look after their own health & wellbeing

Protecting our health

- **Increase uptake of immunisation & screening** through targeted promotion & easier access
- Design delivery in partnership with groups or communities who have low uptake

Health behaviours

- Take a **comprehensive approach**: focus on healthy weight, healthy food, healthy environments
- **Focus on enabling** people to manage & improve their own health & wellbeing
- **Start as early as possible** – healthy and unhealthy behaviours are laid in childhood and in some cases before birth
- **Focus on healthy places & spaces** – family hubs, schools, green and blue spaces, workplaces, neighbourhoods

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Identifying our priorities

The needs and activities outlined in this Strategy cover the full breadth of the health and wellbeing of our population.

To work towards our vision for healthy neighbourhoods, we have identified a priority approach which we as a Health and Wellbeing Board, together with our partners, want focus on for the next four years. This is intentionally quite broad, to allow for creative local approaches to improving neighbourhood health and wellbeing.

Our goal is to promote health and wellbeing through health promoting places.

This will involve:

- **looking first at the causes** of health and wellbeing, for example addressing the housing, financial, educational or employment situations that contribute to poor health
- **detecting health problems early** so they can be treated before they worsen, for example identifying high blood pressure and preventing future stroke
- **taking an enabling approach**, building on people's strengths to promote their own health and wellbeing
- **building on our South inequalities strategy** to identify those who have the worst health outcomes and opportunities, and scaling our interventions to support and enable those who need most help the most
- **targeting settings** such as schools, homes or workplaces, **or spaces** such as town centres, transport systems or community areas.

Principles underpinning our Strategy

Approach

- An overarching strategic framework
 - responding to the needs of the Joint Strategic Needs Assessment
 - within the context of developing healthy neighbourhoods
- Annual priority delivery programmes where Health & Wellbeing Board will sponsor delivery

Priorities

- should respond to needs identified in the Joint Strategic Needs Assessment but not attempt to cover too many areas
- should be areas where multi-agency working is needed and where all members of the Health and Wellbeing Board have a role and can contribute

Delivery programmes

- should reduce health and social inequalities
- should be developed through a process of co-design with the populations who are intended to benefit
- should target health through the wider causes of poor health

Interventions

- should be based on good evidence and best practice

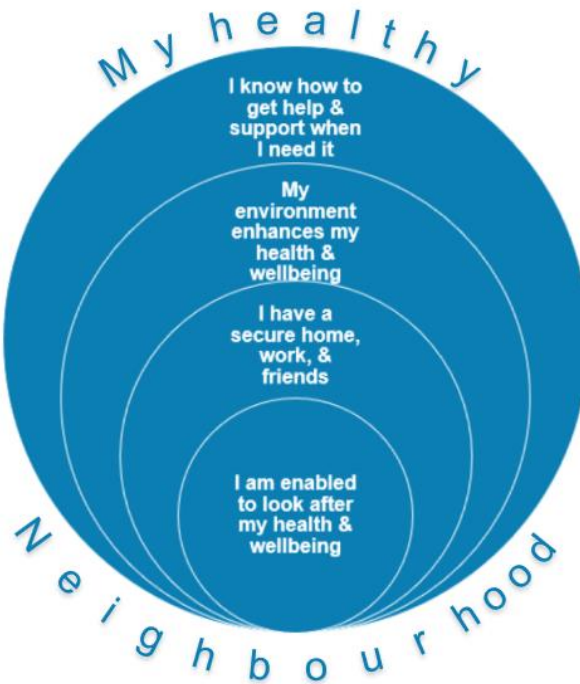
Outcomes

- should be measurable and meaningful to citizens

Our Strategy in summary

Healthy neighbourhoods where people of all ages can live, work and thrive

Our vision



Our aspirations
for health
promoting
neighbourhoods

Health & Care services	<ul style="list-style-type: none"> •go where people are •are easy to access •are enabling •are designed in partnership •start with prevention
Natural & built environments	<ul style="list-style-type: none"> •enhance health & wellbeing •promote physical activity & social connections
Housing, Employment, Education, Transport	<ul style="list-style-type: none"> •are suitable & secure •promote health & wellbeing •promote independence •reduce inequalities
Citizens	<ul style="list-style-type: none"> •are in charge of their health & wellbeing •are partners in their care •are seen in their context

Our priority approach

We will promote healthy neighbourhoods through a focus on preventing poor health, and enabling people to promote their own health and wellbeing, in the places where they live and work

Our activities should:

The principles underpinning our Strategy

- respond to needs identified in the Joint Strategic Needs Assessment
- be areas where multi-agency working is needed and where all members of the Health and Wellbeing Board have a role and can contribute
- reduce health and social inequalities
- be developed through a process of co-design with the populations who are intended to benefit
- target health through the wider causes of poor health
- be based on good evidence and best practice
- be measurable and meaningful to citizens

Annual delivery plans

This is the framework which we will use to guide the selection of Health & Wellbeing Board annual delivery programmes. Programmes will be reviewed annually but a priority programme may be continued through more than one year.

Annual delivery programme selection framework			
What is the target population?	Children & young people	Working age adults	Older adults
Areas of inequality or where intervention may be targeted for best effect	<ul style="list-style-type: none"> • Care experienced • With special educational needs & disabilities • Caring for others • In transition to adult 	<ul style="list-style-type: none"> • Low income households • Not working through ill-health • Caring for others • Insecurely housed 	<ul style="list-style-type: none"> • Pre or prematurely frail • Inactive or isolated • Caring for others • Approaching retirement
What are the target needs?	Needs identified in the Joint Strategic Needs Assessment		
Economic	Lack of jobs & skills Low incomes Unemployment through ill-health Insecure housing, unsuitable accommodation Fuel poverty		
Dependency	Levels of child & adult social care Special educational needs & disabilities Long term health conditions (prevention, early detection, management)		

	Caring responsibilities
Mental & social health & wellbeing	Poor mental health & wellbeing Suicide & self-harm Isolation
Health behaviours	Alcohol, smoking, unhealthy weight, oral health, screening and vaccination
Assessing the programme or intervention	
Neighbourhood approach	How will it promote neighbourhood health?
Evidence base	Is there quality evidence or best practice? Can we adopt learning from other sites? Or do we need primary research / test & learn?
Prevention first	Is it taking a prevention approach?
Enabling approach	Will the intervention build on people's strengths to promote their own health and wellbeing?
Place	What locations or settings are being targeted?
Inequalities	How will the intervention tackle inequalities?
Partnership	Do all partners have a role? Is there scope for co-design?
Added value	Is there scope for innovation? Creativity? Doing things differently?
Outcomes	Are there meaningful success measures?

How we will know if we are having an impact

The Joint Strategic Needs Assessment is our annual barometer of health and wellbeing in our communities and neighbourhoods across the Bay. Many of these measures are longer term, and will show us over time whether progress is being made.

Individual priority delivery programmes will have individual outcome measures. These will include national health indicators but also more short term local indicators agreed by partners. These should reflect the principles of the Strategy, being real and meaningful for those whom the intervention is designed to benefit.

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How we developed this Strategy

This Strategy was developed in collaboration with members of the Torbay Health and Wellbeing Board with input from stakeholders including Local Authority, NHS, and Community and Voluntary Sector partners.

It was informed by insights from local community engagement and consultation with local residents.

It is based on the evidence of the Joint Strategic Needs Assessment for Torbay which sets out the health status of the population including the social and economic factors influencing our health.

Year 1 priority action areas

Overarching theme **Healthy neighbourhoods**

Priority 1 **Healthy spaces**

Target population **Children & young people**

Needs

- Inequalities in opportunity
- Physical ill-health
- Low activity levels
- Poor diet
- Home or school insecurity
- Educational underachievement
- Unreadiness for work

Intervention/s

- Programme of activities to build **physical, mental and social** health and wellbeing
- Junior **work placements**
- Community led **research into homeschooling**
- **Pipeline from education into work** – via Coastal Navigators Network programme
- **SEND/NEET coaching & mentoring** programme
- Child Friendly Torbay – **play** domain

Lead & co-design partners

- Community partnership, Play Torbay collaborative, Torbay Council
- Health & Wellbeing Board partners, NHS, VCSE
- Co-design with families and young people in the lead

Priority 2

Healthy work

Target population

Working age

Needs

- Population not working due to physical and mental ill-health
- NEETs
- Disparities in employment for people with SEND, those who are care experienced, and carers

Intervention/s

- **Connect to Work programme with wraparound:**
- NHS identification of people off work through ill-health
- NHS support for long term conditions (eg mental health, musculo-skeletal)
- VCSE identification and support for those further from employment – confidence, mentoring, buddying, practical and social interventions

Lead & co-design partners

- Torbay Council and Local Care Partnership
- Health & Wellbeing Board partners, Employers, NHS, VCSE
- Co-design with target groups eg care experienced

Priority 3

Healthy ageing

Target population

Older adults

Needs

- Inequalities in life expectancy, frailty onset, ill-health and long term conditions, dependence on formal social care
- **Social isolation**
- **Digital exclusion**
- **Carer** inequalities in health and social wellbeing
- **Housing** insecurity
- **Access** to services and amenities

Intervention/s

- **Age Friendly** activities on housing, transport and health

Lead & co-design partners

Torbay Assembly, Torbay Council, Health & Wellbeing Board partners
Co-design with older adults in Torbay

DRAFT

References

[Joint Strategic Needs Assessment \(JSNA\) and Ward Profiles - Torbay Knowledge and Intelligence](#)

[NHS 10 Year Health Plan - One Devon](#)

[Plan for Change - GOV.UK](#)

[10 Year Health Plan for England: fit for the future - GOV.UK](#)

[Fair society, healthy lives : the Marmot Review : strategic review of health inequalities in England post-2010. - GOV.UK](#)

[Marmot Review 10 Years On - IHE](#)

[Communities And Health | The King's Fund](#)

[Neighbourhood Health: The Idea Isn't Radical But Implementing It Would Be | The King's Fund](#)

[Healthy and safe communities - GOV.UK](#)

[Shaping Places for Healthier Lives: about the programme | Local Government Association](#)

[NHS England » Your invitation to be involved in the National Neighbourhood Health Implementation Programme](#)

[Delivering a neighbourhood health service: what the 10 Year Health Plan means for local integration | NHS Confederation](#)

[Torbay Story - Home](#)

Meeting: Adjourned Annual Council

Date: 14 May 2026

Wards affected: All Wards

Report Title: Code of Corporate Governance (Constitution Amendment)

When does the decision need to be implemented?

Cabinet Member Contact Details: Councillor Jackie Thomas, Cabinet Member for Tourism, Events & Culture and Corporate Services, Jackie.thomas@torbay.gov.uk

Director Contact Details: Matthew Fairclough-Kay, Director of Corporate Services, matthew.fairclough-kay@torbay.gov.uk

1. Purpose of Report

- 1.1. This report sets out changes to the Council's Constitution in respect of a revised Code of Corporate Governance which has been reviewed and updated having regard to the core principles of good governance highlighted by the Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework. The revised document is set out at Appendix 1 with the key changes shown in green text.

2. Reason for Proposal and its benefits

- 2.1. The reasons for the proposal, and need for the decision, are to ensure that the Code of Corporate Governance is up to date, fit for purpose and reflects best practice.

3. Recommendation(s) / Proposed Decision

- 3.1. That the Code of Corporate Governance set out at Appendix 1 to the submitted report be approved and that the Constitution be updated accordingly.

4. Appendices

Appendix 1: Code of Corporate Governance

5. Background Documents

- Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework

Supporting Information

6. Introduction

- 6.1 The Divisional Director - Corporate Services has undertaken a full review of the Council's Code of Corporate Governance, which sets out the Council's governance standards. These standards ensure the Council is doing the right things, in the right way, in a timely, inclusive, open, effective, honest and accountable manner. This has been reviewed against the Chartered Institute of Public Finance and Accountability (CIPFA) guidance Delivering Good Governance in Local Government Framework and the Council. Performance against the Code of Corporate Governance is reported in the Annual Governance Statement.
- 6.2 The Code of Corporate Governance forms part of the Council's Constitution and requires approval by Council.

7. Options under consideration

- 7.1. Option 1, preferred option – to approve the revised Code of Corporate Governance, this ensures that the Constitution is up to date and fit for purpose.
- 7.2. Option 2, not to update the Constitution and leave the current Code of Corporate Governance in place. This option is not recommended as it is out of date and does not reflect CIPFA guidance.

8. Financial Opportunities and Implications

- 8.1. None

9. Legal Implications

- 9.1. None

10. Engagement and Consultation

- 10.1. The revised Code of Corporate Governance has been discussed with the Group Leaders and their suggestions have been incorporated into the final document, in accordance with Article 13 of the Constitution.

11. Procurement Implications

- 11.1. Not applicable.

12. Protecting our naturally inspiring Bay and tackling Climate Change

- 12.1. Not applicable.

13. Associated Risks

13.1. None

14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<ul style="list-style-type: none"> 18% of Torbay residents are aged under 18 years old. 55% of Torbay residents are aged between 18 to 64 years old. 27% of Torbay residents are aged 65 and older. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Carers	<ul style="list-style-type: none"> At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these carers provided 50 hours or more of care. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Care experienced	<ul style="list-style-type: none"> As of January 2026, there were 277 former care 	<p>The changes to the Council's Constitution will help ensure good</p>	Not applicable	Not applicable

	<p>experienced young people aged 18-24 in Torbay.</p>	<p>governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>		
Disability	<ul style="list-style-type: none"> In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Gender reassignment	<ul style="list-style-type: none"> In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Marriage and civil partnership	<ul style="list-style-type: none"> Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents. It is not anticipated that any adverse impacts will be caused by the</p>	Not applicable	Not applicable

		implementation of the revised Constitution document.		
Pregnancy and maternity	<ul style="list-style-type: none"> Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 56.0 per 1,000) than the Southwest (53.4) and broadly in line with England (56.3). For the period 2022 to 2024, rates in Torbay (44.6) have been significantly below England (50.0). 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Ethnicity	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following:</p> <ul style="list-style-type: none"> 1.6% as Asian, Asian British or Asian Welsh 0.3% as Black, Black British, Black Welsh, Caribbean or African 1.5% as being of Mixed or Multiple ethnic groups 96.1% as White 0.4% described their ethnicity another way. <ul style="list-style-type: none"> Black, Asian and minoritised ethnic communities are more 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable

	likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England.			
Religion and belief	<p>The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following;</p> <ul style="list-style-type: none"> • 48.5% are Christian • 0.4% are Buddhist • 0.2% are Hindu • 0.6% are Muslim • Less than 0.1% are Sikh • 0.1% are Jewish • 0.7% have another religion • 43.2% have no religion • 6.3% did not answer 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Sex	<ul style="list-style-type: none"> • 51.3% of Torbay's population are female. • 48.7% of Torbay's population are male. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Sexual orientation	<p>In the 2021 Census, residents described their sexuality as follows;</p> <ul style="list-style-type: none"> • 89% as Straight or Heterosexual • 1.7% as Gay or Lesbian • 1.1% as Bisexual 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the</p>	Not applicable	Not applicable

	<ul style="list-style-type: none"> • 0.1% as Pansexual • 0.1% described their sexuality another way • 7.4% of people didn't answer the question 	implementation of the revised Constitution document.		
Armed Forces Community	<ul style="list-style-type: none"> • In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. • In Torbay, 5.9% of the population have previously served in the UK armed forces. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	<ul style="list-style-type: none"> • Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Public Health impacts (Including impacts on the general health of the population of Torbay)	<ul style="list-style-type: none"> • For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females. 	<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the</p>	Not applicable	Not applicable

		implementation of the revised Constitution document.		
Human Rights impacts		<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable
Child Friendly		<p>The changes to the Council's Constitution will help ensure good governance and decision making which will support Torbay's most vulnerable residents.</p> <p>It is not anticipated that any adverse impacts will be caused by the implementation of the revised Constitution document.</p>	Not applicable	Not applicable

15. Cumulative Council Impact

15.1. None

16. Cumulative Community Impacts

16.1. None

Code of Corporate Governance

Introduction

Our Code of Corporate Governance ('the Code') sets out the Council's governance standards. These standards ensure the Council is doing the right things, in the right way, in a timely, inclusive, open, effective, honest and accountable manner.

The Council's Corporate Governance Standards

The Code is based on the seven governance principles set out in the CIPFA/SOLACE guidance 'Delivering Good Governance in Local Government' (2016)¹.

These principles and their sub principles are set out below, along with a series of commitments which describe the Council's approach to delivering against the principles.

Meeting the commitments set out in the Code

Each year, the Council publishes an Annual Governance Statement (AGS) to accompany the Annual Accounts.

The AGS provides an overview of how the Council's governance arrangements operate, including how they are reviewed annually to ensure they remain effective and sets out key examples of how the Council has met the governance commitments set out in the Code.

Torbay Council's Code of Corporate Governance

A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

Behaving with Integrity

We aim to:

- Put into practice our organisational values and ensure they are effective.
- Exercise leadership by ensuring Members and Officers behave in ways that exemplify high standards of conduct and effective governance.
- Make sure our Members and Officers are encouraged, supported, and protected to speak up if they encounter behaviours which do not match our values.

Demonstrating Strong Commitment to Ethical Values

We aim to:

- Support the Standards Committee to champion high standards of ethical governance from elected members.

¹ CIPFA is the Chartered Institute of Public Finance and Accountancy, and SOLACE is the Society of Local Authority Chief Executives.

Maintain robust policies and procedures so that ethical values are put into practice, including separate Codes of Conduct for Members and Officers and a Member/Officer Relations Protocol. Operate ethical procurement policies to ensure that commitment to our values and integrity is delivered by external suppliers delivering services on our behalf.

Respecting the Rule of Law

We aim to:

- Use legal powers to the full benefit of the citizens and communities in the area.
- Appoint Statutory Officers who have the skills, resources and support necessary to perform effectively in their roles and support them to fulfil their responsibilities within legislative and regulatory requirements.
- Ensure that all Members and Officers appointed to undertake roles as Directors on either Company or Charity Boards have access to appropriate guidance and support to ensure that they undertake their duties within the context of the relevant Acts that govern such bodies.

B. Ensuring openness and comprehensive stakeholder engagement

Ensuring Openness

We aim to:

- Develop and clearly communicate the Council's purpose and vision and its intended outcome for citizens and service users.
- Be rigorous and transparent about how decisions are taken and listen and act on the outcome of constructive scrutiny.
- Take an active and planned approach to dialogue with, and be accountable to, the public to ensure effective and appropriate service delivery whether directly by the Council, in partnership or by commissioning.

Engaging Comprehensively with Institutional Stakeholders

We aim to:

- Ensure relationships between the Council and its partners are clear so that each knows what to expect of the other.
- Develop formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively.
- Ensure effective monitoring of the performance and outcomes delivered by our arms-length companies.

Engaging with Individual Citizens and Service Users Effectively

We aim to:

- Deliver against our Community Engagement and Empowerment Strategy, including maintaining effective and accessible channels for dialogue and a commitment to sharing outcomes of consultations and other community engagement mechanisms with the public and other stakeholders.
- Proactively engage with Torbay's different communities and identify groups to inform the development and delivery of our services.
- Maintain an effective complaints and compliments framework, so that we can identify where improvements in service delivery are needed and learn effectively from the complaints that we have received.

C. Defining outcomes in terms of sustainable economic, social, and environmental benefits

Defining Outcomes

We aim to:

- Maintain a Community and Corporate Plan and Council Business Plan which sets out the priorities which the Council will focus on to deliver its ambition for Torbay.
- Put our Community and Corporate Plan at the heart of our budgeting, business planning and service planning.
- Maintain a Medium Term Financial Plan which sets out financial assumptions and provides a set of goals for financial decision making.

Sustainable Economic, Social and Environmental Benefits

We aim to:

- Assess and address the economic, social, equality and environmental implications of our decisions.
- Ensure that Officers are clear about their role in meeting the Public Sector Equality Duty, including incorporating our Corporate Equality Objectives into service planning.
- Maintain a Council-wide focus on tackling the social determinants of health inequalities.

D. Determining the interventions necessary to optimise the achievement of the intended outcomes

Determining Interventions

We aim to:

- Ensure effective leadership throughout the Council and be clear about executive and non-executive functions, **levels of delegation**, and the roles and responsibilities of the scrutiny function.
- **Ensure that decision makers receive accurate, relevant and timely performance information and intelligence to support them with objective and rigorous analysis of options, covering intended outcomes, financial impact and associated risks informing efficient service delivery.**
- **Commit to seeking continuous feedback from residents and those who use our services, both in planning service changes and improvements.**

Planning Interventions

We aim to:

- **Plan our activity at a strategic level through our budget and business planning cycle, in consultation with internal and external stakeholders, to ensure services are delivered efficiently and effectively across the organisation.**
- **Ensure consistent and effective service planning across the organisation.**
- **Establish appropriate performance indicators to measure the performance of services and projects, in order to continually improve effective service delivery arrangements.**

Optimising Achievement of Intended Outcomes

We aim to:

- Ensure that the Council makes best use of resources and that taxpayers and service users receive excellent value for money.
- **Embed social value into procurement and commissioning and integrate monitoring of these objectives with contract and performance management procedures.**

E. Developing the organisation's capacity, including the capability of its leadership and the individuals within it

Developing the Organisation's Capacity

We aim to:

- Make best use of human resources by taking an active and planned approach to meet our responsibility to staff and members, including making sure they have the skills, knowledge, experience and resources they need to perform

well in their roles.

- Embed benchmarking within our business and service planning to help allocate resources to meet defined outcomes effectively and efficiently.

Developing the Capability of the Organisation's Leadership and Other Individuals

We aim to:

- Ensure that a constructive working relationship exists between Council Members and Officers and that the responsibilities of Members and Officers are **understood and** carried out to a high standard.
- Develop the capability of all Members and those Officers with governance responsibilities and evaluate their performance, as individuals and as a group.
- Encourage new talent for membership of the Council so that best use can be made of individual's skills and resources in balancing continuity and renewal.

F. Managing risks and performance through robust internal control and strong public financial management

Managing Risk

We aim to:

- Ensure that an effective risk management **framework** is in place.

Managing Performance

We aim to:

- **Ensure that an effective performance management framework is in place.**
- Have good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs.
- Exercise leadership through a robust scrutiny function, which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountable relationships.

Robust Internal Control

We aim to:

- **Maintain an Audit Committee which oversees the effectiveness of governance and risk management arrangements, internal systems of control, and anti-fraud and anti-corruption arrangements.**
- **Report to Audit Committee our internal auditor's findings into the overall adequacy and effectiveness of the framework of governance, risk management and control; and the outcomes of the work of the external auditor.**

Managing Data

We aim to:

- Ensure effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data.
- Ensure effective arrangements are in place and operating effectively when sharing data with other bodies.
- Review and audit regularly the quality and accuracy of data used in decision making and performance management.

Strong Public Financial Management

We aim to:

- Maintain an approach to financial management that supports both long-term achievement of objectives, and shorter term financial and operational performance, whilst ensuring value for money.
- Ensure that appropriate and timely advice is given on all financial matters, required financial records and accounts are kept, and oversee an effective system of internal financial control.
- Follow CIPFA's Prudential Code and Treasury Management Code of Practice which set out the risk framework through which the Council manages its balance sheet and makes capital investment decisions, and statutory guidance on best value standards and interventions.

G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Implementing Good Practice in Transparency

We aim to:

- Commit to publishing information, including reports, in a timely manner which is accessible to residents and other stakeholders.
- Ensure that our website is set out in a clear and easily accessible way, using plain language and also that it is compliant with web content accessibility standards.
- Follow the Local Government Transparency Code, which includes requirements and recommendations for local authorities to publish certain types of data.

Implementing Good Practices in Reporting

We aim to:

- Report at least annually on performance, value for money and stewardship of resources in a timely and understandable way.

- Publish an Annual Governance Statement which provides evidence of good governance and includes an action plan for improvement.
- Publish performance information in a consistent and timely way which allows for comparison with other, similar organisations.

Assurance and Effective Accountability

We aim to:

- Positively engage with external challenge, including from peer authorities, as well as internal and external review and audit, and inspections from regulatory bodies, giving thorough consideration to any arising recommendations.
- Ensure that implementation of, or response to improvement recommendations made by Internal and External Auditors and other external assessors occurs within due dates.
- Follow the prevailing internal audit standards which apply to local government, including a commitment to develop audit plans which are designed to invite comment from management and the Audit Committee.

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Overview and Scrutiny Annual Report 2025/2026

April 2026



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Foreword

This year has been one of significant activity for Torbay Council's Overview and Scrutiny function. Across the Overview and Scrutiny Board, the Children and Young People's Overview and Scrutiny Sub-Board, and the Adult Social Care and Health Overview and Scrutiny Sub-Board, Members have continued to provide rigorous challenge, support the improvement of services, and ensure accountability to Torbay's residents.

The programme of work between May 2025 and April 2026 demonstrates a sustained focus on housing for care experienced young people, children's mental health, adult safeguarding, public health issues, and major health service change proposals. Our Boards and Sub-Boards have reviewed key areas of performance, scrutinised the development of local strategies, and engaged with partners across the NHS, public health, children's services, and the voluntary sector.

We continued to take a leading role in the Leader and Cabinet's Budget development for 2026/2027 and I am pleased that our recommendations informed the final budget proposals. In addition to the budget, the Board and its Sub-Boards have investigated several issues and I believe has made a notable difference in some of the key decisions made by the Cabinet, the public and private sector partners.

This report gives details of the work which has been undertaken by Overview and Scrutiny over the course of the 2025/2026 Municipal Year.

I would like to take this opportunity to thank everyone who has played a part in contributing towards the work of the Council's Overview and Scrutiny Boards, Sub-Boards and Panels.

Councillor Swithin Long
Overview and Scrutiny Co-ordinator

1. Key information about Overview and Scrutiny

The operation of overview and scrutiny

Torbay Council's Overview and Scrutiny system continues to act as a critical friend to decision-makers, providing independent review and constructive challenge. Its purpose is to improve services through transparency, accountability, and public involvement.

The Overview and Scrutiny Co-ordinator (Councillor Long) is supported by Scrutiny Lead Members:

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- Councillor Law – Children's Services;
 - Councillor Johns – Adult, Community Services, Public Health and Inequalities;
 - Councillor Cowell – Housing, Finance, Corporate Services and Place Based Services; and
 - Councillor Douglas-Dunbar – Place Development, Economic Growth and Culture.

The Overview and Scrutiny Board meets monthly with Spotlight Reviews and Task and Finish Panels created to consider topics in greater detail. During the last year the following Members have served on the Overview and Scrutiny Board: Councillors Atiya-Alla, Brook, Bryant, Cowell, George Darling, Douglas-Dunbar, Fellows, Foster, Fox, Harvey, Johns, Law, Barbara Lewis, Long, Maddison, Penny, Spacagna, Stevens, Tolchard and Twelves.

There are two dedicated Sub-Boards:

The Adult Social Care and Health Overview and Scrutiny Sub-Board provides greater focus on issues in relation to adult social care and health and fulfils the statutory health overview and scrutiny function and normally meets monthly.

This Board comprised of five Councillors and was Chaired by the Scrutiny Lead for Adult, Community Services, Public Health and Inequalities - Councillor Johns. During the last year the following Members have served on the Sub-Board: Councillors Brook, Bryant, Steve Darling, Douglas-Dunbar, Fellows, Foster, Johns, Long, Penny, Spacagna and Tolchard. Representatives from Healthwatch Torbay and the Voluntary Sector Network were appointed as non-voting co-opted members on the Board to help provide independent expert advice.

The Children and Young People's Overview and Scrutiny Sub-Board is responsible for overview and scrutiny of Children's Services and meets bi-monthly.

This Sub-Board comprised of five Councillors and was Chaired by the Scrutiny Lead for Children's Services – Councillor Law. During the last year the following Members have served on the Sub-Board: Councillors Fellows, Foster, Law, Nicolaou, Tolchard and Twelves. Representatives from Devon and Cornwall Police, Play Torbay, Voluntary and Community Sector and Alternative Provision (Education) as well as the Statutory Co-opted Members from the Church of England Diocese and a Primary Parent Governor also help provide the voice of the child or young person and provide independent expert advice. Young People working with Sound

Communities also attended some meetings and provided valuable insight and questioning.

Scrutiny's Role

To make recommendations to the Cabinet, Council or key partners in accordance with following principles:

- Focusing on the issues which matter.
- Policy Development is of equal importance to "holding to account".
- The Forward Plan is the key tool for managing the decision making process.
- The relationship between overview and scrutiny and the Cabinet should seek to complement one another.

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All Councillors should have the opportunity to help shape policy decisions at an early stage.

Meetings:

- Are open to the public to attend.
 - Typically last 2-3 hours.
 - Meet regularly (during the daytime and evenings).
 - Have a formal structure, but are run in an accessible way.
 - Papers are published on the Council's website at [Committee structure \(torbay.gov.uk\)](http://torbay.gov.uk).
-

Residents and stakeholders can get involved by:

- Attending public meetings;
 - Giving evidence to one of the Panels, Boards/Sub-Boards; and
 - Sending in comments about a review.
-

2. Snapshot of scrutiny development in 2025/2026

Focusing on the issues which matter

The Adult Social Care and Health Overview and Scrutiny Sub-Board has undertaken the statutory health scrutiny duty (on behalf of the main Board) providing oversight of health services in Torbay and clinical services across the peninsula and has also taken part in masterclass sessions run by Devon County Council. It has held our health partners to account including Torbay and South Devon NHS Foundation Trust, One Devon and NHS England for delivery of services to the residents of Torbay.

The Overview and Scrutiny Board continued to receive regular reports on the Council's revenue and capital budgets and monitor key performance indicators, this includes monitoring performance and compliance of all of the Council's housing stock and former TorVista Homes housing stock. It has closely monitored and challenged the performance and outcomes for children holding the Cabinet and our key partners to account through the Children and Young People's Overview and Scrutiny Sub-Board. As well as monitored and challenged the performance and outcomes for adults holding the Cabinet and our key partners to account through the Adult Social Care and Health Overview and Scrutiny Sub-Board

Equal importance placed on policy development

The Overview and Scrutiny Board and its Sub-Boards provided feedback during the development of the following Council's key policies and strategies, as well as monitoring progress against delivery such as the following:

- Play Improvement Strategy
- Housing Policies
- Torquay Town Centre Place Vision
- Paignton Town Centre Place Vision
- Brixham Town Centre Place Vision and Torbay Vision
- Annual Review of the Events Strategy as aligned with Destination Management Plan
- Annual Review of the Council's Climate Change Action Plan
- Torbay Youth Justice Plan 2025-26
- Torbay Safeguarding Children Partnership Annual Report
- Fostering Annual Report 2024 - 2025
- Best Start in life – Torbay's Local Plan
- Homelessness and Rough Sleeping Action Plan
- Healthwatch Annual Report 2025
- Public Health Annual Report 2025/26
- Women's Safety and Domestic Abuse Strategy
- Care Quality Commission (CQC) Adult Social Care Assessment Report and Improvement/Action Plan
- Men's Health Strategy 2026

Complementing the work of the Cabinet

The Overview and Scrutiny Board continue to seek to complement the work of the Cabinet, with Quarterly Overview and Scrutiny Leadership meetings held between the Overview and Scrutiny Co-ordinator, Overview and Scrutiny Board Vice-Chairman, Group Leaders and Chairman of the Audit Committee to review work programmes and determine where Overview and Scrutiny can add value.

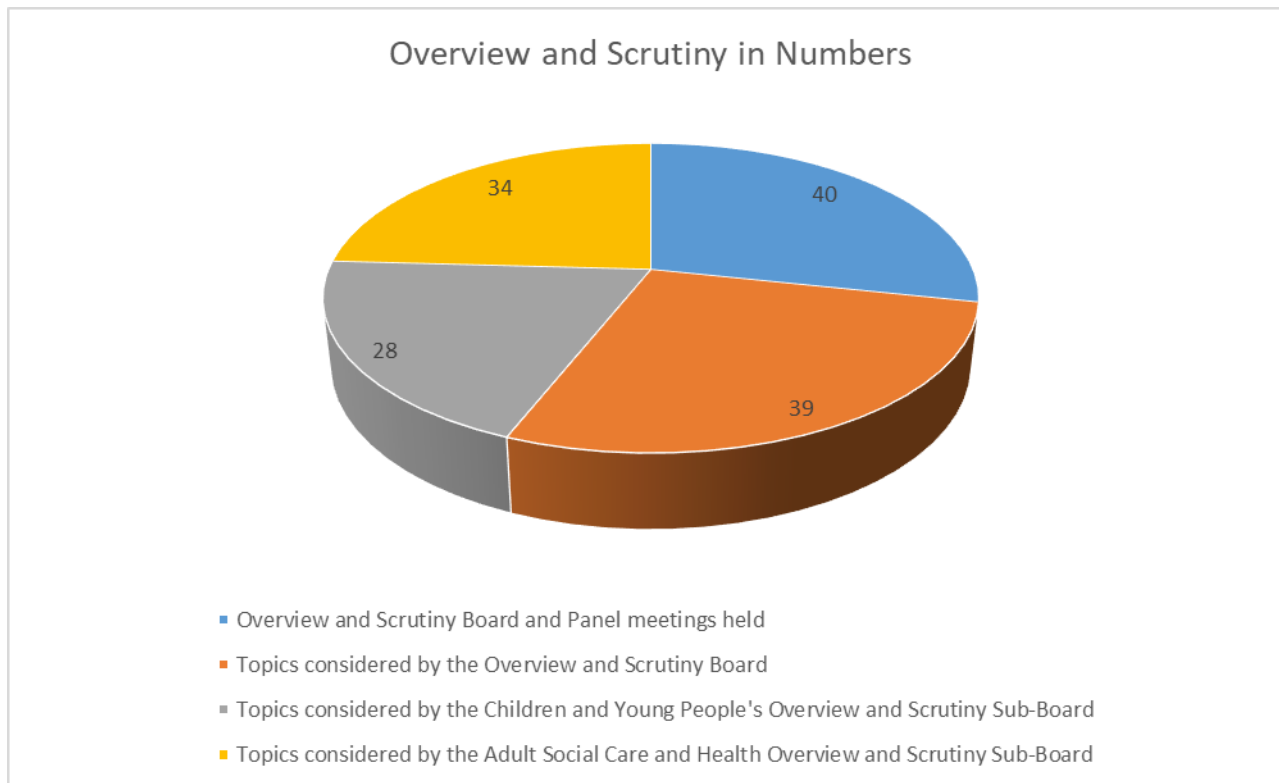
Pre-Briefings and Work Planning

Monthly briefings have enabled better member engagement and more focussed debate at Board meetings, developing key lines of questioning and exploring upcoming items to ensure relevant items are considered at the right time with key attendees invited to contribute towards discussions. They have also monitored implementation of recommendations and received updates on topics to determine if they should be included in the Work Programmes, which freed up capacity for the main Board to focus on delivering its Work Programme. The Forward Plan was also used as a tool to identify key issues for consideration by the Board and Sub-Boards.

Workshops were held during March to develop the draft Work Programmes for the two Sub-Boards for Children and Adults. These were open to all Councillors, Directors and Co-opted Members of the Sub-Boards to enable them to contribute and share ideas on the focus Overview and Scrutiny in 2026/2027. All Councillors and Directors were invited to review and contribute towards the Work Programme for the Main Board for 2026/2027.

3. Overview and Scrutiny in Numbers 2025/2026

Overview and Scrutiny Board and Panel meetings held	40
Topics considered by the Overview and Scrutiny Board	39
Topics considered by the Children and Young People's Overview and Scrutiny Sub-Board	28
Topics considered by the Adult Social Care and Health Overview and Scrutiny Sub-Board	34



4. Snapshot of some of the Key Achievements 2025/2026

Overview and Scrutiny Board

Over the last 12 months Overview and Scrutiny has focussed on delivering its main Work Programme with meetings dedicated to spotlight reviews rather than undertaking longer task and finish groups, except for the annual Priorities and Resources Review Panel which considered the Cabinet's draft Budget Proposals for 2025/2026 and the Local Government Reorganisation Review Panel which undertook a number workshop sessions to help inform the Council's response to Local Government Reorganisation in Devon. Members found that this enabled a greater focus on a single topic with key stakeholders invited to contribute. Quarterly meetings focussed on monitoring the Council's Revenue and Capital Budget and key Performance Indicators which helped to hold decision makers to account for delivery of the budget and Community and Corporate Plan.

Spotlight Review of Water and Flooding

Further to the successful Spotlight Review of Drainage and Flooding in 2024, the Overview and Scrutiny Board held a Spotlight Review on issues of concern regarding water and flooding. The Panel heard evidence from the Regulatory Manager (Water) - Environment Agency, South West Catchment Co-ordinator - Environment Agency, Head of Local Government Affairs – South West Water (SWW), Head of Developer Services – SWW, Operations Manager Waste Water Services – SWW; and Chief Executive Officer -

English Riviera Business Improvement District (ERBID) Company Ltd.). The Review resulted in:

- improved communication and greater public engagement with the Council, residents and South West Water (SWW) on key campaigns to encourage responsible use of water and disposal of fats and oils and other pollutants which can cause blockages to sewers or other environmental hazards;
- improved relationships between the Council and Environment Agency and South West Water and better engagement on key strategic issues e.g. revised Torbay Local Plan;
- raising awareness of the dedicated SWW Council Enquiry email for Councillors and encouraging Councillors to share concerns and raise awareness of any events that may have impacted so that SWW could log, track and respond in a timely manner; and
- encouraging the public to report leaks and use water efficient measures to help reduce the amount of water used by residents.

The full details on this Spotlight Review can be viewed at [Agenda for Overview and Scrutiny Board on Wednesday, 29 October 2025, 5.30 pm.](#)

Full details of the work of the Overview and Scrutiny Board can be viewed at [Committee details - Overview and Scrutiny Board.](#)

Continued to Support Children's Services Improvement Journey

The Children and Young People's Overview and Scrutiny Sub-Board has had a busy year working with and holding to account the Director of Children's Services and Cabinet Member for Children's Services and our key partners across a wide range of topics, including school attendance and exclusions, emotional wellbeing and mental health support and youth justice. The Sub-Board has also contributed towards the Council maintaining a 'Good' Ofsted rating through its questioning and holding decision-makings to account to continuous improvement.

Continued Focus on supporting the most vulnerable children

Members continued to champion additional support to the most vulnerable children throughout Torbay. Having already helped to ensure that free school meals were automatically rolled out to all those entitled to receive them through auto enrolment in Primary and Secondary Schools, the Sub-Board was also instrumental in encouraging this to be rolled out across early years settings, recognising the key benefits of free school meals to a child's learning and development.

Service Changes at the St Margaret's Academy and The Spires College Hearing Impairment Units

Members reviewed the Service Changes at the St Margaret's Academy and The Spires College Hearing Impairment Units following an earlier Councillor call for action and referral of a petition from Full Council. They received evidence from a petitioner, One Devon Integrated Care Board (ICB), National Deaf Society, St Margaret's Academy, The Spires College and Director of Children's Services. The outcomes included providing clearer communication and information to those impacted by the proposal and challenging misconception in the community and parents' understanding regarding the proposal, especially around those children who were not entitled to receive provision through the units. School Leaders were also requested to consider how they deliver sensitive news to parents and families in the future.

More information on this issue can be found at [Agenda for Children and Young People's Overview and Scrutiny Sub-Board on Monday, 2 June 2025, 1.30 pm](#)

Spotlight Review on Education

Members undertook a spotlight review on education which gave them more time to look into education in greater detail and provided useful background which will help Members to develop a greater understanding of issues impacting on education and enable them to take this learning forward into future sessions.

More information on this review can be found at [Agenda for Children and Young People's Overview and Scrutiny Sub-Board on Monday, 9 February 2026, 2.00 pm](#)

Full details of the work of the Children and Young People's Overview and Scrutiny Sub-Board can be viewed at [Browse Meetings - Children and Young People's Overview and Scrutiny Sub-Board](#).

Scrutiny of Adult Social Care and Health

Over the past year, the Adult Social Care and Health Sub-Board has focused on understanding the complexities of Adult Social Care and Health. The Sub Board continued to hold the Torbay and South Devon NHS Foundation Trust to account for the delivery and quality of services at Torbay Hospital and received regular updates.

Developing a case for change for cardiovascular disease, cardiology and cardiac surgery services

Following high levels of concern from Torbay residents, the Sub-Board considered the Integrated Care Board's (ICB) proposals for developing a case for change for cardiovascular disease, cardiology and cardiac surgery services. Members heard evidence from the Medical Director Secondary Care ICB and Medical Director Royal Devon and Exeter Foundation Trust), the Chief Medical Officer from Devon Integrated Care Board (ICB), Healthwatch Torbay and Heart Campaign. The outcomes from the meeting were to highlight the strength of concern from Torbay residents which resulted in the ICB having greater engagement with Councillors, residents and the Heart Campaign as they develop their case and ensuring greater engagement with the Sub-Board on any other significant changes to health care affecting Torbay's residents.

More information on this issue can be found at [Agenda for Adult Social Care and Health Overview and Scrutiny Sub-Board on Wednesday, 6 August 2025, 2.00 pm](#)

Section 75 Agreement for the Integrated Care Model

The Sub-Board considered whether or not it felt that there was a substantial change to service delivery in both health and social care which may result in a 'duty to consult' should the Torbay and South Devon NHS Foundation Trust ("the Trust") decide to serve notice, bringing an end to the Section 75 Agreement for the integrated care model for delivery of community health and adult social care services with Torbay Council and the Integrated Care Board ("ICB"). Members heard evidence from Chief Executive of the Trust, Chief Strategy and Planning Officer of the Trust, Chief Nursing Officer from the ICB, Director of Adults and Communities, Torbay Council and Cabinet Member for Adult and Community Services, Public Health and Inequalities.

The key outcomes from the meeting were that Members felt that the proposal to end the Agreement would amount to a substantial change in both health and adult social care service delivery in the area of Torbay and requested the Trust to delay making a decision until it had carried out a full consultation. The matter was also referred to the Secretary of State for Health and Social Care on the grounds that the proposal constitutes a substantial service change/reconfiguration to health services for the Torbay area, and the Trust has a 'duty to consult' before taking a decision to end the Agreement and the requirement for an impact assessment to inform the decision. The Trust's response confirmed that they do not believe that there is a substantial change to service or requirement to consult but demonstrated a commitment to continued working with the Council and ICB on a way forward.

More information on this issue can be found at [Agenda for Adult Social Care and Health Overview and Scrutiny Sub-Board on Wednesday, 4 February 2026, 3.00 pm](#)

Full details of the work of the Adult Social Care and Health Overview and Scrutiny Sub-Board can be viewed at [Browse meetings - Adult Social Care and Health Overview and Scrutiny Sub-Board](#).

6. Topic List

Overview and Scrutiny Board

- Call-in of the Cabinet's Decision on Brokenbury Solar Farm
- Play Improvement Strategy
- Housing Policies
- Performance Report - Quarter 4 2024-25
- Budget Monitoring 2024/2025 Quarter 4 Outturn
- Update on Planning Service for the Future – Development Management
- SWISCo Annual Report and Business Plan
- Torbay Housing Delivery Plan Annual Review
- Torre Abbey New Beginnings Chapter One
- Local Government Reorganisation in Devon
- Annual Review of Key Performance Indicators for the Special Educational Needs and Disabilities (SEND) Local Area Strategy
- Performance Report 2025/26 - Quarter 1
- Budget Monitoring 2025/26 Quarter 1
- Torquay Town Centre Place Vision
- Report of the Local Government Reorganisation Task and Finish Group
- Overview Report for Safer Torbay (Community Safety Partnership)
- Call-In of Cabinet's Decision on Community Grant Fund - Funding Awards Tranche 1
- Update on Local Government Association Peer Review
- Spotlight Review on Water and Flooding
- Budget Monitoring - Revenue and Capital Quarter 2 2025/2026
- Performance Report 2025/26 – Quarter 2
- Paignton Town Centre Place Vision
- Local Government Reorganisation in Devon

- Brixham Town Centre Place Vision and Torbay Vision
- Update on capital investment to implement the Play Park Improvement Strategy
- Operation Brighter Bay and Town Centres
- Annual Review of the Events Strategy as aligned with Destination Management Plan
- Torbay Economic Development Company - Closure and re-integration into Torbay Council
- Revenue and Capital Budget 2026/2027 - Report of the Overview and Scrutiny Board
- Budget Monitoring - Revenue and Capital Quarter 3 2025/2026
- Performance Report 2025/26 - Quarter 3
- Torre Abbey Business Plan
- Call-In of Cabinet's Decision on Implementation of the English Riviera Beach Standards
- Annual Review of the Council's Climate Change Action Plan
- Social Mobility in Torbay
- Cockington Court
- Review of Memorial Bench Policy
- Overview and Scrutiny Annual Report 2025/2026
- Initial Overview and Scrutiny Work Programme 2026/2027

Children and Young People's Overview and Scrutiny Sub-Board

- Care Experienced, Including Housing for Care Experienced Young People
- Early Years Sufficiency
- Children and Young People's Overview and Scrutiny Sub-Board Work Programme 2025/2026

- Children and Young People's Overview and Scrutiny Sub-Board Action Tracker
- Service Changes at the St Margaret's Academy and The Spires College Hearing Impairment Units
- Torbay Youth Justice Plan 2025-26
- Youth Provision and Physical Activity
- Family First Partnership Programme - 6 Month Update
- Children and Young People's Overview and Scrutiny Sub-Board Action Tracker
- Torbay Safeguarding Children Partnership Annual Report
- Exploitation and Children Missing Update
- Exclusions and Absence
- Children and Young People's Overview and Scrutiny Sub-Board Action Tracker
- Young and Young Adult Carers Update
- Emotional Wellbeing and Mental Health Support for Children and Young People
- Wraparound Programme
- Fostering Annual Report 2024 - 2025
- Children and Young People's Overview and Scrutiny Sub-Board Action Tracker
- NHS Devon - One Devon's Children's Strategic Approach and Action Plan
- NHS One Devon Children and Young People Long Term Conditions
- 0-5s with School Nursing and Family Hubs - Update
- Children and Young People's Overview and Scrutiny Sub-Board Action Tracker
- Spotlight Review on Education
- Special Educational Needs and Disabilities (SEND) Performance
- Child Exploitation and Missing Children Update
- Ofsted Report

- Best Start in life – Torbay's Local Plan
- Children and Young People's Overview and Scrutiny Sub Board Action Tracker

Adult Social Care and Health Overview and Scrutiny Sub-Board

- Update on the Prevent and Modern Slavery Workstream
- Review of Women's Health in Torbay
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- MacMillan Torbay Community Engagement Project
- Draft Adult Social Care Market Position Statement
- Adult Social Care Self-Assessment
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Homelessness and Rough Sleeping Action Plan
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Developing a case for change for cardiovascular disease, cardiology and cardiac surgery services
- Illicit sales of illegal tobacco and vapes
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Healthwatch Annual Report 2025
- Public Health Annual Report 2025/26
- Spotlight Review of Adult Safeguarding
- Annual Review of Building a Brighter Future Programme
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Women's Safety and Domestic Abuse Strategy

- Multiple Complex Needs (MCN) Alliance Review
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Public Health Update on Suicide Prevention and Baton of Hope Torbay
- Public Health Update on Winter Readiness and Year Round Resilience to Adverse Weather and Infections
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Oral Health and Dental Access Update
- Winter Plan
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Section 75 Agreement for the Integrated Care Model with Torbay Council
- Page 206 Torbay and Devon Safeguarding Adult Partnership Annual Report 2024/25
- 206 Care Quality Commission (CQC) Adult Social Care Assessment Report and Improvement/Action Plan
- Overview of the Adult Social Care Market
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker
- Key Public Health Updates
- Men's Health Strategy 2026
- Adult Social Care and Health Overview and Scrutiny Sub-Board Action Tracker

Panels

- Priorities and Resources Review Panel
- Local Government Reorganisation

7. Current and Future Work Programme

The Overview and Scrutiny work programme needs to be flexible in order to address any issues that arise throughout the Municipal Year. A number of new topics were added to the programme during the year and the timing of some of the items was varied to enable key items to be considered in a timely manner.

The Work Programmes for 2026/2027 will be submitted to Overview and Scrutiny Board on 8 April 2026 and then to the subsequent Sub-Boards.

Overview and Scrutiny will continue with its flexible approach to work programming to ensure that it is able to react to issues as they arise and in respect of Task and Finish Review Panels and Spotlight Reviews, which will be subject to available staff resources.

8. Call-in of decisions

The call-in process is one of the mechanisms which can be used to hold the Cabinet to account. The purpose of a call-in is to examine the decisions reached by the Cabinet (or other decision makers) and the reasoning behind those decisions. The process enables further public debate to be held on the subject. The Overview and Scrutiny Board can then consider whether in their view, the decision was appropriate and make recommendations accordingly.

There were three call-ins during 2025/2026.

- Call-In of Cabinet's Decision on Brokenbury Solar Farm – the outcome of the call-in was to refer the decision back to the Cabinet for reconsideration on the grounds that Board considers that there was insufficient evidence available to the Cabinet at the time it made its decision and recommends in reconsidering the decision, that Cabinet receives a detailed business case which sets out all of the risks and mitigations of delivering the solar farm in-house for transparency of the decision. The Cabinet considered the recommendations of the Overview and Scrutiny Board but reconfirmed their original decision – see [\(Public Pack\)Minutes Document for Cabinet, 13/05/2025 17:30 and Cabinet Response to Overview and Scrutiny Recommendations.pdf](#)
- Call-In of Cabinet's Decision on Community Grant Fund - Funding Awards Tranche 1 – the outcome of the call-in was no further action. However, the Board recommended that the Cabinet be recommended to ensure that detailed information on

the applications for Tranche 2 be included in the report, with an Appendix setting out detailed information on the successful applications for Tranche 1 and a process for letting unsuccessful applicants know the outcome. The Cabinet accepted this recommendation and reviewed the process for Tranche 2.

- Call-In of Cabinet's Decision on Implementation of the English Riviera Beach Standards – the outcome of the call-in was no further action but the Cabinet was requested to consider the lessons learned from the call-in of the Cabinet's decision on the implementation of the English Riviera Beach Standards regarding communication and engagement and review their approach to future decisions; and to include the Ocean Conservation Trust in the stakeholder panel. The Overview and Scrutiny Board would then monitor the implementation of the new Beach Standards annually.

9. Councillor Call for Action

Any Member of the Council can ask for Overview and Scrutiny to request officers to prepare a report on a topic for overview and scrutiny. There have been no new Councillor Call for Action requests in the past twelve months. However, Members have identified new topics for inclusion such as a review of the Memorial Bench policy through the Monthly Overview and Scrutiny Briefings.

10. Community involvement

The Overview and Scrutiny Boards and Panels engage with a wide selection of groups, organisations and individuals. We welcome the opportunity to hear from members of the public at our meetings whose input is important in understanding the concerns and needs of our communities. To support this approach and in addition to the statutory education co-opted members the Children and Young People's Overview and Scrutiny Sub-Board includes a number of non-voting co-opted members to provide independent expert advice and help represent the voice of the child and young person.

Representatives from Healthwatch Torbay and the Voluntary Sector Network were also appointed as non-voting co-opted members on the Adult Social Care and Health Overview and Scrutiny Sub-Board to help provide independent expert advice together with relaying a service user perspective.

How to get involved in overview and scrutiny

- **Attend meetings** – our scrutiny meetings are open to the public and you are welcome to come along and listen to the debate and discussion. Please note that reports may be considered in private if they contain confidential information.
- **Ask a question or make a point** – if you would like to make a representation at a meeting, please email governance.support@torbay.gov.uk at least two days before the meeting so that we can let the Chairman know in advance. It is helpful to know what you would like to raise in order for it to be considered at the appropriate time during the discussions.

- **Request a review** – if there is something you think scrutiny could look at, then let us know via governance.support@torbay.gov.uk
- **Consultation and participation** – you could be asked for your views on an issue or be invited to provide specialist knowledge you might have by being a witness in a scrutiny review.

Contact Us

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www.torbay.gov.uk/scrutiny

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TORBAY COUNCIL

Torbay Council Audit Committee Annual Report 2025/26

Introduction

Chair – Audit Committee, Cllr Nigel Penny

I am pleased to present the second Annual Audit Committee Report to the Council. In accordance with Torbay's Constitution, the Council delegates specific oversight responsibilities to the Audit Committee. This report completes the accountability cycle by providing an overview of how the Committee has discharged those responsibilities over the past year. More detailed information is available through the Committee's published agendas, reports, and minutes.

Accountability is delivered through four principal contributors:

1. **Professional Officers**

Officers are responsible for designing, implementing, and monitoring the Council's systems, procedures, and governance arrangements. They act on emerging issues, keep systems updated in response to internal and external developments, and work closely with Members and Partners to ensure effective and resilient operations.

2. **Internal Audit (Devon Assurance Partnership)**

Internal Audit provides assurance through an Annual Audit Plan which examines the Council's governance arrangements and carries out targeted audits and enquiries. These lead to constructive recommendations and follow-up activity. Their work culminates in an *Overall Opinion* which informs the Annual Governance Statement (AGS).

3. **External Audit (Grant Thornton)**

External Audit undertakes the audit of the Statement of Accounts, offering a financial audit opinion, assessing value-for-money arrangements, and reviewing the AGS to ensure it accurately reflects findings arising from the audit of the accounts.

4. **The Audit Committee**

The Committee receives reports from all the above contributors—and from others such as Partner Organisations where appropriate. It provides scrutiny, challenge, and recommendations. The Committee approves the Statement of Accounts alongside the Section 151 Officer and advises the Leader of the Council and the Chief Executive on the signing of the AGS.

Key Matters for the Council's Attention This Year:

1. **External Audit 'Disclaimer' Opinion for 2024/25**

As in the previous year, the Disclaimer Opinion arises primarily from the national backlog in local authority audit opinions, compounded by the additional complexities of implementing IFRS 16 (Leases). Although the 2025/26 draft accounts will be ready for audit by the end of June, the Section 151 Officer, following discussions with Grant Thornton, plans to accept one further Disclaimer Opinion for 2025/26.

The plan anticipates an *Unqualified Opinion* for 2026/27, subject to no unforeseen issues. This is significant as 2026/27 is the penultimate year before Local Government Reorganisation (LGR) vesting day on 1 April 2028. It is essential that Torbay Council hands over accounts and governance arrangements in sound and robust order. The Internal Audit Plan for the coming year therefore includes LGR-related activity.

2. **Annual Governance Statement (AGS)**

The Committee considered the depth and clarity of assurances regarding the effectiveness of governance arrangements. Following amendments, External Audit confirmed that the AGS appropriately reflected their findings, enabling its approval.

It is particularly encouraging that Officers are updating Torbay's Code of Corporate Governance addressing matters previously raised and aligning it with CIPFA/SOLACE guidance. External Audit has requested that the updated Code be applied for the 2025/26 AGS.

3. **'Reasonable Assurance' from Internal Audit (2024/25)**

Internal Audit's Overall Opinion of *Reasonable Assurance* indicates a high level of confidence in the Council's overall risk and control environment, while noting that isolated areas may require targeted improvements.

4. **Other Significant Developments**

At its February 2026 meeting, the Committee considered improved Counter Fraud and Corruption Strategy and Policy documents, and offered strong support for their implementation. Looking ahead, the planned introduction of a formal Risk Appetite framework will significantly strengthen Torbay's risk management approach, placing the Council at the forefront of modern, responsive practice. This will feature prominently in next year's Report.

Closing Remarks

Strong governance relies not only on processes and systems but also on the commitment of staff across the organisation. Torbay Council continues to develop a positive and proactive risk culture moving away from the perception of risk management as something that "happens elsewhere" and towards shared ownership across all services.

I would particularly like to acknowledge the Finance Team for their considerable efforts in helping resolve the audit backlog and the challenges associated with IFRS 16, as recognised by External Audit. Thanks are also due to the teams leading our risk management and counter-fraud work, whose dedication has been vital in strengthening the Council's resilience.

1. Purpose of the Audit Committee Annual Report

1.1 Under CIPFA best practice the Audit Committee should produce an annual report on its performance to Full Council. This report summarises the work of the Audit Committee during 2025/26 and how it has fulfilled its duty. To assess its performance the following key areas have been considered, as aligned to CIPFA best practice:

- Membership and Attendance
- Performance in delivery of its Terms of Reference
- Compliance to the CIPFA Audit Committee Position Statement
- Compliance to CIPFA Audit Committee Best Practice Self-Assessment
- Assessment of Skills and Knowledge
- Training and Development

2. Governance

2.1 The Chartered Institute for Public Finance and Accountancy (CIPFA) describes the overall aim of good governance as:

'To ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities'

CIPFA Delivering Good Governance in Local Government Framework 2016 Edition
(the Good Governance Framework)

2.2 Good governance is ultimately the responsibility of Full Council as the governing body of Torbay Council. This report provides assurance to the way in which the Audit Committee has discharged its role to support the Full Council in this responsibility.

3. Role of the Audit Committee

3.1 The Audit Committee is a key component of the Council's governance framework. Its purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The committee's role in ensuring that there is sufficient assurance over governance risk and control gives greater confidence to all those charged with governance that those arrangements are effective. The Audit Committee has oversight of both internal and external audit together with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.

3.2 The Audit Committee is directly accountable to Full Council. It is independent of both the cabinet and the scrutiny functions and is a key advisory committee providing independent oversight, recommendations, opinions and influence on the matters for which it is responsible. To assist the Audit Committee in fulfilling its role, it has a right of access to and is expected to engage constructively with other committees and functions, for example scrutiny committee, corporate risk management groups/boards where they exist and other strategic groups. The Audit Committee also has the right to request reports and seek assurances from relevant officers.

3.3 The Audit Committee is governed by its terms of reference that shall be reviewed by Full Council on the advice of the committee to ensure that they remain fit for purpose and in accordance with any relevant regulations and guidance. Any revisions will be

agreed by the Full Council and by the Audit Committee. The current Audit Committee Terms of Reference were approved by Full Council on 15 May 2025 and are based on CIPFA's recommended Audit Committee Terms of Reference.

Audit Committee Membership

3.4 Membership

Number of Members	6 elected members and 1 Independent Person
Substitute Members Permitted	Yes
Political Balance Rules apply	Yes
Appointments	Appointments to the Committee are made annually by Council.
Restrictions on Membership	Cabinet members may not be a member of this Committee
Restrictions on Chair/Vice-Chair	None
Quorum	3
Number of ordinary meetings per Council Year	At least 4 per year

3.5 During 2025/26 there was a Conservative vacancy on the committee following notification that a Member of the Conservative Group wished to be known as an Independent Councillor. The vacancy was covered by a substitute for two meetings during the year.

4. How the Audit Committee has discharged responsibilities against its Terms of reference

4.1 Governance, risk and control

Governance, risk and control	Frequency
To review the council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance	P
To monitor the effective development and operation of risk management in the council.	P
To monitor progress in addressing risk-related issues reported to the committee.	P
To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.	P
To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code	A
To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.	A

To review the assessment of fraud risks and potential harm to the council from fraud and corruption. A

To monitor the counter fraud strategy, actions and resources P

To review the governance and assurance arrangements for significant partnerships or collaborations P

P=Periodically, Q=Quarterly, A=Annually

The Audit Committee received a number of reports throughout 2025/26 to help inform how governance is operating within the Council and to provide an insight to how well risk management and internal control is operating. Key information presented to the committee included:

Regular Risk Management Reports/Updates

4.2 The Audit Committee has received regular reports on risk management. Effective risk management can have a major impact on the successful achievement of the objectives, policies, and strategies of the authority. The Account and Audit Regulations 2015 require the Council to have in place effective arrangements for the management of risk.

4.3 The Audit Committee has challenged officers around the level of engagement on risk management and requested that reports that the Audit Committee receive were amended to include additional information to assist in their oversight with how effectiveness the management of risks is within the Council.

4.4 The Audit Committee has had sight of the work undertaken by directors to develop risk appetite statements. The newly adopted risk appetite statements have been incorporated into the Council's decision-making framework enabling Members and Officers to make informed decisions. Future risk reports will include information that show if risks were out of tolerance so Directors and Members could ensure appropriate action was taken to respond accordingly.

4.5 The risk management reports have been developed and the committee receive an update on the risk registers and the risk position in respect of the wholly owned subsidiary (SWISCo). This enhances the management effectiveness of risk management which the committee have oversight of.

Financial Management Code Compliance

4.6 The audit committee plan to undertake this piece of work in 2025/26

Review of Councils counter fraud and corruption arrangements

4.7 Anti-fraud and corruption work forms an important part of our corporate governance and internal control framework. A number of reports are scheduled as part of audit committee work with the following reports being considered by audit committee during 2025/26:

- **Counter Fraud and Error Update – 2024/25** – report on counter fraud activity undertaken in 2024/25
- **Counter Fraud and Error – 6 month Update** - an update on counter fraud activity for the first 6 months of 2025/26, including progress against the 2025/26 Counter Fraud Plan
- **Counter Fraud and Corruption Policy and Strategy** – an update of the Policy and the introduction and implementation of a Counter Fraud and Corruption Policy.

5. Financial and governance reporting

Financial and governance reporting	Frequency
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Governance reporting

To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.	A
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To consider whether the annual evaluation for the AGS fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.	A
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Financial reporting	Frequency
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To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.	A
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To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.	A
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Financial and governance reporting	Frequency
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To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.	A
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P=Periodically, Q=Quarterly, A=Annually

Presentation of financial accounts & External Auditors Reports

- 5.1 The Accounts and Audit Regulations 2015, as amended by the Accounts and Audit (amendment) Regulations 2022 states that, as part of the formal process of closing the accounts, the Chief Financial Officer is required to approve the draft statement of accounts by the 30th June. As part of the Audit Committees role in signing off the annual accounts is to examine the report from External audit on any matters arising through their work on the accounts. The Audit Committee has reviewed and commented on all external audit finding reports relating as well as commenting on the financial accounts.

6. Arrangements for audit & assurance – External Audit

External audit	Frequency
To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.	P
To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.	A
To consider specific reports as agreed with the external auditor.	P
To comment on the scope and depth of external audit work and to ensure it gives value for money.	A
To consider additional commissions of work from external audit.	P
To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.	P
To provide free and unfettered access to the Audit Committee chair for the auditors, including the opportunity for a private meeting with the committee.	A

- 6.1 The committee plays a significant role in overseeing the Council's relationship with its external auditors and takes an active role in reviewing the external audit plan, progress reports and annual report setting out external audit findings and the value for money review/conclusion. Grant Thornton UK LLP is the Council's current appointed auditor, appointed through the public sector audit appointment (PSAA) process.

7. Arrangements for audit & assurance – Internal Audit

Internal audit	Frequency
To approve the internal audit charter	A
To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.	P
To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.	A

To approve significant interim changes to the risk-based internal audit plan and resource requirements.	P
To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations	P
To consider any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments	P
To consider reports from the head of internal audit on internal audit's performance during the year	P
To consider the head of internal audit's annual report	A
To consider summaries of specific internal audit reports as requested	P
To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.	P
To contribute to the Quality Assurance and Improvement Plan (QAIP) and in particular to the external quality assessment of internal audit that takes place at least once every five years	P
To consider a report on the effectiveness of internal audit to support the AGS where required to do so by the accounts and audit regulations	A
To provide free and unfettered access to the Audit Committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.	P

P=Periodically, Q=Quarterly, A=Annually

Internal audit services are provided by Devon Assurance Partnership which is a shared service arrangement between Devon County Council, Torbay Council, Plymouth City Council, Mid Devon District Council, Torridge District Council, North Devon District Council and Devon and Somerset Fire and Rescue Authority.

The partnership has a management board made up of representatives from the partner members and a single Head of Partnership who fulfils the role of Chief Internal Auditor for each of the authorities.

The partnership is governed as a joint committee under Section 20 of the Local Government Act 2000. The joint committee has Members from each of the Councils, supported by a management board comprising the Directors of Finance (Section 151 Officers).

Internal Audit Charter & Approval of the Risk Based Audit plan

7.1 The Audit Committee received the internal audit plan and charter and the committee feed in their views on areas of potential risk and assurance that should be considered. The audit plan was pulled together through collaboration with key stakeholders to ensure that the widest view on risk and assurance requirements was taken into account.

7.2 Annual Internal Audit Opinion Report

The Annual Internal Audit Opinion Report summarises the work of internal audit to provide an 'independent' view from the Head of Internal Audit on how well governance, risk management and internal control is operating within the authority. The report is based on the work undertaken by Internal Audit, but can draw on other sources of assurance where appropriate.

Progress Update Reports & Significant Internal Audit Findings

7.3 Internal audit provided regular update reports to the Audit Committee on performance against the internal audit plan, highlighting areas of significant governance, risk or control weaknesses identified through their work. These update reports included the summary of key findings where weaknesses were identified. As part of the internal audit process, agreed management actions are captured for addressing weaknesses and these are monitored through

There were no issues raised around scope limitations through the work of internal audit during 2025/26 nor were there any areas where management chose to 'accept' the level of risk being highlight by internal audit through their work.

Also, to maintain independence and objectivity the head of audit does not undertake additional roles or responsibilities.

Quality Assurance and Improvement Plan (QAIP) and the External Quality Assessment (EQA)

7.4 DAP's EQA was last performed 2024/25 and is required to be undertaken every 5 years by the Public Sector Internal Auditing Standards (PSIAS). From 1st April 2025 PSIAS has been replaced with GIAS (Global Internal Auditing Standards). The partnership was externally assessed and re-awarded the accreditation in November 2024 and therefore next accreditation will be due in Nov 2029.

7.5 The partnership has a QAIP which sets the high level strategic aims of the partnership and was updated in May 2025. It covers the following areas and identifies the risks associated with each area:

People

Quality

Growth & Sustainability

Liaison with Chair and Vice Chair of the Audit Committee

7.6 Officers and external partners such as Grant Thornton and Devon Assurance Partnership are continually liaising with Chair and Vice Chair of the committee. Ad-hoc meetings are set up by officers as required if any urgent issues arise.

8. Audit Committee Accountability Arrangements

Accountability arrangements	Frequency
To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions	A
To report to Full Council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.	A
To publish an annual report on the work of the committee, including a conclusion on the compliance with the CIPFA Position Statement.	A

P=Periodically, Q=Quarterly, A=Annually

The Annual Governance Statement is a statutory document which explains the processes and procedures in place to enable the council to carry out its functions effectively. The AGS is produced following a review of the council's governance arrangements and includes an action plan to address any significant governance issues identified. A key role of the Audit Committee is to ensure that the annual governance statement is an accurate assessment of governance, risk management and internal control operating in the authority drawing on information the committee has received and contains an action plan on areas for improvement.

Audit Committee Annual Report to Full Council

8.1 This document constitutes the annual report to Full Council providing an overview of the work undertaken by the Audit Committee to comply with its terms of reference. This report highlights information received by the Audit Committee in discharging its delegated responsibility for oversight for governance, risk management and internal control.

CIPFA Self-Assessment of Good Practice

8.2 The 2022 CIPFA Audit Committee Guidance provides a framework for assessing the Audit Committee against good practice. Where an Audit Committee has a high degree of performance against the good practice principles, it is an indicator that the committee is soundly based and has in place a knowledgeable membership. These are the essential factors in developing an effective Audit Committee. A regular self-assessment should be used to support the planning of the Audit Committee work programme and training plans. It will also inform this annual report.

A workshop was held in September 2024, this was co-ordinated by the Head of Devon Assurance Partnership. The outcome of the workshop was presented to the November 2024 meeting of the Audit Committee, the link below:

[Audit Committee Self Assessment CIPFA Guidance 2024-25.pdf](#)

An action plan to address the areas of improvement identified in the self-assessment was presented to the May 2025 audit committee meeting which detailed timescales for delivery.

8.3 Conclusion on Compliance to CIPFA Audit Committee Position Statement 2022

A review has been undertaken against the CIPFA Audit Committee Position Statement. Whilst the Audit Committee generally complies with the CIPFA Position Statement, there are some areas for work for full compliance. The committee will continue with training and development in 2026/27 to ensure compliance with the position statement. The 2026/27 annual report will provide an update on this area.

9. Annual Approvals

Annual Approvals	Frequency
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Approve the annual accounts of the Council and the Annual Governance Statement.	A
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P=Periodically, Q=Quarterly, A=Annually

10. Additional Areas for Committee work: Treasury Management

Treasury Management	Frequency
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Provide an overview role in Treasury Management matters including regular monitoring of treasury activity and practices.	P
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Review and recommend the Non-Treasury Management Investment Strategy, Capital Strategy, MRP Strategy, and any appropriate Prudential Indicators to Council.	P
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Treasury Management Practices (TMPs)

10.1 The TMP is a detailed document setting out how day to day treasury activity is undertaken by the council and is part of the suit of governance documents controlling the Council's Treasury Management activity. It is a requirement of the CIPFA code on treasury management for the council to prepare and maintain TMPs and should be a 'living document' that should be review and updated as necessary.

Treasury Management Strategy 2026/27

10.2 The Audit Committee received the Treasury Management Strategy report that brought the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management in the Public Services Code of Practice Revised 2021 Edition (CIPFA TM Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities: Revised 2021 Edition (CIPFA Prudential Code) together. The Audit Committee reviewed the report and recommended it for formal approval at Cabinet and Full Council.

Outcome of Skills Survey against CIPFA key knowledge areas.

11. Members of the Audit Committee were surveyed during 2024/25 against the CIPFA Audit Committee members knowledge and skills framework. This information was used to help inform knowledge gaps to address through the appointment of independent members and inform future training & development requirements. A number of questions were asked under each knowledge area for members to consider their understanding as 'good knowledge', 'some knowledge' or 'no knowledge'.

Training and Development

12. The current Audit Committee membership has had the following internal training sessions/workshops made available:

- January 2026 – Statement of Accounts training
- February 2026 - Internal Audit Plan and Risk Framework/Management
- March 2026 – Risk Appetite Workshop

In addition to these training sessions/workshops the External Auditors also provide sector updates to ensure the Audit Committee is kept up to date on relevant matters.

12.1 A number of external training sessions/webinars were also made available to the Chair and vice-chair of the committee with other committee members invited to attend.

- September 2025 – Devon Assurance Partnership Conference
- October 2025 – PSAA's consultation on audit fee scale and CIPFA/LASAAC's consultation on the 2026/27 Code of Practice on Local Authority Financial Reporting in the UK
- February 2026 – Grant Thornton Webinar: After the backstop

As part of the Audit Committee self-assessment work, a training plan has been developed and delivery will continue throughout 2026/27 to ensure that the committee members have the required skills and knowledge.

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**Officer Scheme of Delegation
Urgent decisions taken by the Chief Executive**

Paragraph 1.20 of Schedule 6 to Part 3 (Responsibility of Functions) of the Council’s Constitution

Report to the Adjourned Annual Meeting of the Council to be held on 14 May 2026

The Officer Scheme of Delegation states that the Chief Executive may take an urgent decision in relation to an council function (in consultation with the relevant member) if he/she considers it to be in the best interests of the Council or the inhabitants of the Borough and where he/she does not consider it reasonably practicable to convene a meeting of the Council.

A report detailing the action taken in accordance with the Officer Scheme of Delegation must be submitted to the Council. The table below sets out the details of the action taken:

Matter for decision	Decision taken by	Decision and Alternative Options Considered	Reasons for urgency	Date of decision
Gadeon House, Grenadier Road, Exeter, EX1 3UT	Chief Executive	Decision: 1) That the Council make available up to £7.5m of prudential borrowing to be fully funded by the Royal Devon University Healthcare NHS Foundation Trust across the lease term for ‘fitting out works’ at Gadeon House, Grenadier Road, Exeter; 2) The Council agrees to grant a lease to Royal Devon University Healthcare NHS Foundation Trust for a term of 25 years; and 3) The Council will appoint Devon Contractors as required by Royal Devon University Healthcare NHS Foundation Trust NHS to facilitate the building contract fit-out works via a direct award under the Procurement Act 2023 (PA23) Schedule 5 13(a). To mitigate any procurement risk, and ensure that the requirements of PA23 are met, the Council	The Royal Devon University Healthcare NHS Foundation Trust required agreement by 31 March 2026, enabling them to manage the cash flow of available funds, failure to lease the available space would have resulted in the loss of a secure, long-term tenant in a key Council Investment asset that had been vacant for over two years	24 March 2026

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Agenda Item 16

		<p>will publish a UK5 Transparency Notice prior to award of contract via a UK6 Contract Award Notice which will be followed by a mandatory 8-day standstill period.</p> <p>Alternative Options Considered:</p> <p>The office accommodation had been openly marketed following vacant possession over two years ago. The Royal Devon University Healthcare NHS Foundation Trust had expressed an interest in leasing the available space at Gadeon House at market value, but due to the intended use, had asked the Council to provide a financial contribution in order for fit out works to be undertaken. Without the availability of the prudential borrowing, it was highly unlikely the lease would be taken up.</p> <p>Record of Decision sets out further information: <u>Decision - Gadeon House, Grenadier Road, Exeter, EX1 3UT (Urgent Council Decision)</u></p>		
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**Standing Order D11 (in relation to Overview and Scrutiny) – Call-in and Urgency
Adjourned Annual Council Meeting, 14 May 2026**

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

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

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

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

The table below sets out this information:

Matter for decision	Decision-taker	Reasons for urgency	Consultation
Disposal of Land at Edginswell, Orchard Way, Torquya	The Cabinet	<p>The Cabinet took a decision, at its meeting held on 30 March 2026, in order to dispose of land at Edginswell, Orchard Way, Torquay to the Torbay and South Devon NHS Foundation Trust.</p> <p>The decision taken by the Cabinet needed to be implemented immediately as any delay likely to be caused by the call-in process would prejudice the Council and Public’s interests.</p>	The Overview and Scrutiny Co-ordinator was consulted on 25 March 2025.

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