

Friday, 2 May 2025

CABINET

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

Tuesday, 13 May 2025

commencing at **5.30 pm**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor David Thomas (Chairman)

Councillor Billings

Councillor Jacqueline Thomas

Councillor Bye

Councillor Tranter

Councillor Chris Lewis

Councillor Tyerman

A Healthy, Happy and Prosperous Torbay

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

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

CABINET AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes

To confirm as a correct record the Minutes of the meeting of the Cabinet held on 15 April 2025.

(Pages 5 - 10)

3. Disclosure of Interests

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

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

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

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

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

4. Urgent Items

To consider any other items the Chairman decides are urgent.

5. Matters for Consideration

6. Formation of a Social Housing Delivery Programme for Torbay and Associated Financing Proposal

To consider a report on the above.

(Pages 11 - 46)

7. Housing Policies

To consider a report on various housing policies that would provide a robust governance framework around the management of the Councils housing stock following the transfer of housing from TorVista Homes to Torbay Council.

(Pages 47 - 158)

8. **Torbay Council Food Action Plan** (Pages 159 - 182)
To consider a report on the Torbay Food Action Plan which aims to support the delivery of the Torbay Food Strategy.
9. **Update on Domestic Abuse Safe Accommodation Needs Assessment Refresh - Report of the Overview and Scrutiny Board** (Pages 183 - 190)
To respond to the recommendations of the Overview and Scrutiny Board.
10. **Plan for Neighbourhoods** (Pages 191 - 212)
To consider a report that seeks to ratify Torbay Council's partnership with the Torquay Place Leadership Board.
11. **Joint Recommissioning of the Local Healthwatch Contract** (Pages 213 - 218)
To consider a report that seeks approval for the procurement and subsequent award of a contract for local Healthwatch, the independent health and social care consumer voice organisation.

Live Streaming and Hybrid Arrangements

To encourage more people to engage in our public meetings the Council is live streaming our Cabinet 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>.

We are also using hybrid meeting arrangements to enable officers and Councillors who are not members of the Cabinet to either attend the meeting in person or to attend the meeting remotely via Zoom. Anyone attending the meeting remotely must use their raise hand function when they wish to speak and to declare any interests at the appropriate time. If anyone attending the meeting remotely loses connection the meeting will continue and they will have the option to follow the meeting via the YouTube live stream.

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Minutes of the Cabinet

15 April 2025

-: Present :-

Councillor David Thomas (Chairman)

Councillors Billings, Bye, Chris Lewis, Tranter and Tyerman

(Also in attendance: Councillors Jacqueline Thomas, Bryant, Carter, Cowell, Douglas-Dunbar, Johns, Barbara Lewis, Long, Stevens and Twelves)

112. Apologies

An apology for absence from the physical meeting room was given by Councillor Jackie Thomas, however Councillor Jackie Thomas was present in the virtual meeting room from where she could contribute to the meeting but was not part of the decision making process.

113. Minutes

The Minutes of the meeting of the Cabinet held on 18 March 2025 were confirmed as a correct record and signed by the Chairman.

114. Disclosure of Interests

No interests were declared.

115. Matters for Consideration

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

116. Brokenbury Solar Farm

117. Torbay Inclusion Strategy

Chairman

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Record of Decisions

Brokenbury Solar Farm

Decision Taker

Cabinet on 15 April 2025

Decision

1. That Cabinet recommends to Council:

That the following decision of Council made on 18 July 2024 be rescinded:

‘that up to £2,750,000 of prudential borrowing be approved subject to securing a unit rate per MWh that exceeds the loan repayments, covers projected maintenance and other operational and equipment replacement costs and provides an appropriate surplus per annum over the life of the scheme commensurate with level of risk.’

2. That the following decision of Cabinet made on 11 June 2024 be rescinded:

‘that the Chief Executive in consultation with the Leader of the Council, Finance Director and Cabinet Member for Finance should review and agree the final business plan after the EPC tender and Power Purchase Agreement (PPA) stage are complete and subject to that agreement is then authorised to agree and finalise the detailed terms and enter into contract with South West Water (SWW) or another purchaser of the electricity.’; and

3. That subject to 2. above authority be delegated to the Director of Finance, in consultation with the Cabinet Member for Place Development and Economic Growth, to agree and finalise the detailed lease terms, in line with an independent market valuation, and enter into a long lease for the land edged red as set out in Appendix 1 to the submitted report.

Reason for the Decision

The delivery of a solar farm would reduce carbon emissions within Torbay in line with the Councils Energy and Climate Change Strategy. The solar farm would provide renewable energy to a SWW water treatment plant at Galmpton. The water treatment plant serves Torbay residents.

Furthermore, by leasing its land the Council would benefit from a capital receipt at the outset, equivalent to the costs incurred to date in obtaining planning consent. In addition, an annual market rent would be paid to the Council by the Pennon Group in accordance with the lease terms over a maximum 40 year period.

Implementation

The decision in respect of 1. will be considered at the Adjourned Annual Council meeting on 15 May 2025. The decision in respect of 2. and 3. will come into force and may be implemented on 29 April 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

On 11 June 2024 Cabinet approved funding for a solar farm at Brokenbury. Planning consent had been obtained for a 2MWp solar farm. The consent had been granted for a 3-year time period whereby work must have been started (but not completed). In more recent discussions SWW, through its parent company Pennon Group had introduced an alternative approach to delivery. Rather than the Council deliver the solar farm and then provide renewable energy at an agreed rate, it was now proposed that the land at Brokenbury was leased to Pennon/SWW which would allow them to build out the solar farm. Pennon would be responsible for constructing the solar farm. There would be no build costs for the Council and no need for a PPA. This reduced the need for the Council to borrow money and finance the construction and removed any risks with delivering the solar farm and providing power to the end user.

The revised proposed delivery model still delivered the objectives of the original proposal but transferred the construction and management of the solar farm to the end user. This allowed the end user to ensure that it met their own requirements and specification.

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

Alternative Options considered and rejected at the time of the decision

The PPA option involved delivering the solar farm directly and providing guaranteed power to the end user. This option posed a greater obligation on the Council when compared to the lease option.

As an alternative to the PPA option, the land could be leased to Pennon. Pennon would then be responsible for funding and carrying out the construction work. Torbay Council would receive an annual market rent for the period of the lease.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

17 April 2025

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

Date: 17 April 2025

Record of Decisions

Torbay Inclusion Strategy

Decision Taker

Cabinet on 15 April 2025

Decision

That Cabinet recommends to Council:

1. that the list of Policy Framework documents set out in Torbay Council's Constitution be updated to include the Inclusion Strategy for Torbay for 2025 - 2030 and that the Strategy be approved; and
2. subject to 1. above, the Inclusion Strategy for Torbay for 2025 – 2030 action plan as set out in Appendix 2 to the submitted report be approved.

Reason for the Decision

Under our Public Sector Equality Duty, the Council must publish one or more equality objectives every four years. The Inclusion Strategy aims to holistically bring together the Council's work on inclusion and its equality objectives into one overarching document to support the Council to meet its Public Sector Equality Duty.

Implementation

The decision in respect of 1. above will be considered at the Adjourned Annual Council meeting on 15 May 2025. The decision in respect of 2. above will come into force and may be implemented on 29 April 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Under the Equality Act the Council was subject to the Public Sector Equality Duty which meant that the Council needed to give 'due regard' to equality. The General Duty required the Council to:

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

In August 2021, the Council set its equality objectives. The Council had subsequently refreshed its equality objectives which would sit within the Inclusion Strategy. The Council had taken steps to promote inclusion, however, the Council was aware that further work was needed to fully mainstream inclusion across the Council and was fully committed to doing so. The proposed equality objectives aimed to support the Council to continue this work in a meaningful and impactful manner. The equality objectives would be delivered through a mixture of business-as-usual activities and specific activity included within the Inclusion Action Plan.

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

Alternative Options considered and rejected at the time of the decision

An alternative option would be to not progress with an Inclusion Strategy or publish refreshed equality objectives.

This was not deemed to be a suitable option. The Council had a legal obligation to publish equality objectives. Under the Public Sector Equality Duty, it was important that the Council promoted and fully embedded inclusion. A strategic and joined up approach would help to achieve this.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

17 April 2025

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

Date: 17 April 2025

Meeting: Cabinet & Council

Date: 13 and 15 May 2025

Wards affected: All

Report Title: Formation of a social housing delivery programme for Torbay and associated financing proposal

When does the decision need to be implemented? Following approval by Council

Cabinet Member Contact Details: Councillor Alan Tyerman, Cabinet Member for Housing & Finance, alan.tyerman@torbay.gov.uk

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

1. Purpose of Report

- 1.1. The purpose of the report is to request funding to accelerate and extend the Accommodation Repurposing Programme to deliver up to 75 Affordable housing units per year over a 5 year programme.
- 1.2. The Torbay Housing Delivery Plan, finalised in August 2024, (and provided at Appendix 1) included the establishment of an Accommodation Repurposing Project targeted to deliver 14 to 36 new homes for social rent within 3-years and in excess of 50 such homes within 5-years.
- 1.3. The Head of Strategic Housing & Delivery brought a paper to Cabinet in September 2024, seeking approval to acquire and enter purchase contracts for the delivery of social housing at the former Brampton Court Hotel, Torquay (then referred to as 'Scheme 1'). The timing of this transaction and the associated governance took place relatively soon after the General Election, which resulted in a temporary pause in allocations of social housing grant from Homes England, whilst the government established their immediate delivery priorities. Whilst there was a degree of confidence about the ability to fund the specific first scheme, it was not possible at that time to accurately predict the wider opportunities for an expanded programme. It should also be noted that a second site has now been secured for redevelopment at the former Seabury Hotel, Torquay, with officers currently working to establish the most viable form of delivery for the site.
- 1.4. The September 2024 decision instructed the Head of Strategic Housing & Delivery to bring a further report back to cabinet at such time as there was sufficient confidence about Torbay Council's ability to fund a long term scheme.
- 1.5. An increased and extended social housing grant programme has now been published by government, With the funding now secured for Brampton Court (and greater understanding

on the likely future requirements to secure grant in the coming years) it is now possible to progress decision making for a long term scheme.

- 1.6. The Housing Delivery Team have designed a programme and funding proposal that can sustainably deliver a large number of homes on brownfield sites to help contribute to the requirements of the emerging Torbay Local Plan and the increased housing target that has been given to the Local Planning Authority. The paper outlines a proposal for £20m of ring-fenced prudential borrowing, specifically to deliver this programme as set out in the paper.
- 1.7. Projects will be submitted to Cabinet to approve Full Business Cases.

2. Reason for Proposal and its benefits

- 2.1. In the early 2000s, the Torbay area regularly delivered an average of 100-180 new affordable homes per annum, reaching a peak in 2013/14 of 273 new affordable homes. Since then, delivery has dropped significantly; average annual delivery over the last 5 years has been just 31 homes (data extracted from MHCLG Live Table 1008C). This is against a backdrop of high (and growing) need for homes by local households registered with Devon Home Choice.
- 2.2. In light of this, a Housing Delivery Plan has been created to bring forward opportunities over the next five years, both for direct council delivery and delivery through partners. One of the direct interventions identified is the innovative Accommodation Repurposing Project, incorporating schemes designated under title of 'Hotels to Homes'. This is designed to respond to Torbay's characteristics of having large numbers of small urban brown-field sites many of which are unviable leisure and holiday accommodation such as former hotels, bed & breakfasts, and guest houses. Through this initiative, such properties will be purchased by the Council and converted into new homes.
- 2.3. The Council is not the only organisation exploring the re-use of such sites for housing. However, when brought forward by private sector developers, they typically provide few – if any – affordable homes. The current affordable requirement for brown-field sites is only 20% and because many sites are capable of delivering fewer than 15 dwellings, which is below the current Local Plan's threshold for requiring affordable housing, many schemes deliver no affordable units at all.
- 2.4. Feedback from the Tourism Industry indicates that a growing number of small hotels, guest houses and other types of holiday accommodation are experiencing a decline in trade and are no longer viable as going concerns. The number of owners seeking to exit the market is growing and the availability of accommodation for repurposing has become more evident over the last year. It is felt that the repurposing project could make a greater contribution to meeting Torbay's Housing Need and a more ambitious target of bringing forward schemes to create up to 75 units of accommodation per year should be set. It is anticipated that the request for £20m of capital borrowing in this report would be sufficient to support the schemes at both the former Brampton Court and Seabury Hotels, provide additional financial capacity to secure and work up the next tranche of sites.

- 2.5. Government has asked all local authorities to accelerate house building throughout the United Kingdom. An increase to delivery numbers in the Accommodation Repurposing Scheme will help Torbay towards meeting that requirement. Furthermore, the Council intends to commit to this level of self-delivery through the emerging Torbay Local Plan, as a way of demonstrating how it will achieve its mandatory planning targets and kick-start the local construction sector. With the Local Plan including this as part of the delivery trajectory for housing (and specifically affordable housing), clearly it is necessary to ensure there is appropriate capital funding in place to meet this obligation.

3. Recommendation(s) / Proposed Decision

Recommendations for Cabinet:

1. That Cabinet notes that the existing total amount of Capital Grant Funding to support the project is £5 million, comprising £3 million from The Levelling Up Partnership and £2 million from The Devon and Torbay Devolution Deal, and notes that this grant funding will be used for both interim funding of schemes before Business Cases are finalised, and for part funding of completed schemes.
2. That Cabinet approves the principle of the funding model for the Accommodation Repurposing Project, namely that each scheme is funded by a combination of Homes England grant, an appropriate level of supported prudential borrowing, with any residual funding requirement made up from monies already received from the Levelling-Up Partnership, the Devon and Torbay Devolution Deal (or any other relevant affordable housing subsidy available to Torbay Council at the time).
3. That Cabinet approves the stated ambition to build a programme that is able to deliver an average of 75 units per year (over the coming years) through the Accommodation Repurposing Project and that the Director of Pride in Place be instructed to develop further schemes and present final business cases for approval to Cabinet.
4. That, subject to Full Council approving the £20 million prudential borrowing, that further schemes are developed with Full Business Case presented to Cabinet for approval.
5. That Cabinet requests that Head of Strategic Housing & Delivery prepare an annual report for Cabinet demonstrating progress against the project.

Recommendations to Council:

6. That £20 million of prudential borrowing be approved to part fund individual schemes within the Accommodation Repurposing Programme, subject to repayment of borrowing being supported by rental income from the schemes after deduction of projected management and operating costs and appropriate allowances for future maintenance cost of the properties (taking account of any grant funding that may be available for the individual site

4. Appendices

- Appendix 1 - Torbay Housing Delivery Plan
- Appendix 2 – Template Social Housing capital finance proposal

5. Background Documents

- None

6. Introduction

- 6.1. The Accommodation Repurposing Programme involves the acquisition and conversion of former hotels and other redundant sites and buildings into new, high-quality housing for social rent. Although the main focus is expected to be to acquire sites formerly used as holiday accommodation, the project is not restricted to this former use type and may therefore include redundant sites formerly used for other purposes. Alongside the benefit of increasing housing supply, an additional benefit is that this will help prevent such sites entering a state of dereliction, as well as helping to prevent anti-social behaviour, and avoiding the plethora of public health issues associated with sites in disrepair.
- 6.2. The Council's ambition is to prove that our innovative delivery model can be a viable vehicle to increase the level of affordable housing and stimulate neighbourhood renewal and regeneration. Long-term, there is also an aspiration to stimulate the private and Registered Provider sectors to move into this space by demonstrating the positive outcomes that can be achieved. To achieve this, however, the Council will need to step in to 'prove the market', create commercial interest and demonstrate how the process can provide a source of suitable development land.
- 6.3. The Council has secured £3m of capital grant from the Levelling Up Partnership to use for this purpose, alongside a revenue allocation of £0.250m. This has been supplemented by securing £2m of funding through the Devon and Torbay Devolution Deal. The Accommodation Repurposing Project and its funding model have been designed to secure as much benefit in terms of number of units created as possible from the level of Grant available and this has resulted in the blending of available funding streams.
- 6.4. Schemes eligible for inclusion under the Accommodation Repurposing Project will be utilising sites recognised as brownfield sites and will always be for affordable housing. Most schemes are likely to be for general needs social rent but schemes for care leavers, older persons, people working in key employment industries and other restricted groups may be included where there is a demonstrable need and strategic imperative to intervene to help the cohort in question. Schemes will provide accommodation to match local housing needs but may also be influenced by factors such as site location, ease of access, availability of local facilities, transport links and other site specific factors when determining the type, size and scale of accommodation to develop in each location.
- 6.5. It is anticipated that schemes will generally enable between 6 and 25 units of accommodation to be delivered per site. No fixed upper or lower limit on size will exist for

schemes. It is anticipated that most schemes will take place on sites when an existing business/use has ceased trading or operating but sites where it can be assessed that a trading business is and is likely to remain not financially viable will be considered for inclusion as schemes within the project. In such situations information demonstrating of lack of viability will be included in any scheme submitted for approval to the Director of Finance and Cabinet Member for Housing & Finance.

- 6.6. The Accommodation Repurposing Schemes will be able to cover a number of different delivery models, ranging from turnkey purchases to those where a demolition and rebuild is required. Other delivery solutions could be accommodated in the project to enable schemes to proceed in a timely and cost effective manner. Purchases of sites for inclusion in schemes may have planning permissions in place; may require amendment to existing planning consents or may require new planning applications to be obtained through the normal planning process. It is possible that a single site could include more than one delivery solution. For example, a site might support a new build alongside the refurbishment of an existing building on site. A flexible approach will be taken to look for the most productive solution for how to develop any site.
- 6.7. It is in the nature of this type of development that it will usually be necessary to purchase a property or incur other costs before the costs of rebuild or conversion can be determined, before a full business case can be prepared, and before an application for Homes England Funding can be submitted. This use the grant funding will be authorised by the Director of Finance
- 6.8. The intention will be to minimise the contribution from grant funding to each scheme to enable the grant funding to support as many units of accommodation as possible over future years. Funding from the Grants will however be used to cover scheme costs that cannot be met through Homes England Grant and Supported borrowing and any scheme cost overrun.
- 6.9. The Director of Finance will determine the most appropriate interest rate and method of applying finance charges, including MRP, appropriate for the programme and will determine the amount of prudential borrowing that can be allocated to each scheme in consideration of an appraisal of the net rental income. The Capital Growth Board will consider the robustness of business cases for each scheme within the programme before presentation to Cabinet for approval.
- 6.10. Each scheme will be managed by Torbay Council upon completion in accordance with the appropriate Council housing policies that cover rents, letting criteria, and how the properties will be managed. Local letting arrangements will be applied to ensure that schemes address identified priorities in housing need both for initial and subsequent lettings. A Local Lettings Plan will be adopted for each site to explicitly clarify the allocation criteria to be used for each project, and to set out the minimum local connection requirements (which will ensure that homes are let to households with a Local Connection to Torbay, through Devon HomeChoice). Where specific housing need is not identified, units will satisfy general housing need from the Housing Register.

- 6.11. Future ownership and management of properties will be reviewed by officers annually. Cabinet has previously stated an ambition to explore opportunities to dispose any accumulated social housing stock to a Registered Provider partner at a point in the future. The Council will need to assess whether such action will continue to meet its responsibilities to meet housing need and whether such sale is financially beneficial for the Council at that time. It is considered likely that schemes developed under the Accommodation Repurposing Project will remain within the Council's ownership and management for at least the 3-5 years.

7. Options under consideration

- 7.1. Option 1 – do nothing. This would result in under performance against Local Plan/MHCLG delivery numbers.
- 7.2. Option 2 – proceed as set out. This would achieve all the objectives stated in this report and ensure delivery of a large capital housing programme of new homes for the benefit of households with a local connection to Torbay.
- 7.3. Option 3 – partial implementation (smaller scale ambition). This is an option; however, we would be more susceptible to market fluctuations in borrowing costs, and likely not be able to upskill and increase capacity to a sufficient level, which would impact upon our ability to deliver. It would also not signal the right level of commitment to the RP/private sector, which may hinder our ability to get longer-term buy-in or investment for wider growth.
- 7.4. **To achieve all of the stated ambitions, officers recommend proceeding with Option 2.**

8. Financial Opportunities and Implications

- 8.1. The business case for the Brampton Court scheme was approved by Cabinet and Council in September 2024 on the basis of being fully funded by MHCLG Levelling Up Partnership grant. The creation of the long term sustainable model requires that grant be recycled and a revised funding model for the scheme is therefore necessary required to enable this and to internally free-up the financial headroom.
- 8.2. The second scheme at the former Seabury Hotel has been purchased and demolition of the existing premises is being progressed. At this point, the Council does not know the exact scale of development that can be achieved on the site and cannot therefore know how much grant funding is likely to be secured from Homes England. A revised planning consent will be sought to improve the mix of units and scheme viability; however, it has an existing consent that could be developed out if necessary. A full business case will be prepared for the Director of Finance and Cabinet Member in due course.
- 8.3. Further Accommodation Repurposing Schemes will be brought forward for approval, along with indicative plans of what the site will be used for, an interim business case, an expected funding model and an analysis of risks within the scheme in the event that funding from Homes England is not obtained at the expected level. Homes England grant is likely to provide between 30% and 50% of the capital needed for each scheme and a complete absence of such funding will be the biggest financial risk to any scheme (however, the team

leading this programme is highly experienced in delivering council-led social housing and has a track-record of securing millions of pounds of grant from Homes England to deliver schemes similar the Accommodation Repurposing Programme; Cabinet can be assured that the team will not progress any scheme that is considered unlikely to be deliverable or capable of securing grant funding from Homes England.

- 8.4. From time to time, Homes England's funding capacity is limited and there have been examples in the past of where programmes have run out of funding or government has changed its priorities to divert capital away from social housing. It is hoped and expected though, that the Government's increased housing ambitions will result in a higher and more consistent availability of Homes England funding and that the target of delivering up to 75 units of accommodation per year can be met without particular concern.

9. Legal Implications

- 9.1. The council is exposed to risk in every commercial transaction it is involved in; this will of course include land acquisitions made to support the Accommodation Repurposing Programme. The acquisition process for both of the first schemes was complicated by historic freehold issues. To resolve these matters, officers brought on board specialist social housing and commercial conveyancers, and this is likely to be necessary for future (similar) projects in the future.
- 9.2. Officers will consider the risks for each scheme and create appropriate risk registers (and mitigation strategies) for each project as it progresses.

10. Engagement and Consultation

- 10.1. Any scheme that goes through a planning process in respect of demolition, newbuild or conversion will have appropriate period of statutory consultation where member of the public (and any interested community groups) will be welcome to provide comments to inform scheme design and delivery. Officers anticipate that some schemes may also necessitate specific consultation with affected/nearby neighbouring groups in some circumstances.

11. Procurement Implications

- 11.1. All projects will be delivered in accordance with established internal procurement requirements applicable for the site, at the point in time. The Head of Strategic Housing & Delivery has a good relationship with the Head and Deputy Head of Commercial Services, and advice on the most appropriate route to market is sought (and will continue to be sought) for each scheme as it comes forward to ensure compliance with the new procurement act.

12. Protecting our naturally inspiring Bay and tackling Climate Change

- 12.1. Provision of new homes designed to meet the latest building regulations standards will help to improve the climate impact of the housing stock in Torbay overall.

- 12.2. Furthermore, the Accommodation Repurposing Project is specifically targeting brownfield sites over greenfield therefore protecting areas of high environmental quality etc. Similarly, some schemes will involve the re-use of existing buildings helping to minimise materials transferred to landfill and reduce the carbon impact of housing delivery.

13. Associated Risks

- 13.1. Failure to adopt this programme will contribute to a greater stress on Local Plan delivery numbers, therefore likely increasing the number of homes that need to be delivered on greenfield sites going forward.
- 13.2. Furthermore, moving away from this priority now would put at risk the grant funding that has already been secured, and may require repayment of grant in accordance with any grant terms.

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	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.	The flats would be let to occupants who are suitable to sustain a tenancy in the property. Considerations would be paid to accessibility requirements, support needs and suitability of location.	Understanding the future clients and the suitability of the dwelling	Lettings and Housing Management
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.	Lettings would not discriminate against the caring responsibilities of future tenants		Housing Management and Lettings
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.	Due to the nature of converting existing buildings, it will not always be possible to create flats that are suitable for occupants with a physical disability. Any support needs would be assessed at the time of letting the homes	Consider accessibility and mental health needs in designs of conversions	Housing Delivery

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.	We would not discriminate against gender on general needs rented properties unless there was a specific requirement to have same sex accommodation, for example in the case of a women's refuge.	NA	ALL
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.	The marital status of occupants should not influence the suitability of the flats. No adverse impact expected.	NA	ALL
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.	Only homes with 2 or more bedrooms would be considered suitable for families.	NA	Lettings and Housing Management
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 impact expected as we would not discriminate on the lettings of homes based on ethnicity	NA	Lettings and Housing Management

Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No adverse impact expected as religion would not be a consideration in the lettings process	NA	Lettings and Housing Management
Sex	51.3% of Torbay's population are female and 48.7% are male	No adverse impact expected as general needs lettings does not discriminate on gender	NA	Lettings and Housing Management
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 impact expected as sexual orientation is not discriminated against	NA	Lettings and Housing Management
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.	Theoretically, affordable housing is more likely to be available to former service personnel and their families, as there is a degree of preference awarded to such households when they join the housing register.	Consider needs during the lettings process	Lettings and Housing Management
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		No negative impact expected. Affordable housing supports those in need of a safe and warm home, facilitating the improvement of socio-economic prosperity	NA	NA
Public Health impacts (Including		By providing suitable, safe and warm affordable housing we can	NA	NA

impacts on the general health of the population of Torbay)		lower public health impacts and improve the health of occupants.		
Human Rights impacts		No negative impact expected	NA	NA
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 negative impact expected as the allocation of homes will not discriminate against children. Only homes that have more than one bedroom will be suitable for children	NA	Lettings and Housing Management

15. Cumulative Council Impact

15.1. Not relevant

16. Cumulative Community Impacts

16.1. Not relevant

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Torbay Housing Delivery Plan

DELIVERING THE HOMES WE NEED

29 AUGUST 2024

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1. Context

Affordable housing delivery in Torbay is very low. In the early 2000s, the Torbay area regularly delivered 100-180 new affordable homes per annum, with a peak year in 2013/14 of 273 new affordable homes¹. Since then, delivery has dropped significantly, to the extent that average annual delivery over the last 4 years has been just 36 homes.

This is due to:

- The geographic constraints of Torbay;
- Changes to the planning system under the Localism Act, making development in marginal areas generally less attractive to the sector;
- Limited opportunities for greenfield development, which generates the greatest proportion of new affordable housing;
- Our local brownfield affordable housing threshold, meaning schemes of <15 homes are not required to provide any affordable housing;
- RPs' limited financial capacity, resulting in decisions to direct remaining resources to more straightforward, or strategically important sites;
- Comparatively low values, compared to the rest of the sub-region; and,
- Greater profitability for investments closer to the Exeter 'hub' and Housing Market Area (for both developers and RPs).

Due to prevailing market conditions at present, the private sector is unlikely to be able to markedly increase the supply of open market sale or affordable homes in the short-medium term. Consequently, we expect housing need to remain stubbornly high, which risks escalating into an accommodation crisis affecting our whole community. This has potential to create knock-on effects on key local employers such as the NHS, that cannot attract or retain staff into key employment areas.

To address these issues, Torbay Council is making changes to its structure and creating a new emphasis on proactive intervention and strategic thinking. To that end, the Council has recently adopted its [Community and Corporate Plan](#), which sets out our key objectives in respect of housing delivery over the next two decades. The most pertinent objectives from this are extracted below:

- *"There will be more good quality, affordable and permanent properties that people, including those who are vulnerable or care experienced, can call their homes"*
- *"We will work with landlords and developers to maximise the use of suitable housing stock, including social housing, and create decent accommodation across Torbay".*
- *"In delivering our Housing Strategy, we will work to deliver a diverse choice of housing for our residents that meets every stage of life and lifestyle – homes that are safe, warm, fit for purpose and more environmentally friendly"*
- *"Where appropriate, we will consider proactive intervention in the housing market"*
- *"We will continue to protect homeless households and those threatened with homelessness, whilst putting an end to street sleeping."*
- *"We know that, to retain and attract the workforce that Torbay needs, we must have sufficient affordable housing..."*

¹ Live Table 1008C, MHCLG (2024) Available here:

https://assets.publishing.service.gov.uk/media/6679838a7cca63d35059c890/Live_Tables_1006-1008.ods. Last accessed 31 July 2024.

The Community and Corporate Plan is accompanied by our ambitious [Housing Strategy](#), which makes bold commitments to deliver or enable a range of new homes in The Bay, to support our communities, grow our economy, and help our workforce and key employers. Specifically, the Strategy commits us, to:

- Build affordable homes for rent;
- Build homes for low-cost ownership;
- Build and acquire innovative and specialist homes; and,
- Make the best use of our housing stock.

To that end, in December 2023 a Torbay Council's Cabinet resolved to request the creation of detailed delivery plans to set out how the Council will facilitate the acceleration of new affordable housing specifically to increase the provision of social and affordable rented homes. However, Torbay does not currently see itself as a 'general needs' social housing landlord, and has instead resolved to prioritise the delivery of homes to meet specialist housing needs; from client groups that may otherwise now typically be catered for in the affordable housing market, and have the potential to cost the Council a considerable amount of revenue each year. As such, the council will focus its resources towards delivery of extra care housing, supported housing (for various client groups), temporary accommodation and to meeting the specialised needs of care-experienced young people.

The remainder of this paper sets out the mechanisms and interventions that will be employed by the Council to directly and indirectly increase our supply of affordable housing to rent, to meet the needs of our population.

2. Timescales and prioritisation

This plan will direct the Council's housing delivery activities over the next five years, running from April 2024, to March 2029. It identifies and focuses the resources and support needed to achieve the Council's housing ambitions over this period, whilst also taking account of wider emerging priorities, national trends and incentives.

Some projects will be more time and resource intensive than others; as such, projects have been split into two groups: Priority 1 (P1) projects are those expected to be deliverable within Years 1-3 of the Plan; Priority 2 (P2) projects are expected to deliver within years 4-5.

With the greatest number of delivery streams being in P1, it is necessary to further categorise each work stream within this group, depending on their urgency and importance. A further ranking of (a)-(c) has therefore been given to each project to reflect its significance. As the timescales are less defined for P2 projects, the goal for these projects is to facilitate promotion to P1 and the relevant sub-category of (a)-(c).

The category definitions used are as follows:

- P1(a) – Highest priority within the next 1-3 years; all resources to be directed to ensuring delivery.
- P1(b) – Medium priority within the next 1-3 years; additional resources to be re-directed to these projects as soon as they are available.
- P1(c) – Medium priority within the next 1-3 years; accepted that other schemes may take precedence.
- P2 – Long-term priority; for delivery by the end of Year 5.

The Council's focus will be to provide support to those client groups whose needs are not met by market or social housing providers (such as Registered Providers). These groups include households requiring extra care housing, various forms of supported housing, Temporary Accommodation, or homes specifically for the care experienced cohort. Additionally, in attempt to create a new market for growth, the Council will also lead the creation of a housing product that will be attractive to young, working households, in local key industries.

3. Engagement and Review

This plan has been developed in conjunction with the Cabinet Member for Housing and Finance, and with the support of the Director for Pride in Place and Divisional Directors. Engagement has also been undertaken with Group Leaders.

An annual review will be undertaken to ensure that projects and priorities remain appropriate for the coming 12 months. The review will not seek to re-write the plan but may update it where necessary in consideration of any relevant emerging local or national factors and influences. It may also consider additional projects to be added to the longlist and will review progress against expectations of those already defined. It will also provide an opportunity to identify whether additional resources are required in order to achieve the ambitions detailed. It also provides a space for an annual 'refresh' of the demand situation with two of our primary user services: Adult Social Care (in respect of specialist housing for older, disabled or otherwise vulnerable clients), and Children's Services (relating to the need to provide accommodation for care-experienced young people, and children in the Council's care).

The Annual Review will be chaired by the Cabinet Member for Housing, supported by the Director for Pride in Place and Head of Strategic Housing & Delivery.

Anticipated review dates:

- Review 1 – April 2025
- Review 2 – April 2026
- Review 3 – April 2027
- Review 4 – April 2028

4. Opportunities for growth

The objective of this paper is to set out how the Council will deliver its stated priorities outlined in our adopted Community and Corporate Plan, Housing Strategy and Rough Sleeping Strategy. Furthermore, it will consider the interventions available to us to help drive the growth we need to deliver the homes required from the current and next Local Plan; it also starts to consider the additional opportunities for enhanced growth, as indicated are going to be important from the newly elected government.

The Council is committed to increasing the output of affordable homes in the right places, and for the client groups in most need. The three areas of delivery are set out below:

a) Housing Capital Schemes (Council-led delivery)

This section details the opportunities for the Council to directly intervene to increase housing output, on schemes at an advanced stage of business case development.

HCS1 - St. Kilda's

This is the regeneration of the former St. Kilda's residential care home, which will provide 23 new 1 and 2-bedroom homes for people 55+, all for social rent. The scheme is to encourage existing social housing tenants that currently occupying larger family homes elsewhere in The Bay to downsize, freeing up those properties for other families in need.

Responsibility for delivery rests with the Head of Strategic Housing & Delivery as Client and SRO. Cabinet and Council have approved a detailed business case, and a contract for construction to a regional construction firm has been let. A large allocation of grant funding from Homes England has also been secured to support the project's delivery.

Construction commenced on 17 June 2024, with completion anticipated in Spring 2026. Occupation will follow shortly thereafter, to local and eligible households.

Output – 23 new homes for social rent

Priority and Timescale – P1(a); due for completion within 1-3 years

HCS2 – Extra Care delivery

The Council has a stated need to deliver Extra Care Housing (ECH) for social rent to support older households, or households with limited current or future mobility. There are several options for this, and the Council will be working hard to establish which of the options at its disposal, is the best suited to meet the local need profile. Delivery of this product is a key component of the Council's partnership with the NHS in respect of delivering housing solutions for the Adult Social Care sector.

Such schemes are expected to be eligible for grant funding from Homes England. However, the current Affordable Homes Programme expires in March 2026 and schemes must be completable by this date to be eligible for a grant award. Homes England's advice is to continue to work-up projects over the next 18 months such that the moment a new programme is announced, grant bids can immediately be submitted for approval.

Whilst there is need for multiple projects, the Council will need to take a view about the quantum of such properties that it is able to deliver in the coming years, along with a consideration of the most suitable site(s) it has available.

Output – 70+ new extra care homes for social rent

Priority and Timescale – P1(a); due for completion within 1-3 years (subject to grant)

HCS3 - Accommodation Repurposing Project

Torbay Council has been allocated grant from DLUHC to pilot the purchase of former hotels for conversion into good quality social housing. The objective is to prove that a new model can be created such that seaside areas that have historically been popular tourism hotspots, can reverse the spiral of decline often found in such locations.

The project requires creation of a self-funding investment programme whereby Torbay Council: 1) acquires a hotel; 2) enables its conversion into social housing; and 3) disposes of the completed scheme to a Registered Provider. This would enable the Council to deliver an affordable housing scheme with very little recourse to its own capital; importantly, this means borrowing costs are avoided, which at present make many schemes unviable. Furthermore, selling schemes to RPs later (in agreed tranches) generates a capital receipt to replenish the initial pot for reinvestment into the next project (ad infinitum). The model requires the built homes to be provided as social rent, and so any Homes England grant secured would need to be transferred to the purchasing RP.

In addition to the grant award from government, the Council has committed to match-fund an allocation of its own capital. We also anticipate being successful with an additional bid for growth funding from the Devolution Deal to increase this pot further, meaning that the Council can create an overall investment portfolio to make a meaningful difference in the prevalence of poor-quality hotels in Torbay, whilst providing a major community benefit in respect of additional affordable housing for local people. If this additional funding bid is successful, a further programme funded business case will follow separately.

Whilst the default position is that the Council will sell schemes to an RP at completion, there are two possible scenarios that should be noted, depending upon housing market conditions at the time:

- 1) The Council is unable to find a Registered Provider to purchase completed units. In this situation the Council would either have to sell the units on the market and return all grant funding (at cost both financially and reputationally) or hold the stock for affordable housing with in-house/commissioned management arrangements (as with St. Kildas etc.). It would also be necessary to convert the

funding strategy to long-term development finance to 'borrow against' the value of the completed project to enable the necessary subsequent sites to be developed.

- 2) A situation whereby the Council cannot immediately identify an RP to acquire the completed homes so holds them until there is sufficient stock to make a bulk sale of units more attractive. This would result in interim ownership of the assets. In this situation, grant would still be applied for and ultimately transfer to the RP (subsidising the Council's cost), and rental income would be generated to cover debt financing over the period of ownership. This is considered a more likely scenario than 1) above.

The intention is to make these homes attractive to the keyworker sector; albeit not reserved exclusively for this client group to ensure compliance with the Homes England Capital Funding Guide. The likelihood is that schemes will largely generate 1- and 2-bedroom flats. The first site has been identified and the Council has exchanged contracts for the turnkey acquisition of 14. The scheme obtained support from Cabinet and Council at their meetings in September 2024.

Having secured the first scheme, attention has now transferred to identifying the second and subsequent schemes and converting this into a long-term delivery model. An offer for an 'own build' scheme has been accepted, and the conveyancing process is just commencing, with a target for the acquisition to take place in March 2025.

Output – 14-36 new homes for social rent (within 3 years); 50+ homes within 5 years
Priority and Timescale – P1(a); due for completion within 1-3 years (subject to grant)

HCS4 - Rough Sleeper Assessment Centre, SWEP, and move-on accommodation

Housing Options have identified a need for additional specialist housing for local homeless and former homeless individuals. They also need good quality 'move-on' spaces to help the churn in the emergency housing stock. The proposal is to move towards a dispersed model, which reduces the concentration of accommodated clients in central Torquay whilst helping those on a path towards a settled lifestyle have some space, as part of their reintegration.

Additionally, the team have identified a need for a permanent, purpose-delivered Severe Weather Provision (SWEP) space to accommodate local rough sleepers that would otherwise be at risk of exposure to the elements. Currently, this is a complicated service to bring on stream every year and relies on the Council identifying a suitable large space at short notice, and utilising buildings not designed for short-term living.

A list of options is being created in respect of existing assets that could be repurposed for such use. If suitable site(s) can be identified, the proposal would be to create multi-occupation spaces with on-site management, support, and security. No capital has yet been approved for this project; should a suitable opportunity be identified, the SRO will develop a business case to justify capital investment. This is a statutory function and one that is becoming increasingly harder to fulfil, and at significant cost.

Output – c. 6 x move-on units, c.1 x shared flat and approx. 12 bedspaces for rough sleepers
Priority and Timescale – P1(b); due for completion within 1-3 years

HCS5 - Regeneration Partnership

Torbay Council has embarked upon a major programme to regenerate large areas of the town centres of Torquay and Paignton. A regeneration partnership has been created with Wilmott Dixon and Milligan; together the parties are making good progress at packaging up key sites ready for redevelopment.

The next steps are to finalise the schemes ready for planning submission; secure the capital required for delivery; and establish the delivery mechanisms for the built homes. The preferred way forward is to

bring a Registered Provider partner on board to take the s106 obligated homes generated from the schemes, and secure Homes England grant for additionality on specific sites. Early discussion with RPs has generated a moderate level of interest. As the earlier phases of regeneration complete, focus will shift to secondary sites and consideration of what strategic land assembly might be possible to achieve wider growth.

Output – up to 555 homes, including target of 280 affordable tenures

Priority and Timescale – P2; due for completion within 2-5 years

b) New Specialist Housing (Council-led delivery)

The Council's general position is that Registered Providers should normally provide new affordable homes. There are some circumstances, however, where the Council agrees that it may be the most appropriate organisation to intervene to solve a specific issue; the sections below therefore identify those additional delivery themes that will be undertaken by the Council, which would lead to further direct construction of new housing for specialist client groups.

NSH1 - Strategic Asset Review

The Council is the freeholder of many land and property assets. The majority are in effective, long-term use; however, it is appropriate to consider whether there are options to generate disposal receipts or re-use the buildings for specialist client groups. NSH1 proposes a review of the Council's assets to understand what income generation and cost avoidance options the existing estate might support. Where appropriate, sites will be brought forward to meet the accommodation needs of one of the specialist categories identified at the start of this paper, using the most appropriate means to deliver homes on the specific site. This might include traditional or potentially Modern Methods of Construction (where appropriate). Where it is identified that the Council does not own a suitable asset, land acquisitions may be considered. Homes delivered will typically be provided for social rent, Temporary Accommodation, or move-on housing.

Where the Authority determines that an asset is no longer required, release to the market – or other public sector partners – may be considered to stimulate third-party delivery and generate a capital receipt.

Output – review of asset holdings to inform delivery pipeline

Priority and Timescale – P1(c); due for completion within 1-3 years

NSH2 - TA Acquisition programme

The most effective option to address the current pressure on TA budgets is to acquire a small stock of new homes for direct allocation. This would reduce or prevent the use of non-commissioned B&Bs, which are both expensive and have limited options for the Council to recover cost; there are also tight restrictions in respect of the length of time that a household with children can reside in such insecure forms of emergency housing.

The proposal is to acquire a further small stock of additional homes to complement those acquired recently through the SimplyPhi Programme, to provide additional space for Housing Options. This will address the lack of provision from the open market for single person accessible accommodation, or other adapted properties to meet specific client need. There is also a requirement an additional requirement to accommodate local homeless families where a housing duty does not apply, but they become the responsibility of Children's Services. This will be funded in part from the underspend from Phase 1, as well as making an additional capital ask to Council. These homes will be held specifically as Temporary Accommodation, and not used as social housing.

The cost of 'spot purchasing' such accommodation is expensive and often unavailable, posing challenges to the sufficiency of supply. The saving of providing temporary accommodation by owning a 3-bed

property, for example, compared to spot purchase is £16,800p.a. For a 1-bedroom self-contained homes, this is £3,000p.a.; for a 4-bed HMO (exc. Housing Benefit subsidy of 90% LHA). This includes all loan repayments, repairs and management etc.

Output – c.12 new homes for Temporary Accommodation
Priority and Timescale – 1b; due for completion within 1-3 years

NSH3 - Off the Shelf Acquisitions

In addition to NSH3 above, it would be advantageous to acquire a further small stock of newbuild homes for use as social rented housing, as:

1. There would be a dedicated stock of council-owned homes, specifically to house families that find themselves stuck in insecure TA. This would free-up the TA property for another vulnerable household.
2. Such homes could be used to directly house families that would otherwise be accommodated in expensive TA, giving them a permanent home that they can afford and significantly improving outcomes for them. Due to a lack of move-on accommodation, TA provision is of significant risk of becoming blocked.
3. It would lead to a reduction in rent subsidy losses incurred between the actual cost of TA provision, and 90% of LHA rate, when used as temporary accommodation.
4. Where homes acquired are purchased for social rent, they can be part-funded by Homes England grant. With typical grant rates currently in excess of £100,000 per home, this means that the net cost to the council is considerably lower than purchasing homes for TA, which is not eligible for grant funding.

The recommendation would be to acquire up to 10 newbuild homes per annum (based on latent/emerging need), substantially funded by Homes England grant. Such acquisitions would be limited to newbuild homes, with 10-year structural warranties and purchased on a turnkey basis (with almost no commercial risk). If funded by grant, Stamp Duty Land Tax relief can also be applied. This would be for specialist needs and is not intended to be for general social housing purposes.

With current TA costs averaging £420-£700 *per week* for a single person (significantly more for families), but with an ability to only claim back 90% of the LHA rate (equalling £90 *per week*), it will be straightforward to demonstrate that this capital investment will make a substantial improvement to the Council's revenue outturn position and reduce the financial risk to the Authority, as outlined in brief, above. This model is also welcomed by the development industry; bulk acquisitions are attractive as it helps keep supply chains operational and support continued investment.

This proposal is linked to the outcomes of NSH3 but is entirely separate; it is also complementary in so far as it provides space for churn in the system, providing better outcomes for families in need and getting families with children into settled homes more quickly. The same approach could also be used to acquire properties to meet the needs of care-experienced young people, that are often disenfranchised in the local housing market.

Output – 25-50 new homes for social rent
Priority and Timescale – P1(b); due for completion within 1-3 years

NSH4 - Surplus Partner Assets

RPs – in the current market – typically only consider developing sites that can provide 15+ new homes. Some RPs (notably Sanctuary; the Council's LSVT partner) own a number of under-used/dilapidated land assets in Torbay that have potential for residential redevelopment, but which are too small to meet this threshold.

There are options to make better use of these land assets: the Council could financially incentivise RPs (through direct grant provision) to work up packages of small sites, if/where there is a degree of partner interest. Where no interest exists, the Council could explore the (re-)acquisition any suitable small sites that has potential for meaningful re-use for a priority need/specialist housing cohort. A small, targeted pilot will be explored with Sanctuary (in the first instance) to test their appetite.

Following the recent LGA action plan, the wider public sector should put greater emphasis on releasing surplus assets to other parts of the public sector that can make better use of that resource to support a common goal and so opportunities to deliver positive housing outcomes on wider public sector assets will also be explored.

Output – 25 new affordable homes

Priority and Timescale – P1(c); due for completion within 1-3 years

c) Delivery Through Partners

Cabinet's ambition is to stimulate the market to deliver housing. Whilst current macro-economic pressures impact upon our short-term ability to enable this, there are options available to support partners to deliver more homes in the medium to long-term.

DTP1 - Strategic Land Assembly and Release

The Council will release surplus developable assets to the market. The objective will be to maximise capital receipts in conjunction with increasing the delivery rates of affordable homes. 'Additionality' (extra affordable homes delivered through Homes England grant) may also be secured where appropriate.

The Council may also consider – particularly where grant funding is available – acquiring brownfield land specifically for remediation or servicing, to enable wider growth by others. Such sites should generate receipts to at least cover the Council's cost of investment and release. In extraordinary circumstances, the Council may need to make use of the full suite of statutory powers it has (including Compulsory Purchase). This may be considered where there is a demonstrable benefit for such an intervention.

Output – c.100-150 new homes

Priority and Timescale – P2; due for completion within 4-5 years

DTP2 - Proactive Enabling Service

The Local Authorities with the most successful sustained records of affordable housing delivery have dedicated teams of Housing Enabling officers, who specialise in the following activities:

- Proactive consultee to the Local Planning Authority, providing technical advice on residential development applications and viability, over (and close to) minimum affordable housing thresholds;
- Hands-on approach to unlocking stalled sites – maintaining clear, and robust data on available sites; with an objective to try match these with RPs/ socially-minded developers;
- Close working with Homes England to identify opportunities to meet national funding opportunities, and support RP scheme bids when submitted;
- Support CLT/CLH & Neighbourhood Plan groups with community-led housing proposals;
- Working with developers to secure early delivery of affordable homes;
- Proactive identification of opportunities for investment of off-site contributions;
- Undertaking detailed housing need surveys to better understand the local housing need profile;
- Community engagement to build awareness of need, and signposting opportunities for delivery;
- Identifying new funding streams and programmes to enable growth;

- Building a robust evidence base of supply, demand, opportunity, and partner capacity, to understand the balance of need and inform future Local Plans;
- Identify opportunities to make better use of schemes, or land;
- Develop robust housing policies to secure the maximum level of on/off-site affordable housing;
- Technical expertise, to provide place-leadership, locally, regionally and nationally.

Torbay Council has not had this resource for many years. The recruitment of a new Head of Strategic Housing & Delivery is an essential first step, but additional specialist resources will be necessary for the Council's ambitions to be realised, to work towards an incremental (and meaningful) increase in new supply.

The five-year average affordable housing output in Torbay is just 60 affordable homes per annum – this is extremely low; and indeed, skewed upwards by an atypically high output in 2018/19. Enabling activities take time to come to fruition and rely on the willingness of partners: as such, there will be a lag before growth will be seen in annual performance. Nevertheless, if this plan is endorsed, the target will be to facilitate an uplift of 5% per annum in Years 1-3 against the rolling average 5-year delivery figure. By the end of year 3, the first effects of a proactive strategy should start to be seen, so the Annual Reviews at the start of Years 4 and 5 will consider whether the 5% figure should be rebased, taking account of current market conditions.

Output – 5% increase in rolling average 5-year affordable housing output, per annum
Priority and Timescale – P1(a); due for completion within 1-3 years

DTP3 - SHAP

The local YMCA have secured an allocation of grant from the Single Homeless Accommodation Programme (SHAP) to deliver specialist supported housing in Torbay. YMCA are entirely responsible for the project's delivery; however, there is a supporting role for the Council in terms of assisting with site identification etc.

The approved bid requires YMCA to provide 32 supported accommodation units for young people at risk of homelessness, as part of a 4-stage pathway to independent living.

Output – 8-20 new affordable homes
Priority and Timescale – P1(a); due for completion within 1-3 years

DTP4 – Local Planning Policy review

Torbay has an adopted Local Plan, but a review is just being commenced to update policies to take account of the current national and local position. Through this work, it is imperative that we make the changes to policy necessary to make the planning system deliver more affordable housing for local people. This should not change the overall amount of growth in Torbay but should direct a greater proportion of it to provide the homes that local people need.

An example of such a change could be to consider bringing our affordable housing thresholds in the urban area back in line with the national policy position of seeking a contribution from schemes of 11-units or more (as opposed to the current 15-unit threshold).

6. Housing Management

The Council's position is currently that it does not want to become a long-term social landlord. The proposal instead is that the Council should make capital interventions to stimulate growth; get new schemes built and seek a partner(s) to take on the ownership and management at appropriate points. It is unlikely that the Council will be able to sell individual sites as/when construction complete, as this is not an attractive proposition for an incoming RP. It is more likely that the Council will be able to sell batches of

homes to an RP over time. As a result, there is a likelihood that the Council will need to take interim or medium-term management responsibility after construction completion. For financial modelling purposes, officers will ensure schemes are viable for the Council's investment on both a notional 5-year deferred disposal, and a long-term development finance model, in the event that it's not possible to find an RP purchaser. Where long-term ownership is inevitable, officers will also consider opportunities to externalise management responsibility, paid for through rental income, to reduce the obligations on Torbay Council.

7. Housing Delivery Resourcing Plan

This Housing Delivery Plan is ambitious, both in terms of the targets for council growth and the goal to increase output through partners. It will be impossible to achieve these ambitions without a specialist team to undertake the work required.

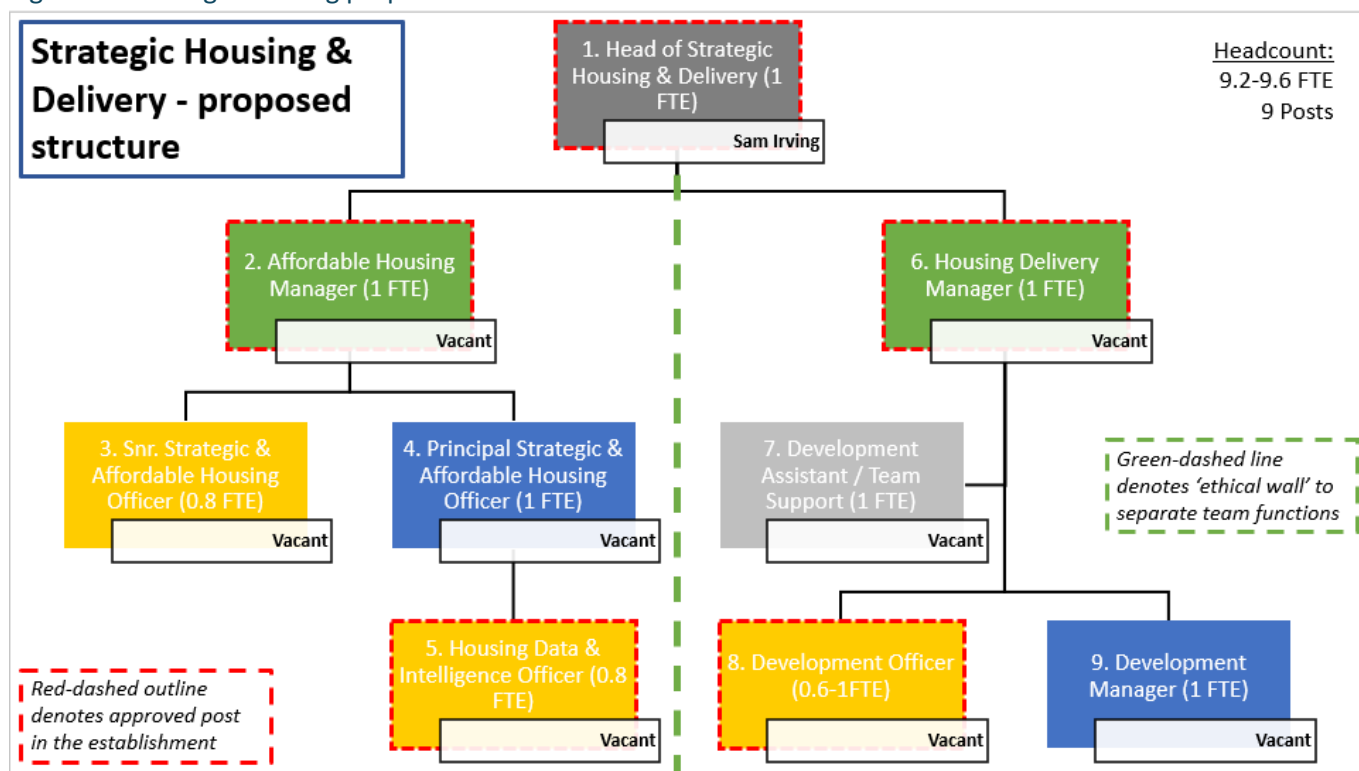
A multi-disciplinary team structure has been developed to reflect the different approaches needed. This includes:

- a dedicated 'Enabling Team', comprising officers committed to the activities outlined in the DTP section; this also ties with the recent Devon Housing Commission [report](#), which strongly recommends that housing enabling services should be '*at the heart of Local Authorities*'. Combined with;
- a skilled in-house Delivery Team to manage those direct capital interventions outlined in the HCS and NCH sections, above.

The teams need to work within a joint overall vision for growth, but the expertise required is quite different.

The proposed structure is outlined in [Figure 1](#) below:

Figure 1 – Strategic Housing proposed structure



Recruitment would be phased to ensure that staff only join as and when projects commence, and the additional capacity is required.

It also gives us the capacity we need to take a leading role in the emerging CCA's response to Housing, and the additional delivery that is likely to come forward as a result.

Analysis

The team is led by the Head of Strategic Housing & Delivery. Vacant Team Manager positions sit below (coloured green), which have been approved in the structure. These are technical experts, requiring a considerable level of experience and knowledge in their subject areas.

Senior technical specialists are coloured blue. Again, these posts require technical and operational experience and will only be suitable for applicants that have a comprehensive operational understanding of their subject area. They also need a good familiarity with the way a local authority operates and is structured in respect of the political and committee system.

Posts in yellow and light grey provide Torbay Council with an opportunity to train the next generation of its workforce. Aligned to the Council's [Our People strategy](#), these posts may be suitable for university graduates. All opportunities to recruit this type of candidate (or promote within) the Council will be considered. This approach provides the Council with workforce resilience as new officers will be trained by experienced team members and be well-placed to take promotion opportunities when they arise.

8. Assurance

Due to the volume of housing projects in train and envisaged through this Delivery Plan, a new Housing Capital Programme (sub-)Board (HCPB) will be created. This will have operational oversight of all social housing delivery projects, with the appropriate expertise to provide honest, objective assurance to Capital & Growth Board. HCPB will be chaired by the Head of Strategic Housing & Delivery as the Council's housing delivery specialist, supported by the delivery management personnel, external resources (where required), the capital programme manager, and representatives from finance, legal, PR and commercial services, as set out below.

Name	Title	Project Role / Area of Expertise
Sam Irving	Head of Strategic Housing & Delivery	Senior Responsible Officer / Chair
Neil Edwards	Interim Development Consultant	Development Manager
Caroline White	Interim Housing Delivery Manager	Development Manager
Lianne Hancock	Head of Housing Options	Housing need, lettings
Patrick Rafferty	Capital Programme Manager	Alignment with capital strategy and governance
Andrew Sherry	Head of Finance	Financial oversight and scrutiny
Tracey Field	Head of Commercial Services	Alignment with commercial strategy & CPRs
Ed Oldfield	Engagement and Comms Officer	PR (as required)
Claire Kitchener	Senior Solicitor	Legal representation (as required)

Table 4 - Project Board

HCPB's principal role is to provide meaningful technical assurance and scrutiny of housing-related projects; to consider the role of subsidy (and the most appropriate form); relevant industry best-practice and benchmarking; and routes to delivery. Creation of this Board empowers its members to develop technical familiarity with social housing, increasing our corporate knowledge and delivery potential. Individual scheme officers will also be robustly challenged to explain the reasons for any out of tolerance slippage and the development of appropriate recovery plans.

HCPB will report up to Capital & Growth Board, such that there is always corporate oversight of how projects are moving forward. This reporting up process also allows for the escalation of matters that require a wider

corporate decision. Monitoring and performance reporting will be facilitated through monthly highlight reports (per project), delivered to the Housing Capital Programme Board, summarised for C&GB.

Appendix 1 - Housing Delivery Plan Programme Monitor

Project Ref.	Scheme name	Description	Output	SRO / client	Project Lead	Project Start	Project Completion	Matters to be resolved	Operational resources required for delivery (<i>and status</i>)	Outstanding Risks (and likelihood)	Assurance	Priority
Housing Capital Schemes												
HCS1	St. Kilda's	Redevelopment of former care home to provide 23 no. units of social rented housing	<ul style="list-style-type: none"> 23 no. units of social housing (14 x 1-bed (2-person) and 9 x 2-bedroom (3-person) flats, with management and communal spaces 	Sam Irving	Neil Edwards	SoS: June 2024	Completion: Spring 2026	<ul style="list-style-type: none"> Transfer of land to Torbay Council Resolution of Value Engineering exercise and change to contract cost structure Construction completion 	<ul style="list-style-type: none"> Client – Head of Strategic Housing & Delivery (secured) Lead – Torbay Council Delivery Manager (secured) Employer's Agent, Clerk of Works, and Principal Designer (secured) Construction partner (secured) TVH resources to expedite land transfer (secured) Housing management (secured) 	<ul style="list-style-type: none"> Contractor insolvency (unlikely) Construction delay on-site (possible) 	Housing Capital Programme Board	P1(a)
HCS2	Extra Care Delivery	Development of extra care housing for social rent	<ul style="list-style-type: none"> 70+ units of social housing, with communal spaces, café, hobby spaces and facilities for visiting care staff 	Sam Irving	Neil Edwards	SoS: TBC	Completion: TBC	<ul style="list-style-type: none"> Identification of most suitable site(s) Confirmation of funding capacity Completion of remaining design works Full cost appraisal Outline and Full Business Case approvals (HCPB/C&GB) Capital Award (Cabinet/Council) Extension of the current AHP/new AHP with eligible bid route Submission of Homes England bid Technical services contract Construction partner contract Discharge of planning conditions 	<ul style="list-style-type: none"> Client – Head of Strategic Housing & Delivery (secured) Lead - Development Manager (secured) External technical PM specialist (REQUIRED) Employer's Agent, Clerk of Works, and Principal Designer (secured) Construction partner (REQUIRED) TorVista Homes resources to undertake land transfer (in progress) Housing management (secured) 	<ul style="list-style-type: none"> Decision about which site(s) to proceed with, for this specific product (possible) Delay on publication of new/extended Homes England programme (very likely) Schemes being unviable (likely) Increase in scheme costs (very likely) Failure to secure contractor within budget (possible) Contractor insolvency (unlikely) Homes England grant bid failure (unlikely) Construction delay (possible) Technical issues further affecting projected start on site (possible) 	Capital & Growth Board Housing Capital Programme Board	P1(a)
HCS3	Accommodation Repurposing Project	Acquisition and redevelopment of former holiday accommodation, to provide additional social housing	<ul style="list-style-type: none"> Initially 18 flats for social rent (35-50 over 5 years), through conversion of hotels and leisure accommodation into new social housing 	Sam Irving	Caroline White	April 2024	Ongoing	<ul style="list-style-type: none"> Compliance with Homes England grant conditions Identification of suitable sites Resolution of delivery model Agreement on procurement approach Identification of suitable construction methodology Exit strategy for schemes Development and endorsement of business case 	<ul style="list-style-type: none"> Client – Head of Strategic Housing & Delivery (secured) Lead – Torbay Council Delivery Manager (secured) External commercial market intelligence (secured) Legal (secured) Procurement support (secured) Housing management (secured) 	<ul style="list-style-type: none"> Schemes unviable (unlikely) Failure to get support for Strategic Business Case (unlikely) Failure to secure sufficient opportunities (very unlikely) Homes England grant bid failure (unlikely) Failure to secure construction partner within budget (possible) Contractor insolvency (unlikely) Construction delay (possible) 	Capital & Growth Board Housing Capital Programme Board	P1(a)
HCS4	Rough Sleeper Assessment Centre, SWEP, and move-on accommodation	Conversion of buildings into a multi-occupation supported housing scheme for homeless individuals	<ul style="list-style-type: none"> 12+ bedspaces for rough sleepers A shared 2-bedroom move-on flat c.6 move-on independent flatlets management and recreation space 	Sam Irving (on behalf of Tara Harris)	Caroline White	July 2025	September 2026	<ul style="list-style-type: none"> Reservation of the sites for this use Establishing suitable form of design, and mixed client group approach Capital model for delivery, utilising grant wherever possible Scheme viability Community opposition Political buy-in 	<ul style="list-style-type: none"> Client - Head of Strategic Housing & Delivery (on behalf of Divisional Director for Community & Customer Services (secured) Development Manager (secured) Technical specialist – Head of Housing Needs (REQUIRED) 	<ul style="list-style-type: none"> Political opposition (unlikely) Community objection (very likely) Planning refusal (unlikely) Inability to identify grant (possible) Securing a contractor / insolvency (possible) Quality of input from external technical specialists (unlikely) 	Capital & Growth Board Housing Capital Programme Board	P1(b)

Appendix 1 - Housing Delivery Plan Programme Monitor

Project Ref.	Scheme name	Description	Output	SRO / client	Project Lead	Project Start	Project Completion	Matters to be resolved	Operational resources required for delivery (<i>and status</i>)	Outstanding Risks (and likelihood)	Assurance	Priority
HCS5	Regeneration Partnership	Strategic regeneration of key brownfield sites in town centre locations, to deliver mixed use residential and commercial opportunities.	<ul style="list-style-type: none"> 555 new homes, including 280 affordable Comprehensive town centre regeneration Leveraging grant and investment Major growth to uplift areas experiencing deprivation 	David Carter	David Carter	November 2024	March 2028	<ul style="list-style-type: none"> Preparation of planning applications for the various sites Agreement on funding strategy, and financial partner Resolving site capacity for individual schemes Reviewing unviable consents to make deliverable Delivery partner for affordable homes vs. long-term AH ownership by Torbay Council (viability dependent) Application of grant funding Scale of investment and delivery capacity Site assembly 	<ul style="list-style-type: none"> Client – Divisional Director Strategic Developments (secured) Development Management & PM Team – Wilmott Dixon/Milligan (secured) Internal PM team - (secured) Legal advisors - (secured) Specialist affordable housing viability – Head of Strategic Housing & Delivery (secured) 	<ul style="list-style-type: none"> Site unviability (very likely) Portfolio unviable (unlikely) Unable to secure planning consent for all sites (possible) Implementation delay (possible) Inability to secure viable model (unlikely) Partner lack of capacity (very unlikely) Market failure at the point of sale, affecting outturn GDVs and RLVs (possible) Inability to assemble relevant parcels (unlikely) Failure to secure construction partner within budget (possible) Planning refusal (unlikely) 	Capital & Growth Board Regeneration Programme Board	P2

New Specialist Housing												
NSH1	Strategic Asset Review	Comprehensive review of Council-owned assets to establish best use, including BAU use, repurposing for affordable housing or disposal to an RP partner	<ul style="list-style-type: none"> A rationalised, efficient estate A pipeline of land and buildings for re-development to meet the needs of identified client groups A package of assets for disposal 	Alan Denby	Sam Irving / Paul Palmer	July 2024	November 2024	<ul style="list-style-type: none"> Transfer of assets from TVH/TDA Project leadership and client model with suitable parameters and brief A 'one council' approach to making best use of the asset base to best serve the people of Torbay Formation of working group to be chaired by independent director, to ensure high-level buy-in and objective view. Agreeing scope for review 	<ul style="list-style-type: none"> Client - Strategic Director (REQUIRED) Divisional Director for Strategic Development (REQUIRED) Head of Strategic Housing & Delivery (secured) Lead - Strategic Head of Asset Management (REQUIRED) Delivery resources (REQUIRED) Heads of Service from other Directorates (REQUIRED) 	<ul style="list-style-type: none"> Lack of corporate engagement and buy-in to the process (possible) Lack of agreement about the priority of the situation, and the need to focus resources in this way (possible) Lack of sites identified as suitable (unlikely) Lack of client capacity to work up projects on assets identified for redevelopment (possible) 	New Asset Review Board to be created	P1(c)
NSH2	TA Acquisition Programme	Extension to the recently completed programme to provide further TA homes	<ul style="list-style-type: none"> Acquisition of additional 12 family homes, to bring the overall total up to 50 homes 	Tara Harris	Tara Harris	September 2024	June 2025	<ul style="list-style-type: none"> Financial model Business case and agreement on financial parameters Housing Management arrangements 	<ul style="list-style-type: none"> Client – Divisional Director for Community & Customer Services (secured) Lead – External Procurement (REQUIRED) Legal (REQUIRED) Housing management (REQUIRED) 	<ul style="list-style-type: none"> Agreement of proposal (possible) Securing a viable business model (unlikely) Lack of suitable opportunities (unlikely) 	Capital & Growth Board Homeless Accommodation Board	P1(b)
NSH3	Off the Shelf acquisitions	Turnkey acquisition of newbuild homes for social rent	<ul style="list-style-type: none"> 5-10 new homes per annum, Securing additional Homes England grant to reduce capital outlay 	Sam Irving	TBC	June 2024	June 2029	<ul style="list-style-type: none"> Financial model Business case and agreement on financial parameters Need profile Grant applications Exit strategy for schemes 	<ul style="list-style-type: none"> Client – Head of Strategic Housing & Delivery (secured) Lead – Torbay Council Delivery Manager (REQUIRED) Legal (REQUIRED) Housing management (secured) 	<ul style="list-style-type: none"> Agreement of proposal (possible) Securing grant funding (unlikely) Securing a viable business model (unlikely) Lack of suitable opportunities (possible) 	Capital & Growth Board Housing Capital Programme Board	P1(b)
NSH4	Surplus Partner Assets	Identification and redevelopment of underused assets	<ul style="list-style-type: none"> Anticipated benefits are expected to be small; a notional 	Sam Irving	AH Manager –	September 2024	March 2026	<ul style="list-style-type: none"> Identification of suitable land assets Identification of willing partner 	<ul style="list-style-type: none"> Client – Head of Strategic Housing & Delivery (secured) 	<ul style="list-style-type: none"> Availability of suitable sites, which can meet a local need (possible) Availability of suitable partner (possible) 	Capital & Growth Board	P2

Appendix 1 - Housing Delivery Plan Programme Monitor

Project Ref.	Scheme name	Description	Output	SRO / client	Project Lead	Project Start	Project Completion	Matters to be resolved	Operational resources required for delivery (<i>and status</i>)	Outstanding Risks (and likelihood)	Assurance	Priority
		to generate additional affordable housing	target of 8-20 units is considered possible		resource required			<ul style="list-style-type: none"> Ability to identify a commercially advantageous way to support Planning strategy for contentious sites 	<ul style="list-style-type: none"> Lead – Affordable Housing Manager (REQUIRED) Adult Social Care specialist (REQUIRED) 	<ul style="list-style-type: none"> Planning (possible) Viable business case, requiring additional Council subsidy (likely) Lack of grant funding (unlikely) 	Housing Capital Programme Board	

Delivery Through Partners												
DTP1	Strategic Land Assembly and Release (SLAR)	Acquisition and release of key development land – serviced where necessary to accelerate delivery	<ul style="list-style-type: none"> Expected to facilitate the delivery of c.100-150 new housing to assist the Local Plan Prioritisation of brownfield land, with servicing/de-risking as required. 	David Carter	Sam Irving	September 2024	Ongoing	<ul style="list-style-type: none"> Funds to meaningfully assemble and de-risk land for development Identification of suitable opportunities Acquisition and Release Strategy development Identification of any public funding streams that may help fund the projects or plot-specific servicing 	<ul style="list-style-type: none"> Client – Divisional Director – Strategic Development (REQUIRED) Lead – Head of Strategic Housing & Delivery (secured) Torbay Council Delivery Manager (REQUIRED) Commercial specialists (potentially Wilmott Dixon) (REQUIRED) 	<ul style="list-style-type: none"> Agreement of the proposed model (unlikely) Lack of commercial interest (very unlikely) Inability to assemble relevant parcels (unlikely) Market failure at the point of sale, affecting outturn GDVs and RLVs (possible) 	Capital & Growth Board	P2
DTP2	Proactive Enabling Service	Provision of specialist enabling service to drive growth	<ul style="list-style-type: none"> 5% increase in rolling affordable housing output p.a. against rolling 5-year target 	Sam Irving	Sam Irving	April 2024	Ongoing	<ul style="list-style-type: none"> Approval of overall structure Finalisation of recharge model Job Descriptions for all roles Recruitment 	<ul style="list-style-type: none"> Client – Head of Strategic Housing & Delivery (secured) HR support – HR Business Partner (REQUIRED) 	<ul style="list-style-type: none"> Lack of support (possible) Inability to recruit, based on Torbay salary structure (likely) Unsuccessful in retaining staff (unlikely) 	JE Panel	P1(a)
DTP3	SHAP	Provision of bespoke housing solutions for single homeless clients	<ul style="list-style-type: none"> Delivery of projects to meet the DLUHC allocation, and provide new homes for the cohort 	YMCA	YMCA	April 2024	March 2025	<ul style="list-style-type: none"> YMCA to identify suitable assets for acquisition and conversion Creation of allocation policies to ensure homes are given to eligible persons in greatest need 	<ul style="list-style-type: none"> None – Pastoral/oversight role only. To be led entirely by YMCA 	<ul style="list-style-type: none"> YMCA seek to acquire unsuitable assets for delivery (possible) YMCA unable to secure suitable properties (unlikely) YMCA unable to secure planning consents (likely) 	N/A	P1(a)
DTP4	Local Planning Policy review	Updating local policy to deliver more affordable housing through s106	<ul style="list-style-type: none"> An increase of affordable housing (on-site and off-site) delivered through private development 	David Edmondson	David Pickhaver	June 2024	March 2025	<ul style="list-style-type: none"> Viability testing Review and adoption of formal policies 	<ul style="list-style-type: none"> Client – Divisional Director for Planning, Housing & Climate Emergency (secured) Lead – Principal Policy and Project Planner (secured) 	<ul style="list-style-type: none"> Local Plan viability appraisal does not support the position determined (possible) Lack of support from Members (unlikely) 	Cabinet	P1(c)

Summary as date of document:

P1(a) projects = 5

P1(b) projects = 3

P1(c) projects = 2

P2 projects = 3

Total = 13 projects

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Business Case

Accommodation Repurposing Programme (HCPB)

Terms of Reference

Senior Responsible Officer:	Sam Irving	Executive Director:	Alan Denby
Document Date:		Template version:	1.2
Project Officer:		Report type:	Choose an item.
Governance Route:	Choose an item.	Report version:	0.1

Document History

Document Version	Date	Author	Description
0.1	Click or tap to enter a date.	Choose an item.	

Quality Assurance

Designated Officer	Status	Date
Senior Responsible Officer:	Choose an item.	Click or tap to enter a date.
Finance:	Choose an item.	Click or tap to enter a date.
Capital Programme:	Choose an item.	Click or tap to enter a date.
Client Service Lead:	Choose an item.	Click or tap to enter a date.

CGB

Housing Capital Programme Board date:	Click or tap to enter a date.
Decision	Choose an item.

Recommendation(s)

The following are recommended for approval by the Capital Growth Board:

Conditions of approval

In consideration of the report, and recommendations made, it was **AGREED** to:

Key investment parameters - Summary

Anticipated units:	XX	IRR:	%
Total Scheme Cost:	£x,xxx,xxx	(Cost per unit)	£xxx,xxx
Total Subsidy:	£x,xxx,xxx	(Council subsidy)	£xxx,xxx
NPV at first handover:	£x	ROI Year:	

1. Scheme information
Description:

•

Housing Mix:
Social Rent
Affordable Rent

Total =

Total =

Commentary:
Planning Status:

No planning <input type="checkbox"/>	Outline Planning <input type="checkbox"/>	Detailed Planning <input type="checkbox"/>	Allocated site <input type="checkbox"/>
Consent granted:	Click or tap to enter a date.	Click or tap to enter a date.	

Approvals required to proceed (from this point)

1.

Proposed layout (if available)
2. Sustainability
Construction standards:

Housing Management considerations
Detailed scheme evaluation (including financial appraisal)
Total Scheme cost:
Cost breakdown:

- Build
- Fees & On-costs
- Contingency
- Cost of finance/key borrowing assumptions

Income:

- Rents
- How have rents been calculated

Sensitivity Testing of assumptions

- Cost increases
- Borrowing costs
- Project delays

Key Performance Indicators:

- NPV
- IRR
- ROI

Project Cashflow Summary

Capital Cost Summary	(£m)	Year of first expenditure	Year of last expenditure
Acquisition			
Construction			
Professional fees & Contingency			
SDLT			
Total			

Project Income

Capital/Revenue income summary	Capital (£m)	Revenue (£m) (per annum)
Net rent (rounded)		
Homes England Subsidy		
Other Public Subsidy		
Total		

Key finance & Procurement considerations

- Procurement of technical services

- Procurement of construction partner
- Tender process/evaluation
- VfM
- Contract method: D&B, JCT, NEC, Traditional etc.
- Opportunities for VE
- Funding strategy – how much prudential borrowing? What interest rate has been applied?

3. Programme

Key Milestones

Include:

- Governance
- Acquisition (where relevant)
- SoS
- Completion
- First Handovers
- Final Handover
- Retention period
- Project Closedown Report & Evaluation

4. Capital Risks

Risks	Impact	Likelihood	Timescale
Mitigation			

5. Financial Monitor – project allocation

Capital allocation:	£
Revenue allocation: (at-risk design etc.)	£

6. Scheme submission

Officer:	
Signature:	

Meeting: Overview and Scrutiny Board/Cabinet

Date: 7 and 13 May 2025

Wards affected: All Wards

Report Title: Housing policies

When does the decision need to be implemented? May 2025

Cabinet Member Contact Details: Councillor Alan Tyerman, Cabinet Member for Housing and Finance, alan.tyerman@torbay.gov.uk

Director Contact Details: David Carter, Interim Director of Regeneration,

1. Purpose of Report

1.1. The report seeks approval to adopt the following housing policies as Council policies which is needed following the transfer of housing stock from TorVista:

- Tenancy Policy
- Damp and Mould Policy
- Complaints Policy
- Lettings Policy
- Tenant Involvement Policy
- Rent arrears and debt recovery Policy
- Right to Buy Policy
- Minimum lettable Standard

2. Reason for Proposal and its benefits

2.1. The proposal in this report is to consider the various housing policies that will provide a robust governance framework around the management of the Councils housing stock following the transfer of housing from TorVista Homes to Torbay Council and make recommendations to the Cabinet.

3. Recommendation(s) / Proposed Decision

1. That the Overview and Scrutiny Board recommend to the Cabinet:

- 1.1 that the housing policies set out in Appendices 1 to 8 of the submitted report be adopted by Torbay Council, and the Director of Regeneration be given delegated authority, in consultation with the Cabinet Member for Housing and Finance, to review the policies and make changes as appropriate and in line with any changes to legislation.
- 1.2 that the general limitations within the Officer Scheme of Delegation in relation to property disposals does not apply in relation to the Right to Buy Policy and the Director of Finance be given delegated authority to dispose of property in accordance with the Right to Buy Policy.

4. Appendices

Appendix 1: Tenancy Policy
Appendix 2: Damp and Mould Policy
Appendix 3: Complaints Policy (housing)
Appendix 4: Lettings Policy
Appendix 5: Tenant Involvement & Empowerment Policy
Appendix 6: Rent arrears and debt recovery Policy
Appendix 7: Right to Buy Policy
Appendix 8: Minimum Lettable Standard

5. Background Documents

Housing Ombudsman Complaint Handling Code became statutory on 1 April 2024 meaning landlords are legally obliged to follow its requirements. The Complaints Policy (housing) has been updated to follow this Code. Any complaints relating to Temporary Accommodation will be dealt with under Torbay Council's Complaints Policy.

The Damp and Mould Policy has been reviewed to include the proposed changes set out by the Housing Ombudsman under Awaab's Law. The Government has announced that they will be implementing this law from October 2025. This policy also includes Torbay Council's Temporary Accommodation.

Right to Buy Policy has been completed following Government guidelines: [Right to Buy: buying your council home: Overview - GOV.UK](#)

Minimum Lettable Standard document has been compiled in line with the decent homes standard as set out by Government guidelines: [Decent Homes Standard: review - GOV.UK](#)

Supporting Information

6. Introduction

- 6.1 These policies, with the exception of the revised Lettings and Right to Buy policies, have previously been approved by TorVista Homes Board. They incorporate all legislative and compliance requirements and provide a robust and transparent Governance framework for the Councils housing stock.
- 6.2 Temporary Accommodation properties are now incorporated within the Damp and Mould Policy. The intention is, where applicable, for these policies to incorporate all of the Councils housing stock, including temporary accommodation. This will ensure consistency and work is underway to include these. In the meantime the temporary accommodation stock has their own procedures in place.

7. Options under consideration

- 7.1. Not applicable

8. Financial Opportunities and Implications

- 8.1. The Right to Buy policy is written in accordance with legislation. However, due to the prescriptive way in which a Right to Buy is carried out there is the potential that a disposal in this way could have a financial impact on the Council.

9. Legal Implications

- 9.1. All policies take account of guidance, legislation and compliance obligations as set out by the Regulator for Social Housing

10. Engagement and Consultation

- 10.1. Service departments have been engaged with in terms of the allocation of these properties and the ongoing maintenance arrangements.

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. The risks are mainly linked to the Council not having appropriate policies in place. This would create uncertainty and inconsistency at an operational level.

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
<div>Age</div> <div>Page 51</div>	<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>Safe, secure and affordable accommodation is vital to ensure wellbeing. This is key as people tend to experience increased fragility as they age.</p> <p>It is recognised that paying fees and charges may be difficult for some pensioners due to high levels of poverty within this demographic. Furthermore, some pensioners may difficulty accessing financial wellbeing information due to the societal shift to ‘digital first’ models of service delivery.</p> <p>Safe, secure and affordable accommodation is also important for children and young people to ensure that they can reach their potential.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis</p>	<p>Pride in Place</p> <p>Rent Arrears and Debt Recovery policy promotes a payment culture, early intervention when arrears occur and signposting to relevant agency.</p>

			<p>which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></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>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that paying fees and charges may be difficult for some carers due to higher levels of poverty within this demographic.</p> <p>However, it is recognised that people with caring responsibilities are more likely to experience financial hardship.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	Pride in Place

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.	<p>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that people with disabilities and in particular learning disabilities face increased vulnerabilities when compared to the wider population.</p> <p>It is recognised that paying fees and charges may be difficult for some people with disabilities due to higher levels of poverty within this demographic.</p> <p>It is also recognised that those with some mental health conditions may find applying for financial support daunting.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	Pride in Place
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.	There is no differential impact anticipated.	Not applicable	Not applicable

	This proportion is similar to the Southwest and is lower than England.			
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 is no differential impact.	Not applicable	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.	There is no differential impact.	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	It is recognised that people who are from black, Asian or minority ethnic backgrounds are more likely to experience financial hardship.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met. Information about charges and fees will be clearly communicated to	

	the 20% most deprived areas in England.		<p>tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council, this includes links for benefit and finance advice, housing and homelessness.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	It is recognised that families and households headed by females are more likely to experience financial hardship and be on lower income and thus, experience homelessness.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.	Pride in Place

			<p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
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.	There is no differential impact		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,	Veterans often suffer complex physical and/or mental medical conditions resulting from their service experiences.	We will work in a person centred and trauma informed manner alongside other Council departments to ensure	Pride in Place

	<p>5.9 per cent of the population have previously served in the UK armed forces.</p>	<p>Torbay Council is committed to working with Veterans under the Localism Act.</p>	<p>that individual needs are met.</p> <p>Information about charges and fees will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council. Help with the cost of living - Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p> <p>We will also signpost to appropriate organisations providing support to the armed forces community.</p>	
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Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Torbay Council set rents in accordance with the Rent Standard set by the Government. Rents are capped at the Local Housing Allowance rate.	That we take steps under this policy to support this.	Pride in Place
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated	Not applicable	Not applicable
Human Rights impacts		There is no differential impact anticipated	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.	There is no differential impact anticipated	Not applicable	Not applicable

15. Cumulative Council Impact

15.1. None

16. Cumulative Community Impacts

16.1. None

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Tenancy Policy

November 2024

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1. Version control

Date	Details	Updated by
November 2024	V1	
February 2025	V2	Anita Merritt

2. Overview

Torbay Council acknowledges its role in meeting housing need. We are committed to letting our properties in a fair, transparent and efficient way, in line with our Lettings Policy. We will meet all statutory and legal requirements that are applicable to us as a landlord.

Torbay Council is a social landlord with its own housing stock; therefore, we are required to have a Tenancy Policy.

Torbay Council will review this policy every three years, however; we may carry out a review earlier than this if legislative, regulatory, or other strategic changes which would have an impact on any element of this policy.

All TorVista Homes tenants on an Assured tenancy will be transitioned to a Secure tenancy, following the transfer of their home ownership to Torbay Council, and on completion of an Introductory Tenancy, where applicable.

As well as addressing issues regarding tenancy and tenure type, this Tenancy Policy also sets out how Torbay Council deals with applications for succession following the change in law brought about by Localism Act 2011.

3. Policy Statement

This policy aims to ensure that:

- Sustain communities where people want to live
- Prevent homelessness
- Meet the requirements set out by the regulator
- Households can be moved from properties which are no longer suitable for their needs
- Tenants will be helped to sustain their tenancies, but where problems occur, particularly at the start of the tenancy, action can be taken quickly to either change the behaviour, or, failing that, the tenancy can be ended and the property offered to someone else
- Tenancy fraud is identified and tackled
- Work with our local authority partners in delivery of their strategic objectives

4. Tenancy type

In line with our Lettings Policy, Torbay Council offers tenancies that meet statutory and legal requirements.

No one will be offered a tenancy that is any less secure than that which they already hold.

We will grant secure tenancies to existing social housing tenants who are transferring or moving from another organisation that offers fixed term or Assured tenancies.

All new tenants who have not held a social housing general needs tenancy directly before signing a tenancy agreement with us will be offered a 12-month Introductory Tenancy (with the ability to extend for a further 6 months).

We will review all Introductory Tenancies in advance of the end date to consider if a Secure Tenancy should be offered. Torbay Council will give notice of this decision in writing explaining the basis for this decision. If the starter tenancy has been satisfactorily maintained, it will automatically convert to a Secure Tenancy.

We will consider:

- How the tenant has conducted the tenancy. We are committed to raising issues of concern directly with tenants in a timely manner; therefore, the tenant will be aware of any breaches that we will be taking into account
- Whether there is any under occupation or overcrowding
- If there are any special features or adaptations in the property and whether anyone living in the property requires these; and
- Any significant changes in the household's financial circumstances.

We would not normally convert to a Secure Tenancy at the end of the starter period if:

- There has been a serious breach of the existing tenancy – the tenant will have been alerted to this at the time that the breach occurred.
- We have identified and substantiated any tenancy fraud.
- The review highlights issues which would justify not offering a further tenancy.
- The tenant has not engaged with the review process (the exception would be if we are aware that the tenant is vulnerable or aware of other valid reasons).

If Torbay Council decide not to convert an introductory tenancy, the tenant has a right to ask for a review of this decision. The tenant should make their request in writing within 14 days of being informed of the decision. We can accept requests for reviews from support and advocacy bodies provided they can provide written authority from the tenant confirming their instructions. The request must set out why they feel the decision is not justified.

A relevant manager not involved in the original decision to extend or end the tenancy will review the decision to check:

- Any information provided by the tenant
- Any evidence to support the original decision is adequate
- That the starter tenancy/probationary period review procedure has been correctly followed
- That the decision is proportionate, taking into account the needs of the individual, the needs of the community and any perceived risk to Torbay Council.

If we are giving a tenant notice, we will:

- Explain the reasons why.
- Serve the relevant notice
- Offer general advice and signpost them to other relevant agencies including the Housing Options team at Torbay Council.
- The tenant will have the right to appeal via our complaint's procedure.

Non-secure Tenancies - Tenants housed under the Next Steps Accommodation Programme (NSAP) criteria will have a non-secure tenancy. These tenancies do not have the same security of tenure or rights as secure tenants.

Temporary Accommodation - This Policy does not apply to accommodation provided by the Council to meet its duties to homeless households. Temporary Accommodation is exempt from the Protection from Eviction Act and occupants do not have the same legal rights as those occupying a property as a tenant.

5. Succession

In certain circumstances, tenants may have the right to assign their tenancy to another person who would be entitled to succeed on a tenant's death. This request must be put in writing and comply with the conditions of the tenancy agreement.

There can only be one assignment by law and that can only be made to a person who would qualify as a successor to the tenancy.

People entitled to succeed:

- If you are a joint tenant and you die, then the tenancy may continue in the name of the remaining tenant.
- If you are not a joint tenant and you die, the tenancy may pass to your wife, husband, civil partner or partner provided he or she lived with you in your home as their principal or only home at the time of your death.
- If you are not a joint tenant and you do not have a wife, husband, civil partner or partner who lived with you in your home as their principal or only home immediately prior to your death, the tenancy may pass to a member of your family who lived with you in your home (as their principal or only home) for at least 12 months prior to your death.

6. Mutual Exchange

Torbay Council recognises that tenants may want to move for a variety of reasons, including under occupation, overcrowding, for work, access to services or to be nearer family or support networks. We will provide general advice / facilitate access to Mutual Exchange services and signpost tenants to other agencies who can offer support with Housing Options. Introductory tenancies do not qualify for Mutual Exchanges.

Mutual Exchange is where one or more social tenant legally swaps their tenancy with another social tenant. The person transferring the tenancy is the 'assignor' and the tenancy is transferred to the 'assignee'.

The assignment means the assignee becomes the tenant of Torbay Council under the same tenancy agreement.

Under the Localism Act if at least one of the tenants has a secure tenancy which began before April 2012 and at least one of the tenants is on a flexible tenancy, then such exchanges must be done by surrender and granting of new tenancies.

In these circumstances, we will grant the tenant whose secure tenancy predated April 2012 a secure tenancy. This will ensure that existing tenants (before April 2012) retain similar security of tenure to that of their original tenancy.

As a landlord we can still refuse an exchange of this nature (Schedule 3 of the Housing Act 1985). We have 42 days to make that decision.

7. Assignments

Requests for assignments will be considered in line with current legislation which sets out when a secure tenancy can be assigned. The three circumstances are:

- i) Assignment by way of mutual exchange
- ii) Assignment following an order of the Court made in certain Matrimonial, Civil Partnership or Children Act Proceedings.
- iii) Assignment to a potential successor to the tenancy following the death of the tenant.

8. Direct Matches

All allocations will be made through the choice-based lettings scheme – Devon Home Choice. This operates independently from Torbay Council.

In exceptional circumstances, Torbay Council has the discretion to allocate our own stock outside of the Devon Home Choice policy.

The Next Steps Accommodation Programme (NSAP) - these properties are let via direct referrals from the relevant agencies.

9. Vulnerable tenants

Vulnerable tenants are those that are:

- At risk of being harmed, physically, mentally and/or emotionally
- Need support or protection because of their age, disability or other characteristics
- Risk of neglect or abuse

Torbay Council will ensure that these tenants are not affected in a negative way by this policy by:

- Communicating with them in an appropriate way
- Where necessary provide information in a different format
- Where permission is in place we will liaise with friends or family or other advocates

- Where we need to take tenancy action we carry out a proportionality assessment because the behaviour could be linked to a vulnerability
- Where we have permission we will refer that tenant on for further support
- Where we have permission we will liaise with other agencies, unless the risk negates the need of consent under our Safeguarding Policy

10. Tenancy Fraud

As part of our lettings process Torbay Council will check identification and this is to be held on the tenant's personal electronic file.

If a tenant has fraudulently obtained the property (based on misinformation) we will take action to end the tenancy.

Our tenancy agreement will set out the requirement for the tenant to live in the property as their only or principal home and their obligations and the restrictions in terms of subletting and assignment.

During routine visits to our properties, we do check who is occupying the premises.

Where appropriate and in accordance with the law we will cooperate with other agencies where tenancy fraud is suspected.

11. Regulatory code and legal framework

In observing this policy, Torbay Council will comply with all the legal and regulatory expectations outlined in the Regulator of Social Housing's Tenancy Standard.

12. Review

The Director of Regeneration will review this policy every three years unless there are any changes to legislation in the meantime.

13. Equality and Diversity Statement

Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not, and

Foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

Equality Impact Assessment

The Council has a public sector duty under the Equality Act 2010 to have ‘due regard’ to equality and 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 and promote cohesion. 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.

It is not enough to state that a proposal will affect everyone equally. There should be thorough consideration as to whether particular groups or individuals are more likely to be affected than others by the proposals and decision. Please complete the table below. If you consider there to be no positive or negative impacts state ‘there is no differential impact’.

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>Torbay Council has signed up for advertising our units of social housing via Devon Home Choice, the choice-based lettings scheme for Devon. We do not keep a ‘housing list’. We work in line with the legal and operational requirements of Devon Home Choice, and they operate independently from Torbay Council.</p> <p>Any age restrictions on properties advertised on Devon Home Choice will be clearly indicated and filtered meaning those in the inappropriate age bracket will</p>	<p>Work in line with Devon Home Choice procedures and policies when it comes to shortlisting successful applicants</p> <p>Devon Home Choice Policy v12.6 22nd November 2024.pdf</p>	Pride in Place

		not be able to bid on age restricted properties. Presently Torbay Council operate no age restricted properties.		
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.	There is no differential impact anticipated.	Not Applicable.	Not Applicable
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.	<p>Torbay Council's housing stock may not be suitably adapted (e.g., top floor flat with no lift) and there are legal reasons that the accommodation cannot be adapted (a communal stairwell is not suitable for a stairlift for example, as it is at risk of limiting or blocking residents escape route) for persons with a disability affecting their mobility.</p> <p>Torbay Council's housing stock may also not be suitable for those with disabilities affecting sensory function. In these instances, Torbay Council will work with Occupational Health to investigate if adaptations can be made.</p>	Where possible work with Adult Services and Occupational Therapy upon customer securing a successful bid on Devon Home Choice to discuss possible adaptations to social housing before an offer is made or refused.	<p>Pride in Place</p> <p>Adult Services</p> <p>Occupational Therapy</p>

		<p>Torbay Council has signed up for advertising our units of social housing via Devon Home Choice, the choice-based lettings scheme for Devon. We do not keep a 'housing list'. We work in line with the legal and operational requirements of Devon Home Choice, and they operate independently from Torbay Council.</p> <p>In line with Devon Home Choice policies, shortlisting will be made to those bidding, in order of preference in need of that adaptation (e.g., Step Free Access or Wet Room, stair lift).</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.	There is no differential impact anticipated.	Not Applicable	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.	There is no differential impact anticipated.	Not Applicable	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.	There is no differential impact anticipated.	Not Applicable	Not Applicable
Race Page 71	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.	There is no differential impact anticipated.	Not Applicable	Not Applicable
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact anticipated.	Not Applicable	Not Applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact anticipated.	Not Applicable	Not Applicable

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.	There is no differential impact anticipated.	Not Applicable	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.	There is no differential impact anticipated.	Not Applicable	Not Applicable
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		In line with Devon Home Choice guidelines: Some households with rent arrears owed to social or private landlords may be excluded from bidding on Devon Home Choice. Torbay Council require one month's rent in advance from all tenants. In such instances where the tenant is offered a property and	Work with the household to determine whether an arrears payment plan in place and adhered to. This should also be discussed with the current housing provider for verification purposes.	Pride in Place

		has no such funds we will work with the household and signpost them to various departments who may be able to assist with rent in advance or a Discretionary Payment.	Signpost to other council departments such as Housing Options, Welfare Support or Benefits (to be considered for Discretionary Housing payment depending on the circumstances of the arrears/urgency of the move).	
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated.	Not Applicable	Not Applicable
Human Rights impacts		There is no differential impact anticipated.	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.	<p>Torbay Council takes its responsibility towards care experienced children and young people seriously.</p> <p>Torbay Council also understand that care experienced young people moving into their own social housing accommodation may be at greater risk of abuse or exploitation.</p>	Torbay Council will ensure there is support available for care experienced young people coming into their homes. They will ensure there is a plan in place for support and ongoing guidance.	<p>Pride in Place</p> <p>Children's Services</p> <p>Young Devon</p>

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Damp & Mould Policy

November 2024

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1. Version control

Date	Details	Updated by
Feb 2023	V1	Anita Merritt
November 2024	V2	Kelly Kinnair
January 2025	V3	Lianne Hancock

2. Policy Statement

This Policy is to ensure that Torbay Council complies with relevant legislation (specifically the Landlord and Tenant Act, 1985, Housing Health and Safety Rating System within the Housing Act 2004 and Decent Homes Guidance and the Social Housing Reform Act 2023)

3. Scope

This policy applies to all residential properties owned or managed by Torbay Council, including general needs housing, Next Steps Accommodation Programme (NSAP) and temporary accommodation residents.

Torbay Council acknowledges that it has responsibilities contained in the tenancy agreement and legislation. These include maintaining the exterior of our homes in good repair such as drains, gutters and roofs and keeping heating systems in good repair and working order.

Tenants also have responsibilities in the tenancy agreement to look after their home and our approach is to work in partnership with tenants to be able to provide and maintain dry and energy efficient homes.

The main aim is to manage reports of damp and mould or contributing factors (such as condensation) in a proactive way. This will be by the completion of reactive repairs, planned works or by providing advice to tenants on measures they can take to help manage damp and mould through changes to the way they use their home.

To provide tenants with the information they need to work their heating and hot water systems efficiently; along with information to help them to minimise condensation.

4. Responsibility

Torbay Council are responsible for making sure that our homes are fit to live in and maintained in accordance with the tenancy agreement, regulatory requirements and legislation.

We will investigate to determine the cause of damp, condensation and mould and carry out remedial repairs and actions in accordance with the tenancy agreement and repairs policy.

Tenants are responsible for ensuring that no damage occurs to their home as per the tenancy agreement. Tenants will be provided with information and guidance on minimizing condensation in their home.

5. Definitions and responsibility for damp, mould and condensation

There are three main categories of damp:

Penetrating damp: This occurs if water (rainwater or otherwise) is coming in through a wall or roof, (for example, under a loose roof tile) or through cracks. It can be identified by:

- Discoloration of internal walls or ceilings.
- The presence of tidemarks or salt deposits.
- Blown or blistered plaster.
- Rusted nails in skirting boards and floor timbers.
- Random damp patches to walls and ceilings (at any height) may appear and severe mould on internal walls and window frames may be present.

Rising damp: This is extremely rare and on most occasions mis diagnosed from the effects of other sources of dampness. It is believed to occur where there is a problem with the damp proof course (DPC). Rising damp results in bricks becoming porous and means water will flow up from the ground level and be carried up through the brickwork by capillary action. This will transfer moisture from wet bricks to dry ones. Like penetrating damp, rising damp usually leaves a tide mark.

Condensation damp: Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. This can take two main forms:

- Surface condensation arising when the inner surface of the structure is cooler than the room air.
- Condensation inside the structure (interstitial) where vapor pressure forces water vapor through porous materials (e.g. walls), which then condenses when it reaches colder conditions within the structure.

The conditions that can increase the risk of condensation are:

- Inadequate ventilation e.g. natural opening windows and trickle / background vents and mechanical extraction in bathrooms and kitchens.
- Inadequate heating e.g., undersized boilers and radiators, draught stripping.
- Inadequate thermal insulation e.g. Missing or defective wall and loft insulation.
- High humidity e.g. presence of rising and penetrating damp.
- Poor building design and construction – specific cold areas (bridging) which are integral with the building construction.

Conditions that can lead to condensation are:

- Poor ventilation – not opening windows, blocking up vents not turning on extract fans, not allowing air to circulate around furniture.
- Poor heating – not heating the house which can be a result of fuel poverty.
- Defective insulation –dislodged insulation in lofts.
- High humidity - not covering pans when cooking and drying laundry inside the house can contribute to this.

- Overcrowding.

Mould is a natural organic compound that develops in damp conditions and will only grow on damp surfaces. This is often noticeable and present in situations where condensation damp is present.

Condensation usually happens during cold weather and appears on cold surfaces and places where there is little movement of air. For example, in corners of rooms, on or near windows, in or behind furniture. If left untreated, mould will begin to grow and spread.

6. Temporary Accommodation

Torbay Council has a duty to provide temporary accommodation to some homeless households. The Council owns several units of accommodation which are used to meet accommodation duties to homeless households. Sometimes, due to demand on the Housing Options Service, the Council also spot purchases accommodation which is owned by another organisation.

The Temporary Accommodation Licence Agreement will specify who the landlord of the accommodation is. All cases of damp and mould or any of the 29 hazards defined in the Housing Health and Safety Rating System should always be reported to the Housing Options Team and not just the landlord of the accommodation provided.

Where Torbay Council is the owner of the accommodation or hold a lease on the property for the provision of Temporary Accommodation, the properties are visited regularly and inspections undertaken. Due to the high turnover in occupancy compared to a tenanted property proactive inspections are undertaken, where access can be gained under the licence agreement. Where necessary, the team will liaise with the landlord of the accommodation and ensure that this Policy and the Damp and Mould Procedure are followed.

7. Process

When a report of damp, mould or condensation is received, Torbay Council will try to identify possible causes. Please refer to our Damp and Mould Procedure for timescales.

Some causes of damp and mould may be obvious, in these cases, remedial repairs will be ordered.

Where the cause is not immediately obvious, a Surveyor from Property Services may need to visit the home to carry out an inspection.

During these visits, findings will be recorded and where a report is produced, a summary of this will be provided to the tenant once this is available.

If the issue is identified as condensation-based, information and guidance will be provided to the tenant. This information will include a discussion on the possible causes of condensation and some solutions that may help.

If the issue is identified as building related, the remedial works will be identified and scheduled.

If damp still exists, a Specialist Contractor will be instructed to identify the cause.

While dealing with the issues regarding damp or mould a good relationship needs to be maintained with the tenants involved to ensure they are fully informed of the process, timescales and outcomes.

If any remedial repairs or major structural repairs, refurbishments or improvements are required to the property, we would need to consider the risk to the wellbeing of the household, should they remain in occupation. It maybe that alternative accommodation arrangements will need to be made. This may be on a day by-day basis or a temporary decant to an alternative property. The tenant will be supported through this process to find suitable accommodation.

An inspection will be undertaken six months after any works are completed to ensure the issue has not returned.

8. Legal & Regulatory Requirements

Torbay Council will comply with relevant legislation and regulation, including:

Housing Act 1985

Homes (Fit for Human Habitation) Act 2018

Landlord and Tenant Act Section 11 – Repairs and Maintenance

Housing Act 2004 – Housing Health and Safety Rating

Decent Homes Standard

Social Housing Reform Act 2023

9. Appeals

Any tenant who is not satisfied with our approach to assessing and managing their damp and mould concerns can make a formal complaint.

If the tenant is dissatisfied with actions and decisions made under this policy, it will be dealt with under our Complaints Policy.

10. Equality and Diversity

Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not, and

Foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

11. Monitoring, record keeping and review

We will monitor this policy to ensure it continues to meet good practice and current legislation. We will review it in accordance with our policy timetable for all policies, or in line with changes to Legislation.

Records on information from conversations, emails, letters, inspections and out outcomes will be kept on our information management system.

Equality Impact Assessment

The Council has a public sector duty under the Equality Act 2010 to have ‘due regard’ to equality and 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 and promote cohesion. 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.

It is not enough to state that a proposal will affect everyone equally. There should be thorough consideration as to whether particular groups or individuals are more likely to be affected than others by the proposals and decision. Please complete the table below. If you consider there to be no positive or negative impacts state ‘there is no differential impact’.

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>Safe and secure accommodation is vital to ensure wellbeing. This is key as people tend to experience increased fragility as they age.</p> <p>Children with developing immune systems can suffer lasting consequences of exposure to these pollutants during childhood. As we age our immune systems weaken making elderly people vulnerable to exposure to damp and mould.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>We will ensure our policies and processes are made available to all residents, and we will ensure that we work in line with the ‘The</p>	<p>Pride in Place</p> <p>Housing Standards</p> <p>Environmental Health</p>

		<p>Any person with underlying respiratory or heart conditions, or anyone who is immunocompromised can suffer the consequences of exposure to damp and mould.</p> <p>Repeated exposure to damp and mould can still lead to health problems in adults without underlying health problems.</p>	<p>Safety and Quality Standard' from The Regulator of Social Housing, which requires landlords to provide safe and good-quality homes for their tenants, along with good-quality landlord services.</p>	
<p>Carers</p> <p>Page 82</p>	<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>There is no differential impact anticipated.</p>		<p>Not Applicable</p>
<p>Disability</p>	<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>Any person with underlying respiratory or heart conditions, or anyone who is immunocompromised can suffer the consequences of exposure to damp and mould.</p> <p>People with weakened immune systems or chronic lung illnesses are more likely to pick up serious infections from mould.</p>		<p>Pride In Place</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.	There is no differential impact anticipated.		
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 is 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.	<p>Pregnancy brings about changes in the body that can make people sensitive to environmental factors like mould.</p> <p>Children with developing immune systems can suffer lasting consequences of exposure to these pollutants during childhood. As we age our immune systems weaken making elderly people vulnerable to exposure to damp and mould.</p>		<p>Pride in Place</p> <p>Housing Standards</p> <p>Environmental Health</p>

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.	There is no differential impact anticipated.		Not Applicable
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact anticipated.		Not Applicable
Age	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact anticipated.		Not Applicable
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.	There is 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	There is no differential impact anticipated.		Not Applicable

	previously served in the UK armed forces.			
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		<p>Damp and mould exposure can lead to a range of health issues or mental health issues which could lead to repeated work/school absences which can have economic implications.</p> <p>Damp and mould exposure can lead to additional pressure on the NHS.</p> <p>Damp and mould can be associated with fuel poverty.</p>		Pride in Place Housing Standards Environmental Health
Public Health impacts (Including impacts on the general health of the population of Torbay)		<p>Exposure to damp and mould can lead to public health impacts including respiratory issues, allergic reactions, mental health conditions, as well as (but not limited to) eye irritation, throat irritation and nasal stuffiness. People with weakened immune systems or chronic lung illnesses are more likely to pick up serious infections from mould.</p>		Pride in Place Housing Standards Environmental Health

Human Rights impacts		There is no differential impact anticipated.		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.	There is no differential impact anticipated.		Not Applicable

Complaints Policy (housing)

December 2024

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1. Version control

Date	Details	Updated by
December 2024	V1	Anita Merritt

2. Introduction

Torbay Council are committed to high standards of customer service. However, there may be occasions when we do not meet those high standards which we set for ourselves. We welcome feedback and we also take any form of complaint seriously. We will try wherever reasonably possible to resolve a complaint to the customer's satisfaction.

This policy explains how customers can make a complaint if they are not satisfied with our services and this applies to all customers of Torbay Council and to any managing agents or sub-contractors working with or on behalf of Torbay Council.

3. Definition of a complaint

We define a complaint as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

We will aim to recognise what a complaint is from talking to a customer without them having to use the word complaint. We will give customers the choice of making a complaint or not.

A complaint can be made in the following way:

- In person
- Letter to: Tor Hill House, Union Street, Torquay
- Online: insert details when website finalised
- Email: socialhousing@torbay.gov.uk
- Telephone: 01803 201201
- Email or phone the Housing Manager or Housing Officer

Complaints will be accepted via a third party eg friend, family, neighbour or MP. These will be logged accordingly and this Complaints Policy followed.

4. When we will not accept a complaint

We will accept a complaint unless there is a reason not to do so. The list below demonstrates what may not be considered a complaint but will be looked into on its own merits.

- A complaint that a contractor has turned up late to carry out a repair. We will contact the contractor immediately to find out the reason and feedback for a quick resolution. However, if the complaint is about the dissatisfaction of the repair itself then this will be logged and looked into under our Complaints Policy.
- Complaints about another neighbour will be passed on to the housing team to give advice on neighbour disputes.
- Issues regarding Anti-Social Behaviour (ASB) will be dealt with under our ASB policy. We will manage complaints about how we are handling the ASB process under this policy.
- Issues that occurred over 12 months ago but we will consider the circumstances around each complaint.
- Disagreement against a decision where there is already an appeal process in place i.e. lettings decision.

- We will consider the complaints made about dissatisfaction in surveys and these will be signposted accordingly.
- If legal action has begun regarding an issue and an application has already been lodged at Court.
- An issue that is already being investigated by other agencies i.e Police investigation, serious case review.
- A complaint already being dealt with by the Housing Ombudsman.
- Any complaint that is already being dealt with under our Complaints Policy unless there are ongoing issues related to the complaint or an MP or Housing Ombudsman has asked us to review the complaint.

If an issue raised falls under the above categories we will explain why it is not considered under the complaints process and advise them if there is an alternative method or how to contact the Ombudsman.

5. Complaint's procedure

There is a two-stage complaint procedure in place which is dealt with within our Housing team.

We aim to deal with complaints quickly and where applicable offer an apology or resolution.

We will consider if the customer is vulnerable or at risk and follow other relevant policies to minimise any risks.

We will acknowledge complaints in a clear away setting out our understanding of the complaint and what the customer is seeking as an outcome.

A written answer to the complaint will be provided when known and not when the outstanding actions are due to be completed. Any outstanding issues or if a complaint requires an extension will be clearly set out to the customer.

Where additional complaints are raised during an investigation these will be included in the stage 1 response if they are related and if a response has not been finalised. If the stage 1 response has been issued and the new issues are not related these will be logged as a new complaint.

Informal - Quick resolution

Where we receive negative feedback, a representative of Torbay Council will contact the complainant within 2 working days of their complaint being raised and will work to agree a suitable resolution in a mutually agreeable timeframe. The response is much quicker than a formal complaint as we will not normally carry out an investigation or send formal letters but will look to get the problem resolved as quickly as possible.

Formal Complaints

Where we are unable to resolve a complaint through our quick resolution process, or a customer requests to make a formal complaint we operate a two stage formal complaints process:

Stage One

When a complaint is made it must be acknowledged and logged within 5 working days of receipt.

We will let you know who will be dealing with your complaint and how to contact them.

We will investigate the complaint and provide a written response within 10 working days of receiving the complaint and will keep the complainant informed of the progress until resolution.

We will provide details of how to escalate to stage two if the customer is not satisfied with the response. This will then be dealt with by a senior member of staff.

If a complaint is made through a third party then the third party will receive an acknowledgement and a copy of the outcome letter.

Stage Two

If a customer is dissatisfied with the outcome of the complaint review at stage one, the customer can make a request for their complaint to be escalated to stage 2 (appeal panel), within 15 working days of receiving the stage one response.

When a complaint is made it must be acknowledged and logged within 5 working days of receipt.

We will investigate the complaint and provide a written response within 20 working days and will keep the complainant informed of the progress until resolution.

We will let you know who will be dealing with your complaint and how to contact them.

Customers or those acting on their behalf will be allowed to speak to the complaint handler regarding any adverse findings from the outcome of stage one.

Stage two will be dealt with a senior member of staff that has had no previous involvement with the initial complaint therefore the review will be independent. This is the final stage of Torbay Council's complaints process for its social housing stock.

6. Taking your complaint further

If the complainant remains unhappy with Torbay Council's handling of their complaint once the complaints procedure has been exhausted they can refer their case directly to the Housing Ombudsman Service for an independent review.

Details of the Housing Ombudsman Service is available on their website: <http://www.housing-ombudsman.org.uk>

7. Learning from complaints

Complaints and feedback will be promoted to our customers and staff as an opportunity to learn and make improvements to our service.

When something changes as a result of a complaint, we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right. This can include but is not limited to:

- Apologising
- Acknowledging where things where things have gone wrong and providing an explanation and or reasons
- Reconsidering or changing a decision
- Changing policies, procedure or practices

As a result of any fault being identified we will offer a remedy which will reflect the impact on the customer. This offer will set out what will happen, when and in agreement with the customer. This proposal will be followed through to completion.

The Overview & Scrutiny Board will receive quarterly reports about the volumes of complaints received, at which stage they were resolved, and any trends or themes within the complaints.

All staff will receive training on this policy and this will be ongoing through regular performance reviews.

8. Monitoring and Performance

The Director of Regeneration is responsible for ensuring this policy is kept up to date, implemented within the organisation and monitored and evaluated.

This policy will be reviewed every three years or when there is a change in circumstances, in work practices or the introduction of new legislation.

9. Supporting policy

Equality and Diversity Policy

Equality Impact Assessment – Housing Complaints

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 Page 92	<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>Torbay Council should ensure that the methods of submitting complaints remain accessible by enabling customers to report by various methods face to face, in writing or via Torbay Council's website. This is particularly relevant to ensure we capture concerns or complaints from harder to reach demographic groups (which often includes younger people), who tend to reach for their device rather than a pen and paper when they are unhappy with a service.</p> <p>Torbay Council should clearly advise that complaints are received via email, in person, in writing and over the telephone, to ensure they capture the needs of our</p>	<p>Sometimes Torbay Council's complainant may be an older person, or someone with limited ability (due to health issues e.g., dementia).</p> <p>Torbay Council need to ensure that correct support is put in place and that referral mechanisms are available to the relevant agencies, and when we are aware of health issues or limited capability in a household,</p>	<p>Pride in Place</p> <p>Adult Services</p> <p>Children's Services</p>

		older or more technology restricted demographic of customers.	that we have support in place even before a customer may need to complain.	
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.	There is no differential impact anticipated.	Not Applicable	Not Applicable
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.	<p>Some customers with learning difficulties, hearing or sight impairments or mental health issues may not understand how policies and procedures work. Torbay Council must ensure support is offered in all aspects of tenancy support, and all aspects of raising a formal complaint should the need arise.</p> <p>Torbay Council will work with Support Workers or appointed persons on behalf of the complainant if applicable. This ensures accessibility of the service as well as making any other reasonable adjustments where required (such as letters in alternate formats or specified methods of contact).</p>	<p>Regularly monitor customers contact preferences and update the case management system to this effect.</p> <p>Ensure appointed Support Workers or appointed persons remain relevant/updated.</p> <p>Ensure Torbay Council staff are up to date with relevant mental health training.</p>	<p>Pride in Place</p> <p>Adult Services</p> <p>Children's Services</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.	There is no differential impact anticipated.	Not Applicable	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.	There is no differential impact anticipated.	Not Applicable	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.	There is no differential impact anticipated.	Not Applicable	Not Applicable
Race	In the 2021 Census, 96.1% of Torbay residents described	Although it is expected there would be little or no impact (Torbay Council would	Torbay Council will ensure any language	Pride in Place

	<p>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.</p>	<p>be aware of any language barriers upon the point of a tenancy being offered), it should be advised that assistance by way of an interpreter can be organised by prior arrangement.</p>	<p>barriers which could impact communication are noted on the case management software upon execution of the tenancy.</p> <p>Torbay Council will review complaints from persons who are not housing customers on a case by case basis.</p> <p>Torbay Council must ensure that provisions are in place before the landlord/tenant relationship is formally executed, and that this provision is ongoing.</p> <p>The housing management team should also ensure relevant departments, namely Revenues, are aware of any language</p>	<p>Communications Revenues</p>
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			barriers for the provision of invoicing/revenue collection.	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact anticipated.	Not Applicable	
Sex	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact anticipated.	Not Applicable	
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.	There is 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.	There is no differential impact anticipated.	Not Applicable	

Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		There is no differential impact anticipated.	Not Applicable	
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated.	Not Applicable	
Human Rights impacts		There is no differential impact anticipated.	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.	There is no differential impact anticipated.	Not Applicable	

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Lettings Policy v5

March 2025

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1. Version control

Date	Details	Updated by
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February 2021	V1	Anita Merritt
February 2022	V2	Anita Merritt
August 2024	V3	Kelly Kinnair
March 2025	V4	Anita Merritt
	V5	Mike & Lianne

2. Policy statement

Torbay Council will ensure that it lets its social housing properties in a fair and transparent way, whilst efficiently making the best use of its available housing. Lettings decisions are made that also support neighbourhood sustainability. In developing this policy Torbay Council has followed and fully considered the following:

Legislation:

- The Housing Act 1996, Part 6 as amended by the Homelessness Act 2002 and the Localism Act 2011
- The Housing Act 1996, Part 7 amended by the Homelessness Reduction Act 2017
- The Children Act 2004
- The Equality Act 2010
- The Domestic Abuse Act 2021

Statutory guidance:

- Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) “the Code”.
- Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”.
- Homelessness code of guidance for local authorities (February 2018).
- Improving access to social housing for members of the Armed Forces (MHCLG June 2020).
- Improving access to social housing for victims of domestic abuse (MHCLG January 2022)
- The Right to Move and social housing allocations (MHCLG March 2015)
- The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act 1996.

3. Scope

This policy deals with all social tenancies that Torbay Council issues, except for Mutual Exchange, which has its own policy. Torbay Council aims to offer applicants a choice in where they live. This is achieved through the operation of a Choice Based Lettings system, Devon Home Choice (DHC) and, where appropriate, the allocation of homes through Direct Lettings.

There is high demand for accommodation, but a very limited supply of social housing. Whilst Torbay Council is committed to delivering new social homes, there will still be a large imbalance between the number of applicants seeking social housing, and the relatively low number of properties which are available. In this context, the allocations policy allows the Council to allocate

this scarce resource as fairly as possible. In developing the allocations policy, regard has been given to the Homelessness and Rough Sleeping Strategy and Housing Strategy.

The DHC Policy is a separate document which should be read in conjunction with this policy.

4. Policy aims

This policy aims to allocate properties in a fair and transparent way. Torbay Council will allocate its vacant homes efficiently with the minimum loss of income by keeping re-let times to a minimum and in-line with the Equality Act.

The policy will respond to specific, local challenges by defining exceptions which are beyond the scope of the DHC policy. Torbay Council reserves the right to depart from any aspect of this policy where circumstances arise.

Any decision to depart from the policy will be taken by the Housing Manager.

5. Direct Let

Where interventions and legal powers may not be adequate/appropriate, Torbay Council will consider rehousing customers outside of the choice-based lettings system. These allocations will only be approved when it meets Torbay Council's wider strategy. In these circumstances Direct letting will look to apply Torbay Council's own Local Connection Criteria. Circumstances which would be considered for approval include but are not limited to:

- Where a property is needed urgently to deal with an emergency
- Where in exceptional circumstances an offer is required to prevent the homelessness of an applicant who would otherwise be requiring temporary accommodation
- Serious harassment and/or victimization
- Targeted criminal or anti-social behaviour
- A victim of domestic abuse
- Where a property has been fully adapted/partially adapted and would meet the needs of an applicant/tenant needing that type of accommodation
- Serious detriment to a resident's health due to the type of accommodation
- Where a tenant is under-occupying a property and wishes to move to a smaller home because of affordability concerns.
- All applications would be assessed by the Housing Manager and agreed by their Line Manager on merit and would be supported by evidence, such as medical or Police reports. Tenants granted a management move will be made one offer of suitable accommodation.
- Homeless direct offer – applicants that are homeless and have been accepted under the relief or main duty:
 - May be made one suitable offer either within or outside Torbay Council, regardless of the areas requested by the applicant (unless the applicant(s) are fleeing in which

case only areas considered to be safe will be offered) in order to prevent or relieve homelessness successfully.

- Offered a property that is not going to be advertised through DHC, as temporary accommodation for an interim period, to relieve the pressure on temporary accommodation use. These properties would be offered on a licence agreement and not as a Part 6 offer.
- Torbay Council may be required by the Housing Options team to hold an empty property, until such time as any appeal has been reviewed and a decision made.

6. Local Letting Policies (LLPs) and Priority Bidding

Local Letting Plans aim to achieve agreed objectives, such as minimising anti-social behaviour in certain areas or improving the success rate of integrating young or vulnerable people into general needs housing.

Local Letting Plans are developed on a locality basis to address the requirements of that specific area.

Local lettings may be used to (this is not an exhaustive list):

- Enable new schemes to be allocated to a mixture of tenants in order to develop a sustainable community
- Enable an existing community to become more sustainable, by encouraging more working families to move into the area.
- Enable applicants to return to an area where they have a local connection.
- When a property, advertised on DHC is subject to a local lettings scheme, this will be clearly stated in the advert. The local lettings policy will be available to view on the DHC website.

Priority Bidding: Torbay Council may advertise properties giving additional preference to specific groups. These specific groups are listed below:

- Allocations to existing Torbay Council tenants (transfers)
- Allocations to homeless applicants owed the main housing duty and living in temporary accommodation provided by the Council
- Allocations to applicants requiring adapted properties
- Preference to larger families if it is a 4 or 5 bedroomed property
- Preference to those over 55 years of age if the property was previously categorised as 'sheltered' or 'Extra Care Homes'
- Other specific groups of applicants, as determined by Torbay Council

7. Devon Home Choice

DHC is a choice based letting scheme that is transparent, easy to use and accessible for all. It aims to manage expectations through regular published reports of housing allocations. The DHC policy sets out the fundamental principles upon which the scheme is based and forms the best

part of Torbay's allocation policy. Torbay Council coordinates DHC within Torbay and maintains the housing register for all partners operating within the area. For more information on the DHC scheme please visit: [Devon Home Choice](#)

Allocations

For the purposes of Part 6 of the 1996 Act, a local authority allocates accommodation when it selects a person to be a secure or introductory tenant of accommodation held by that authority.

The following are not allocations under this policy:

- Succession to a tenancy on a tenant's death pursuant to s89 Housing Act 1985
- Assignment of a tenancy by way of mutual exchange
- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004
- An introductory tenancy becoming a secure tenancy
- A person being granted a family intervention tenancy
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power

Tenancy Types

New tenants of Torbay Council will normally be offered an Introductory Tenancy for an initial twelve month period. In exceptional circumstances, it may be appropriate to grant a Secure Tenancy. Existing tenants of Torbay Council or another Registered Provider, who have been tenants for twelve months or more, will normally be offered a Secure Tenancy. This includes tenants who have successfully completed their Introductory tenancy.

Withdrawal of Properties

Torbay Council reserve the right to withdraw properties from DHC at any time. For example, it is possible that some advertised properties may still be awaiting void inspections and may have to be withdrawn if it later becomes apparent that they require extensive maintenance works (major void).

Reasonable Preference

The Housing Act 1996 as amended requires all Councils to give 'reasonable preference' in their allocations scheme to groups in high housing need, such as the homeless, people with medical or welfare needs, or those living in overcrowded, insanitary or unsatisfactory circumstances. The DHC application form incorporates questions to establish whether an applicant is in one of the reasonable preference categories. A full explanation of reasonable preference groups are listed in the DHC Policy - DHC Policy - Reasonable Preference [Devon Home Choice Policy v13.0 April 2025.pdf](#)

8. Eligibility for social housing with Torbay Council

Eligibility

Anyone over 16 years of age and over can apply to the housing register if they are eligible. However, this does not guarantee housing under the scheme, as, by law, there are defined groups of applicants who cannot be re-housed. An applicant's eligibility for the scheme will be assessed before access is given to complete an application. It may be necessary to provide evidence of eligibility during the process which will include at least 5 years of past housing history.

Applicants under the age of 18 will only be considered with a guarantor. Upon their 18th birthday they will be required to sign a tenancy agreement. Under the Housing Act (1996) as amended by the Homelessness Act 2002 and the Localism Act (2011), Local Authorities must consider whether applicants are eligible for housing assistance. This relates to some applicants who may have been living abroad or who do not have permanent permission to remain in the UK. Some applicants will be ineligible, whether or not they are subject to immigration control. Regulations relating to this may be updated regularly.

Non-Eligibility

The Council cannot by law allocate housing accommodation to anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act (1996) unless they fall within a class exempted from this restriction by Government regulations. In addition, the Council cannot, by law, allocate housing accommodation to other classes of persons from abroad if Government regulations dictate we cannot. Please visit the DHC website for more information relating to non-eligible applicants.

Under the Localism Act, the Council can further restrict applicants from being included onto the housing register. These will include circumstances where:

- Applicants or members of their household have been found guilty of unacceptable behaviour making them unsuitable to be a tenant at the time an application is made unless a proven sustainment of good behaviour for a period (normally up to twelve continual months) is provided. Behaviour is deemed unacceptable only if it is of a kind that would entitle a landlord to a Possession Order.
- An existing social housing tenant / licensee requests a transfer but has not maintained their current property to an acceptable standard; or has accrued rent arrears or other charges or debts; or has proven instances of anti-social behaviour (ASB). Evidence of sustained debt clearance, good behaviour and engagement with a landlord, normally for a period of up to twelve months will be needed as well as an affordability assessment. A letter of support / reference for a transfer will need to be provided from the Landlord.
- An existing private tenant / licensee has not maintained their current property to an acceptable standard; or has accrued rent arrears or other charges or debts; or has proven instances of ASB. Evidence of a sustained attempt at debt clearance, an affordability assessment will be required and / or good behaviour and engagement with a Landlord, normally for a period of up to 12 months, may be taken into account. A letter of support / reference for a transfer will need to be provided from the Landlord.

- Applicants have current or former rent arrears or have accrued other property related charges unless there has been a sustainment of debt clearance and attended an affordability assessment for a period, normally up to 12 months. The period of up to 12 months for good behaviour and engagement, is considered on a case-by-case basis and may be reduced this will be at the council's discretion.
- Households with a gross household income more than six times higher than the relevant Local Housing Allowance level prevailing in Torbay at the time will normally be considered to be able to meet their housing need, through either renting privately or owner occupation. Such households will normally have their applications placed in the No housing need band (E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need. (See current income / saving levels on the current DHC policy)
- Criminal convictions may also result in refusal. Applicants who have been convicted of a serious criminal offence, or have been guilty of anti-social behaviour, or other unacceptable behaviour including a history of causing serious nuisance or annoyance to neighbours within the past five years. Unacceptable behaviour may also include serious damage or neglect of a property.
- If there is proven evidence that they have within the last five years committed or threatened acts of physical violence, harassment or hate related abuse against staff or Torbay Council customers.
- If they have current or former tenant arrears with Torbay Council. We will consider exceptions, if the applicant is needing to downsize because of a reduction in welfare benefits which means their home is no longer affordable, (any arrears will be written into the new tenancy agreement), or if we have identified that their current home is no longer suitable due to medical reasons.
- They do not provide evidence as requested by Torbay Council to confirm they have the means to pay the monthly rent charge within the specified timescales. Evidence can include 6 months' worth of bank statements, 6 months' pay-slips (if appropriate) and proof of all debts, including current/past credit cards. Applicants who fail an affordability assessment due to insufficient funds available to pay the monthly rent will also be ineligible.
- Applicants with support needs which we are unable to meet internally or through an external support agency.
- Applicants for re-housing who are employees of Torbay Council, relatives of employees or close connections should declare this when shortlisted for a property and the verification process is completed. These applications will be handled in accordance with our Conflict-of-Interest Policy.
- Torbay Council will reject or suspend an application where an applicant is deemed ineligible using the above criteria. However, Torbay Council reserves the right to decide, on a case-by-case basis and where there are exceptional circumstances, to rehouse an applicant who does not meet the eligibility criteria.

- Torbay Council further reserves the right, in exceptional circumstances, to restrict offers of accommodation that are inappropriate in relation to any information obtained via a risk assessment or support needs assessment.
- Please see Devon Home Policy for more circumstances

Torbay Council is committed to preventing and tackling homelessness. We believe that the assessment criteria set out in the choice-based lettings policy documents give adequate preference to bidders accepted as homeless by partner local authorities. However, when there are opportunities to create more accommodation to tackle homelessness and/or provide specialist housing, these will take priority over the Choice Based Lettings scheme.

Torbay Council will not label its vacancies with any additional preference for homeless people and should not risk any development being identified as specifically for the homeless, or any incoming household being stigmatized as having been homeless.

9. Refusal of eligible bidders/nominations

Torbay Council embrace the ideals of social inclusion and should not introduce 'blanket bans' for certain types of applicants. Each case should be dealt with on its own merits, considering the individual circumstances of the household. People should not be refused access to housing merely because they are likely to cause housing management difficulties.

However, it is recognised that it may be necessary to refuse the offer of a home:

- To persons who present a significant risk to staff, the community or a Torbay Council property in cases where this can be properly substantiated.
- To persons who have a support need or vulnerability which means they will be unable to meet the terms and conditions of their tenancy without additional support, which it has not been possible to secure.
- To persons who have not been able to view a property and decide on an offer of accommodation within a reasonable time
- To persons who have failed aspects of Torbay Council verification process.
- To households who, when assessed against the personal affordability criteria, would be unlikely to successfully sustain a tenancy.
- To bidders who require disability adaptations to make the property under consideration habitable by a household member, but where the property is not suitable for those adaptations.

10. Social housing fraud

Social Housing fraud is a criminal offence, and anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant by Torbay Council. A tenancy obtained by deception will be repossessed. If we discover this type of irregularity at the offer stage, we will withdraw the offer.

Torbay Council's procedures will provide for the full assessment of these issues before a decision on the offer of a tenancy is made. All such decisions should be clearly documented, made known to bidders, and be subject to an internal management review at the bidder's request.

11. Rent affordability and sustainable tenancies

In setting rents for its homes Torbay Council follows the Rent Standard Guidance issued by the Social Housing Regulator for both the Social Rent and Affordable Rent regimes. In doing so Torbay Council believes that its homes should generally be affordable by households in low paid employment.

Following the introduction of the Welfare Reform and Work Act 2016 (WRWA) Torbay Council recognizes that some prospective tenants might be prevented from claiming Housing Benefit or Universal Credit housing element on the full amount of their rent because of the Bedroom Tax or the Benefits Cap. Some of the households affected would be able to make up the shortfall only by using money from benefits paid for non-housing costs leaving them with less income to live on than the state defined minimum. Torbay Council believes that it is unlikely that such tenancies would be sustainable in the long term.

Torbay Council will consider whether individual prospective tenants could afford to sustain proposed tenancies by completing an Affordability Assessment.

All applicants will undergo an affordability assessment to ensure they do not have a deficit in income after all essential outgoings have been taken into consideration. Exceptions should be made only where it can be shown that the tenant's benefit eligibility circumstances will change within a reasonable period in such a way that the tenancy becomes affordable to them.

12. Verification

- If an applicant is successful with their bid on DHC, a verification check of their housing application will be completed. This ensures the applicants housing circumstances reflect that stated in their application, and that their banding and bedroom need is correct.
- Torbay Council will check all information provided by the applicant that is relevant to their eligibility and qualification for an offer of a Torbay Council home. This may include inviting the applicant for an interview or completing a home visit, which will be required prior to the applicant being offered a property.
- Torbay Council may check information with other sources as allowed by law.
- Applicants may be required to provide documentary evidence that all persons included on the application are resident at the address supplied at the point of application. Applicants will also be required to provide any additional proof considered appropriate to confirm their circumstances at any point during their application.

The information that we request is as follows:

- Proof of ID (for all household members)
- 5 years address history
- Bank statements for all accounts held

- Proof of benefits or income
- Tenancy reference
- No formal offer of accommodation will be made until the verification process has been completed.
- Extensive delays in supplying reasonable requested information could lead the application being withdrawn.

When an applicant has been provisionally offered a property, their application will be set to 'bid shortlisted' and they will not be able to bid on any other properties, until they have accepted or refused that offer of accommodation. Once all information has been received and verified, a formal offer will be sent to the applicant. If an applicant accepts an offer of accommodation, their DHC application will be set to housed and closed. Should the applicant refuse the property, a refusal reason will be added to the shortlist and the property will be reoffered to the next eligible applicant. Please see the DHC Policy for more information on refusals.

13. References

We will ask for references from all applicants' previous landlords or other relevant person. In addition, where there are concerns about risk, risk to self or risk to others, enquiries will be made with any relevant organizations.

14. Rent in advance

All incoming tenants are required to pay one month's rent in advance.

15. Rent Arrears

The DHC policy stipulates that applicants who owe rent or a tenancy related debt, accrued within the last 2 years will not normally be offered a property and their application placed into the E Band – no housing need.

There may be exceptional circumstances in which rent arrears can be waived in order to allocate a property. Torbay Council will only do this where it is viewed as an exceptional circumstance and where it is fair and just to do so.

Torbay Council reserves the right to exercise discretion (on a case-by-case basis) in relation to levels of rent arrears that would otherwise prevent an offer of accommodation from being made, if it is in the interest of the Council to do so (for example, to reduce void periods of empty properties or to minimise the use of temporary accommodation).

16. Matching homes to appropriate households

Torbay Council should offer its homes only to households appropriate to the property types and sizes. The principles set out below should be applied as the normal criteria for matching properties to households:

- Single people aged 16 or over may be offered a studio apartment, bedsit or one bedroom property.
- Two single people aged 16 or over living together as a couple without children should be offered a one-bedroom property.
- Single or joint parents shall be offered a bedroom separate from any children.
- Two children of the same sex should be expected to share a double bedroom except where one has reached the age of 16.
- Children of different sexes may be expected to share a double bedroom except where one has reached the age of 10 years.
- A pregnant woman should be treated as having had her child once she is more than 12 weeks pregnant.
- A person with a disability who needs non-resident overnight carer may be allowed an additional bedroom.
- Additional bedrooms should not normally be given to applicants who have children living separately, but who visit and stay on occasions.

Torbay Council accepts that property sizes can vary, and the Housing Manager will have the final decision on the appropriate family size for each property. For example, some 3 bedroomed houses are only big enough for a family of 2 adults and 2 children, whereas others may be able to accommodate 2 adults and 4 children. Torbay Council will make it clear in all adverts what the expected family size would be for each property.

Where properties have adaptations for a person with a disability preference should be given to bidders with household members who require the adaptation. Properties with substantial adaptations including those with level access showers, ramps, stair-lifts, ground-floor bathroom extensions or lowered kitchen surfaces will normally be let only to bidders who require the adaptation, or there is a member of the household who requires the adaptation.

Torbay Council procedures will set out clear guidelines for the consideration of exceptions to these principles, whether to permit under-occupation, minimise under-occupation, make best use of properties with adaptations, or because the special circumstances of an individual household warrant a flexible approach.

When disabled applicants apply for a Torbay Council property that has not been previously adapted, Torbay Council will consider whether the property is still suitable to meet the needs of the applicant. Torbay Council will provide some minor adaptations at the expense of the department managing the social housing. When more major adaptations are required, this will usually be done via a Disabled Facilities Grant (DFG) provided by Adult Services at Torbay Council who will work with Occupational Therapists to ensure the correct, most appropriate adaptations are carried out.

It is not always possible to adapt a property for disabled applicants and on occasions Torbay Council will refuse the offer of accommodation on this basis. This decision will be made by the Housing Manager and relevant member of Senior Management.

17. Monitoring, Consulting & Reviewing

Torbay Council will monitor the outcomes of lettings to ensure that the best use is made of its housing, and that it is contributing to sustainable communities. It will monitor the satisfaction of incoming tenants with both the letting service offered and the condition of their new homes.

It will also record all its lettings in the Continuous Recording of Lettings (CORE) system and will develop a framework of performance indicators for lettings and wider void management. Torbay Council will take prompt action to identify reasons for any underperformance and will tackle barriers to delivery.

18. Equality & Diversity

Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not, and

Foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

Equality Impact Assessment

The Council has a public sector duty under the Equality Act 2010 to have 'due regard' to equality and 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 and promote cohesion. 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.

It is not enough to state that a proposal will affect everyone equally. There should be thorough consideration as to whether particular groups or individuals are more likely to be affected than others by the proposals and decision. Please complete the table below. If you consider there to be no positive or negative impacts state 'there is no differential impact'.

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>Safe, secure and affordable accommodation is vital to ensure wellbeing. This is key as people tend to experience increased fragility as they age.</p> <p>It is recognised that paying fees and charges may be difficult for some pensioners due to high levels of poverty within this demographic. Furthermore, some pensioners may difficulty accessing financial wellbeing information due to the societal shift to 'digital first' models of service delivery.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>We will also signpost service users to partner agencies where additional support is required.</p>	Pride in Place

		Safe, secure and affordable accommodation is also important for children and young people to ensure that they can reach their potential.		
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.	<p>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that paying rent may be difficult for some carers due to higher levels of poverty within this demographic.</p> <p>However it is recognised that people with caring responsibilities are more likely to experience financial hardship.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about rent will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	Pride in Place

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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.	<p>Safe, secure and affordable accommodation is vital to ensure wellbeing.</p> <p>It is recognised that people with disabilities and in particular learning disabilities face increased vulnerabilities when compared to the wider population.</p> <p>It is also recognised that those with some mental health conditions may find applying for financial support daunting.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about housing will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p>	Pride in Place
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.	There is no differential impact anticipated.	Not applicable	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.	There is no differential impact.	Not applicable	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.	There is no differential impact.	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.	It is recognised that people who are from black, Asian or minority ethnic backgrounds are more likely to experience financial hardship.	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council, this includes links for benefit and finance advice,</p>	

			housing and homelessness. <u>Help with the cost of living - Torbay Council</u>	
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	There is no differential impact.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	It is recognised that families and households headed by females are more likely to experience financial hardship and be on lower income and thus, experience homelessness.	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>Information about housing will be clearly communicated to tenants in a format and manner that is accessible to them. The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis</p>	Pride in Place

			<p>which is provided by Torbay Council.</p> <p><u>Help with the cost of living - Torbay Council</u></p>	
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.	There is no differential impact		Not applicable
Armed Forces Community	<p>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. This number is higher in the Brixham area (between 6.8% and 7.2%).</p> <p>The Armed Forces Act places a legal duty on LAs to give due regard to members of the Armed Forces Community specifically housing, education and healthcare. It applies to serving and former serving regular and reservist Service personnel and their relevant family members</p>	<p>Veterans often suffer complex physical and/or mental medical conditions resulting from their service experiences.</p> <p>Torbay Council is committed to working with Veterans under the Localism Act.</p>	<p>We will work in a person centred and trauma informed manner alongside other Council departments to ensure that individual needs are met.</p> <p>The service will also signpost service users to partner agencies where additional support is required.</p> <p>This signposting will supplement the information about the cost-of-living crisis which is provided by Torbay Council. Help</p>	Pride in Place

	(spouses, partners and children). A veteran is someone who has served a minimum of a day in basic training, therefore it is possible to have veterans as young as 16.		with the cost of living - Torbay Council. <u>Help with the cost of living - Torbay Council</u> We will also signpost to appropriate organisations providing support to the armed forces community. !	
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Torbay Council set rents under the Rent Standard set by the Government. Rents are capped at the Local Housing Allowance rate.	That we take steps under this policy to support this.	Pride in Place
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated	Not applicable	Not applicable
Human Rights impacts		There is no differential impact	Not applicable	Not applicable
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have	There is no differential impact	Not applicable	Not applicable

	a responsibility towards cared for and care experienced children and young people.			
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Tenant Involvement & Empowerment Policy

August 2024

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1. Version control

Date	Details	Updated by
January 2024	V1	Kelly Kinnair
September 2024	V2	Kelly Kinnair

2. Introduction

Torbay Council recognises the benefits of having tenants who are involved in decisions about how services are provided and how the organisation is run. This policy sets out how we will involve our tenants in our service provision and gather their views.

Through this policy, Torbay Council aims to ensure that tenants feel that they are provided with sufficient opportunities to influence how Torbay Council Social Housing is run, and that we have

appropriate structures and processes in place to gather tenants' views to continuously improve its service. Torbay Council is committed to making the voices of its tenants heard.

3. Approach

This policy covers all tenants of Torbay Council's social housing properties.

The Regulator of Social Housing's Transparency, Influence and Accountability Standard requires Registered Providers to ensure that customers are given a wide range of opportunities to influence and be involved in:

- the formulation of their landlord's housing-related policies and strategic priorities.
- the making of decisions about how housing-related services are delivered, including the setting of service standards.
- the scrutiny of the landlord's performance and the making of recommendations to their landlord about how performance might be improved.
- the management of their homes, where applicable.
- the management of repairs and maintenance services.
- agreeing local offers for service delivery.

4. Supporting Tenant Involvement

To support the involvement and empowerment of tenants, Torbay Council will:

- seek to consult tenants when making decisions.
- provide timely and relevant performance information to tenants to support effective scrutiny of Torbay Council's performance. This will include the production of an annual report detailing our performance against various key metrics, and any upcoming changes to services.
- provide tenants with a variety of channels through which they can provide feedback, including via telephone and email or face to face.
- areas where Torbay Council may seek to gather the views of tenants include (but are not limited to):
 - rent levels.
 - housing management services and service standards (e.g. Tenancy Agreements).
 - property management services and service standards (e.g. standard of repairs, response times).
 - governance issues.
 - non-housing issues (e.g. security, social inclusion).
 - the content and implementation of this policy.

5. Formal Feedback Gathering

In addition to establishing and maintaining a range of channels through which tenants can provide ad-hoc feedback to Torbay Council, the association will establish formal regular processes for gathering tenant feedback through:

Tenant satisfaction surveys: Torbay Council will undertake an annual tenant satisfaction survey. This survey will invite tenants to provide their views on a range of service provisions and will provide tenants with an opportunity to give suggestions to the us. The outputs of this survey will be analysed, and a report produced by the Housing Manager for presentation to the Council's Overview & Scrutiny Board.

Meetings with tenants: Torbay Council will arrange and facilitate a meeting with our tenants at least once per year. These meetings will be open to all Torbay Council tenants and will be attended by the Housing Manager.

6. Other Forms of Tenant Involvement

Torbay Council is mindful that, in addition to providing feedback, some tenants may wish to become more closely involved. Should there be an opportunity for a tenant to apply to be part of a tenant participation group we will ensure that all tenants are made aware of the opportunity and supported in applying, should they so wish.

7. Equality & Diversity

Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not, and

Foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

8. Appeals & Complaints

Any tenant who feels that they have not been treated in accordance with this policy can use the complaints procedure.

9. Monitoring & Compliance

All feedback provided by tenants will be analysed by the Housing Manager quarterly.

In observing this Policy, Torbay Council will comply with all legal and regulatory expectations outlined in the Regulator of Social Housing's Transparency, Influence and Accountability Standard 2024, which replace the Tenant Involvement & Empowerment Standard 2017.

10. Review

This policy will be reviewed every 3 years by the Housing Manager in consultation with the appropriate Cabinet Member.

Equality Impact Assessment – Tenant Involvement and Empowerment

The Council has a public sector duty under the Equality Act 2010 to have ‘due regard’ to equality and 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 and promote cohesion. 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.

It is not enough to state that a proposal will affect everyone equally. There should be thorough consideration as to whether particular groups or individuals are more likely to be affected than others by the proposals and decision. Please complete the table below. If you consider there to be no positive or negative impacts state ‘there is no differential impact’.

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>Torbay Council should ensure that involving customers in the Tenant Involvement and Empowerment Standard is extended to all age brackets, also factoring in all technical abilities.</p> <p>Opportunities for all ages must remain accessible. Various platforms such as the Torbay Council website and social media outlets will cater to a younger demographic, or links to Tenant Satisfaction Measures via email or</p>	<p>The Housing Management team will continue to ensure visits are carried out in line with applicable policies (Access, Repairs and Maintenance etc.)</p> <p>Torbay Council will strive to understand the diverse needs of our tenants (at the point of pre tenancy</p>	<p>Pride in Place</p> <p>Communications Team</p>

smartphone links encourages them to follow the link and give their views.

Torbay Council should clearly advise customers that Tenant Satisfaction Measures Surveys, or applications to sit on a Tenant Participation Panel at Torbay Council can be completed via email, in person with a staff member, in writing and over the telephone (in addition to online via our website and social media outlets as outlined above) to ensure they capture the needs of our older or more technology restricted demographic of customers.

application, throughout the tenancy) and apply this knowledge to our Tenant Involvement and Empowerment Strategy.

Torbay Councils Housing management team will liaise with the Communications team regularly to ensure we are optimising online presence and contact methods for customers in our social housing. This may also include the implementation of interpretation where necessary.

Torbay Council will seek to identify barriers to tenant involvement at all stages of tenancy and any identified barriers will be regularly reviewed and communicated to other

			relevant departments of Torbay Council.	
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.	Torbay Council social housing residents whose household includes unpaid carers will be given access to our Tenant Involvement and Empowerment strategy via their elected means of communication. On a case-by-case basis, further investigation should be undertaken to enquire if the household would like to take part in Tenant Involvement and Empowerment activities.	<p>Torbay Council will have a flexible approach in our working, particularly for our households that have caring obligations. The Housing Management team will have an empathetic approach and will assess household needs on a case-by-case basis.</p> <p>Torbay Council will seek to identify barriers to tenant involvement at all stages of tenancy and any identified barriers will be regularly reviewed and communicated to other relevant departments of Torbay Council.</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>Some customers with learning difficulties, hearing or sight impairments or mental health issues may not understand the importance of our Tenant Involvement and Empowerment strategy, or the obligations placed on us as a registered Provider of social housing. Torbay Council must ensure guidance and inclusion is offered in all aspects of tenancy support. Similarly, Torbay Council should let customers know that they have a choice on whether they take part in Tenant Involvement and Empowerment activities.</p> <p>Torbay Council will work with Support Workers or appointed persons on behalf of the customers if applicable. This ensures accessibility of the service as well as making any other reasonable adjustments where required (such as letters in alternate formats or specified methods of contact).</p>	<p>Torbay Councils Housing management team will liaise with the Communications team regularly to ensure we are optimising online presence and contact methods for customers in our social housing. This may also include the implementation of interpretation where necessary.</p> <p>Torbay Council will seek to identify barriers to tenant involvement at all stages of tenancy and any identified barriers will be regularly reviewed and communicated to other relevant departments of Torbay Council.</p>	
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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.	There is 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.	There is 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.	There is no differential impact anticipated.	Not Applicable	
Race	In the 2021 Census, 96.1% of Torbay residents described	Although it is expected there would be little or no impact (Torbay Council would	Torbay Councils Housing management team will	

	<p>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.</p>	<p>be aware of any language barriers upon the point of a tenancy being offered), it should be advised that assistance by way of an interpreter can be organised by prior arrangement and will continue to be offered throughout and Tenant Involvement and Empowerment activities.</p>	<p>liaise with the Communications team regularly to ensure we are optimising online presence and contact methods for customers in our social housing. This may also include the implementation of interpretation where necessary.</p> <p>Torbay Council will seek to identify barriers to tenant involvement at all stages of tenancy and any identified barriers will be regularly reviewed and communicated to other relevant departments of Torbay Council.</p>	
Religion and belief	<p>64.8% of Torbay residents who stated that they have a religion in the 2021 census.</p>	<p>There is no differential impact anticipated.</p>	<p>Not Applicable</p>	

Sex	51.3% of Torbay's population are female and 48.7% are male	There is no differential impact anticipated.	Not Applicable	
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.	There is 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.	There is no differential impact anticipated.	Not Applicable.	
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Torbay Council understands that many unpaid carers also have work commitments. Dedicating time to activities outside of the workplace or household could contribute to loss of income.	Torbay Council will ensure we have opportunities for all tenants to become involved and have influence over the	

			<p>management of their home, although we understand that tenants can, and do decline such opportunities for their own reasons.</p> <p>Torbay Councils Housing Management team will keep up to date with welfare benefits and Council led financial schemes (e.g., Household Support Fund, Welfare Support Fund) and take the opportunity to signpost unpaid carers to these schemes, and if required, support in making applications.</p> <p>Torbay Council Housing Management team will keep up to date with all Safeguarding training, ensuring they are well versed to make</p>	
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			Safeguarding referrals when applicable.	
Public Health impacts (Including impacts on the general health of the population of Torbay)		There is no differential impact anticipated.	Not Applicable	
Human Rights impacts		There is no differential impact anticipated.	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.	There is no differential impact anticipated.	Not Applicable	

Rent Arrears & Debt Recovery Policy

August 2024

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1. Version control

Date	Details	Updated by
November 2022	V1	Anita Merritt
August 2024	V2	Kelly Kinnair

2. Policy Statement

Torbay Council's objective is to prevent rent arrears and maximise our income collection, whilst enabling residents to sustain their tenancies and remain in their homes. We also aim to recover former resident debt when possible.

This policy covers the ways in which we aim to prevent rent arrears and our approach to arrears recovery for current residents, including legal action. It also details our approach to recovery of former resident debts. The policy is supported by detailed procedures in the appendices.

3. Scope

The collection of rent and service charges is a key priority for Torbay Council and this Policy seeks to:

- Promote a positive payment culture of tenants paying their rent in advance to prevent households from falling into arrears.
- Ensure early intervention and make contact when the initial arrears occur.
- Building a culture of residents contacting us if they have concerns about maintaining their rent payments.
- Recover rent arrears as efficiently as possible whilst maintaining the aim of eviction being an action of last resort.
- Sustain tenancies in as many cases as possible and referring tenants for budgeting and debt advice.
- Ensure that Torbay Council is compliant with the pre-action protocol for rent arrears possession claims.

4. Policy Aims

We understand that in the current economic climate the challenges for some of our residents around finances can be challenging and stressful.

The aim is the prevention of debts owed to Torbay Council by balancing the support offered to residents by protecting the income into the business. This is achieved by having key elements:

- Early intervention
- Working with residents by informing and engaging with them as well as offering support and encouraging two-way communication.
- To regularly monitor all debts owed to the business.
- Provide a signposting service to the relevant agency or partner depending on individual issues.
- To create a payment and support plan for each individual resident who experiences difficulty in meeting their rent payment obligations.

5. Positive Payment Culture

Torbay Council promotes a positive rent payment culture to support the minimisation of arrears. Payment is expected in full by the date it is due, or in advance, and always in line with the tenancy agreement. Any payments beyond this date will place the account into arrears.

The rent payment requirements are made clear throughout the letting process and a payment in advance is required prior to letting. Non-payment of the rent in advance may result in the refusal or withdrawal of an offer.

Rent activity is discussed at the New Resident Visit within the first six weeks of the commencement of their tenancy. Any issues can be identified and resolved as quickly as possible, underlining the payment culture that rent is a priority.

By using Starter Tenancies, we can explain to a new resident that rent arrears are a ground for extending the Starter Tenancy or ending it.

To support the requirement of regular and timely payments by Direct Debit is the preferred payment option. For those residents who find Direct Debit a difficult option, efficient and simple payment options are available ensuring that all residents have an opportunity to manage their rent account effectively.

A payment and support plan will be provided to any customer who falls into difficulty in paying their rent. This plan will provide the customer with information on when and how payments should be paid as well as any support Torbay Council or other departments, as well as what external agencies may be able to offer.

6. Prevention and Early Intervention

Prevention is the key factor in minimising the accrual of arrears.

Whilst it is acknowledged that ultimately payment is the responsibility of the resident, Torbay Council seeks to support prevention of arrears for residents in the following ways:

1. Prior to letting a financial assessment is carried out
2. At the point of the financial assessment any opportunity to maximise the resident's income through welfare benefits or other means will be identified to the resident.
3. If a refusal of housing or withdrawal of offer is to be made a resident may be signposted to other agencies for support to improve their financial situation.
4. Arrears are identified at the earliest opportunity and communicated to the resident so that together we can manage the issue as soon as possible.
5. If a resident is receiving or applying for Universal Credit and they meet the DWP tier 1 or tier 2 factors, an Alternative Payment Arrangement (APA) and/or direct deductions may be applied for.
6. Torbay Councils housing team will work with our residents who are transitioning onto Universal Credit to support them during and immediately after the application process. However, those residents who fall under the Next Steps Allocation Programme (NSAP) will receive support from their assigned Meaningful Occupational Co-ordinators.

7. This is to ensure that the resident is fully advised of their responsibilities during the transition and that their account can be monitored effectively and only appropriate action taken. It also allows for the opportunity to further signpost residents if needed for additional support.
8. Supporting residents to be digitally included so that they can access benefits and job searches online.
9. Helping residents with their benefit claims including Housing Benefit and Universal Credit to ensure they get payments for housing costs, where applicable.
10. Notifying residents promptly where Housing Benefit is paid direct to us and there has been an over-payment.
11. Promoting good financial health through articles in the Resident Newsletter, on the website and in social media.

If arrears do arise, we will engage with the resident to identify and tackle the causes. We are aware that one missed payment, no matter how small, could place low-income residents in a financial position that it is difficult to recover from.

7. Recovery

Once an account falls into arrears Torbay Council follows its arrears collection procedure. This ensures consistency across all accounts. Whilst legal action and eviction action are the last resort, they are necessary tools to ensure that arrears are recovered where appropriate. Legal action will only be taken where numerous and timely attempts to come to an agreement have not been successful.

We will follow the Ministry of Justice Pre-Action Protocol for Possession claims by Social Landlords. The Protocol aims to encourage more contact between us and our residents, to avoid legal action if possible and make more effective use of Court time.

Our process is: -

1. Preventative work at pre-tenancy sign up. E.g., Verification around their income, their support/dependency needs, their family and friend support network, and the key procedures which they need to be aware of.
2. If an account goes into arrears, the resident is made aware of this in the first instance. We are transparent with residents about their accounts, our expectations and their options.
3. Depending on the reason for arrears and or support needs, a more robust stance may be taken. Accounts will be checked weekly.
4. Early action in each case is the key to ensure the resident does not fall further into arrears.
5. Providing residents with support by signposting them for money advice and providing information.
6. Requesting residents to make reasonable and affordable re-payment arrangements.
7. Making personal contact, including the use of texts and telephone calls, post, email, home visits, and office interviews.
8. Acting regularly through phone calls, texts, emails and standard letters

9. Taking legal action where appropriate; the aim being to recover the arrears, not to evict the resident, which is always a last resort. However, we may need to seek outright possession in certain circumstances.
10. Keeping accurate records of communication with residents and other parties, actions taken, and documents associated with the case within the case management system.

Torbay Council considers joint residents to be jointly and severally liable for any rent arrears accrued, and will pursue both joint residents for all rent arrears accruing under the tenancy.

Torbay Council is also mindful that residents experiencing domestic abuse are more likely to have arrears and may be subject to economic abuse. All decisions made on future enforcement action will consider reports received of domestic abuse and where economic abuse is identified, we will work with the residents affected to find a positive way forward.

Attempts will be made to identify any resident vulnerabilities at the pre tenancy stage or at any contact stage, to ensure that communication is appropriate and relevant referrals for support can be made at the earliest possible stage.

Torbay Council will utilise the most appropriate grounds for possession when applying for a case to go to court. This includes Grounds 8, 10, 11 and 12. All requests for court action, and particularly in the case of outright possession, will require the approval of the Senior Management Team.

During a starter tenancy Torbay Council will consider if an extension to the starter tenancy period is appropriate for arrears, or if a Section 21 may be served. Please refer to the Starter Tenancy Policy for full details.

If all attempts to recover the arrears are unsuccessful and legal action (e.g. a court hearing is necessary) the Torbay Council Housing Options department will be notified that there is a possibility of a person becoming homeless. We will tell the resident that they may be considered to be intentionally homeless by Housing Options, and they may not be entitled to help with future housing assistance.

We will continue to try and contact tenants up to the Court hearing date to reach a re-payment agreement with them. If an agreement is reached at this stage a Suspended Possession Order or Adjournment will be sought on the terms of the agreement.

Repayment terms will be agreed based on a reasonable repayment timetable, usually no more than two years, but never more than six years, and considering affordability and sustainability for the tenant.

If the tenant fails to comply with the terms of the Court Order, a Warrant for Possession can be sought, and the tenant evicted. This action will only be taken as a last resort, where other attempts to recover the arrears have been unsuccessful. A review of the individual circumstances of the case will be completed and Senior Management approval will be required.

If an eviction is the next step, an officer will prepare an eviction request report detailing the current position of the account, what action has been taken to recover the arrears and why eviction is the only appropriate option left. This report needs to be approved by Senior Management, before any application for eviction is made. All evictions are reported to the board annually.

Torbay Council believes that repossession of a property should only be carried out as a last resort but will not hesitate to take this action in appropriate cases.

Costs incurred in taking possession action will be added to the outstanding debt and the tenant will be required to repay these once the arrears have been repaid.

Court hearings will not be cancelled unless the tenant has paid all the arrears and the court issue fee. However, where arrears have been significantly reduced an adjournment with costs may be requested by the tenant and considered. Money judgements will be sought that can be enforced by an attachment of earnings order.

See Appendix 1 for the full rent arrears recovery procedure.

8. Former Resident Debt

Former resident debt includes rent arrears, service charges, court costs and other sundry debts such as rechargeable repairs.

We will pursue all former tenant debts when doing so represents value for money. The cost of pursuing the debt should not outweigh the debt itself.

We will write-off debts where the tenant has died, and the executor or family representatives can evidence that there is no money in the estate to settle the debt.

The Housing Manager may agree not to pursue a debt where there is genuine financial hardship or where there are other exceptional circumstances.

Torbay Council seeks to minimise the loss of income from residents who move on. This is done through the implementation of the Former Resident Arrears Recovery Process.

Where a debt is identified a resident will be notified as soon as possible and the implications of leaving with a debt will be made clear, including the potential impact on being re-housed in social housing.

Third parties may be used to trace former tenants to pursue the debt and legal action may be taken via the Small Claims Court to recover monies owed.

Please see detailed procedure at Appendix 3.

9. Write Offs

Former resident arrears or sundry debts will only be written off if:

1. They are considered uneconomical to pursue
2. The debtor cannot be traced
3. Recovery procedures have been exhausted

Should circumstances change and the debt becomes possible to recover in future, further recovery action will be taken.

10. Small Claims Court

Debtors who fail to make re-payment arrangements can be referred to the small claims court should it be considered appropriate.

11. Debt Relief Orders and Individual Voluntary Arrangements

If at any stage a customer should seek to enter a debt relief arrangement or insolvency such as a Debt Relief Order (DRO) or Individual Voluntary Arrangement, (IVA), Torbay Council will follow the legal required steps related to the debt.

For a DRO Torbay Council will freeze the debt until it can be written off, (usually after 12 months). However, if there is a Suspended Possession Order in place before the DRO is complete then Torbay Council will consider if eviction action may be required. Any eviction action will require approval from Senior Management through an eviction request report.

In the case of an IVA, Torbay Council will consider all applications to include the rent, but these are likely to be refused as it would put the tenancy at risk.

12. Compliance & Confidentiality

Torbay Council treats all information taken during the management of arrears cases as confidential. The information is handled under the Data Protection Act 1998 and the General Data Protection Regulation 2018

13. Equality & Diversity

Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through

the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not, and

Foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

Right to Buy Policy

March 2025

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1. Version control

Date	Details	Updated by
07/11/2024	V1	Kelly Kinnair
19/03/2025	V2	Jordan Davies

2. Eligibility

2.1 Eligibility Criteria

If you are renting your home from Torbay Council, Right to Buy gives you the opportunity to purchase your home at a discounted price, subject to the following criteria:

- It must be your only or main home
- It must be self-contained
- You need to be a Secure Tenant
- You have had a public sector landlord (council, housing association or NHS trust) for 3 years or more (the 3 years do not have to be in a row or at the same property, or even with the same landlord)

You can make a joint application to buy with someone who shares your secure tenancy (e.g., spouse or partner).

You can also make a joint application with up to 3 family members who have lived with you at the property for the past 12 months and are over 18 years old. The family members do not have to be named on the tenancy agreement; however, it must be their main home.

If the council previously owned your home, and sold your home on to another landlord, such as a housing association whilst you were living in the home, you may still have the Right to Buy. This is known as Preserved Right to Buy, you should ask your landlord whether this applies.

2.2 Properties you do not have the Right to Buy:

- A property that is designed for people with a disability
- A property that is particularly suitable for the elderly, and was let to be lived in by someone aged 60 or older
- You work for Torbay Council and your home is part of your conditions of service (this only applies in some cases)
- You are on an introductory tenancy or demoted tenancy
- A final demolition notice is in place
- A property is held by the landlord on tenancy from the Crown
- Tenancies for homeless people secured under section 193 of the Housing Act 1996
- Torbay Council does not own the freehold and the remaining lease:

(a) Has less than 21 years remaining (house or bungalow)

(b) Has less than 50 years remaining (flat/maisonette)

In either instance above, the date relates to when the tenant serves the RTB1 form.

You can find a full list of the exceptions to the Right to Buy in Schedule 5 of the Housing Act 1985: <https://www.legislation.gov.uk/ukpga/1985/68/schedule/5>.

2.3 Ineligibility

Reasons you may not be eligible for Right to Buy:

- You or someone buying with you is subject to a bankruptcy order, has a bankruptcy petition pending or are an undischarged bankrupt
- You or someone buying with you have unfulfilled terms with creditors
- You or someone buying with you have had a tenancy fraud

- You or someone buying with you benefits from a moratorium period under a debt relief order
- You or someone buying with you is subject to a suspension period under an order made under section 121A of the Housing Act 1985 due to anti-social behaviour

You can find more information on Right to Buy here: [Your Right To Buy Your Home A Guide](#)

3. Discount and Discount Repayment

3.1 Discount

Anyone who qualifies for Right to Buy can get a discount on the purchase price of their council home. The maximum discount across England from 21st November 2024 will now be subject to regional variations, as announced in the Budget on 30th October 2024. Torbay Council hold social housing stock in the South West of England, therefore the maximum discount available for tenants with a Right to Buy within our authority will be £30,000.

Your discount will be worked out based upon:

- How many years you have been a tenant with a public sector landlord
- The type of home you are buying (house or flat)
- The value of your home
- If you are buying with others, you can count the years of whoever has been a public sector tenant the longest.
- The money spent by the landlord to repair or maintain the home exceeds the sale price or market value (The 'cost floor')
- If you have previously bought another council property, any discount you got previously will usually be deducted from the discount you would get when you buy again.

3.2 Financing your purchase

You are responsible for how obtaining finance to buy your home, you will have access to the same mortgage products available on the market as anyone else.

There is nothing in law that specify how a right to buy purchase should be financed, so long as they are from a legitimate source. A family member, or another source, could provide the funding for the purchase.

Please note that legal ownership of the property can only be in the names of the eligible tenant/s and other eligible applicants.

3.3 Resale

If you sell your home within 10 years of buying through Right to Buy, you must first offer the property back to Torbay Council, or another social landlord in the area. The property should be sold at the full market price agreed between you and Torbay Council (or another social landlord). If you cannot agree on a value, a district valuer will say how much your home is worth and set the price. You will not pay for this valuation. If Torbay Council does not agree to buy back your home within 8 weeks, you can sell the property on the open market.

If you sell your home within the first 5 years of ownership you will usually have to repay some, or all of the discount you received. After the initial 5 years of ownership, you can sell without repaying any discount.:

- 100% of the discount in the first year
- 80% of the discount in the second year
- 60% of the discount in the third year
- 40% of the discount in the fourth year
- 20% of the discount in the fifth year

The amount you repay depends on the value of the home when you sell it. If you sign an agreement to transfer your home to someone else before you complete your purchase, or within five years of buying your home you'll have to repay all of the discount.

You may not have to pay back the discount if you transfer ownership of your home to a member of your family. You will need to agree this first with your landlord and then get a solicitor to do this for you.

4. Restrictions on Rural Homes

Your former landlord may limit who you can sell your home to if your home is in:

- a national park
- a designated area of outstanding natural beauty
- an area the government has designated as rural for Right to Buy purposes

When buying a property that is in one of these areas, the sale will be on the condition that you may only resell to someone who has been living or working in the area for at least 3 years. Alternatively, your landlord may require you to offer your home to them if you want to resell within 10 years of buying.

You may wish to consult with your mortgage provider to check they are happy to give you a mortgage on a home with a rural restriction.

Your landlord will tell you if this could apply to your home when you apply for Right to Buy.

You may find the following useful:

www.ownyourownhome.gov.uk on this page, there is lots of advice available on Right to Buy including a calculator tool, and access to free advice.

5. Things to Consider Before You Buy

The decision to buy a home is likely to be the biggest financial decision you will ever make, and it is a decision that should not be taken lightly.

There are several crucial factors that you should consider before buying your own home. These include:

Affordability - unlike your rent, your mortgage repayment will not include building insurance and a free repairs service. If you buy your home, you will have to pay these yourself. Other ongoing costs to consider are:

- Contents insurance
- Council Tax
- Water, gas, electricity, broadband and any additional services

Benefit entitlement - as an owner-occupier you will not receive any housing benefit OR Universal Credit to help with your mortgage costs. You may be entitled to income support to help with such costs; however, this is not usually payable for 9 months after you first claim it.

If you are elderly and own your own home, its value may be considered in assessing whether you are eligible for financial help with the cost of residential care.

If you are buying a leasehold flat/maisonette, you will have to pay a service charge/maintenance charge, and contribute to large scale repairs, maintenance or improvement works which could amount to hundreds, or thousands of pounds. Information in respect of these charges will be provided to you as part of your right to buy offer letter, but you should ask the landlord about any long-term plans for repairs, works or improvements to your block or the surrounding area.

6. Repairs During the Right to Buy Process

If you are purchasing the freehold of your home, once we have assessed your application to buy your council property and written to you to say that you are entitled to purchase your property, we will only carry out health and safety repair work to the property. The property will be removed from any of our improvement programmes.

We will, however, carry out routine compliance, repair heating breakdowns and plumbing leaks, and keep the property weather and watertight, until the point the sale completes, at which point, the responsibility for such things will pass to you.

If you buy the leasehold (usually the case with flats and maisonettes in larger blocks), we will continue to carry out repairs to the communal area, after purchasing the leasehold you will have to pay service charges each year and are likely to have to meet the costs of major repairs and refurbishment (as outlined in section 5).

7. How to Apply

Fill in the right to buy application form (RTB1 notice). You can download this online or we can arrange to send you a copy. The form can be found here: [Notice claiming the Right to Buy \(RTB1 form\)](#)

Send it to us via socialhousing@torbay.gov.uk

You can also get more details from the Right to Buy Agents by emailing enquiry@righttobuyagent.org.uk

We must say yes or no within 4 weeks of getting your application (8 weeks if we have been your landlord for less than 3 years). If we say no, we must say why.

If we agree to sell, we will send you an offer. We must do this within 8 weeks of saying yes if you are buying a freehold property, or 12 weeks if you are buying a leasehold property.

8. Valuation

The price you pay for your home will be based on the market valuation of your property which we will arrange to be carried out free of charge. If you think our valuation of your home is wrong, you can ask the district valuer to give an independent valuation, you do not have to pay for this service. You must make your appeal within 12 weeks from the date of the notice. The district valuer's decision is final, whether it is higher or lower than our valuation.

If you want to buy the property you will need a solicitor or Conveyancer to act for you on the purchase.

9. Delays

If you believe a delay in the buy application is the fault of the landlord, you can send an Initial Notice of Delay (Form RTB6), to the landlord. You must then give your landlord at least one month to take the next step in the sale process. If your landlord does not send you a counter notice within the time allowed, you can send the landlord an operative notice of delay (Form RTB8). If a valid RTB8 is received, the rent you pay while the delay goes on may then be taken off the price of the purchase of your home, but you must continue to pay rent.

However, if you have not responded to the formal offer letter within the 12 week notice period, or have not taken steps to complete the purchase in a reasonable period of time (which cannot be less than 3 months) after the formal offer letter is sent to you the council can end your Right to Buy application.

10. Survey

Before making the decision to buy, you should get an independent survey from a surveyor or structural engineer. When you apply for a mortgage the bank or building society arranges for a survey that will only normally be for the valuation of the property and may not tell you about structural faults in the property. You may wish to consult your lender about conducting a full structural survey, though there may be additional charges for this service from your lender.

11. Useful Links

If you have difficulty getting a copy of the Right to Buy application form or require further information or advice, please contact us.

In addition to this guidance, there are several resources available to support you in delivering Right to Buy including:

- GOV.UK: <https://www.gov.uk/right-to-buy-buying-your-council-home>

Alternatively, you can contact:

Right to Buy Agent Service

Email: enquiry@righttobuyagent.org.uk

Telephone: 0300 123 0913 The Right to Buy Agent service offers free advice on things like:

- Right to Buy and Preserved Right to Buy process
- Eligibility
- Filling out your application form
- Where you can get financial and legal advice
- What to do if your application is delayed If you need further support, please contact: Ministry of Housing, Communities and Local Government Right to Buy Fry Building 2 Marsham Street London, SW1P 4DF

Email: RTB@communities.gov.uk

Other Help For free, impartial advice about money contact: The Money and Pensions Service

Website: <http://www.moneyandpensionsservice.org.uk>

Telephone: 0800 138 7777

For free, impartial advice on leasehold law and rights (flats and leasehold houses), contact: The Leasehold Advisory Service (LEASE)

Website: <http://www.lease-advice.org>

Email: info@lease-advice.org

Telephone: 020 7832 2500

For information on mortgage lenders contact: The Financial Conduct Authority (FCA)

Website: <http://www.fca.org.uk>

Telephone: 0800 111 6768 For information on stamp duty and the latest rates go to:

- <https://www.gov.uk/stamp-duty-land-tax>

If you want to know about your rights, you can ask:

- Citizens Advice (<https://www.citizensadvice.org.uk/>) or a solicitor If you disagree with your landlord about buying your home, you can contact Right to Buy Agents or the MHCLG

If you are concerned about whether your Right to Buy application has been dealt with appropriately, you can make a complaint through Torbay Council's complaint procedure.

If you are not satisfied with the outcome of the complaint, you may wish to raise concerns with the Housing Ombudsman. Details of how to do this are available at: <https://www.housing-ombudsman.org.uk>

12. Equality and Diversity

Torbay Council is committed to promoting equality and inclusion and to ensuring that our communities thrive. We complete equality impact assessments (EIAs) to help us understand the possible impacts that our decision may have on different groups. This toolkit guides you through the different stages of the equality impact assessment process to help ensure that your EIA is meaningful and robust.

The Equality Act 2010 provides legal protection from discrimination across nine 'protected characteristics' which are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity and marriage and civil partnerships.

Under the Act, the Council is subject to the Public Sector Equality Duty (PSED) which means that we must take steps to actively promote equality. The PSED requires public authorities to have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not.

The PSED requires us to give 'due regard' to equality when making decisions and delivering services. This is to ensure our actions actively promote equality and do not directly or indirectly adversely affect people with protected characteristics.

Minimum Letting Standard

August 2024

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Version control

Date	Details	Updated by
July 2023	V1	Anita Merritt
August 2024	V2	Kelly Kinnair

Minimum Letting Standard

The following minimum standards should be achieved for all new lets:

Works	Minimum Standard
External	<p>All rubbish and litter from gardens, lockups, garages, sheds, outbuildings, and pathways will be cleared.</p> <p>Missing bins to be ordered as part of the void works.</p> <p>All areas should be free of graffiti/vandalism.</p> <p>The property will be wind and watertight.</p> <p>The property will be safe and secure.</p> <p>Paths, stairs, fences, and gate safe to use.</p>

Gardens attached to the property should be cleared of rubbish and grass cut as one -off after tenant moves in (growing season only).

If it is a long-term void, it should be added to the void garden maintenance programme.

General Cleanliness

The house, including attic, basement, garage and outbuildings will be cleared of furniture, white goods, carpets, rubbish and belongings left by the previous tenant (except when agreed to be re-cycled for new tenant during tenanted viewing).

Vermin and insect infestation will be treated.

A full 'sparkle clean' will be carried out incorporating sanitising bathroom fittings and tiles, sinks, kitchen units (inside and out), worktops, sweeping and washing floors, skirting, door frames, windows, window frames, doors etc.

In normal circumstances floor coverings will be removed to facilitate the need to inspect all floor surfaces. If the previous tenant leaves flooring or fittings that are in good condition, then they can be left at the request of Torbay Council for the incoming tenant.

Electrics

An electrical safety check will be carried out and a copy of the certificate provided to the incoming tenant.

Any unsafe wiring and fitments will be removed
Smoke alarms and carbon monoxide alarms (where applicable) will be tested and in working order.

If no smoke alarm or carbon monoxide alarm (if applicable) is present, a new hard-wired alarm will be fitted.

Controlled entry handsets will be tested and in working order (sometimes the maintenance of this item is beyond our control e.g., management company is responsible for maintaining).

Extractor fans will be tested and in working order.

The electric supply will be turned off at the mains following the completion of void repairs. Check point in place for communal aerals where applicable.

All electrical heating systems will be checked and will be fully operational.

Gas

A gas safety check will be carried out when the property is void and a gas safety certificate (CP12) will be issued to the incoming tenant. Any existing gas fires will be removed, bricked up and vented during the void period.

Gas/Electric Cooking

Where the previous tenant has left a gas or electric cooker, this will be removed as we are unable to certify its safety.

Water Supply

During the months October to April, or during severe cold spells, all stopcocks will be shut off and the water supply drained down.

Windows and Doors

All windows and associated safety mechanisms will be checked and fully operational with keys supplied for any window locks.

If silicone seals are stained or black they will be resealed.

Broken or cracked glass will be replaced immediately during void works.

All internal doors and handles will be operational and will open and close easily.

	<p>All bathroom doors will have an operational locking system.</p> <p>Glass doors will be removed and replaced. Front and back doors will be secure, wind and watertight, and in good working order with a letterbox fitted on the front door (Flats may have separate letter boxes fixed to the outside of the building or within communal areas - in this case a key is provided to the incoming tenant).</p> <p>2 sets of keys will be provided for each external door.</p> <p>2 key fobs will be provided for controlled entry systems.</p> <p>Peep holes and door security chains will be provided where possible.</p>
Floors, Skirting, Facing and Stairs	<p>Re secure or replace all loose or missing floorboards.</p> <p>Skirting and door facings to be renewed if missing or badly damaged.</p> <p>Floor surfaces will be even to allow carpets or other floor coverings to be laid.</p> <p>Ensure staircase and associated handrails are secure.</p>
Bedroom Cupboards	Should all have a level shelf and a clothes rail below, space permitting.
Hall Cupboards	Should have at least one shelf, space permitting.
Kitchen	Damaged kitchen units or worktops will be repaired or renewed and matched to existing units or worktops (where practical).

Kitchen units or work tops will have doors and drawers that open freely and close properly, and all fittings will be secure.

Taps will be checked to ensure that they are in working order.

Chains and plugs will be fitted where missing. Electric cooker supply points will be present in all properties and in full working order.

Properties will be left with hot/cold washing machine isolation valve fittings, along with provisions for the removal of wastewater from the appliance by way of a waste pipe.

An adequate power supply will be near to the appliance (where practical).

Bathroom

Sanitaryware that is cracked or excessively stained will be replaced.

Where replacement of a part of the suite is required, the available colour match should be investigated. If colour matching is not available, a replacement 3-piece white bathroom suite will be installed (steel bath).

Taps will be checked to ensure that they are in working order.

All sanitaryware will be clean, secure, functional and free from blockages, leaks and adequately sealed.

If silicone seals are stained, these will be resealed.

A new toilet seat will be provided on a like for like basis if required.

Chains and plugs will be fitted where missing.

Thermostatic valves on baths and taps will be checked where applicable.

Showers and shower rails will be checked to ensure that they are working properly, and a new shower curtain will be fitted.

Any instantaneous electric shower should be included in the electrical check.

Shower must have a screen or shower rail.

Tiling should be checked for water resistance and safety.

Wet floor showers - floor covering to be checked.

Medical Adaptations

Adaptions should not be removed unless authorised by the Housing Manager.

Adaptations will be inspected and fully operational to meet the needs of the incoming tenant where possible.

Sanitaryware will be checked, and individual items will be replaced if badly cracked or stained.

Grab/shower rails will be checked to ensure that they are secure.

Showers and shower rails will be checked to ensure that they are working properly, and a new shower curtain will be fitted.

Decoration

Torbay Council is generally not responsible for the condition/level of decoration in a property. However, where the condition of the decoration is deemed to be so bad as to affect the likelihood of anyone accepting the property, then a decoration allowance may be given, or basic decoration done to make habitable.

Dampness/Rot	The home will be treated for any rising/penetrating/condensation damp and timber infestation.
Walls and Ceilings	<p>Remove all glue/fixing residue and renew via plasterboard where required.</p> <p>Where plaster surfaces are in a poor condition these will be repaired as necessary such as cracked or hollow areas (this excludes minor fillings to cracks, which can be made good by the tenant in the normal course of decoration). Remove graffiti.</p> <p>Decoration should be intact and clean. All walls and ceilings will be in good condition.</p>
Tenant Alterations	<p>Nonstandard alterations can remain providing they are verified as safe and comply with current building regulations, are aesthetically acceptable and maintainable.</p> <p>Unsafe alterations will be removed.</p>
Asbestos and Textured Coatings	<p>Where suspected asbestos containing materials are present (for example textured wall coatings) an asbestos survey will be carried out and appropriate remedial action taken.</p> <p>A copy of the survey will be issued to the tenant.</p>
Any other items	Each property is assessed once it becomes void. Additional works will be assessed on a case by case basis.

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Meeting: Cabinet

Date: 13 May 2025

Wards affected: All Wards

Report Title: Torbay Council Food Action Plan

Cabinet Member Contact Details: Cllr Hayley 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.sargent@torbay.gov.uk

1. Purpose of Report

- 1.1 This report seeks approval of the Torbay Food Action Plan which aims to support the delivery of the Torbay Food Strategy.

2. Reason for Proposal and its benefits

- 2.1 For the last few years we have seen high levels of inflation and in turn the worst cost of living crisis in decades.
- 2.2 While the inflationary highs of the last couple of years are starting to subside, food remains unaffordable for many people. In addition, the instability of global food supply chains and fuel supplies have highlighted the need to re-evaluate how we access and consume food.
- 2.3 To make our communities more resilient, we need to shorten food supply chains and equip local communities with the ability to grow their own food where this is appropriate. We also need to continue to ensure emergency food provision for those experiencing food insecurity.
- 2.4 We must make best use of our assets and resources in Torbay to ensure effective systems change within our food system; creating an environment that better supports local food consumption and production. These issues are likely to worsen in the long term as the impact of climate change is felt more intensely.
- 2.3 Therefore, while we continue to support our most vulnerable residents to meet the immediate cost of living crisis through the Torbay Food Alliance, we must also take a longer-term, strategic view to address the challenges within our local food system. We must however recognise that many issues within the food system are out of our control and so it is important that we harness our resources and energy into those areas where we will have a local impact.

- 2.4 Adoption of an annual Food Action Plan (see Appendix 1), will help to ensure a coordinated and focused approach to promoting positive change within our food system locally and will support the future resilience of communities.
- 2.5 The food workstream will be fundamental to delivering priorities within Public Health, Climate, Turning the Tide on Poverty, Family Hubs, and Economic Development.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Torbay Food Action Plan be approved.

Appendices

Appendix 1: Food Action Plan

Appendix 2: Report of the Overview and Scrutiny Board

Appendix 3: Cabinet response to the recommendations of the Overview and Scrutiny Board

Background Documents

None

Supporting Information

1. Introduction

- 1.1 In September 2022, agreement was given by Members to pursue development of a Food Strategy for Torbay. There was an understanding that developing a strategy with a clear commitment to the Vision and Charter would help to ensure the future resilience of our communities and local food system.
- 1.2 There was also an acknowledgement that the food workstream is fundamental to delivering priorities within Public Health, Place, Turning the Tide on Poverty, Family Hubs, and Economic Development.
- 1.3 Cabinet also agreed to support the Torbay Food Network. This has been meeting throughout 2024 and includes representation from the voluntary, community and social enterprise sector, Public Health, Economic Development and Climate/Planning.
- 1.4 The Network's purpose is to take a collaborative approach to the following key priority areas:
 - Tackling food poverty, diet-related ill-health and access to affordable healthy food
 - Supporting the creation of a vibrant, prosperous and diverse sustainable food economy
 - Tackling the climate and nature emergency through an end to food waste locally
 - Building public awareness, active food citizenship and a local good food movement.
- 1.5 Since 2023, the Torbay Food Network has been hosted by Local Motion, Torbay, which is facilitated by Torbay Communities. This has been a positive, neutral space for collaboration, connecting different departments and sectors to amplify work already underway and think creatively about the future.
- 1.5 In 2024, the Network took its next development step and become a member of the Sustainable Food Places (SFP) network – a national partnership programme led by the Soil Association, Food Matters, and Sustain: the alliance for better food and farming.
- 1.6 In 2025, the Network reached a key milestone and published the Torbay Food Strategy. It set out the blueprint for the approach to sustainable food systems change in Torbay.
- 1.7 The development of a Council Food Action Plan is the next step in supporting food systems change in Torbay. It aims to set out some of the actions that the Council can take to deliver the Torbay Food Strategy. It is important to note that the Action Plan focuses on the actions that the Council can take to promote sustainable food systems change and is not a wider Torbay Food Network action Plan.

2. Legal Implications

- 2.1 There are no legal implications to undertaking the actions as set out in the recommendations.

3. Engagement and Consultation

- 3.1 The Food Action Plan has been developed in consultation with Council departments and reviewed by the Overview and Scrutiny Board on 9 April 2025 (Appendix 2), subsequent to the review by Overview and Scrutiny Board, the Cabinet have responded to the recommendations made by them (Appendix 3).

4. Equality Impacts - Identify the potential impacts on specific groups

The Council has a public sector duty under the Equality Act 2010 to have 'due regard' to equality and 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 and promote cohesion. 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.

It is not enough to state that a proposal will affect everyone equally. There should be thorough consideration as to whether particular groups or individuals are more likely to be affected than others by the proposals and decision. Please complete the table below. If you consider there to be no positive or negative impacts state 'there is no differential impact'.

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.	No adverse impacts are anticipated from this decision.	Not applicable	Not applicable
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of	No adverse impacts are anticipated from this decision.	Not applicable	Not applicable

	these provided 50 hours or more of care.			
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.	No adverse impacts are anticipated from this decision.	Not applicable	Not applicable
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 from this decision.	Not applicable	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 adverse impacts are anticipated from this decision.	Not applicable	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 adverse impacts are anticipated from this decision.	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 from this decision.	Not applicable	Not applicable
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	No adverse impacts are anticipated from this decision.	Not applicable	Not applicable
Sex	51.3% of Torbay's population are female and 48.7% are male	No adverse impacts are anticipated from this decision.	Not applicable	Not applicable
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 from this decision.	Not applicable	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 adverse impacts are anticipated from this decision.	Not applicable	Not applicable

Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		No adverse impacts are anticipated from this decision.	Not applicable	Not applicable
Public Health impacts (Including impacts on the general health of the population of Torbay)		No adverse impacts are anticipated from this decision.	Not applicable	Not applicable
Human Rights impacts		No adverse impacts are anticipated from this decision.	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 from this decision.	Not applicable	Not applicable

5. Cumulative Council Impact

5.1 No impacts have been identified.

6. Cumulative Community Impacts

6.1 No impacts have been identified.

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Appendix 1 - Torbay Council Food Action Plan 2025 – 2026

The Council's Food Action Plan 2025 – 2026 has been developed to support the Council to deliver the ambitions within the Torbay Food Strategy. Recognising that the food system is complex this Plan has been written in an iterative manner, it highlights some of the priority actions required to deliver the Torbay Food Strategy in the first year, however it is not exhaustive plan to deliver the Torbay Food Strategy as this is a partnership document owned by the Torbay Food Network. It is anticipated that the Plan will be updated annually to reflect changes within the system and, emerging issues. Progress will be monitored through an annual report.

The activity contained within this action plan complements the work that partners within the Torbay Food Network are progressing. It demonstrates the Council's commitment to the Torbay Food Network and to its membership of Sustainable Food Places.

The findings from the recently published Broken Plate report and the key themes of Sustainable Food Places underpin this action plan and have shaped its development. Activities within this action plan are grouped within those following thematic areas:

- **Food Governance and Strategy** - Taking a strategic and collaborative approach to good food governance and action.
- **Good Food Movement** - Building awareness, active food citizenship and a local good food movement.
- **Healthy Food for All** - Tackling food poverty, diet related ill-health and access to affordable healthy food.
- **Sustainable Food Economy** - Creating a diverse, prosperous and diverse sustainable food economy.
- **Catering and Procurement** - Transforming catering and procurement and revitalizing local and sustainable food supply chains.
- **Food for the Planet** - Tackling the climate and nature emergency through sustainable food and farming and an end to food waste.

Activity included within this action plan is underpinned by a commitment to inclusion which is shaped by Sustainable Food Places, Race, Equity, Diversity and Inclusion (REDI) initiative.

Food Governance and Strategy

Taking a strategic, joined up and collaborative approach to governance and food systems change is important.

This section of the action plans focuses on the interactions that the Council have between individuals and organisations across every sector. It explores how the Council will work with its partners at every level, from voluntary and community sector organisations, to businesses, public and council leaders. Throughout this section there is an emphasis on the Torbay Food Network recognising that a strong cross-sector food partnership is key to achieving change within the food system.

Action Number	Outcome	Action	Thematic Area	Lead	Deadline	Success measure
1.	The Torbay Food Network is active and creating positive change and provide an opportunity for test and learn.	Work with partners to support and grow the Torbay Food Network.	Food Governance and Strategy	Public Health	September 2025	A range of partners join the Torbay Food Network.
2.	The Torbay Food Network is active and creating positive change and provide an	Work with partners to refresh the Torbay Food Network's terms of reference and embed a governance	Food Governance and Strategy	Public Health	September 2025	The terms of reference have been reviewed and learning is embedded into

	opportunity for test and learn.	model to support a test and learn approach.				the governance process.
3.	The learning and achievements of the Food Network are celebrated and shared.	Draft and publish an annual report which highlights the progress that the Torbay Food Network has made.	Food Governance and Strategy	Public Health	March 2026	Publication of annual report

Good Food Movement

To drive a shift towards healthier and more sustainable food requires increasing public awareness of food issues and participation in food-related activity by both individuals and institutions.

This section of the action plan explores how we can achieve this through communications and events that can inspire people about the role, importance and joy of good food as part of a local good food movement.

4.	Local residents have the opportunity to grow fresh food locally.	As part of strategic management of Council greenspace, map and allocate community plots where a neighbourhood growing programme model can be tested and further established at speed.	Good Food Movement	Public Health	October 2025	Residents have the opportunity to grow fresh food locally.
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5.	Residents have access to white goods	Raise awareness of white good provision and cooking utensils.	Good Food Movement	Public Health	March 2026	White goods provided
6.	We encourage people to breastfeed and share its benefits.	Promote breast feeding friendly places in the Bay.	Good Food Movement	Public Health	Ongoing	Breastfeeding rates increase.
7.	We understand where it is possible for communities to grow.	Map potential community growing spaces to inform a Torbay wide approach to community growing.	Good Food Movement	Public Health	September 2025	Community growing plots are identified.
8.	Local residents have the opportunity to grow fresh food locally.	Develop Wild Fox Play area in Foxhole to act as a learning site for the growing community in Foxhole, enabling the local community to take up the local neighbourhood plot opportunities.	Good Food Movement	Play Torbay, Public Health, Torbay Communities SWISCo	September 2025	Residents have the opportunity to grow fresh food locally.

9.	We understand food resources across the Bay	Explore current available data to identify where food resources are located using iTree.	Good Food Movement	Climate Team	September 2025	We have a list of food resources within the Bay.
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Healthy Food for All

Everyone should be able to have access to healthy affordable food.

This section of the action plan explores how we can increase access to healthy affordable food in Torbay. Key to achieving is ensuring that people who are at risk of going hungry can access nutritious food while also working to address the underlying causes of food poverty. This includes raising awareness of what constitutes a healthy diet and giving people the skills, resources and support needed to feed themselves well as well as providing a holistic wrap around support offer.

10.	Support is available for people experiencing food insecurity	We continue to support the Torbay Food Alliance and provide a sustainable food support for those experiencing financial difficulty.	Healthy Food For All	Public Health	Ongoing	Emergency food provision is in place.
11.	We promote healthier food environments	Review planning policy to further support limiting the location of fast-food outlets and hot food takeaways in certain locations	Healthy Food For All	Spatial Planning	April 2026	Local planning guidance is maximising its potential to support establishing

		though the Local Plan update and refresh of the Healthy Torbay Supplementary Planning Document.				healthier food environments
12.	We support families to access free school meals.	Explore how the Council can maximise the uptake of free-school meals.	Healthy food for all	Children's Services	March 2026	Increase in the number of families receiving free school meals in Torbay
13. Page 174	We encourage the advertising of healthy food.	Explore how the Council can encourage healthy food consumption through the application of an unhealthy food policy on Council owned assets.	Healthy food for all	Public Health	December 2025	We have a functional policy in place

Catering and Procurement and Sustainable Economy

Creating a diverse, prosperous and diverse sustainable food economy and transforming catering and procurement and revitalizing local and sustainable food supply chains.

This section of the action plan explores how we can promote healthy food through working in partnership with local businesses to promote a sustainable local economy. It also explores how we can promote healthy food through our procurement and catering practices through doing so it is possible not only to improve the eating habits of many thousands of people but also to create the large-scale demand for healthy, sustainable and local food needed to underpin a fundamental shift in the food production and supply system.

14. Page 175	We use our purchasing power to promote sustainability.	Embed food sustainability within relevant procurement documents.	Catering and procurement	Procurement Team	March 2026	We have a functional policy in place.
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Food for the Planet

Tackling the climate and nature emergency through sustainable food and farming is key.

This section of the action plan explores how we reduce food waste and support people to eat a diet that supports the planet. Key to achieving is transforming what, how and where food is produced and consumed to help minimise any negative impacts on the climate and biodiversity.

15.	Children are supported to enjoy eating vegetables	Deliver the Veg Power's 'Growing to Love' programme in partnership with schools.	Food for the Planet	Public Health	Summe 2025	Engagement from schools and children.
16.	Awareness of the importance of reducing food waste and sustainability increased across the Bay.	Engage with residents, young people and schools to raise awareness of the importance of food waste reduction and recycling.	Food for the Planet	SWISCO	Ongoing	Communication campaign delivered. Engagement sessions are delivered.
17.	Food waste is reduced across the Bay.	Provide food waste collection across the Bay for residents in line with government legislative changes.	Food for the Planet	SWISCO	April 2026	Food waste is reduced long term.

Food Strategy Action Plan – Report of the Overview and Scrutiny Board

Report to Cabinet on 13 May 2025

Background

1. The Overview and Scrutiny Board met on 9 April 2025 to consider the Food Strategy Action Plan. The Cabinet Member for Adult and Community Services, Public Health and Inequalities - Councillor Tranter and the Partnerships and Inclusion Manager – Laura Hill provided an overview of the background to the Food Action Plan and responded to questions. The Board heard evidence from the following people on the work being carried out to support people to access food and receive help and signposting for the wider determinants relating to finance, health, housing, environment etc.:

Alan Tilley - Chief Executive Officer, Turning Heads -

<https://www.turningheads.org.uk/>;

Karen Marcellino - Torbay Community Helpline Manager, Torbay

Communities - <https://www.torbaycommunities.com/torbay-community-helpline/>;

Kelly Bedoyan - Torbay Food Alliance Co-ordinator, Torbay Communities -

<https://www.torbayfoodalliance.org/>; and

Jed Stevenson - Local Motion Change Agent, Local Motion Torbay -

<https://localmotion.org.uk/torbay/>.

2. Members also viewed a video on systems thinking which was hosted by the Sustainable Foods Network.
3. The Board asked questions in relation to how does the support from Turning Heads compare to other organisations; were people donating fresh produce from their allotments; what was being done on a 'systems approach' to work with manufacturers and supermarkets around healthy food and to reduce the number of fast food outlets in Torbay; what was being done to encourage people to exercise more; actions 11 and 13 relate to promoting and advertising healthy food, how do we do this; was Ocombe Farm still producing food; how closely was the Food Alliance working with other food banks e.g. Paignton Community Larder; has there been a change in the way people are accessing food banks, for example there seems to be a lot of children turning up to services very hungry; and how would schools be involved in food growing projects.

4. In response to questions about access to fresh produce, Members were informed that it was difficult for food banks and social supermarkets to afford to buy in fresh fruit and vegetables with offers sometimes being limited to potatoes, carrots, onions etc. Turning Heads had explored the Government's proposal to take waste food directly from farms but the scale was too large and would have involved a contract around £14m. A lot of waste from farms in Devon was being thrown away. It was estimated that approximately 20% of farm waste that cannot be sold to the supermarkets was just left to rot. It was really difficult to get access to fresh produce. There were some local networks and the Food Alliance shared knowledge and produce where possible, however, due to the limited amount of fresh produce it was not normally possible to share this as it was sent out to families as soon as it was received. The Food Alliance worked across Torbay and the Paignton Community Lader was a member and they did have access to fresh fruit and vegetables. There was a need to scale up access to fresh produce to be used in food banks and social supermarkets. An example was given that 2,500 Christmas hampers was given out in 2024 which contained a full meal and desert for the families, however, people were still coming to the food banks saying they don't have any presents for their children for Christmas and many parents were going without food to ensure their children were fed.
5. The Board noted the links between food poverty and health, particularly type 2 diabetes, with Torbay having the highest numbers of people with type 2 diabetes in the whole Country. The funding from Public Health only supported preventative work. They were no longer doing face to face talks with people about diet for those who already have it, which could help people to manage or control it.
6. Members were informed that Turning Heads runs digital skills courses as there were lots of people who were not online or able to follow processes. This was affecting their ability to work and access appropriate benefits which was impacting on the NHS and causing further poverty and hardship. A large number of people were unable to make healthy changes to their food as they were in temporary accommodation with limited cooking facilities. There were also links to fuel poverty where people could not afford the gas or electric to cook meals. 800 referrals were made last year for financial support. When people contact the Torbay Community Helpline for food they will encourage the person to tell them about their complete situation and then signpost them to relevant support and help. The conversations can be difficult and people may not want to tell them about their wider issues and some may not actually need the food bank which can lead to challenging conversations and sometimes staff facing abuse and aggression. Food banks take referrals from Libraries, the Council, Probation and other agencies who all have good relationships with the Food Alliance and will join up with the helpline. People can also apply online themselves.
7. The Board was advised that there had been an increase in demand for food support with a lot of requests through the website. A lot of times people would go direct to the food bank as they had heard about it from their friends. Sometimes people don't have phone credit to phone the helpline but could access the internet.

8. Members were advised that it was difficult to use produce from allotments as food grown from allotments can't be sold e.g. the social supermarket charges £5 for a £35 shop and it could be seen that the supermarket was benefitting from selling the produce. There were some links with allotments last year. Occombe Farm was still growing their own food and provide it to outlets such as Sainsburys.
9. In response to questions around systems approach, it was noted that the proposals were not about reducing advertising income but encouraging businesses to advertise healthy food and using the Council's influence. An example was given that Sustainable Food Places run a campaign around smart sugars and reducing sugars – see <https://www.sustainablefoodplaces.org/campaigns/2017sugarsmartuk/>. This needs to be done as part of local policy setting as well as at a National level influencing the manufacturers and supermarkets. It was agreed that links to resources and research papers would be shared with Members after the meeting. There was a need to understand the power in the room and that other communities have and how we could link together to support an encourage small business that align to healthy food initiatives. Local Motion Torbay were leading on work around this including working with schools to utilise green space owned by the Council to grow food. Recruitment for a Food Growing Co-ordinator was being undertaken to link in with different community stakeholders and schools. They would also be using People's Parkfield who could provide tools, growing and learning opportunities and share knowledge. Members noted a project with Hayes Road Primary School on growing using polytunnels as well as setting up bee hives at South Devon College which had potential to be rolled out to other schools. It was important to share where things were happening well and to see how it could be replicated.
10. Members acknowledged the benefits of healthy lifestyles and wished to encourage people to be out walking and keeping as fit as they could be taking advantage of the coast path walks and the natural environment e.g. Cockington and Dartmoor, but recognised that generally the population was inactive.
11. Members were advised that there was a good network, together with members of the Sustainable Food Spaces and Torbay Food Alliance which had been held as a model of good practice with other areas looking to Torbay as an example of good practice.

13. Conclusion

- 13.1 The Board reflected and debated the information provided to them, both verbal and written and formed the following recommendations to the Cabinet. On being put to the vote, the motion was declared carried unanimously.

14. Recommendations

14.1 That the Cabinet be recommended:

- a. to approve the Torbay Council Food Action Plan set out at Appendix 1 to the submitted report; and
- b. to explore how to use Small Business Week to promote healthy eating and behaviours in Torbay;

For Information:

- that the Democratic Services Team Leader be requested to arrange site visits for Councillors to Turning Heads and some of the food banks (in liaison with the Torbay Community Helpline Manager); and
- that the Democratic Services Team Leader be requested to write to all Councillors to encourage them to engage with Local Motion Torbay on their work, particularly around system changes and food insecurity.

Background Papers

<https://www.torbay.gov.uk/DemocraticServices/ieListDocuments.aspx?CId=218&MId=24540&Ver=4>

Cabinet Response to the recommendations of the Overview and Scrutiny Board – Food Strategy Action Plan – Report of the Overview and Scrutiny Board

Recommendation 1:

That the Cabinet be recommended to approve the Torbay Council Food Action Plan set out at Appendix 1 to the submitted report.

Response/Update:

Cabinet supports the Torbay Council Food Action Plan 2025-2026 set out in Appendix 1 to the submitted report as recommended.

Recommendation 2:

That the Cabinet be recommended to explore how to use Small Business Week to promote healthy eating and behaviours in Torbay.

Response/Update:

Cabinet is not aware of a small business week initiative in Torbay. Cabinet supports actions to engage with relevant local businesses in relation to actions 11: (Review planning policy to further support limiting the location of fast-food outlets and hot food takeaways in certain locations through the Local Plan update and refresh of the Healthy Torbay Supplementary Planning Document) and 12: (Explore how the Council can encourage healthy food consumption through the application of an unhealthy food policy on Council owned assets). Cabinet also supports promotion of healthy eating and behaviours with relevant businesses that have contracts with Torbay Council. We will continue to explore and develop links with our local businesses through existing forums/opportunities to promote healthy food.

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Update on Domestic Abuse Safe Accommodation Needs Assessment Refresh – Report of the Overview and Scrutiny Board

Report to Cabinet on 13 May 2025

Background

1. The Overview and Scrutiny Board met on 12 March to consider the submitted report on the Domestic Abuse Service Safe Accommodation Needs Assessment Refresh and responded to questions. An updated Action Plan (Appendix 2) was circulated prior to the meeting following confirmation of changes the additional £400k funding.
2. Members were advised that out of 23 units there were only 3 or 4 single person units and the Council was looking to increase the number of single persons units. There had been an increase in demand of people accessing the Domestic Abuse Service by 58% being referred. This did not necessarily translate into the need for safe accommodation but highlighted the increase in demand for support since the new Domestic Abuse Duty came into force in October 2021. It was noted that there was also an issue with people presenting themselves as fleeing from domestic abuse to secure safe accommodation, however, in many cases following a risk assessment this was as a result of relationship breakdown rather than domestic abuse.
3. The Board was informed that the Government had confirmed an additional £400k funding for Domestic Abuse included within the Base Budget which would enable longer term commissioning. There remained a number of short term grant funds supporting the Service which had been extended to March 2026. The Team was awaiting the outcome of the Comprehensive Spending Review due in June 2025 to have a view on longer term funding and sustainability for some of the projects. Members were advised that the Team was working with Children's Services colleagues looking at emotional and therapeutic support to children and their families impacted by domestic abuse and would be procuring the Adult and Young People's Recovery Toolkit as a way to support this.
4. Members asked questions in relation to how the Peninsula therapeutic approach would work; how long did people stay in safe accommodation (this was 6 to 9 months); what was economic abuse; how was the Service reaching out to minority groups; what action was taken to try to keep people's pets with them when they flee domestic abuse; what was being done in respect of behaviour change programmes for perpetrators and what would the cost be;

the launch of the Older People's Charter was due in November 2024 but was now scheduled for April 2025, was this on schedule; paragraph 2.4 of the report referred to reliable Devon and Cornwall Police data not being available, was this still the case; there had been a 58% increase in referrals how many people did that equate to and was that a result of increased awareness of the Service; in other areas it had been raised that people from the transgender community were unable to access domestic abuse safe accommodation for women and were placed in unsafe temporary accommodation, how were they supported in Torbay; and would Local Government Reorganisation impact on domestic abuse.

5. Members were advised that it was hoped to work with the colleagues from the wider South West Peninsula on an emotional trauma offer as part of the Domestic Abuse Programme funded through the Office of the Police and Crime Commissioner (OPCC) and NHS England, but they had recently decided not to include domestic abuse in that work unless sexual violence was also a major factor. Officers would be speaking with the OPCC and looking at how a therapeutic offer could be supported and funded.
6. It was noted that economic abuse was wider than financial abuse as for example this covered access to work or study as well as finances and made victims depend on the perpetrator financially.
7. Members were advised that the Team recognised the importance of pets as well as the impact on the pets themselves of domestic abuse and works closely with Refuge for Pets which provides foster placements for pets until families move into permanent accommodation. Some of the commissioned accommodation did allow pets, this was normally in houses rather than flats.
8. The Board was informed that the co-ordinated community response sat alongside Domestic Abuse Housing Alliance accreditation and the Whole Housing Approach, looking at the whole housing system to try to prevent the need for people to come into domestic abuse accommodation in the first place. This takes a lot of work and a lot of resource (£160k a year over two years, plus membership of relevant organisations). It includes co-ordinating, reviewing policies and procedures, and training to ensure early identification and would take money out of the support requirements identified as part of the safe accommodation needs assessment. It was noted that there was a risk within the Service Risk Assessment on capacity to deliver the Domestic Abuse and Sexual Violence Strategy objectives. Therefore it had been decided not to progress this work at this time but it remains a recommendation in the action plan.
9. In response to questions around minority groups, Members were advised that there were very low numbers of people coming forward from black and ethnic communities, and that the Service was starting to see a small number (under 5 households) approaching the service who have indefinite leave to remain status, or were experiencing honour based violence. There was a challenge over a lack of understanding in the Council about the legal position if someone was not entitled to public funds. There was support available through the Olive Project, a Devon based charity working for minority black and ethnic women experiencing domestic abuse and sexual violence; and free training had been provided to Adults and Children's Services staff. Due

to the low numbers it was not felt viable to commission support ourselves however the Council continued to work with Peninsula partners on a targeted population strategy to prepare for the future and what may come out of the funding review to meet common needs identified in our safe accommodation needs assessments. It was noted that due to funding eligibility criteria a lot of small grass roots organisations were unable to access “by and for” grant funding that was available last year. Officers had lobbied the Domestic Abuse Commissioner and Home Office regarding this issue as larger national organisations were not interested in developing services in the South West.

10. Members were advised of the various behaviour change programmes that had been in place since 2014, but that they had always been carried out using temporary funding. This included a grant funded project working with the Craft Framework supporting families and identifying domestic abuse at an early stage and to put in intervention to address this, however the project was unable to demonstrate the impact to make a suitable business case to take it forward. Work was still being delivered by the Standing Tall voluntary sector partnership through grant funding. A Peninsula bid for Perpetrator Funding, led by the OPCC had been submitted in 2023 but was unsuccessful. Members recognised the need for funding for behaviour change programmes to be sustainable and not one off as the programmes usually lasted for 26 weeks. There were two types of programmes for behaviour change, a high risk high harm programme costing around £90k per year, or a community based programme for medium risk perpetrators costing around £70k per year, both included support for the partner to manage escalation of risk whilst the perpetrator attends the programme.
11. Members were advised that the launch of the Older People’s Charter was on track, but it had not yet been decided how it would be rolled out e.g. through domiciliary care providers, voluntary sector groups, Healthwatch etc. It was noted that it was difficult for some older people to recognise that they were victims of domestic abuse. There was also a blind spot in the statistics which stop at 74 as well as this being a cultural issue.
12. The Board was informed that data was now being received from Devon and Cornwall Police but the accuracy of the data was being reviewed by them. National data was being used through the Crime Survey for England and Wales.
13. Members noted that there were 1,569 referrals in 2023 and by the end of March 2025 there were projected to be 2,483 referrals to the Domestic Abuse Service. It was felt that this was partly due to awareness of the Service and whilst this did not translate into the same numbers of people needing safe accommodation this did indicate that those numbers were also increasing.
14. The Board was advised that it was not known what the impact of Local Government Reorganisation would be on domestic abuse. However, Torbay Council was already working closely with Peninsula peers, which was not necessarily the case across the Country.
15. Members were informed that whilst there were no statistics on how many victims stay in the home with children, it was not often that a perpetrator was left in the family home. The Council was working with other areas on a

Managed Reciprocal scheme whereby a victim in a social housing tenancy could be moved out of Torbay and directly into another social housing property where appropriate, and then Torbay would reciprocate and provide a similar offer to people from that area. This could be applied to perpetrators as well to enable the family to stay in their home. There was not a problem with transgender people accessing safe accommodation in Torbay as our accommodation units were all self-contained.

16. The Board noted that the Adult Social Care and Health Overview and Scrutiny Sub-Board was due to undertake a spotlight review on domestic abuse later in the year.

17. Conclusion

- 17.1 The Board reflected and debated the information provided to them, both verbal and written and formed the following recommendations to the Cabinet. On being put to the vote, the motion was declared carried unanimously.

18. Recommendations

- 18.1 That the Cabinet be recommended:
 - a. that the Overview and Scrutiny Board supports the Safe Accommodation Action Plan set out in the revised Appendix 2 to the submitted report as a way forward; and
 - b. to explore identifying £100k to be put into the Base Budget to fund suitable behaviour change programmes (aimed at perpetrators) for domestic abuse and sexual violence.

Background Papers

For Information only, the Board also resolved:

2. that the Chairman of the Overview and Scrutiny Board be requested to write to the two Members of Parliament:
 - a. to ask them explore what opportunities there are for funding for behaviour change programmes (aimed at perpetrators) for domestic abuse and sexual violence to ensure that there is sustainable funding within the upcoming Comprehensive Spending Review; and
 - b. to ask them what is being done to challenge the National Crime Statistics only including people up to 74 when people are living longer and are still subjected to domestic abuse and sexual violence;
3. that the Chairman of the Overview and Scrutiny Board be requested to write to the Police and Crime Commissioner to ask if there is any funding available to support behaviour change programmes (aimed at perpetrators) for domestic abuse and sexual violence.
4. that the Director of Adults and Community Services be requested to present an all Member briefing on funding for domestic abuse and sexual violence

following the Comprehensive Spending Review (CSR) in June 2025 so that Members can be aware of the impact on the projects which currently only have 12 months funding.

[Agenda for Overview and Scrutiny Board on Wednesday, 12 March 2025, 5.30 pm](#)

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TORBAY COUNCIL

Cabinet Response to the recommendations of the Overview and Scrutiny Board – Update on Domestic Abuse Safe Accommodation Needs Assessment Refresh

Recommendation 1:

That the Cabinet be recommended that the Overview and Scrutiny Board supports the Safe Accommodation Action Plan set out in the revised Appendix 2 to the submitted report as a way forward.

Response/Update:

Caninet supports the Safe Accommodation Action Plan set out in the revised Appendix 2 to the submitted report as a way forward.

Recommendation 2:

That the Cabinet be recommended to explore identifying £100k to be put into the Base Budget to fund suitable behaviour change programmes (aimed at perpetrators) for domestic abuse and sexual violence.

Response/Update:

A review of best practice of behaviour change programmes (aimed at perpetrators) for domestic abuse and sexual violence and its application to meet Torbay's needs, will be undertaken by officers. This will also include a review of potential geographic partnerships and methods of delivery. This will inform officer recommendations on a proposed model of delivery, timeframes and costed business case by 30 June 2025.

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Meeting: Cabinet

Date: 13 May 2025

Wards affected: All wards in Torquay for Plan for Neighbourhoods, all wards in Torbay for wider Torbay Place Leadership Board

Report Title: Plan for Neighbourhoods

When does the decision need to be implemented? Government to be informed of the decision when completed.

Cabinet Member Contact Details: Councillor David Thomas, Leader of the Council, david.thomas@torbay.gov.uk

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

1. Purpose of Report

- 1.1. Government have asked Torbay Council to confirm parameters of their partnership with the body acting as Torquay's Neighbourhood Board.
- 1.2. The purpose of this report is to ratify Torbay Council's partnership with the Torquay Place Leadership Board.
- 1.3. To meet Ministry of Housing, Communities and Local Government requirements, the Torquay Place Leadership Board initially met on 9 April 2025, as a 'neighbourhood board' as part of Plan for Neighbourhoods (formerly Long-Term Plan for Towns). This was done in order to confirm its governance arrangements to meet the MHCLG's submission deadline of 22 April 2025.
- 1.4. Cabinet is asked to ratify the partnership.

2. Reason for Proposal and its benefits

- 2.1. Ratification of the partnership will support the Torquay Place Leadership's Board. The Board will act as the accountable body for £19,537,000 of interventions to Torquay over the next 10 years.

3. Recommendation(s) / Proposed Decision

- 3.1. That governance arrangements for the Torquay Place Leadership Board, as set out at Appendix 1 to this report and as submitted to the MHCLG, be ratified by Torbay Council.

- 3.2. That the Director of Finance be given delegated authority, in consultation with the Cabinet Member for Place Development and Economic Growth, to ratify the Torquay Place Leadership Board's decisions on approved grant allocation business cases and to approve the draw down of the Grant Funding from the MHCLG Grant Pot for those grant allocations.
- 3.3. That the Council's thanks be placed on record to the members of the Torbay Place Leadership Board in improving outcomes for residents in Torbay and its continued work alongside the newly established Torquay Place Leadership Board.

4. Appendices

- Appendix 1: Torquay Place Leadership Board Terms of Reference

5. Background Documents

- [Plan for Neighbourhoods: prospectus - GOV.UK](#)
- [\(Public Pack\) Agenda Document for Torquay Place Leadership Board, 09/04/2025 15:30](#)

Supporting Information

6. Introduction

- 6.1. During October 2023, the previous Government launched the Long-Term Plan for Towns (LTPFT) initiative. Some fifty-five towns were selected, including Torquay.
- 6.2. The new Government has since confirmed that Torquay has been allocated £19,537,000 of funding (75% capital, 25% revenue) over 10 years as part of seventy-five areas. Alongside the reconfirmation of funding comes new guidelines, deadlines, requirements, and opportunities.
- 6.3. In Spring 2024 The Torbay Place Leadership Board agreed to fulfil the role of the 'Neighbourhood Board' (was town board) under the name The Torquay Place Leadership Board.
- 6.4. The decision was that the Torquay specific Board would commence at the rising of Torbay Place Leadership Board meetings to comply with the specific membership requirements and the Torquay centric focus. Each Board would have their own terms of reference, but there would be cross over with membership, focus and themes, business planning and advocacy.
- 6.5. The updated guidance issued by the Government for the Torquay Board elevates both, giving each Board the opportunity to come together in a new focussed way around Place based delivery for residents.
- 6.6. The new guidance states that a Neighbourhood Board should bring together those with a deep connection to the Torquay such as local businesses, grassroots campaigners, workplace representatives, faith and community leaders and any other relevant organisations. It says that all members of the Board have an equal right to vote on Board

issues and that the Board will work as partners with Torbay Council to develop a plan for their local area and distribute funding to the projects to deliver on this vision.

- 6.7. The Board will be working in partnership, rather than led by Torbay Council. There is a shared desire to help both the Torquay Place Leadership Board and the Torbay Place Leadership Board to a place of greater community ownership.
- 6.8. Government guidance stated the new Neighbourhood Board needed to have convened by 22 April 2025 to confirm membership, elect an independent Chairperson and discuss any proposals to alter the Torquay boundary suggested by the Ministry of Housing, Communities and Local Government.
- 6.9. The boundary submitted by Torbay Council to Government included a wider area than suggested, representing Torquay in its entirety, including The Willows, Shiphay and Edginswell.
- 6.10. By 'Winter 2025' the Torquay Place Leadership Board is required to have developed a Regeneration Plan, setting out a vision for the next decade. It will also need to set out an Investment Plan for the first four years of the programme. Torbay Council will support the Board to develop and deliver the plan. Money for those interventions will be released yearly from April 2026.
- 6.11. It has been proposed that the Torbay Place Leadership adopt the same timetable to develop a Regeneration Plan – but includes a wider footprint - to include Paignton and Brixham. This would pull together bodies of work already taking place in communities around key themes and interventions to help those who most need it including economic regeneration, capital regeneration and community safety.
- 6.12. The Torbay Place Leadership Board met to discuss proposals on 3 April 2025, and will discuss and formalise their role with updated terms of reference and identified gaps in representation at their next meeting. The Torquay Place Leadership Board met on 9 April 2025. Their terms of reference are included in Appendix 1 to this report.
- 6.13. Members of the Torbay Place Leadership Board have been reflecting on progress to date and the groundbreaking work around partnership working. The establishment of the Torquay Place Leadership Board has enabled a golden thread between the two bodies and allows for more strategic alignment, depth of purpose and impact.
- 6.14. In 2015 The Local Government Association recommended Torbay Council:
 - Develop a clear long-term, high-level vision for Torbay as a Place that is agreed and endorsed with the key stakeholders.
 - Develop a clear communication and engagement strategy for the above to embed it with partners and the community.
 - Develop and understand Torbay's place in the national and regional context.
- 6.15. A decade on, the transformation is stark. The interconnected network of stakeholders bound together under a strong narrative and aspirational vision is both genuine and deep rooted. It has resulted in real jobs, tangible opportunities and high levels of investment in Torbay that wouldn't have been possible otherwise. Advocacy from the Board, stakeholders and partners under the narrative of Our Torbay Story has resulted in over £100 million in investment to improve the lives of people in Torbay.

- 6.16. Taking time to reflect on how to build on those successes brings significant opportunities for the Torbay Place Leadership Board. At the next meeting the Torbay Place Leadership Board will agree its vision for the whole of Torbay and strategic alignment with the opportunities Torquay has through the Plan for Neighbourhoods.

7. Options under consideration

- 7.1. Cabinet could ratify the role and strategic vision of the Torquay Place Leadership Board. This presents a unified approach to Torbay Council's partnership with the Board which will be fed back to MHCLG.
- 7.2. Cabinet could decide not to ratify the role of the Torquay Place Leadership Board. This decision would be fed back to MHCLG and would undermine the partnership, releasing of funds and delivery timetable.

8. Financial Opportunities and Implications

- 8.1. Acting as a partnership 'neighbourhood board' and working with Torbay Council (as defined by Ministry of Housing, Communities and Local Government (MHCLG) guidelines) the Torquay Place Leadership Board will:
- create and deliver a bespoke and targeted 10-year Regeneration Plan for a geographically designated area of Torquay around key themes in order to order improve lives of residents.
 - create and deliver an Investment Plan.
 - and allocate grant funding using the funding provided by the MHCLG (which will be ratified by Torbay Council's Chief Finance Officer, as the accountable body).
- 8.2. If funding is approved by the Board, the Council's Chief Finance Officer will ratify the Board's decision and approve the draw down of the Grant Funding from the MHCLG Grant Pot and will publish a Record of Decision for each grant.
- 8.3. Torbay Council act as the accountable body for the funds and has responsibility for ensuring that public funds are distributed fairly and effectively, and that funds have been managed in line with the Nolan Principles and Managing Public Money principles.
- 8.4. Torbay Council is also responsible for compliance with legal responsibilities in relation to subsidy control, state aid and procurement.

9. Legal Implications

- 9.1. Torbay Council is responsible for compliance with legal responsibilities in relation to subsidy control, state aid and procurement.

10. Engagement and Consultation

- 10.1. The Torquay Place Leadership Board in partnership with Torbay Council will need to significantly consult with residents, businesses and stakeholders in Torquay when creating a business case. This work will take place before April 2026.

11. Procurement Implications

- 11.1. Torbay Council is responsible for compliance with legal responsibilities in relation to subsidy control, state aid and procurement.

12. Protecting our naturally inspiring Bay and tackling Climate Change

- 12.1. There is no intended use of funding at this stage and no impact on protecting our naturally inspiring Bay or tackling climate change.

13. Associated Risks

- 13.1. If Cabinet were not to ratify the partnership with the Torquay Place Leadership Board it would undermine the submission already made to Government in 2024 in association with the Torbay Place Leadership Board when the plans were submitted under the banner of Long-Term Plans for Towns.

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 Page 196	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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
Disability	In the 2021 Census, 23.8% of Torbay residents answered	Interventions are likely to be data driven to target those in the most deprived		

	that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact		

	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.	assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
Sex	51.3% of Torbay's population are female and 48.7% are male	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case		

		which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)		Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		

Public Health impacts (Including impacts on the general health of the population of Torbay)		Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
Human Rights impacts		Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		
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.	Interventions are likely to be data driven to target those in the most deprived areas of Torquay. The MHCLG data has not yet been provided. It will be used for the Board's suggested business case which will have its own equality impact assessment. Ratification itself has a positive impact on outcomes.		

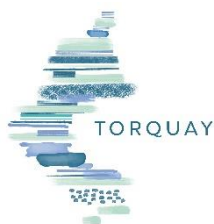
15. Cumulative Council Impact

- 15.1. Ratification is likely to have a positive cumulative impact in terms of a joined-up approach to working across multiple projects and departments to deliver greater outcomes for residents.

16. Cumulative Community Impacts

- 16.1. Ratification is likely to have positive cumulative community impacts in terms of social justice. The MHCLG funding is designed to empower communities, delivering tangible outcomes with fair treatment and equitable status of all.

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Torquay Place Leadership Board – Terms of Reference and Operation

Draft for consideration by the Inaugural Meeting of the Torquay Place Leadership Board on 9 April 2025
For submission to MHCLG by 22 April 2025 and endorsement by Torbay Council’s Cabinet meeting on 13 May 2025

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Developed in partnership with

TORBAY COUNCIL

1. Introduction and Background

- 1.1 The Torquay Place Leadership Board brings together those with a deep connection to Torquay to work in partnership with Torbay Council as the secretariat and accountable body to develop a community led plan for Torquay and distribute funding to the projects to deliver on this vision. The Torquay Place Leadership Board's role is to act as a 'neighbourhood board' as defined by Ministry of Housing, Communities and Local Government (MHCLG) guidelines (see Plan for Neighbourhoods: governance and boundary guidance - GOV.UK and <https://www.gov.uk/government/publications/plan-for-neighbourhoods-prospectus-and-tools/plan-for-neighbourhoods-prospectus>).
- 1.2 The Board's primary role is to create a bespoke and targeted 10-year Regeneration Plan for a geographically designated area of Torquay around key themes in order to order improve lives of residents. This includes an initial four-year Investment Plan ready for delivery from April 2026. The Board is accountable for the delivery of that Plan. In total Torquay has been allocated £19,537,000 of funding (75% capital, 25% revenue) over 10 years.

2. Membership

Membership Requirements

- 2.1 The MHCLG guidelines define the membership of neighbourhood Boards and this has been developed in consultation with the Torbay Place Leadership Board.
- 2.2 Torquay Place Leadership Board will be led by an independent Chairperson. The independent Chairperson shall not be an elected representative. To ensure transparency and accountability, the Board will undertake a competitive process. Giving due consideration to the length of tenure for the Chairperson and noting the importance of consistency and the long-term nature of the programme, there is no term limit to the role. The Chairperson should act as a champion for Torquay and provide leadership for the Board, ensuring it is community-led and embedded within the town. The Chairperson should be someone who holds a prominent role in the community and has a passion for the place. MHCLG guidelines stipulate the role is voluntary, "analogous to that of a school governor or charity trustee and should not be compensated".
- 2.3 The appointment of Deputy Chairpersons will aid succession planning and will deputise for the Chairperson where required.

- 2.4 The Chairperson will work with Torbay Council to consider the appropriate membership of the Board, ensuring an inclusive and representative selection of people with relevant expertise from across Torquay.
- 2.5 MHCLG guidance stipulates that Torquay's Member of Parliament (MP) must sit on the Board.
- 2.6 Two Councillors from the authority will also be included in the Board's membership (these include the Leader of the Council and a Torquay Ward Councillor or their nominated representatives, who will be appointed by Torbay Council in accordance with their outside bodies procedures). Within the context of the potential impact of Local Government Reorganisation, in event of the future development of any towns and parishes which sit within the area covered by the Board, the Chairperson may wish to invite parish, town, or community Councillors, noting that numbers of elected representatives should be limited to promote community leadership.
- 2.7 The Torquay Place Leadership Board shall include a senior representative from the Police, namely the Devon, Cornwall and Isles of Scilly's Police and Crime Commissioner (PCC) or a delegated representative, agreed between the Chairperson and the PCC. Should the Board require further contribution from the Police, noting particularly the different skills and input that could be provided by an operational representative, they may invite any member they deem appropriate to sit on the Board.
- 2.8 The Board should comprise of representatives from a cross-section of the local community, including health and the education sector, to promote community leadership, and the Board should ensure there is greater representation from non-elected Members than elected, in line with the 'community-first' principle of the programme. Torbay Council's Chief Executive will be a member of the Board. Other Torbay Council officers may provide secretariat support and can sit as an observer or an advisor at Board meetings, if agreed with the Chairperson.
- 2.9 The Chairperson, supported by Torbay Council, must ensure the right people are included in the Board's membership to fully reflect the priorities of Torquay. Torbay Council should ensure that the Board's membership complies with their equality duties, and alongside the Chairperson, ensure that equalities duties are met.
- 2.10 The Board may review its Membership at any stage and will formally do so at the end of its first 4-year investment cycle in accordance with MHCLG guidance.
- 2.11 MHCLG will also review the Board Membership and governance arrangements to provide assurance that the community and key stakeholders are appropriately represented in line with guidance.

Torquay Place Leadership Board Membership

Jim Parker - Chair of Torbay Leadership Place Board
Vince Flower - Chair of Torquay Town Deal Board
Steve Darling - Torbay Member of Parliament (MP)
Councillor David Thomas - Leader of Torbay Council
Anne-Marie Bond - Chief Executive Torbay Council
Laurence Frewin - Chief Executive South Devon College
Rev Nathan Kiyaga – Faith Community
Alison Hernandez - Devon and Cornwall Police and Crime Commissioner
Chief Superintendent Roy Linden - Devon and Cornwall Police
Superintendent Hayley Costar - Devon and Cornwall Police
Lee Tozer - Partnership Manager, Department of Work and Pensions Torquay
Chris Hart - Chair English Riviera Business Improvement District (BID) Company
Steve Reynolds - Chair Torbay Business Forum
Richard Marsh– Interim Chief Executive Devon Chamber of Commerce
Peter Knight - Managing Director Stagecoach South West
Professor Chris Balch - Chair Torbay and South Devon NHS Foundation Trust
Mike Westcott - Joint Chair, Torquay United
Tracey Cabache - Director, Torbay Communities
Councillor Cordelia Law – Torbay Council
Vacancies - Community representation identified to be recruited to as agreed by Board's first governance meeting and membership updated.

3. Terms of Reference

Acting as a partnership 'neighbourhood board' and working with Torbay Council (as defined by Ministry of Housing, Communities and Local Government (MHCLG) guidelines) to:

1. create and deliver a bespoke and targeted 10-year Regeneration Plan for a geographically designated area of Torquay around key themes in order to order improve lives of residents;
2. create and deliver an Investment Plan; and
3. allocate grant funding using the funding provided by the MHCLG (which will be ratified by Torbay Council's Chief Finance Officer, as the accountable body).

4. Geographic Area of Torquay Place Leadership Board

- 4.1 Funding allocated to each place should be spent for the benefit of the community within an agreed geographic area. The Board may make representations to the MHCLG to alter their default boundary. Should the

Board wish to lodge a request to either amend their default boundary or make further changes to a revised boundary agreed by the previous administration, any alteration must:

- remain within the spirit of the programme;
- retain the place that was originally selected;
- remain contiguous;
- not introduce additional, separate population centres into the agreed area (for example, different communities or neighbourhoods); and
- have a clear rationale.

- 4.2 For participatory interventions such as creative workshops and community initiatives, it is not essential that all attendees and beneficiaries are from communities within the agreed boundary, provided the primary benefit of the intervention is felt within the intended area.
- 4.3 A map of the boundary covered by the Torquay Place Leadership Board can be found at Appendix 1 to this document. This covers all of the Torquay Wards within Torbay Council's boundary.

5. Decision Making

- 5.1 Each Board Member has one vote. If there are equal numbers of votes for and against the Chairperson (whether or not they voted) will have a casting vote. There will be no restriction on how the Chairperson chooses to exercise a casting vote.
- 5.2 The Board can choose to fund interventions across its geographic area or to target funding towards areas depending on the priorities identified in their engagement. Activity should be able to evidence how it is targeted into the most deprived neighbourhoods within Torquay.
- 5.3 The Board will consider a detailed business case for any grant funding to be allocated and will approve or reject the application by a majority vote. Business cases shall be in accordance with the MHCLG pre-approved interventions (see [Plan for Neighbourhoods: pre-approved interventions - GOV.UK](#)). If funding is approved by the Board, the Council's Chief Finance Officer will ratify the Board's decision and approve the draw down of the Grant Funding from the MHCLG Grant Pot, and will publish a Record of Decision for each grant.
- 5.4 Torbay Council act as the accountable body for the funds and has responsibility for ensuring that public funds are distributed fairly and effectively, and that funds have been managed in line with the [Nolan Principles](#) and [Managing Public Money](#) principles. Torbay Council is also responsible for compliance with legal responsibilities in relation to subsidy control, state aid and procurement.

6. Code of Conduct and Registration of Interests

- 6.1 Members of the Board are required to sign up to and will work within the Local Government Association's Model Code of Conduct (see [Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association](#), based on the Seven Principles of Public Life (the Nolan Principles). This includes clear processes for managing conflicts of interests (commercial, actual, and potential) in decision making, which apply to all involved with the work of the Board.
- 6.2 As vested members of the community, it is reasonable that many will have interests that may indirectly benefit from the Board's work. This does not preclude individuals from joining the Board, but interests must be declared, and Members should recuse themselves from relevant decisions where appropriate.
- 6.3 All Board Members are required to complete a register of interests within 28 days of taking up their role, which Torbay Council will hold and will be published on the website. This will be in a format used by Torbay's Councillors. Board Members are responsible for declaring their interests before the Board makes any decisions.
- 6.4 Any declarations made will be noted in the Minutes of the meeting and also recorded on the website together with actions taken in response to any declared interest.
- 6.5 Board Members must declare and register any gifts or hospitality given to them or refused by them with an estimated value of at least £50 in accordance with the Model Code of Conduct in connection with their role as Member of the Torquay Place Leadership Board. These shall be sent to governance.support@torbay.gov.uk who will liaise with the Council's Monitoring Officer to ensure they are correctly registered.

7. Operation

- 7.1 Building on the success of the Torbay Place Leadership Board and with the Chairperson's agreement, Torbay Council will act as the secretariat to the Board. Being a community focussed Board, once resilience and capacity are in place, the secretariat will be encouraged to transition to a community/partner held role over the 10 years of funding.
- 7.2 The secretariat for the Board is responsible for operation of the Board, ensuring there is an established Terms of Reference and that it follows the associated governance and transparency requirements.
- 7.3 Board meetings:

- a. will be held quarterly and will normally be held at the rising of the Torbay Place Leadership Board;
- b. Chaired by the independent Chairperson or in his/her absence the Deputy Chairperson;
- c. Board papers will be circulated within 5 working days in advance of the meeting;
- d. draft minutes of meetings will be published within 10 working days of the meeting and will be submitted to the next meeting for approval;
- e. final minutes, once approved by the Board, will be published within 10 working days of the approval;
- f. any declaration of conflicts of interest reported, within the published minutes;
- g. feedback and Actions to be agreed by the Board and recorded in the minutes;
- h. will follow Torbay Council's governance and finance arrangements, as required and in accordance with the Standing Orders, when considering private reports, with the default position being that all papers are open to the public. These are set out in the Standing Orders – Access to Information (see - [Browse - Torbay Council's Constitution](#))

7.4 The quorum of the Board is one third of its membership. During any meeting if the Chairperson counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairperson. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

7.5 Where an appointed Member of the Board is unable to attend, they may appoint a substitute for the meeting to attend in their place, by written notification (including via email) to the Chairperson and Governance Support prior to the meeting. Their Substitute Member will have one vote on any decisions taken at the meeting.

7.6 The following information will be published on Torbay Council's website and/or <https://torbaystory.co.uk/>

- Membership and governance arrangements (including minutes of meetings); and
- Profiles of Board Members.

- 7.7 The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller for all Plan for Neighbourhoods programme-related personal data collected with the relevant forms submitted to MHCLG, and the control and processing of personal data.

Appendix 1 – Boundary Map



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Meeting: Cabinet **Date:** 13 May 2025

Wards affected: All Torbay Wards

Report Title: Joint Recommissioning of the Local Healthwatch Contract

When does the decision need to be implemented? 1 June 2025*

*For Market Engagement to Commence

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

Director/Divisional Director Contact Details: Lee Baxter, Divisional Director of Adult Social Care lee.baxter@torbay.gov.uk

1. Purpose of Report

- 1.1 To seek approval for the procurement and subsequent award of a contract for local Healthwatch, the independent health and social care consumer voice organisation.
- 1.2 To seek approval to once again commission this service jointly with Plymouth City Council and Devon County Council.

2. Reason for the Contract and its benefits

- 2.1 The Health and Social Care Act 2012 requires every local authority in England with adult social care responsibility to have a local Healthwatch organisation in place, acting as a consumer voice for the health and social care system. Therefore, by law, we must commission a suitable service.
- 2.2 The consumer voice organisation has an important role to play in giving public feedback on the performance of the overall health and social care system. This is used to inform strategies and practices for reducing health inequalities and improving health and wellbeing, ensuring the voices of lived experience can be independently heard.

- 2.3 As an independent third sector organisation, local Healthwatch also has a role to play in wider work to help communities to be safe, connected, and resilient, as one way in which citizens are empowered to influence their local health and social care system.

3. Recommendation(s) / Proposed Decision

- (i) That the Director of Adults and Community Services be instructed to commence the procurement process in accordance with Contract Standing Orders and Procurement policy;
- (ii) That the local Healthwatch organisation continues to be commissioned jointly with Devon, Plymouth, and Torbay under a joint contract with Devon County Council and Plymouth City Council; with Devon County Council being the Lead Commissioner.
- (iii) That the Director of Adults and Community Services , in consultation with the Cabinet Member Adult and Community Services, Public Health, and Inequalities, be delegated authority to award the Healthwatch contract to the preferred bidder.

Appendices

Not applicable

Background Documents

Healthwatch England guidance around contracting and funding Healthwatch:

[Contracting and funding Healthwatch | Healthwatch Network](#)

Best Practice Specification Example:

[20241209 - Healthwatch Anytown Service Specification Based on Brighton Hove.docx](#)

4. Introduction

- 4.1 The Local Government and Public Involvement in Health Act 2007, as amended by the Health and Social Care Act 2012, mandates that local authorities commission local Healthwatch organisations. These organisations are designed to give citizens and communities a stronger voice to influence and challenge how health and social care services are provided in their area.
- 4.2 In Devon, since 2020 the local Healthwatch has been jointly commissioned by Devon County Council, Plymouth City Council and Torbay Council; with Devon being the Lead Commissioner. This has enabled a single provider to support consumer voice activities which cover the whole Integrated Care System the three local authorities are part of.
- 4.3 This joint arrangement has enabled the local Healthwatch to work more efficiently across the system and enabled local authorities to benefit from economies of scale which would not have been possible if each Council commissioned a separate consumer voice organisation.

5. Options under consideration

- 5.1 Every local authority in England must have a local Healthwatch organisation in place by law so the options available for recommissioning in Devon were:
 - i. to recommission jointly with Plymouth and Torbay Councils again (the status quo)
 - ii. commission separate local Healthwatch organisations for Devon, Plymouth, and Torbay
 - iii. to commission on a larger scale in collaboration with either Cornwall or Somerset.
- 5.2 The third option would mean that the consumer voice organisation would have to span more than one integrated care system, an unrealistic challenge in terms of governance or effective public profile.
- 5.3 The three local authorities considered whether to recommission their local Healthwatch on an individual basis, as they did originally in 2013, or to continue with the joint arrangements which have been in place since 2020.
- 5.4 This consideration took account of the forthcoming local government re-organisation facing the three local authorities and the ongoing development of the Integrated Care System for the area covered by Devon, Plymouth, and Torbay Councils.
- 5.5 Commissioners agreed that continuing to base the local Healthwatch area on the Integrated Care System footprint was the most sustainable and strategically effective way forward. This is because all the proposed local authority boundary change options still map on to the

Devon Integrated Care System area and do not change the boundaries with Cornwall or Somerset.

- 5.6 Commissioners also agreed that recommissioning local Healthwatch on a three-authority basis would enable them to maintain the economy of scale (around 8% savings on the nationally recommended funding level) achieved by having one rather than three organisations in place.
- 5.7 The recommended option is therefore to jointly recommission the local Healthwatch organisation for Devon, Plymouth and Torbay, with a requirement that the provider is able to maintain a structure which covers the integrated care system regardless of the outcome of local government re-organisation and the resulting local authorities covering the system area.

6. Contract term and budget

- 6.1 The proposed new contract duration will be six years in duration, from 1 April 2026 to 31 March 2032, divided into two three-year sections (3 + 3) to enable a contact review mid-way through the contract period.
- 6.2 The annual value of the local Healthwatch contract for Devon, Plymouth, and Torbay for the 2026-27 will be £620,000.

The contributions to the contract from each commissioning local authority in Year One (2026/27) will be:

- Devon County Council - £384,000
- Plymouth City Council - £138.817
- **Torbay Council - £97,183**

- 6.3 The overall contract value for the six-year duration of the contract will be £3,720,000, with the Torbay element being £583,098 in total. This figure does not include any annual inflationary increases during the life of the contract, which it will be up to the three local authorities to agree annually.
- 6.4 The first year contract value is in line with the level of funding expected by the Department of Health and Social Care for a local Healthwatch organisation, for each of the three local authority areas, minus an 8 per cent efficiency saving resulting from achieved by the economy of scale achieved by commissioning jointly.
- 6.5 The contract is funded from the commissioning budgets of each local authority, using a combination of the Local Reform and Community Voices grant, which the Government pays to local authorities for that purpose, and expected local match funding specified in Department of Health and Social Care guidance.
- 6.7 The funding from Torbay for the new contract is only marginally higher than for the current contract (£95,800 for 2025/26) and is planned for in the budget recurrently.

7. Procurement routes to market

- 7.1 The Procurement will be led and managed by Devon County Council, with input from Torbay and Plymouth commissioners.
- 7.2 A full procurement process will need to be undertaken for this contract, as we are aware that there are multiple providers within the market who may wish to bid.
- 7.3 Full market engagement will be undertaken in advance of the contract being advertised. The current contract is being delivered by a consortium, and such bids would also be considered for the new contract, therefore sufficient time will be built into the procurement timeline to allow this.

8. Best value duty

- 8.2 As an independent consumer voice organisation, the impact of a commissioning local Healthwatch organisation will have little environmental impact, but the provider will be required to act in an environmentally responsible way when conducting its business.
- 8.3 The effectiveness of Healthwatch is dependent on several factors, such as strong leadership, effective staff teams, a solid volunteering base, good governance, credible evidence/information, and quality of local relationships; all of which contribute to the quality of delivery and ability to influence.
- 8.4 We have based our funding on nationally recommended minimum funding levels; therefore, the evaluation is likely to place a greater emphasis on quality and social value. The split will be agreed between commissioners for the three authorities.
- 8.4 We will use the nationally recommended specification for local Healthwatch as a foundation for our local version, to ensure that the contract delivers in line with Healthwatch England's expectations.
- 8.5 Contract monitoring will take place collaboratively between the commissioning authorities and providers. The national Healthwatch Performance Framework will be used to support regular performance monitoring and evaluation.

9. Engagement and consultation

- 9.1 Recommissioning proposals have been checked with a representative from Healthwatch England who has endorsed both the original joint model and the proposed recommissioning on a joint basis. They have also reassured us that our proposals are 'future proof' in terms of any national Healthwatch developments including a possible future move towards the national commissioning of local Healthwatch organisations and provided us with a model contract specification to adapt for local use.

10. Equality Impact Assessment

The very existence of Healthwatch as an independent health and social care consumer voice is a means of enhancing the Public Sector Equality Duty. A Full EQIA will be undertaken by the three commissioning authorities as part of the procurement process.

11. Cumulative Council Impact

11.1. None

12. Cumulative Community Impacts

12.1. None