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Wednesday, 4 July 2012

Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Ballroom, Oldway Mansion, Torquay Road, Paignton, TQ3 2TE** on **Thursday, 12 July 2012** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

Elizabeth Raikes
Chief Executive

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

Working for a healthy, prosperous and happy Bay

For information relating to this meeting or to request a copy in another format or language please contact:

June Gurry, Town Hall, Castle Circus, Torquay, TQ1 3DR
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(i)
THE MJ
2010
Achievement Awards
COMMENDED

Meeting of the Council Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

(Pages 1 - 21)

To confirm as a correct record the minutes of the meeting of the annual meeting of the Council held on 15 May 2012 and the adjourned meeting held on 16 May 2012.

4. **Declarations of interests**

(a) To receive declarations of personal interests in respect of items on this agenda

For reference: Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of personal prejudicial interests in respect of items on this agenda

For reference: A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial 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 Democratic Services or Legal Services prior to the meeting.)

5. **Communications**

To receive any communications or announcements from the Chairman, the Mayor, the Overview and Scrutiny Co-ordinator or the Chief Executive.

6. **Members' questions**

To answer any questions asked under Standing Order A13.

7. Notice of motion

To consider the following motion, notice of which has been given in accordance with Standing Order A14 by the members indicated:

That this Council notes that the proposed building of a 'Third Harbour' for Torquay would;-

- Have a likely cost exceeding £200M;
- Have an anticipated annual shortfall in revenue of approximately £12.3M (based on £200M capital cost);
- Likely provide 1% of jobs compared to ship repairing and yacht building (according to the Falmouth Port Masterplan); and
- Provide only 7.0m of water at chart datum and would thereby exclude all vessels of greater than 6.0m draft.

and therefore this Council instructs officers to cease further activity and expenditure on this project with immediate effect.

Submitted by Councillors Baldrey and Faulkner (J)

- 8. Princess Promenade Refurbishment (Phase 2) - proposed removal of Upper Banjo and cathodic protection of extended Lower Banjo deck, and original Eastern Promenade structures - Mayoral Decision** (Pages 22 - 26)
To consider a report on the above.
- 9. Torbay's Story 2011- 2020 Child Poverty Strategy - A Call for Action - Mayoral Decision** (Pages 27 - 84)
To consider a report on the Child Poverty Strategy and action plan.
- 10. Anti-Social Behaviour and the Private Rented Housing Sector - Mayoral Decision** (Page 85)
To consider a report from the Overview and Scrutiny Board requesting the Mayor reconsider the decision in respect of Anti-Social Behaviour and the Private Rented Housing Sector.
- 11. Revenue Budget Outturn 2011/2012** (Pages 86 - 96)
To consider the final revenue outturn position for the Council for the financial year 2011/12.
- 12. Capital Plan Budget Outturn 2011/2012** (Pages 97 - 111)
To consider the position of the Capital Plan Budget at the end of Quarter 4 of the 2011/12 financial year.
- 13. Treasury Management Strategy** (Pages 112 - 128)
To consider a report which informs the Council of the performance of the Treasury Management function in supporting the provision of Council services in 2011/12.
- 14. Health and Safety Service Plan 2012/13** (Pages 129 - 156)
To consider a report on the above.

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| 15. | Food Safety Service Plan
To consider a report on the above. | (Pages 157 - 183) |
| 16. | Chief Executive - Future Options
To consider a report on the above. | (To Follow) |
| 17. | New Code of Conduct
To consider a report on the above. | (To Follow) |
| 18. | Review of Political Balance
To consider a report on the above. | (To Follow) |
| 19. | Summary of decision taken by the Mayor in accordance with Standing Order E15 - Access to Information (Special Urgency)
To note a report setting out details of a decision which was not included in the Forward Plan. | (Pages 184 - 185) |



Minutes of the Annual Council Meeting

15 May 2012

-: Present :-

Chairman of the Council (Councillor Mills) (In the Chair)
Vice-Chairman of the Council (Councillor Stringer)

The Mayor of Torbay (Mayor Oliver)

Councillors Addis, Amil, Baldrey, Barnby, Bent, Brooksbank, Butt, Cowell, Davies, Darling, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hill, Kingscote, Lewis, McPhail, Morey, Parrott, Pentney, Pountney, Pritchard, Richards, Stockman, Stocks, Thomas (D), Thomas (J) and Tyerman

1 Opening of meeting

The meeting was opened with a prayer.

2 Apologies for absence

Apologies for absence were received from Councillors Hernandez, Hytche and Scouler.

3 Minutes

The Minutes of the meeting of the Council held on 1 March 2012 were confirmed as a correct record and signed by the Chairman.

4 Election of Chairman/woman of the Council

It was proposed by Councillor Addis and seconded by Councillor Doggett:

that Councillor Roger Stringer be elected Chairman of the Council of the Borough of Torbay for the Municipal Year 2012/2013.

On being put to the vote, the motion was declared carried (unanimous).

(The Chairman, Councillor Stringer, in the Chair)

The Chairman of the Council took the Declaration of Acceptance of Office and Oath of Allegiance and thanked the Council for the honour bestowed upon him.

The Chairman also announced that Mrs Shelagh Stringer would be his Consort during his term of office and his charity would be Annode Connect.

5 Chairman's Chaplain and Civic Sunday

The Chairman announced that he had appointed Mr Ernie Sims to be his Chaplain and that the Annual Civic Church Service would be held at Barton Baptist Church, Torquay, on 7 October 2012.

6 Retiring Chairman and Chairman's Consort

It was proposed by Councillor Faulkner (J) and seconded by Councillor Richards:

that the Council express its sincere thanks and appreciation to Councillor Derek Mills and Mrs Judith Mills for the manner in which they had carried out their duties during their term of office.

On being put to the vote, the motion was declared carried (unanimous).

7 Appointment of Vice-Chairman of the Council

It was proposed by Councillor Morey and seconded by Councillor Lewis:

that Councillor Julien Parrott be elected Vice-Chairman of the Council of the Borough of Torbay for the Municipal Year 2012/2013.

On being put to the vote, the motion was declared carried (unanimous).

The Vice-Chairman of the Council took the Declaration of Acceptance of Office and thanked the Council for the honour bestowed upon him.

The Vice-Chairman also announced that Ms Sue Powell would be his Consort during his term of office.

8 Retiring Vice-Chairman and Consort

It was proposed by Councillor Darling and seconded by Councillor Amil:

that the Council express its sincere thanks and appreciation to Councillor Roger Stringer and Mrs Shelagh Stringer for the work carried out by them during the previous Municipal Year.

On being put to the vote, the motion was declared carried (unanimous).

9 Adjournment

At this juncture the meeting was adjourned until 5.30 pm on Wednesday 16 May 2012.

Chairman

Minutes of the Adjourned Annual Council

16 May 2012

-: Present :-

Chairman of the Council (Councillor Stringer) (In the Chair)
Vice-Chairman of the Council (Councillor Parrott)

The Mayor of Torbay (Mayor Oliver)

Councillors Addis, Baldrey, Barnby, Bent, Brooksbank, Butt, Cowell, Davies, Darling, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hernandez, Hill, James, Kingscote, Lewis, McPhail, Mills, Morey, Pentney, Pountney, Pritchard, Richards, Stockman, Stocks, Thomas (D), Thomas (J) and Tyerman

10 Apologies for absence

Apologies for absence were received from Councillors Amil, Hytche and Scouler.

11 Communications

The Chairman thanked all the guests who attended his civic luncheon held on 15 May 2012 and advised that £475 was raised for his charity Annode Connect at the event.

The Mayor:

- (a) provided an update on the South Devon Link Road. The contract had now been signed and the Mayor was pleased to report the work would be starting in September 2012 which was earlier than originally planned. It was anticipated the work would be completed by December 2013.
- (b) advised that the contracts had been exchanged for the new development at Palm Court, Torquay with contractors appointed to complete the demolition of the remaining building. The Mayor reported that this was welcome news as the new development included landscaping and would be an improvement for a major site of Torquay sea front; and
- (c) reported that a successful bid had been made for a music hub for Torbay which was part of 120 new music areas. This was a huge success for schools and colleges and included £400,000 being made available for schools and colleges for equipment, lessons and music education.

12 Declarations of interests

Councillors Faulkner (A), Thomas (D) and Tyerman declared personal interests as they were the Council's appointed directors on Torbay Economic Development Company.

13 Petitions

In accordance with Standing Order A12, the Council received the following petitions:

- (i) petition requesting the Council to investigate the current system of Town Centre Business Rates and look specifically at the cost of per square metre prime sales area in both town centre and out of town retail sites (approximately 84 signatures);
- (ii) petition objecting to the parking charges on Torbay Road next to Torre Abbey Meadows, Torquay (approximately 130 signatures);
- (iii) petition requesting installation of pavement bollards in Princes Road, Torquay (approximately 40 signatures); and
- (iv) petition requesting traffic calming at the top of Victoria Road, Torquay (approximately 76 signatures)

At the invitation of the Chairman, Mr Doherty addressed the Council in relation to the petition in (i) above. It was noted that the petition would also be referred to the Executive Lead for Finance and officers from the Revenue and Benefits Team.

It was noted that the petitions in (ii), (iii) and (iv) above had been referred direct to the Highways Services Manager for consideration in consultation with the Executive Lead for Safer Communities and Transport, at the request of the petitioners.

14 Members' questions

Members received a paper detailing the questions, as set out at Appendix 1 to these Minutes, notice of which had been given in accordance with Standing Order A13.

Verbal responses were provided at the meeting. Supplementary questions were then asked and answered by the Mayor (questions 1 and 5), Councillor Excell (question 4) and Councillor Tyerman (question 6). The Chairman advised that a written response would be provided in respect of question 3 in the absence of Councillor Scouler.

15 Notice of motions

Members considered a motion in relation to the Portas Report and car parking in town centres, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Darling and seconded by Councillor Pentney:

this Council notes that the Portas Report amongst other recommendations highlights the need for inexpensive parking for shoppers to regenerate town centres. In light of this, this Council instructs officers to identify town centre on street parking, suitable for low cost high turnover parking at the charge of 20p per half hour, with no stays longer than one hour. These initiatives should be enacted in time for the 1 July 2012.

In accordance with Standing Order A14.4(a), the Monitoring Officer advised that the motion stood referred to the Mayor. The Mayor advised that he would refer the motion to the Executive Head Residents and Visitor Services to be considered as part of a review taking place in town centres.

16 Composition and Constitution of the Executive and Record of Delegations of Executive Functions

The Mayor presented his report as submitted with the agenda, on the above, which was noted.

17 Appointment of the Overview and Scrutiny Co-ordinator and Scrutiny Lead Members for 2012/13

The Council was requested to consider the appointment of the Overview and Scrutiny Co-ordinator and the appointment of scrutiny lead members for 2012/2013.

It was proposed by Councillor Darling and seconded by Councillor Morey:

- (i) that Councillor Thomas (J) be appointed as the Overview and Scrutiny Co-ordinator for 2011/2012 municipal year; and
- (ii) that the following Councillors be appointed as the Scrutiny Leads as indicated:

People – Councillor Bent
Place – Councillor Kingscote
Business – Councillor Pentney
Health – Councillor Barnby

On being put to the vote, the motion was declared carried (unanimous).

18 Appointments to Committees for 2012/13 and Other Bodies

The Council considered the submitted report on the appointment of committees and other bodies in light of the political balance of the Council.

It was proposed by Councillor Excell and seconded by Councillor Morey:

- (i) that the committees be appointed with the terms of reference set out in Appendix 2 of the submitted report in accordance with the political balance requirements;

- (ii) that nominations be received to fill the seats on the committees;
- (iii) that the Mayor be reappointed as the Council's nominated representative on the Devon and Cornwall Policy Authority; and
- (iv) that the Mayor be recommended to appoint the Shadow Health and Wellbeing Board with membership and terms of reference as set out in Appendix 3 of the submitted report.

On being put to the vote, the motion was declared carried (unanimous).

Following the vote, the members to serve on each committee and other bodies were nominated by the Group Leaders. The Mayor advised that, following circulation of the Appendix 2 of the submitted report, Councillor Hill would be replacing Councillor Butt as a member of the Overview and Scrutiny Board.

The Mayor considered the recommendation of the Council in respect of (iv) above at the meeting and the record of his decision is attached to these minutes.

19 Calendar of Meetings for 2012/2013

The Council considered the submitted report setting out the proposed calendar of meetings for 2012/2013.

It was proposed by Councillor Pritchard and seconded by Councillor Excell:

- (i) that the calendar of meetings for 2012/2013, set out in Appendix 1 to the submitted report, be approved; and
- (ii) that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Governance Support Manager in consultation with the relevant Chairman.

An amendment was proposed by Councillor Cowell and seconded by Councillor Ellery:

- (i) that, subject to meetings of Council commencing at 5.30 pm and the Chairs of Committees and Sub-Committees (with the exception of the Development Management Committee and Licensing Sub-Committee), Policy Development Groups and Scrutiny Boards be requested to consider meetings being held at 5.30 pm, the calendar of meetings for 2012/2013, set out in Appendix 1 to the submitted report, be approved.

On being put to the vote, the amendment was declared lost.

A further amendment was proposed by Councillor Morey and seconded by Councillor Darling:

(iii) that Group Leaders give further consideration to the timing of council meetings and their deliberations be reported to a future meeting.

On being put to the vote, the amendment was declared carried.

The substantive motion (the same wording as the original motion with the addition of paragraph (iii) above) was then before Members for consideration.

On being put to the vote, the substantive motion was declared carried.

20 Scheme of Delegation for Council Functions

It was proposed by Councillor Pritchard and seconded by Councillor Excell:

that the Scheme of Delegation of Functions set out in part 3 of the Constitution in so far as they relate to Council functions, be confirmed.

On being put to the vote, the motion was declared carried (unanimous).

21 Member Development Policy - Mayoral Decision

The Council made the following recommendation to the Mayor:

It was proposed by Councillor Pritchard and seconded by Councillor Darling:

that the Mayor be recommended to approve the Torbay Member Development Policy (as set out at Appendix 1 of the submitted Report).

On being put to the vote, the motion was declared carried (unanimous).

The Mayor considered the recommendation of the Council as set out above at the meeting and the record of his decision, together with further information, is attached to these Minutes.

22 Anti-Social Behaviour and the Private Rented Housing Sector - Mayoral Decision

The Scrutiny Lead for People presented the results of a scrutiny review into anti-social behaviour and the private rented housing sector. The Council also received the recommendations of the Overview and Scrutiny Board arising from the review and a response prepared by the Executive Head Community Safety.

The Chairman invited the Mayor to respond to the recommendations of the Overview and Scrutiny Board. The Mayor advised that he wished to defer consideration of the recommendations to enable his Executive to review the recommendations.

23 Article 4 Direction restricting permitted development rights to change from Use Class C3 Dwelling to C4 Small Houses in Multiple Occupation (HMO)

The Council considered the submitted report which set out proposals to introduce proper control and management in planning terms for the change of use of C3 dwelling houses to C4 small houses in multiple occupation (HMO). It was noted that there were increasing concerns about the impact concentrations of HMOs had on communities and the effects poor quality accommodation could have on health, employment and academic attainment.

It was proposed by Councillor Thomas (D) and seconded by Councillor McPhail:

- (i) that the Executive Head of Spatial Planning prepare an Article 4 Direction removing permitted development rights to change dwellings to small houses in multiple occupation (Class C3 Dwellings to C4 Small Houses of Multiple Occupation), without the need for express planning permission; and
- (ii) that 12 months notice be given prior to the Article 4 Direction taking effect, and that the Direction only be confirmed by the Council if sufficient resources are available to provide enforcement.

On being put to the vote the motion was declared carried.

24 Sports Provision in Brixham and Churston

The Chairman reported that this item had been deferred to a future meeting.

25 Innovation Centre 3rd Phase

The Council considered a report on phase three of the Innovation Centre project which sought to promote sympathetic economic regeneration for Torbay by building a new innovation centre at Whiterock Business Park, Paignton. It was noted phase three would create 30,000 square feet of new workspace for businesses and would sustain an estimated 220 jobs with £2 million per year economic benefits to Torbay. A revised officer recommendation was circulated at the meeting.

It was proposed by Councillor Tyerman and seconded by Councillor Thomas (D):

- (i) that subject to a business case being submitted by the Torbay Economic Development Company (TEDC) that is satisfactory to the Chief Executive of Torbay Council acting in consultation with the Mayor, Executive Lead for Finance and Audit and Executive Head for Finance (such business case to be approved by the Board of the TEDC in writing), the Council approves prudential borrowing of up to £2,000,000, plus up to £500,000 of New Growth Points grant, to enable delivery of the third site of the Innovation Centre Programme with any initial funding met from internal funds in line with the Council's Treasury Management Strategy. The business case to include the TEDC to pay an annual charge to cover the Council's interest and repayment costs of borrowing; and

The Mayor be recommended:

- (ii) that the Council submits an application to the EU Competiveness programme for a £2.5million grant for match funding; and
- (iii) that subject to the business case referred to in (i) above being approved:
 - (a) the Council enters into the proposed land swap with Deeley Freed with regard to the Council's site at Whiterock, currently used by PLUSS Ltd. The agreement of terms to be delegated to the Chief Executive in consultation with the Mayor, the Executive Lead for Finance and the Chief Executive of the Torbay Economic Development Company; and
 - (b) the Council leases the proposed innovation centre site to the Torbay Economic Development Company Limited. The agreement of lease terms to be delegated to the Chief Executive in consultation with the Mayor, the Executive Lead for Finance and the Chief Executive of the Torbay Economic Development Company.

On being put to the vote the motion was declared carried (unanimous).

The Mayor considered the recommendation of the Council in (ii) and (iii) above at the meeting and the record of his decision is attached to these minutes.

26 Chief Executive - Voluntary Redundancy Request

In light of the reductions in public spending, the Council considered a request from the Chief Executive for voluntary redundancy and proposals for considering future options for changes to the senior management structure, (as set out in the submitted report).

It was proposed by Councillor Pritchard and seconded by Councillor Tyerman:

- (i) that the voluntary redundancy request of the Chief Executive be approved and the significant changes to the current structure (tiers 1 & 2) and Functions of the Chief Executive which will need to be made as a result be accepted;
- (ii) that the Employment Committee work as a task force with Group Leaders and the Executive Head Business Services to develop options for consideration at the Council meeting on 12 July 2012, to ensure that there is fair inclusion and representation of Members in the development of these options; and
- (iii) to ask the Monitoring Officer to make such amendments to the constitution as maybe necessary following the decision above as required.

An amendment was proposed by Councillor Cowell and seconded by Councillor Ellery:

- (i) that the decision on the request for voluntary redundancy by the Chief Executive be deferred until the Council meeting scheduled for July 2012 to enable options to be developed as outlined in (ii).

In accordance with Standing Order A19.4 and at the request of 10 or more councillors, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Cowell, Darling, Doggett, Ellery, Morey, Parrott, Pountney, Stocks and Stockman (9); Against: The Mayor, Councillors Addis, Baldrey, Barnby, Bent, Brooksbank, Butt, Davies, Excell, Faulkner (A), Faulkner (J), Hernandez, Hill, James, Kingscote, Lewis, McPhail, Mills, Pentney, Pritchard, Richards, Thomas (D), Thomas (J) and Tyerman (24); Abstain: Councillor Stringer (1); and Absent: Councillors Amil, Hytche and Scouler (3). Therefore, the amendment was declared lost.

The original motion was then before members for consideration.

In accordance with Standing Order A19.4 and at the request of 10 or more councillors, a recorded vote was taken on the original motion. The voting was taken by roll call as follows: For: The Mayor, Councillors Addis, Barnby, Bent, Brooksbank, Butt, Excell, Faulkner (J), Hernandez, Hill, James, Kingscote, Lewis, McPhail, Mills, Pritchard, Richards, Stringer, Thomas (D), Thomas (J) and Tyerman (21); Against: Councillors Cowell, Ellery, Morey, Parrott, Stocks and Stockman (6); Abstain: Councillors Baldrey, Darling, Davies, Doggett, Faulkner (A), Pentney and Pountney (7); and Absent: Councillors Amil, Hytche and Scouler (3). Therefore, the motion was declared carried.

27 Statutory Officer Appointment

It was proposed by Councillor Pritchard and seconded by Councillor Thomas (D):

that the appointment of Caroline Taylor as the Council's statutory Returning Officer and Electoral Registration Officer be confirmed.

On being put to the vote, the motion was declared carried (unanimous).

28 Overview and Scrutiny Annual Report 2011/2012

The Council received and noted the Overview and Scrutiny Annual Report for 2011/2012.

29 Report on an Investigation into Complaint No 10 002 564 Against Torbay Council

The Council considered the submitted report setting out details of maladministration against the Council following a complaint to the Local Government Ombudsman. It was noted that the original report by the Ombudsman was presented to the Council on 13 July 2011 and that the Chief Executive had responded with the decision not to pay compensation recommended by the Ombudsman, but an offer of £1,000 was made to the complainant in recognition of the Council's failure to keep full records. A further report by the Ombudsman on the complaint (dated 28 March 2012) upholding the original decision had been received asking the Council to reconsider its decision not to pay the compensation as recommended in the original report.

It was proposed by Councillor Butt and seconded by Councillor Addis:

that the contents of the submitted report and its appendix be noted and that the Local Government Ombudsman's recommendations be approved.

On being put to the vote, the motion was declared carried.

Chairman



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RECORD OF DECISIONS

**Digest of Mayoral Decisions taken at the adjourned Annual
Council meeting on 16 May 2012**

**For information relating to the Record of Decisions or to request a copy in
another format or language please contact:**

Teresa Buckley (01803) 207013

Email: democratic.services@torbay.gov.uk

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Record of Decisions

Appointments to Committees for 2012/13

Decision Taker

Mayor on 16 May 2012

Decision

That the Shadow Health and Wellbeing Board be appointed with membership and terms of reference set out in Appendix 3 to the submitted Report.

Reason for the Decision

To enable the work of the Shadow Health and Wellbeing Board to continue.

Implementation

This decision will come into force and may be implemented on 29 May 2012 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

Health and Wellbeing Boards are intended to be a forum for key leaders from the health and care system to work together to improve the health and wellbeing of their local population and reduce health inequalities. All councils were required to formally establish a Shadow Health and Wellbeing Board by April 2012 with the formal Board being operational from April 2013 when the new changes to the NHS come into force.

The Shadow Health and Wellbeing Board was originally appointed on 24 May 2011 and has met three times to start developing an understanding of the work of the different agencies involved. It also took over responsibility for overseeing children's outcomes following the disbanding of the Children's Trust Commissioning Board in December 2011.

The Mayor supported the recommendations of the Council made on 16 May 2012, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report and not discussed at the meeting.

Is this a Key Decision?

No – Reference Number: I008580

Does the call-in procedure apply?

Yes

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

None.

Published

21 May 2012

Record of Decisions

Innovation Centre 3rd Phase

Decision Taker

Mayor on 16 May 2012

Decision

- (i) that the Council submits an application to the EU Competiveness programme for a £2.5million grant for match funding; and
- (ii) that subject to the business case referred to in the minute of the Adjourned Annual Council held on 16 May 2012 being approved:
 - (a) the Council enters into the proposed land swap with Deeley Freed with regard to the Council's site at Whiterock, currently used by PLUSS Ltd. The agreement of terms to be delegated to the Chief Executive in consultation with the Mayor, the Executive Lead for Finance and the Chief Executive of the Torbay Economic Development Company; and
 - (b) the Council leases the proposed innovation centre site to the Torbay Economic Development Company Limited. The agreement of lease terms to be delegated to the Chief Executive in consultation with the Mayor, the Executive Lead for Finance and the Chief Executive of the Torbay Economic Development Company.

Reason for the Decision

To enable the third phase of the Innovation Centre project to be implemented.

Implementation

This decision came into force and may be implemented on 16 May 2012. The call-in procedure does not apply to this decision as any delay likely to be caused by the call-in process would prejudice the Council's and the public's interest. The Overview and Scrutiny Co-ordinator was consulted on 14 May 2012 and agreed that the decision was urgent.

Information

The Council at its adjourned annual meeting on 16 May 2012, considered a report on phase three of the Innovation Centre project which sought to promote sympathetic economic regeneration for Torbay by building a new innovation centre at Whiterock Business Park, Paignton. The Council made the following decision and requested the Mayor to make the related executive decisions outlined in the decision (i) and (ii) above:

That subject to a business case being submitted by the Torbay Economic Development Company (TEDC) that is satisfactory to the Chief Executive of Torbay Council acting in consultation with the Mayor, Executive Lead for Finance and Audit and Executive Head for Finance (such business case to be approved by the Board of the TEDC in writing), the Council approves prudential borrowing of up to £2,000,000, plus up to £500,000 of New Growth Points grant, to enable delivery of the third site of the Innovation Centre Programme with any initial funding met from internal funds in

line with the Council's Treasury Management Strategy. The business case to include the TEDC to pay an annual charge to cover the Council's interest and repayment costs of borrowing.

The Mayor supported the recommendations of the Council made on 16 May 2012, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report and not discussed at the meeting.

Is this a Key Decision?

Yes – Reference Number: I009092

Does the call-in procedure apply?

No

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

Councillors Faulkner (A), Thomas (D) and Tyerman declared personal interests as they were the Council's appointed directors on the Torbay Economic Development Company.

Published

21 May 2012

Record of Decisions
Member Development Policy

Decision Taker

Mayor on 16 May 2012

Decision

That the Torbay Member Development Policy (as set out in the submitted Report) be approved.

Reason for the Decision

To provide a structured approach to member development to ensure members are supported in their role and member development is effective in supporting the Council's corporate objectives.

Implementation

This decision will come into force and may be implemented on 29 May 2012 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

The Torbay Member Development Policy sets out the framework for the Council's approach to supporting and developing the Mayor and councillors. The Policy aims to provide a clear structure and purpose to identify and meet learning and development opportunities for members so that they are better placed to serve the community.

The Policy is an update of the former 'Making a Difference – A Development Strategy for Torbay Council Members' (adopted in 2008) and builds on the extensive work already undertaken.

The Mayor supported the recommendations of the Council made on 16 May 2012, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report and not discussed at the meeting.

Is this a Key Decision?

No – Reference Number: I008720

Does the call-in procedure apply?

Yes

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

None.

Published

21 May 2012

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Agenda Item 8



Title: **Princess Promenade Refurbishment (Phase 2) – Proposed removal of Upper Banjo and cathodic protection of extended Lower Banjo deck, and original Eastern Promenade structures**

Public Agenda Item: **Yes**

To: **Mayor**

Date: **12th July 2012**

Wards Affected: **Tormohun**

Key Decision: **No**

Change to Budget: **No**

Change to Policy Framework: **No**

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1. What are we trying to achieve?

- 1.1 The scope of the Phase 2 works previously approved included for the long term repairs to the banjo and eastern promenade to be progressed and a contract let in July 2012. In order to improve the environment of Princess Promenade/ the banjo it is now proposed that the upper banjo deck should be removed together with its supporting columns and the remaining lower deck should be widened.
- 1.2 The proposed works are regarded as providing an improvement on the design of the Princess Gardens area as a visitor attraction and will complete works to the Princess Promenade as a whole to extend its life to a minimum 25 years.
- 1.3 The exposure of the lower deck is anticipated to bring about a reduction in anti-social behaviour which might otherwise prevail were the lower deck to continue to be enclosed by the upper deck structure

Recommendation(s) for decision

- 1.4 That the Mayor be recommended to instruct the Executive Head of Resident and Visitor Services to invite tenders and let contract to demolish the upper deck and widen the lower deck of the banjo together with providing cathodic protection to the structural elements of the banjo and eastern promenade. The contract to commence in October 2012 to allow the banjo to be open for summer 2013.

2. Reasons for recommendation(s)

- 2.1 The repairs to the banjo structure were approved in outline at an Extraordinary Council Meeting of October 31st 2011. An optimum cost and environmental solution to the defective condition of the upper banjo structure is its complete removal, since such demolition is financially efficient, and the loss of the upper tier is considered to locally return some uniformity to the waterfront outlook of Torquay Outer Harbour.

- 2.2 The extension of the lower deck completes the walking surface to link more harmoniously with the sunken garden grounds and removes a sometimes unsightly view for users down to the upper levels of the 'rip-rap' apron
- 2.3 The specification for the Cathodic Protection (CP) system is that it should be fit for purpose for a defined 50 year design life, with principle elements of maintenance at 25 years.

3. Other options considered

- 3.1 Preservation of the upper deck of the banjo by reconstruction or CP
- 3.2 Reconstruction of the whole structure

4. Combined Impact Assessment (CIA)

The CIA is a tool which helps officers to fully consider the impact of the proposed decisions on the community.

A Combined Impact Assessment has been completed and is available as a background document on request from the report author.

For more detailed information on this proposal please refer to the supporting information attached.

Sue Cheriton
Executive Head – Residents & Visitor Services

Supporting Information

5. Introduction and History

- 5.1 Further to the original carried motions i) and iii) of item 359, of the Extraordinary Council Meeting of October 31st 2011 first phase repairs to the eastern promenade and banjo were completed in June 2012. The eastern promenade deck was replaced and the banjo structure received minimal works to enable the promenade as a whole (to include both banjo levels) to be open to the public in the summer of 2012.
- 5.2 Further to the original carried motions ii) and iv) of item 359, whereupon £2.15m funding was approved for repairs to the banjo as a whole, a revised design for the repairs is now recommended which includes the following elements of work:
- Removal of the upper banjo deck and its supporting columns
 - Replacement of the lower banjo deck
 - Extension, landward side, to the lower banjo deck replacement
 - Widening of existing steps down to the extended lower banjo deck, from the Eastern and Western Promenades

- 5.3 The contract to undertake these elements would also include the installation of a cathodic protection (CP) system to the remaining original reinforced concrete supporting structures to the banjo and Eastern Promenade.
- 5.4 On removal of the upper banjo deck and its supporting columns, the remaining curved screen wall is to be modified to leave a parapet wall enclosing the sunken garden adjacent to the curved banjo area.
- 5.5 Following recent investigation, the existing lower concrete deck of the banjo structure has been found to be so defective that it is beyond economic repair. It is therefore proposed that the deck be removed and reconstructed, and its rear edge extended back to meet the foot of the outside face of the parapet wall described above. The deck will then intersect with the top of the sloping 'rip-rap' apron. The available lower deck walking area will be increased by around 210 sq m by construction of the extension.
- 5.6 The finish to the extended lower banjo deck will harmonise with surface finishes recently employed at other nearby areas of public realm, Victoria Parade, and Union Street. The existing steps will be widened over the void created by the removal of steps to the demolished upper banjo deck.
- 5.7 The supporting columns to the lower banjo deck, and the original supporting columns and beams to the eastern promenade are to be repaired and protected by the installation of a cathodic protection system similar to that installed on the western promenade structure.
- 5.8 The promenade structure as a whole will continue to be used as a harbour-front leisure area for visitors

6. Summary of Combined Impact Assessment

6.1 Equalities, Consultation and Engagement

- 6.1.1 Torbay Council's Senior Archaeology & Historic Environment Officer has expressed the view 'From the mid-1950s the extent of the oval and the promenade has achieved its apogee, with the best use of space and at a through-level. By 1967 the creation of the hollowed-out banjo with the addition of the double-decker has ruined that unity of level, broken the promenade, encroached upon the war memorial, and various other aesthetic crimes, additionally hastened the subsidence, with the removal of the much binding material, which is now evident against the 1930s reclamation line. The removal of the upper deck is the first stage of the improvements I have been arguing for from Conservation's perspective.'
- 6.1.2 Marina Developments Ltd has declared an interest in the timing of works, and following detailed discussion it has been agreed that they are programmed to commence on site in mid-October.
- 6.1.3 Access to the deck will remain available to all existing users by both (extended) steps and a new 2m wide DDA compliant ramped access off the sunken garden area.

6.1.4 A safer local environment will be established by the removal of the upper level of the banjo

6.2 Environment

6.2.1 Energy and carbon; Proposals have the least energy/carbon demand as compared with other options.

6.2.2 Sea level rise and extreme weather events; The design of the proposal includes consideration of sea level rises. Although in a flood risk area any commercial risk is considered insignificant, and measures for flood water management are either naturally inherent or designed in.

6.2.3 Natural environment; No impact

6.2.4 Built environment; The removal of the upper deck of the banjo is considered to return some uniformity to the waterfront outlook of Torquay Outer Harbour, when viewed either from Princess Gardens or the Outer Harbour environs.

6.2.5 Waste and water. The preservation of retrievable elements of the structure avoids the alternative, near-future need for full demolition and consequent removal of spoil off site

6.3 Economic Development

6.3.1 The issue has been analysed in light of the impacts against the following criteria:

- economic growth of Torbay;
- perception of Torbay as a place to invest;
- promotion of new employment opportunities in Torbay;
- promotion of higher value economic activity in Torbay; and
- reduction of economic deprivation in Torbay

6.3.2 The maintenance of long-term opening of the previously public-excluded structure is clearly to be preferred to the possibility of reclosure in the near future, and also serves as a contributory factor towards the regeneration of the Princess Gardens area

6.3.3 The long-term security of this facility returns the Princess Promenade, central to the seafront environment, to being a pleasurable experience, again forming an element of local regeneration

6.4 Identified Risks

6.4.1 £800k has recently been spent through Phase 1 on the repair of the deck of the Eastern Promenade. The capital spend on this work was conditional on superseding CP to its supporting structure through Phase 2. Phase 1 has also included temporary repairs to the banjo for the purposes of opening to the public in the interim period to the implementation of this proposal. Without Phase 2 work the banjo would quickly return to a state which could compromise the reputation of the Council.

6.4.2 Whilst estimated have been based on similar works and discussions with contractors, the tender sums committed could be higher than expected.

6.4.3 Works are being carried out in a marine Environment and could be affected by the weather.

6.5 In light of 6.1 to 6.4 above, the following course of action is recommended:

No major change required - CIA has not identified any potential for adverse impact in relation to equalities, the environment and economic development and all opportunities to promote equality, the environment and economic development have been taken.

7. Summary of resource implications

7.1 Original carried motions ii) and iv) of item 359, have already approved £2.15m funding for the proposal.

Background Papers

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

1. Combined Impact Assessment (CIA)
2. Minutes of Extraordinary Council, October 31st 2011
3. Princes Promenade Refurbishment Report for Agenda item 11, Extraordinary Council Meeting October 31st 2011, Dave Stewart, Engineering Division, October 2011
4. Princess Promenade, Torquay: Refurbishment of Eastern Promenade and Banjo: Cathodic Protection Corrosion Control, April 2012



Title: **Torbay's Story 2011- 2020 Child Poverty Strategy – A Call for Action**

Public Agenda Item: **Yes**

To: **Mayor**

Date: **12 July 2012**

Wards Affected: **All**

Key Decision: **No**

Change to Budget: **No**

Change to Policy Framework: **No**

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1. What are we trying to achieve?

- 1.1 Torbay requires a Child Poverty Strategy and action plan to ensure that council services, communities and local partners take responsibility and contribute to eradicating child poverty in the Bay. The Plan will specifically tackle the hot spots identified in the needs assessment to ensure that we break the cycle and today's children do not become the parents of poor children tomorrow. Children born into poverty are more likely to die in the first year of life and will have a substantially shorter life span than other children. We need to create the opportunities, make the connections, and change the thinking and behaviour **Now** to change for the better the future aspirations of our families by 2020.

Recommendation(s) for decision

- 1.2 That Torbay's Story 2011 – 2020 Child Poverty strategy – A Call for Action (as set out in Appendix 1 to this report) be supported.

2. Reasons for recommendation(s)

- 2.1 The Child Poverty Strategy will underpin the approach of the Council and its partners in the long term improvement of outcomes for children, young people and families. A pro-active response is already encapsulated within the Children's Plan and the Children's Partnership Improvement Plan and discussions are currently underway to consider the impact of the Local Plan (The Plan for Torbay to 2031) on the needs of children within their communities. The breaking of the cycle of poverty will be fundamental to creating positive outcomes and long term will provide a major contribution to the long term regeneration of Torbay.

3. Other options considered

- 3.1 None

4. Combined Impact Assessment (CIA)

The CIA is a tool which helps officers to fully consider the impact of the proposed decisions on the community.

I confirm that a Combined Impact Assessment has been completed and is available as a background document on request from the report author.

For more detailed information on this proposal please refer to the supporting information attached.

Richard Williams, Director of Children's Services

Supporting Information

5. Introduction and History

- 5.1 The Child Poverty Act 2010 reflects the Coalition government's commitment to eradicate child poverty by 2020.

It places a statutory duty on all partners to develop a joint strategy that identifies measures being taken. As part of these arrangements a local needs assessment must be undertaken and published, which identifies local factors which drive and impact on child poverty.

6. Summary of Combined Impact Assessment

6.1 Equalities, Consultation and Engagement

In relation to the Council's requirement to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations the Combined Impact Assessment outlined the following potential consultation and equalities implications and impacts:

- (a) Communities playing an active role in tackling poverty and helping each other gain a wider understanding and support network within their own communities. Agencies, partners and business units will be asked to demonstrate how they are making a difference and be accountable to the Child Poverty Commission (which will include family representation)
- (b) Impact of proposal will be monitored by Child Poverty Commission/ Action Plan to be developed. It is proposed that the impacts of Child Poverty be considered as a equalities statement for future reports and proposals.

6.4 Identified Risks

Risk of poverty fatigue and that levels will increase across Torbay.

- 6.5** In light of 6.1 to 6.4 above, the following course of action is recommended:

Outcome 1: No major change required - CIA has not identified any potential for adverse impact in relation to equalities, and all opportunities to promote equality, the environment and economic development have been taken.

7. Summary of resource implications

7.1 None

Documents available in members' rooms

Background Papers

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

- Combined Impact Assessment (CIA)
- Child Poverty Needs Assessment

Appendices

Appendix 1 Child Poverty Strategy – A Call for Action
Appendix 2 Child Poverty Needs Assessment
Appendix 3 Child Poverty Commission draft Terms of Reference



Torbay's Story 2011 - 2020

Child Poverty Strategy – A Call for Action

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Chapter 1 - National Picture, Child Poverty Act

Chapter 2 – Underpinning approach and first steps of this Strategy

Chapter 3 - Gaps in local action - How we address the Drivers and Outcomes of Child Poverty.

Parental Employment and Adult Skills

Financial Support

Housing and Neighbourhoods

Early Years & Education, Health and Family Support

Introduction

The story begins

Torbay requires a Child Poverty Strategy and action plan to ensure that council services, communities and local partners take responsibility and contribute to eradicating child poverty in the Bay and specifically tackle the hot spots identified in the needs assessment to ensure that we break the cycle and today's children do not become the parents of poor children tomorrow. Children born into poverty are more likely to die in the first year of life and will have a substantially shorter life span than other children. We need to create the opportunities, make the connections, and change the thinking and behaviour **Now** to change for the better the future aspirations of our families by 2020.

Currently the 2009 figures show that just under one quarter (24.3%) of children under the age of 16 live in poverty across Torbay, this is higher than the England average of 22.0%. However, across Torbay's most deprived communities the proportion of children living in poverty is much higher again. The difference in life expectancy is as much as 7 years between our most deprived and most affluent wards.

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Hotspots of child poverty, multiple deprivation, high levels of crime and unemployment are well documented locally in Tormohun, Ellacombe, Roundham with Hyde and Watcombe. However, within the wards of Blatchcombe and St Mary's with Summercombe there are pockets of deprivation and high proportions of children living in poverty.

The Child Poverty Strategy will underpin the approach of the Council and its partners in the long term improvement of outcomes for children, young people and families. A pro-active response is already encapsulated within the Children's Plan and the Children's Partnership Improvement Plan and discussions are currently underway to consider the impact of the Local Plan (The Plan for Torbay to 2031) on the needs of children within their communities.

Within Children's Services we are currently working with our partners to develop a new preventative strategy that will both pro-actively improve outcomes by breaking cycles of disadvantage and reduce long term demand on the need for statutory intervention. The focus of the approach will be three fold reflecting traditional transition points.

- A good start 0 – 5
- A good childhood 5 – 11
- And good prospects 11+

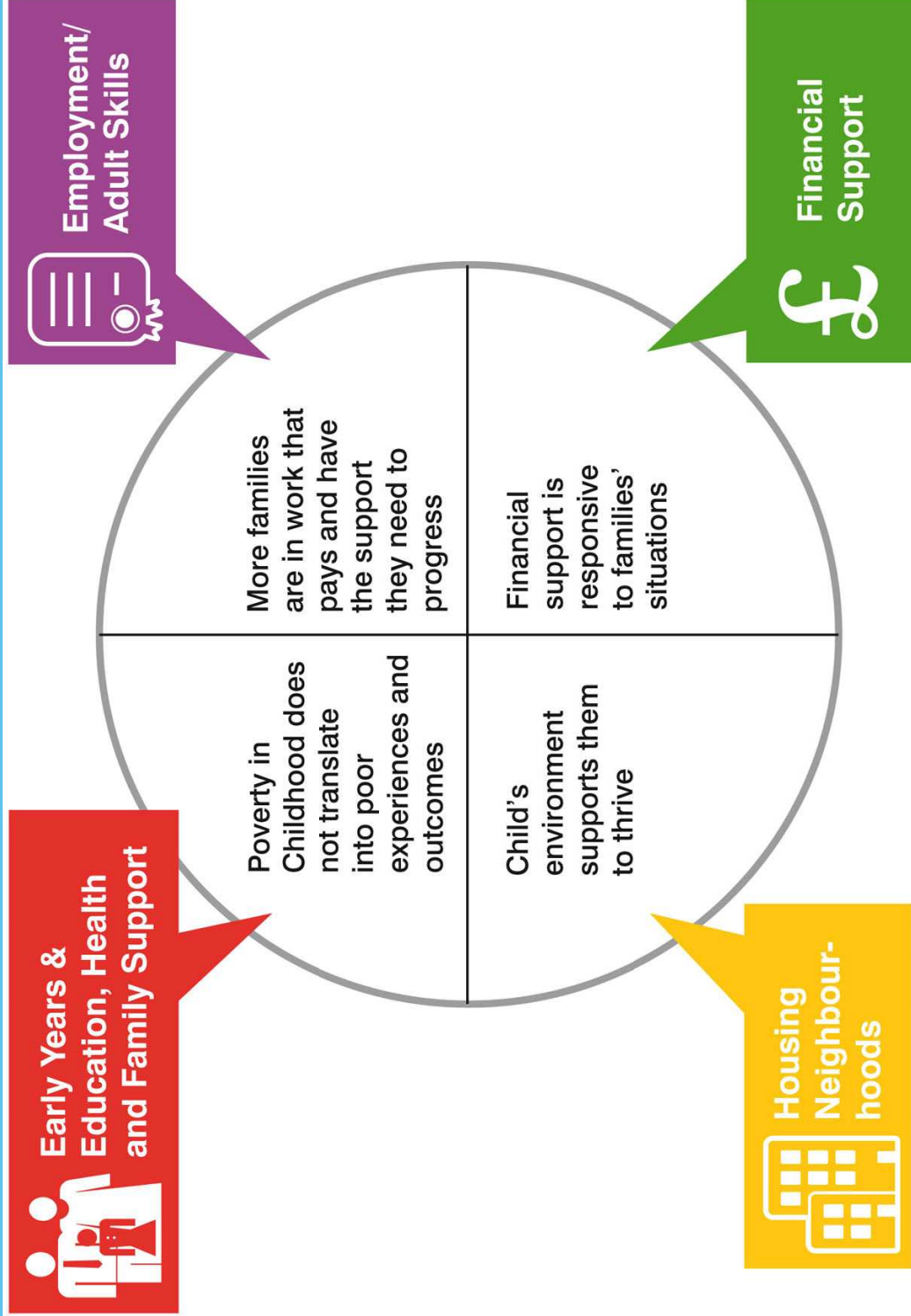
The breaking of the cycle of poverty will be fundamental to creating positive outcomes and long term will provide a major contribution to the long term regeneration of Torbay.

What is Child Poverty

Children are said to be living in relative income poverty if their household's income is less than 60 per cent of the median national income. Generally this is families who are in receipt of out of work benefits or in work tax credits. Essentially, this looks at whether the incomes of the poorest families are keeping pace with the growth of incomes in the economy as a whole.

A definition of poverty which recognises its relative impact on our society- in terms of both low household income and the inequalities it creates in everyday life 'individuals, families and groups in the population can be said to be in poverty when they lack the resources to obtain the types of diet, participate in the activities, and have the living conditions and amenities which are customary, or are at least encouraged and approved, in the societies in which they belong.'

The drivers and outcomes of poverty are complex, cyclical and self perpetuating. To help us identify further priorities and a delivery action plan, we have used national 'building blocks framework' (see diagram below). This has been developed by the Child Poverty Unit (jointly established by the DfE, DWP and HMRC) to capture the breadth of the agenda.



Child Poverty Strategy

As well as the human cost to child poverty there is also a significant financial cost to the tax payer, estimated to be between £10 and £20 billion a year. As child poverty is increasing, it can be anticipated that these costs too will increase.

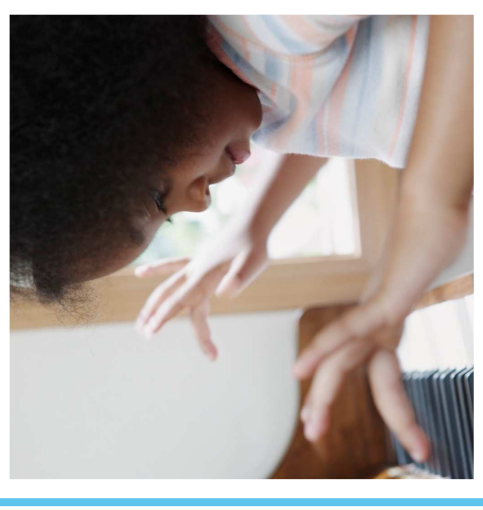
Across our most deprived wards there are approximately 8,200 children and young people aged 0 – 19 and 2,700 children in the early years age group of 0 – 4. These children are growing up lacking in many of the basics for their development whose absence is so costly – both to the public purse and to their life chances. That means we need to make a difference for at least 1,400 children every year to have any impact if the numbers remain static, which is not predicted. We need small steps required to make an impact on child poverty as well as big programmes.

Message from Gordon Oliver, Mayor

Child poverty has complex structural and economic foundations, many of which are beyond our control. There is no new funding to support this important work. But we must not be complacent as there is much we can all do to make a difference. The previous action plan focussed mainly on existing activity and did not give sufficient focus to different approaches and how important it is to make even small changes at a local level. There is a real danger of poverty fatigue when faced with wide reaching challenges that have continued for many years. We have tended to respond to the symptoms and not address the root causes, raise aspirations and expectations by listening and supporting our children, families and communities.

The challenge is to make best use of communities sources of support, information and signposting. Through this approach we can turn the negative impact of child poverty into positive action and a contribution to the regeneration of Torbay.

A call for action that 'grasps the nettle' of child poverty will also provide the foundation that improves the 'Child's Journey' and reduces the number of children with additional needs and families facing multiple difficulties in their lives. An action that will in turn add to our regeneration agenda.



Chapter 1 - National Picture - Child Poverty Act 2010

The Child Poverty Act 2010 received Royal Assent in March 2010 and reflects the new Coalition government's commitment to eradicate child poverty by 2020.

It places a statutory duty on all partners to develop a joint strategy that identifies measures being taken. As part of these arrangements a local needs assessment must be undertaken and published, which identifies local factors which drive and impact on child poverty.

The evolution of the Act was very much grounded in levels of family income, with four indicators established to measure progress against the government's ambitious target to eradicate child poverty by 2020:

- Relative low income
- Absolute low income
- Combined low income and material deprivation
- Persistent poverty.

The coalition government has since reaffirmed its commitment to eradicating child poverty and published its own strategy in April 2011 'A new approach to child poverty: Tackling the Causes of Disadvantage and Transforming Families Lives'.

The 2011 strategy draws on the recent Field Review on Poverty and Life Chances and the Allen Review on Early Intervention, together with a number of current policy strands, to give a focus on:

- combating worklessness
- combating educational failure
- preventing family and relationship breakdown.

It proposes a broader 'life chances' indicator framework which is likely to be used to measure progress. Reactions by various interest groups have been mixed. On the one hand, there is a general welcoming of the recognition that poverty is about more than household income. On the other, there is concern that income and wealth inequality remains a key issue in our society which should not be ignored.

In May 2011, the government announced proposed amendments to the Child Poverty Act. These mainly affect the relationship between the government and the proposed Social Mobility and Child Poverty Commission, and the requirements on the government to report annually on its progress in reducing child poverty.

Chapter 2 – Underpinning approach and first steps for this Strategy

(? How will we listen, share ideas, build trust and reach those who want help and those who do not)

Two main sources have informed the content of this strategy, together with a range of discussions with individuals responsible for specific areas. Firstly, the needs assessment we conducted over summer and autumn 2011. Additional Consultation via a Children's Centres and Locality Services Family support Questionnaire was also completed around this time. See Appendix 1

The Strategy needs to both impact on and build on existing strategies, such as the Children and Young People's Plan, the Local Development plan, Community Plan , Children's Partnership Improvement Plan and draws together cross cutting work that is both ongoing or planned with the aim of accelerating the pace at which we can change the lives and lift Torbay's children out of poverty.

It is also important that the approach in this document underpins the Vision "Integrated Service Delivery Model" as part of the Children's Partnership Improvement Plan by Involving the Community and using their knowledge and skills.

The strategy identifies themed priorities (what we need to do) to achieve (have any chance) in a substantial reduction in child/family poverty. These build on latest government guidance and the building blocks (see page 10)

Initial Priority Actions - First Steps

Much of this activity is already happening and recognised within the CPIP Children's Partnership Improvement plan

By developing social capital – "social capital" basically describes the social networks, levels of trust and connections within communities that ultimately help to improve social, physical and economic conditions as well as life chances.

We should look to our communities as a central resource in developing our approach. There is a real desire within Torbay to explore how to develop community building and establish a 'community of learning' with collaborative working at its core. The essence of ABCD (Asset Based Community Development) is that the approach is different to existing ways - very much about getting out to meet people where they are at times that suit them, and linking with community connectors (those people who know someone who knows someone who can!). We need to

avoid creating another 'structure' with meetings and minutes which would detract from our very important work on the ground, in our neighbourhoods. The key focus is to reach out into our communities and encourage individuals' involvement in a way that works for them

By understanding the Childs Journey Creating a book/tool based on analysis – local research on missed opportunities, How we can Improve and coordinate agencies' data collection, information sharing, both so that local needs are better understood and so that we know what interventions work most effectively. Ensure that data is accurate, meaningful and understood to local people as reflecting local conditions and include local views in the development of solutions.;

By promoting corporate and partnership responsibilities, raising awareness and keeping child poverty in the spotlight so that potential 'unintended consequences' which might increase child poverty can be avoided wherever possible. By raising aspirations within agencies and families, delivering and receiving services. Monitored by the Health and Well Being Board and by making links with all other boards, in particular the Economic, Employment and Skills board and the newly developed Overview and Scrutiny for Youth Unemployment.

By having a Child Poverty Commission, which will include family and community representation. They will require, Councillors, agencies, officers and partners to be accountable and to demonstrate what difference has been made in tackling child poverty and the impact within communities.

By focussing on identified hot spot areas of need. How by using our needs data and establish how we will identify the most vulnerable families e.g. Low incomes, not claiming school meals, and complex needs.

By providing a community directory - (family information service) Provision of single accessible web-based community information, including information about local and national services and activities groups and support available locally to available to anyone living in Torbay under one web-based directory.

Chapter 3 - Gaps in local action within our priority areas - How we address the Drivers and Outcomes of Child Poverty.

The drivers and outcomes of poverty are complex, cyclical and self-perpetuating. To help us identify further priorities and a delivery action plan, we have used the national 'building blocks framework'. This has been developed by the Child Poverty Unit (jointly established by the DfE, DWP and HMRC) to capture the breadth of the agenda.

Parental Employment and Adult Skills

This theme is about ensuring that more families are in work that pays and have the support they need to progress.

Key messages from our needs assessment and National Child Poverty Unit guidance:

Nationally, unemployment has risen to 8% in 2011; compared to 6.5% two years ago (ONS labour market report March 2011). This figure is still rising and not predicted to peak until 2013. The risk of not being in work is higher for young people, those with low skills, from certain minority ethnic groups, and for those living in low employment areas. Barriers to work can also include caring responsibilities and discrimination against people in equalities groups. Torbay has a limited, low wage economy, and reliant on public sector jobs.

Many of our children live in workless families; the proportion of people claiming out of work benefits is higher in our deprived communities. The proportion of our workforce with NVQ level 4 or above is lower than regional and national averages.

The family questionnaire tells us that for Learning and Development, training and work - respondents would like more information and or services to be available in the following ways – in order of choice:

1. One to One (face to face)
2. Group Support
3. Access to Info Website, telephone, literature

Strategic priorities in this area are therefore to:

- Focus efforts to tackle worklessness on reducing the gap between those neighbourhoods with the highest worklessness rates. – focus on our hot spots

- **Coordinate a Bay - wide approach through the Youth Unemployment Scrutiny Board to tackling unemployment among young people**
- **Ensure that the increasingly targeted offer of careers advice is based on a good knowledge of the local employment market, through Careers South West.**
- **Identify innovative ways to support parents and particularly lone parents in accessing adult learning so that a larger proportion of training resource can be moved into direct delivery;**
- **Work with the employers of low-paid employees without level 2 qualifications to develop contributory ways of funding skills development for their workforce and thus support progression to better paid/more productive and sustainable work;**
- **Identifying the role of the community, and how voluntary work could boost self-esteem and be a route to employment; building confidence, creating opportunities for young people to have work experience.**
- **Provide Work – focused Services in Children’s Centres – opportunity for Jobcentre Plus to engage and increase take up or their services, gaining new skills , knowledge and customers**

Additional Notes for consideration

How do we work with ‘NEETs’, to promote apprenticeships and to encourage training linked to the job market – including support for existing organisations such as the Citizens Advice Bureau, and other community and voluntary sector groups working in this area.

How do we promote local jobs and that local firms, including the council, should commit to taking on local young people.

Government’s reforms to the benefits system, this will be a significant barrier in boosting parental employment. There is concern that cutbacks could impact on the ability to provide advice and raise awareness of benefits and programmes to support people getting into work.

? How much money is needed in all households in order to cater for families?

Do we have detailed information and an understanding of who is in and out of work to inform our work? In addition, the Council should work with those who have found sustainable employment to share and learn from their experiences. The importance of working with communities and faith groups the quality of private, voluntary and independent sector should be considered.

? What are we doing about young people with physical and learning disabilities and the provision in place to support and prepare them for employment?

Financial Support

This theme is about ensuring that financial support is responsive to families’ situations

Key messages from our needs assessment and National Child Poverty Unit guidance:

For many low-income families, responsive financial support can make the difference between being able to manage a family budget and not. Families seeking housing advice linked to rent arrears and loss of tenancy has increased families often depend on benefit related income., and undergo multiple assessments for additional financial support, even within the same organisations, and we should be concerned that some of the most vulnerable families may not be accessing their support entitlement, with strong possibility of increased numbers when changes to benefits and housing legislation come into force. Torbay has a downward trend in the median weekly wage.

Financial inclusion – access to mainstream financial systems and services at affordable cost, is a core part of that support. Without facilities such as a bank account and low-cost credit, low-income families are at high risk of paying the Poverty Premium – the additional costs of borrowing, cashing cheques and of buying goods and services that are estimated to amount to approximately £1,000 per year for an average-size family. In the current climate ‘easy’ access to high-interest credit thrives, In the DWP-commissioned study of lone parents, 43% of lone parents said they found it difficult to manage financially and 24% said they had trouble with debts nearly all the time; service providers say they are seeing increasing levels of debt for 16-19 year olds.

Strategic priorities in this area are therefore to:

- **Maximise access to financial advice and inclusion opportunities , early recognition of the trigger points - including relationship breakdown, new tenancies and starting/returning to work;**
- **Identify and target services for those households/groups most at risk from the introduction of welfare system reforms and universal credit, through the Strategic Welfare group**
- **Develop a streamlined joined up system for vulnerable families , that improves access to benefits (including housing benefit, free school meals, council tax benefits) so that vulnerable families are only assessed once;**
- **Ensure that front –line workforce signpost effectively to specialist advice services Ensure that services for families in need of benefits and debt advice (including specialist advice for families with disabled children).**
- **Improve access to financial management training and support for young people, and families to prevent longer term problems developing.**

Additional Notes to consider

How we reach out with advice – a more creative approach to tackling child poverty, particularly given the current financial climate. Utilise alternative venues – for example holding citizens advice sessions in children’s centres or other community venues.

The need for more information and advice sessions, How to achieve/ fund in the present climate. Focus should be given to supporting families at an early age and supporting single parent households.

Risk of benefit dependency – developing a culture that is ‘not healthy or sustainable’. Could we offer Advice sessions in schools?

Need to work closely with communities and utilise existing resources and communication channels Explore links to CAF and benefit take up

Publishing outcomes so that people can see clearly the benefits of improved take-up.

Housing and Neighbourhoods

This theme is about ensuring that children’s environments support them to thrive.

Key messages from our needs assessment and National Child Poverty Unit guidance:

We know that we have a lack of appropriate homes in Torbay that are affordable to rent or buy and suitable for low income families. This limits the family’s choice in location, quality and size, and also limits their remaining disposable income. The lack of long term sustainable tenancies can be one of the most destabilising influences in a child’s life and that it impacts negatively on their ability to thrive and achieve good outcomes.

Lone parent households with children represent the highest priority group accepted as homeless. Young households may find themselves incurring costs they cannot sustain in the long-run and/or living in areas and in conditions that they would not choose. There is particular concern and research tells us that many of those who are effectively homeless live in concealed households - households who neither own nor rent the property that they are living in. By far the biggest reason for becoming homeless is loss of accommodation provided by relatives or friends (two-fifths of those deemed ‘in priority need’), with a further fifth being due to relationship breakdown.

The problem of affordability has resulted in many younger people delaying moving out of the parental home or in some cases sleeping on friends’ sofas. We have seen a rise in the numbers of households presenting as homeless due to relationship breakdown and domestic abuse.

It is anticipated that housing and community instability will increase when changes to housing benefits are implemented as families may need to move away from their existing home and school areas to find lower rents. Fuel poverty is also a present risk for many families.

We know that poverty affects and limits the range of experiences which children, young people and their families can access. Children and young people report that their access to a range of activities is limited by cost – both of the activities themselves and of transport to get there.

A combination of worklessness, lone caring responsibilities and lack of access to affordable activities means that families in poverty often find it difficult to engage with their communities.

Strategic priorities in this area are therefore to:

- Through both the Housing Strategy and Local Tenancy Strategy, work to ensure a more balanced housing market and a greater range of options so that vulnerable households can remain in their area of choice; but at the same time increase social mobility.
- Work with the most vulnerable groups to achieve the objectives of the Preventing Homelessness Strategy (e.g. targeting advice to the households most affected by housing benefit changes).
- Encourage landlords to improve property conditions for vulnerable tenants (including children and young people under 16); Empty Homes initiative
- Look at how upcoming national programmes designed to alleviate fuel poverty through domestic energy improvement and improving the use of sustainable energy can be targeted towards lower income households;
- Ensure that information and support alongside first tenancies, particularly for young families, is well coordinated and delivered to improve their sustainability and avoid long-term housing problems;
- Develop, locally sourced and accessible activities for children and young people and ensure that this is clearly communicated and promoted;
- Develop, through Neighbourhood Partnerships, faith and other community networks, innovative 'low cost/no cost' local approaches and solutions to tackling social isolation and barriers to services for vulnerable families. Share and publicise good practice and success.

Additional notes for consideration

The level of the private rented sector has increased from 19.5% in 2006 to 22% in 2011.

The private rented sector is disproportionately occupied by those under 25, those on a low income and those with a disability. (Changes to the single room allowance from 25 – 35 will increase those needing to share rooms)

Torbay has higher than average numbers of Houses in Multiple Occupation with an estimated 1,450 properties occupied in this way. Not all these are subject to mandatory licensing though, with 79 currently licensed out of an estimated 120 licensable HMOs. These are the larger types of bedsits with some element of sharing.

The least energy efficient properties in Torbay are in the private rented sector. This compounds fuel poverty from those living in those properties. This is where the occupier spends more than 10% of their income on heating and hot water. Approximately 30% of tenants are in fuel poverty as opposed to 11% of owner occupiers.

Torbay has a low level of social housing stock (approximately 8%), this combined with high numbers of households on the housing register waiting list means there are distinct pressures on social housing in the area. At the end of 2010/2011 there were 3996 on the waiting list. The average wait for a 3 bedroom property is between 3-5 years.

We have a shortage of affordable larger 4/5 bed family homes. (The reductions in benefit levels will have the greatest impact on families requiring larger homes))

Ensure that the impact of domestic violence, substance misuse and parental mental health upon children are minimised and understood by professionals and the community

Early Years & Education, Health and Family Support

This theme is about ensuring that poverty in childhood does not translate into Poor experiences and outcomes

Key messages from our needs assessment and National Child Poverty Unit guidance:

Education and Early Years

We know that children in poverty can have different experiences both at home and at school, where they may struggle to have the right uniform, access to the internet or private space to do homework. We also know that home circumstances such as poverty, family breakdown, domestic violence and physical or mental illness can make it difficult for parents to give their children the secure, loving relationship they need.

The gap between children eligible for free school meals and their peers continues to increase. In 2011 the achievement gap at the end of Key Stage 2 was 26% and at GCSE this was 32.9%.

Low educational attainment is strongly associated with higher rates of teenage pregnancy, even after accounting for deprivation. The signs of disengagement from school are often evident long before a pregnancy occurs. Prevention strategies should put measures in place to identify those young women who are losing interest at school and help them to identify a Key Stage 4 learning package that engages them. Teenage mothers are 20% more likely to have no qualifications at age 30 than mothers giving birth aged 24 or over.

Strategic priorities in this area are therefore to:

- **Ensure access to high quality early years education (including early years language acquisition), childcare and family support services to meet needs for children and families as early as possible;**

- **Maintain the focus on schools in meeting the social, emotional and behavioural needs of children by building positive relationships with them and their families. Support schools in the continued use of THRIVEtm and SEAL when working with children with emotional health and behavioural difficulties.**
- **Encourage schools to develop their roles within the local community and explore new and innovative ways of improving relationships within that community.**
- **Maintain the focus in schools on narrowing the attainment gap for children in receipt of free school meals, ensuring that performance is tracked and analysed, and that teaching and learning strategies are in place.**

Health and Family support

Children born into poverty are more likely to have a disadvantage from the start by being born small, early or both, be bottle fed or die in the first year of life. They are also five times more likely to die from an accident in childhood and three times more likely to suffer from a mental health problem. When reviewing the lifestyle that they are living in then they are more likely to have parents who smoke and have a poor diet.

We know that children born into poverty are most affected by material deprivation and that the health effects of these inequalities are often passed from generation to generation.

In Torbay's most deprived wards 20% of mothers smoke during their pregnancy, this is significantly higher than in other areas. Smoking in pregnancy can increase the risk of babies being born prematurely, having poor lung functions and smaller organs than those babies born to non-smoking mothers and also increase the risk of a Sudden Infant Death.

Torbay's rate of teenage conceptions is reducing but still higher than the national average – in 2010 Torbay: 46.6 per 1000 under 18 population compared with 35.4 English average. Children of teenage mothers are 63% more likely to be born into poverty compared to babies born to mothers in their twenties (Mayhew E., Bradshaw J., *Mothers, babies and the risks of poverty*, Poverty, No. 121 p13-16).

Emotional well-being in childhood and young adulthood is one of the most important factors in predicting whether an individual will be socially mobile. Experiences in early years in particular have lifelong effects on many outcomes, such as heart disease, obesity, mental health, educational achievement and economic status. This was endorsed in 2010 both in the Marmot review (Fair Society, Healthy Lives, 2010) and the later Field review (The Foundation Years: preventing poor children becoming poor adults).

The Field Review particularly stresses the importance of loving, positive parenting and of high quality childcare for children in poorer families to ensure early attachment and enrichment of experience.

We know from the Family Intervention Projects, that outcomes are more likely to be improved when the pressures and needs of families are addressed in a holistic way, rather than families being passed around between agencies and services.

Three year olds in households with an income below £10,000 are 250% more likely to suffer chronic illness than three year olds in households with an income over £52,000.

Strategic priorities in this area are therefore to:

- Including through the Parenting Strategy and Emotional Health and Well-being Strategy, develop available parenting support to enable family bonding and attachment and clear boundaries, so that we build the emotional health and resilience of our children and young people;
- Support parents and families to give their children the best start in life, reducing infant mortality and low birth weight through early access to antenatal care, reducing maternal smoking and obesity, supporting breastfeeding initiation and continuation and increasing uptake of immunisation;
- Implementation of the Healthy Child Programme
- Promote service alignment and family-based approaches to vulnerable children and families to address need as holistically as possible;
- Improve the use of all community-based public access points to signpost sources of help;
- Consider health inequalities in policy making relating to children, young people and families, including incorporating health inequalities outcomes in provider contracts.
- To ensure a partnership approach to reducing teenage conceptions in order for young people to look after their sexual health, avoid unwanted pregnancies and delay parenthood until they are in a better position - emotionally, educationally and economically - to face its challenges

Additional Notes to consider

Over the past twenty years the evidence has accumulated showing that the health of adults is influenced significantly by what they experienced during development both in the mother's womb, and in their early years. (*FROM WOMB TO TOMB* – the case for investing in interventions to reduce the impact of CHILD POVERTY, CPHIG, November 2011). *Fair Society, Healthier Lives* (2010) states that 'the lower a person's social position, the worse his or her health'. Action to reduce health inequalities must start before birth and be followed through the life of the child. Only then can the close links between early disadvantage and poor outcomes throughout life be broken (*Fair Society, Healthier Lives*, 2010). We know that children born into poverty are most affected by material deprivation and that the health effects of these inequalities are often passed from generation to generation.

Due to the long term affects of poverty on health then it is vitally important to prioritise giving children the best start in life. This is one reason why the Coalition Government have committed to increasing health visiting services across England - 'Good, well resourced health visiting services can help ensure that families have a positive start, working in partnership with GPs, maternity and other health services, Sure Start

Child Poverty Strategy

Children's Centres and other early years services' (*Health Visitor Implementation Plan 2011 – 2015, 2011*). In Torbay by 2015 the health visiting capacity will have increased from 21.9WTE to 54.5WTE allowing staff to be proactive in supporting both individuals and the community in tackling the causes and effects of poverty.

Have we sufficient provision of nursery places, extended child care, health visitors, and prompt referrals, take up of services and access to children's centres. Equal opportunities to access these services, and support for families in poverty who are expecting children? How we stop children being born into poverty. What are we doing about young people's drug and alcohol misuse? Health and Well Being Plan - healthy living, healthy child programme, maternity services, and family intervention services as well as working with existing community organisations.

Single access point via which families could access a range of services would be useful.

Is there a strong correlation between deprivation and outpatient attendance and emergency admissions to hospital? Life expectancy at birth varies significantly according to socio-economic status. Professional men can expect to live to 80, whilst men in unskilled manual work on average live to 72.7 years. For women the figures are 85.1 and 78.1 years – a 10% difference.

To be continued in,

Part 2 by talking and sharing to find out what's going on and be able to tell the full story

Part 3 by being able to describe the journey and understand if the right changes are happening



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Torbay

Child Poverty Needs Assessment

*Identification of the factors driving and the impact
of Child Poverty in the most vulnerable
communities of Torbay*

UPDATE – APRIL 2012

DRAFT

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KEY FINDINGS

Just under one quarter (24.3%) of children under the age of 16 live in poverty across Torbay, this is higher than the England average of 22.0%. However, across Torbay's most deprived communities the proportion of children living in poverty is much higher again.

- Factors driving child poverty locally include:
 - Limited, low wage economy
 - A downward trend in median weekly wage
 - Torbay is vulnerable to limited economic growth given the reliance on public sector jobs
 - The proportions of people claiming out of work benefits is higher in our deprived communities
 - The affordability of homes which can place further financial strain on families
- Locally the impact of poverty and inequality across Torbay is evidenced by:
 - The difference in life expectancy is as much as 7 years between our most deprived and most affluent wards.
 - In the Foundation Stage, despite increases in achievement children who live in areas of deprivation do not achieve as well as children living in affluent areas and are consistently more likely to fall in the lowest achieving 20%.
 - The gap in achievement between children living in Torbay's most deprived areas and the rest becomes more noticeable once they start secondary school. The difference is small at Key Stage 2, becomes more noticeable at Key Stage 3 and greater at GCSE.
 - Our most deprived communities have the highest rates of under 18 conceptions.
- In terms of 'Place' it is well documented locally that Tormohun, Ellacombe, Roundham with Hyde and Watcombe are our most deprived communities. However, within the wards of Blatchcombe and St. Mary's with Summercombe there are pockets of deprivation and high proportions of children living in poverty.

This needs assessment raises further questions about the impact on children of growing up in our most disadvantaged communities which need to be explored further. These issues can be picked up through the planned community consultation so that feedback and from communities is used to inform this assessment further. Intelligence from this needs

assessment together with feedback from the community will be used to identify the priority areas and actions for the Torbay Child Poverty strategy.

Further questions include:

- What is the perceived impact of living in our most disadvantaged areas for those people who live there – is this positive / negative?
- What are the financial implications / strains for families?
- What are the health and well being implications for families?
- What is the impact on children who grow up in our most disadvantaged areas?
- What are the opportunities for children who grow up in our most disadvantaged communities to achieve well at school and enter and sustain employment?
- What should the priorities be for a child poverty strategy?

1. INTRODUCTION

A child's life chances are largely determined by childhood experience. Children who grow up in low income families often grow up to be poor adults and poverty in childhood can have a great impact on a child's development and life chances¹. The Coalition Government are committed to eradicating child poverty by 2020 and the Child Poverty Act 2010 gives local authorities and their partners the legal force and duty to contribute to this aim. Under the Child Poverty Act, local authorities and their partners must develop a joint strategy which identifies the measures each agency will take with the purpose of reducing and mitigating the effects of child poverty. As part of these arrangements a local needs assessment must be undertaken and published, which identifies local factors which drive and impact on child poverty². The priorities identified within this assessment will inform the subsequent Child Poverty Strategy for Torbay.

The impacts of child poverty are well researched, children who grow up in poverty are less likely to achieve well in school and will leave school at the age of 16 with fewer qualifications. They are less likely to attend school and are more likely to engage in risky behaviours such as smoking and anti-social behaviour¹. They are more likely become teenage parents and have lower life expectancy. Inequalities in early childhood development and education follow a child through to employment, standard of living as they become adults. Persistent inequalities become a driving factor in health and wellbeing generally.³ Poverty becomes a cycle which can be difficult to break out of especially when it has been a long-standing characteristic of a community⁴.

Nationally, the proportion of children living in poverty has doubled in the past generation. In 2008/09, 2.8 million children were living in poverty and the UK has one of the worst rates of child poverty in the industrialised world. As well as the human cost to child poverty there is also a significant financial cost to the tax payer, estimated to be between £10 and £20 billion a year¹.

In 2011 the Coalition Government published a national strategy, 'A New Approach to Child Poverty'⁵, which is the first national Child poverty Strategy. At its heart are strengthening families, encouraging responsibility, promoting work, guaranteeing fairness & providing support to the most vulnerable. Local authorities and their partners, through the delivery of local services have a vital role to play in the commitment to end child poverty. By tackling child poverty, children's life chances will improve and the opportunities open to them become much wider.

Locally there are a number of existing programmes which are working towards reducing inequality, one of the most closely linked to the child poverty agenda is the *Closing the Gap* project in the Hele area of Torbay. The

¹ Field, F. (2010). The Foundation Years: Preventing Poor Children Becoming Poor Adults. The Report of the Independent Review on Poverty and Life Chances. HM Government.

² Child Poverty Act 2010. www.legislation.gov.uk

³ The Marmot Review (2010). Fair Society, Healthy Lives.

⁴ Joseph Rowntree Foundation

5 A New Approach to Child Poverty: Tackling the Causes of Disadvantage & Transforming Families Lives
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/CM%208061>

Closing the Gap project presents a new way of looking at how public services are delivered in Hele and is working closely with residents to make a real difference to their lives.

This Child Poverty Need Assessment for Torbay draws upon what is known about our communities in the context of our own Torbay Joint Strategic Needs Assessment (JSNA). The JSNA is the overarching needs assessment for the Torbay strategic Partnership. Its purpose is to improve the health and well-being of the population by identifying need both over the short term (three to five years) and longer term (five to ten years). JSNA identifies “the big picture” in terms of health and well-being needs and inequalities locally and provides much of the evidence from which the Torbay Strategic Partnership and commissioners to commission services.

This Child Poverty Needs Assessment draws upon evidence within the JSNA as well as taking a more detailed look at some of the factors which are specifically related to child poverty specifically those which are included in the ‘basket of indicators’ as provided by the Child Poverty Unit. This assessment is structured around these indicators and the child poverty pyramid (outlined in appendix one).

In addition to the JSNA, the Child Poverty Needs Assessment and strategy should be considered in conjunction with the following assessments and strategies:

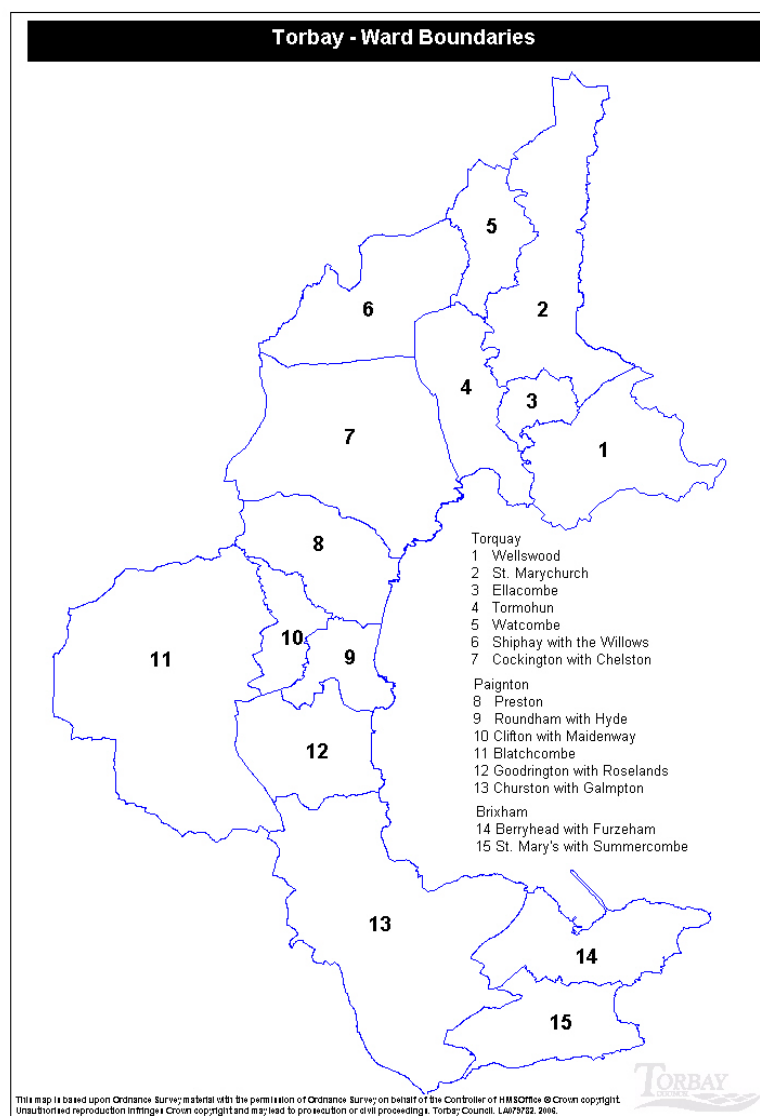
- Children and Young Person’s Plan.
- Local Economic Assessment
- Childcare Sufficiency
- Teenage Pregnancy Strategy

This Assessment considers the demographic overview of Torbay, along with the indicators which are specifically related to child poverty and enforce the inter-generational cycle of poverty. The evidence outlined in this assessment will inform the TSP’s strategy for reducing child poverty with the aim of preventing Torbay’s children becoming poor adults.

2 DEMOGRAPHIC OVERVIEW

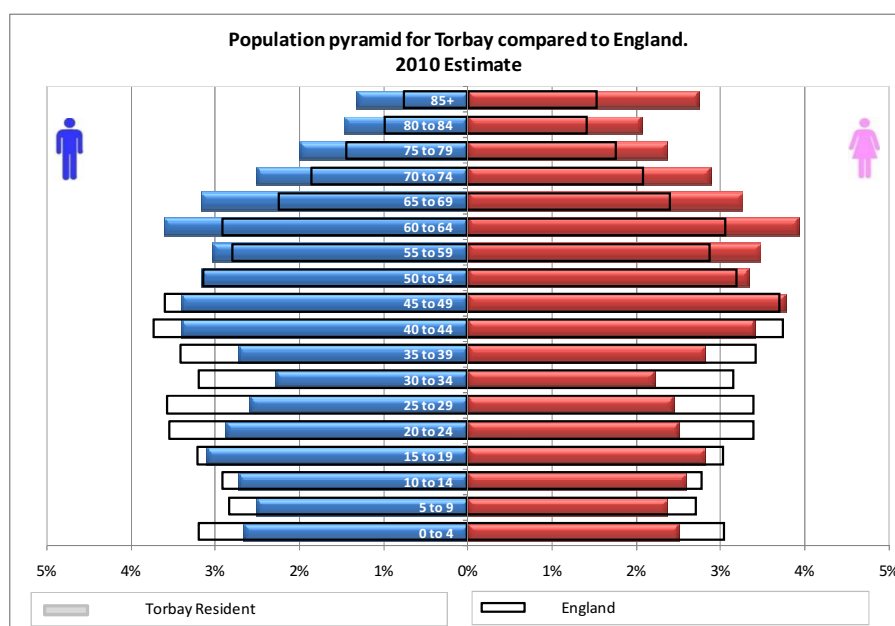
Torbay is home to approximately 135,400 people and is a popular tourist and retirement destination thanks to its position as a seaside community. Torbay is a small urban local authority area yet the three main towns of Brixham, Paignton and Torquay which make up Torbay are all very distinct. The map in Figure 1 below shows the Electoral Wards across Torbay.

Figure 1: Torbay Ward Boundary



Torbay's population is very much dominated by a higher proportion of older people; this is demonstrated in the population pyramid below. The solid bars represent Torbay's resident population and the hollow bars represent the population structure for England. The pyramid in figure 2 shows that the proportion of children and young people is noticeably lower than the England structure.

Figure 2: Torbay Population Pyramid 2010



Source: 2008 based Sub National Population Projections, ONS. Taken from JSNA Population Tool

Table 1: Proportion of Children by Ward

Ward	0 to 4		5 to 9		10 to 14		15 to 19	
	Number	%	Number	%	Number	%	Number	%
Berry Head-with-Furzeham	396	4.0	359	3.6	440	4.5	510	5.2
Blatchcombe	746	6.8	689	6.3	799	7.3	764	6.9
Churston-with-Galmpton	179	2.7	239	3.6	303	4.5	326	4.9
Clifton-with-Maidenway	407	5.7	359	5.0	377	5.3	424	6.0
Cockington-with-Chelston	603	5.4	647	5.8	665	6.0	732	6.6
Ellacombe	489	6.6	373	5.1	432	5.8	545	7.4
Goodrington-with-Roselands	264	3.7	358	5.0	414	5.8	460	6.5
Preston	497	4.8	476	4.6	481	4.6	571	5.5
Roundham-with-Hyde	328	4.3	292	3.8	316	4.1	363	4.7
St Marychurch	636	5.5	545	4.7	641	5.5	713	6.1
St Mary's-with-Summercombe	348	4.7	365	4.9	424	5.7	481	6.5
Shiphay-with-the-Willows	719	7.4	619	6.4	606	6.2	571	5.9
Tormohun	739	6.1	521	4.3	568	4.7	792	6.6
Watcombe	404	5.5	432	5.9	484	6.6	554	7.5
Wellswood	220	2.9	193	2.5	183	2.4	263	3.4
Torbay Wide	6,975	5.2	6,467	4.8	7,133	5.3	8,069	6.0

Source: MidYear Population Estimates for 2010

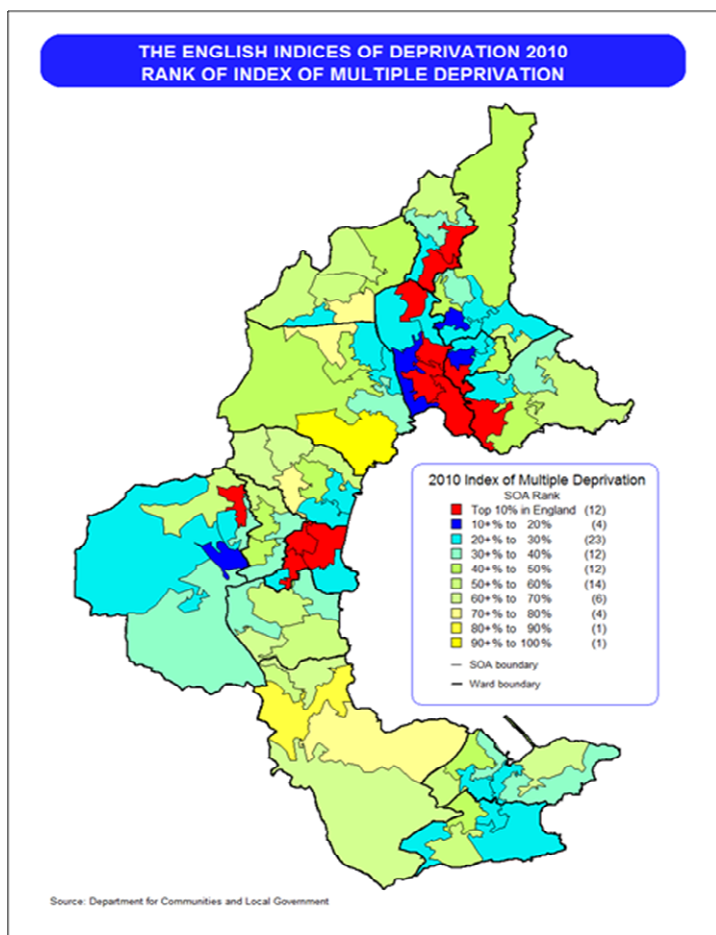
The wards across Torbay which are considered to be our most disadvantaged have higher proportions of children and young people as demonstrated in table 1.

Across our most deprived wards of Tormohun, Ellacombe, Roundham with Hyde and Watcombe, there are approximately 8,200 children and young people aged 0 to 19 and 2,700 children in the early years age group of 0 to 4.

Although the proportion of children and young people (aged 0 to 19) in the population is set to decrease slightly between 2010 and 2033, the actual number of children and young people is still set to increase. In 2010 it was estimated that there were 28,800 children and young people (0 to 19) this is set to increase to 31,100 in 2033. Children and young people make up approximately one fifth of Torbay's population.

Despite Torbay's position as a seaside community and a popular tourist and retirement destination, there are pockets of severe deprivation, as can be seen by the areas highlighted in red on the map in Figure 3 below.

Figure 3: Indices of Deprivation 2010



In 2010, Torbay ranked 61st most deprived local authority nationally out of 326 authorities. Across Torbay, between 2004 and 2010 the overall levels of multiple deprivation increased. This was clear by the increase of 4 to 12 Super Output Areas (SOAs) ranking in the top 10% most deprived nationally.

Just over 18,800 (14%) residents live in the top 10% most deprived areas across Torbay compared to 15,500 in 2007 and just over 3,100 of these are children and young people aged 0 to 15.

The electoral wards in Torbay which have the highest levels of deprivation are (as in 2007):

- Tormohum
- Roundham with Hyde
- Ellacombe
- Watcombe

As Torbay's Joint Strategic Needs Assessment demonstrates, within Torbay there are multiple inequalities across the Bay, for example the gap in life expectancy between the more affluent and most deprived remains at over 7 years.

3. FIRST TEIR OUTCOME: MEASURING POVERTY

Within the National Indicator set the Child Poverty Unit identified a 'basket of indicators' which they felt most closely reflected the drivers of child poverty. These indicators also represent the 'drivers' of child poverty which agencies under the Torbay Strategic Partnership (TSP) can influence. These drivers are set out in the pyramid in appendix one.

3.1 Proportion of Children in Poverty

The introduction of the performance indicator NI116: Proportion of children living in poverty, provides the TSP with an overarching outcome measure for child poverty. This indicator is defined as 'the number of children who live in households whose equivalised income is below 60% of the contemporary national median'. This indicator forms part of the Public Service Agreement (PSA) 9, halve the number of children in poverty by 2010-11, on the way to eradicating child poverty by 2020 and is a relative measure of poverty as it sets the threshold 'poverty line' in line with real incomes reported in the year in question.

The latest data for this indicator was published in 2011 by HMRC and provides the detail for the year 2009. In Torbay just over 6,300 children live poverty. The table below shows the proportion of children living in poverty across Torbay by ward and compared to the England average. Although the percentage dipped in 2008, 2009 shows an increase and there are more children in poverty in 2009 compared to 2006. The proportion of children in poverty is still higher than England. In Torbay almost one in four children under the age of 16 lives in poverty.

The table also identifies that there are areas across Torbay in which poverty is clearly a bigger issue. In Watcombe just under 40% of children live in poverty and a third of children in Blatchcombe and Ellacombe live in poverty.

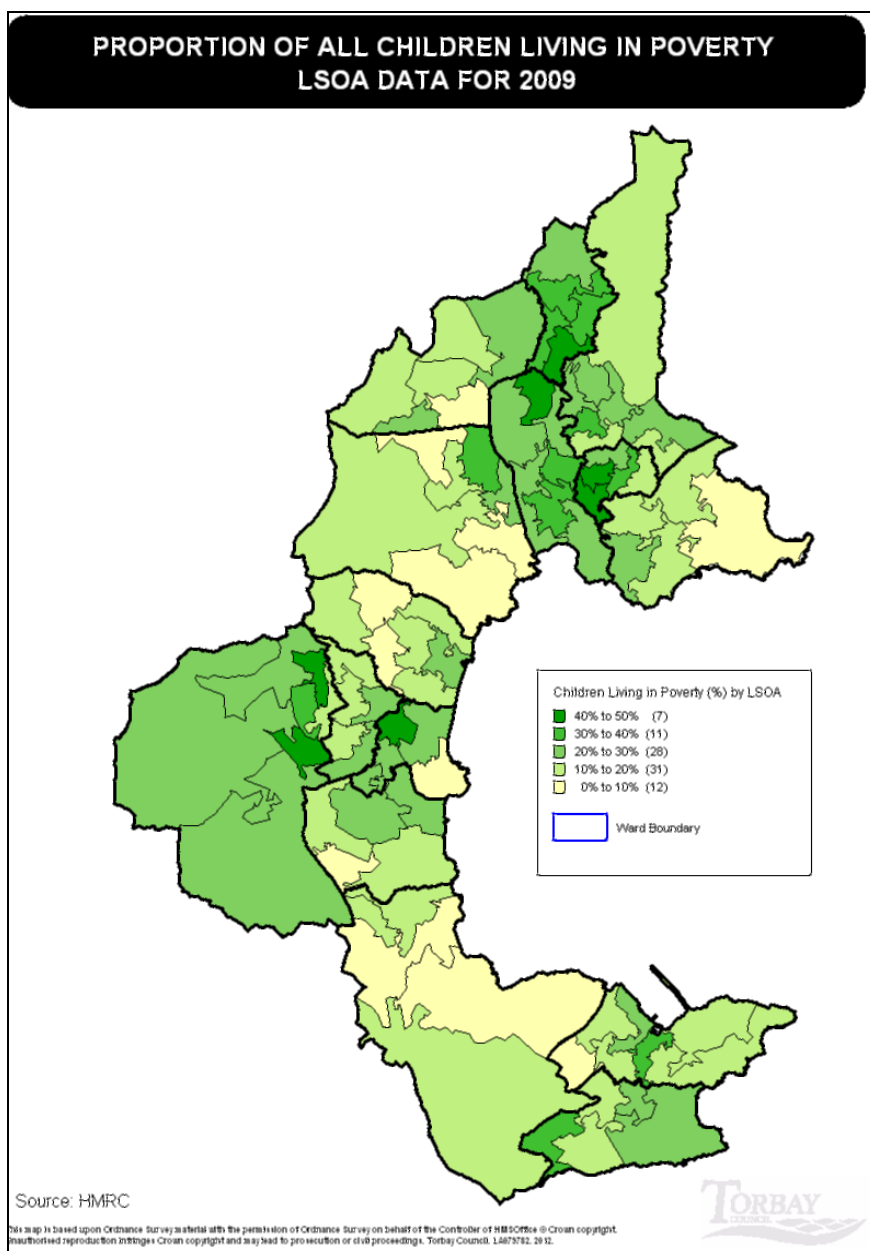
Table 2: % of Children Living in Poverty (NI116)

Wards	2007		2008		2009	
	Under 16	All Children	Under 16	All Children	Under 16	All Children
England	22.4%	21.6%	21.6%	20.9%	22.0%	21.4%
Torbay	24.7%	23.6%	24.3%	23.4%	24.3%	23.7%
Berry Head-with-Furzeham	19.3%	19.3%	20.1%	19.4%	19.4%	19.1%
Blatchcombe	34.2%	32.2%	34.4%	33.5%	32.0%	32.2%
Churston-with-Galmpton	10.1%	9.7%	8.7%	9.0%	11.6%	11.3%
Clifton-with-Maidenway	19.5%	18.6%	19.4%	19.5%	20.2%	20.6%
Cockington-with-Chelston	18.1%	17.8%	18.8%	18.5%	19.4%	19.0%
Ellacombe	29.9%	29.0%	31.5%	30.2%	33.3%	31.9%
Goodrington-with-Roselands	16.2%	15.7%	16.9%	15.6%	16.8%	15.9%
Preston	13.6%	13.4%	13.5%	12.8%	14.1%	13.3%
Roundham-with-Hyde	31.3%	29.8%	28.3%	27.5%	28.8%	27.5%
St Marychurch	21.5%	20.3%	20.4%	20.1%	21.1%	21.1%
St Mary's-with-Summercombe	24.9%	24.6%	23.0%	22.1%	26.5%	25.1%
Shiphay-with-the-Willows	22.9%	21.6%	19.8%	18.9%	19.3%	18.7%
Tormohun	38.2%	37.0%	35.1%	33.3%	32.0%	30.9%
Watcombe	37.0%	35.5%	39.9%	38.5%	39.4%	38.6%
Wellswood	18.4%	17.4%	18.0%	16.7%	17.7%	16.5%

Source: HMRC

The proportion of children living in poverty can also be considered at a lower geography than ward. The map below shows the spread of child poverty across Torbay by Lower Super Output Area (LSOA). A total of 18 LSOAs (out of 89) have more than 30% of children living in poverty. This map also highlights that within wards there are pockets where child poverty is more of a significant issue than the ward level data identifies. There are pockets of poverty in Blatchcombe, Tormohun, Ellacombe, Watcombe and Roundham with Hyde.

Figure 4: Proportion of all Children in Poverty 2009



3.2 Households Dependent on Workless Benefits

Across Torbay, just under one fifth of the working age population claim out of work benefits. However, the data at ward level shows that our more deprived areas have higher than average proportions of people claiming out of work benefits. The wards with the highest number of claimants include, Roundham with Hyde, Tormohun, Watcombe and Ellacombe. In these wards at least a quarter of the working age population are claiming out of work benefits.

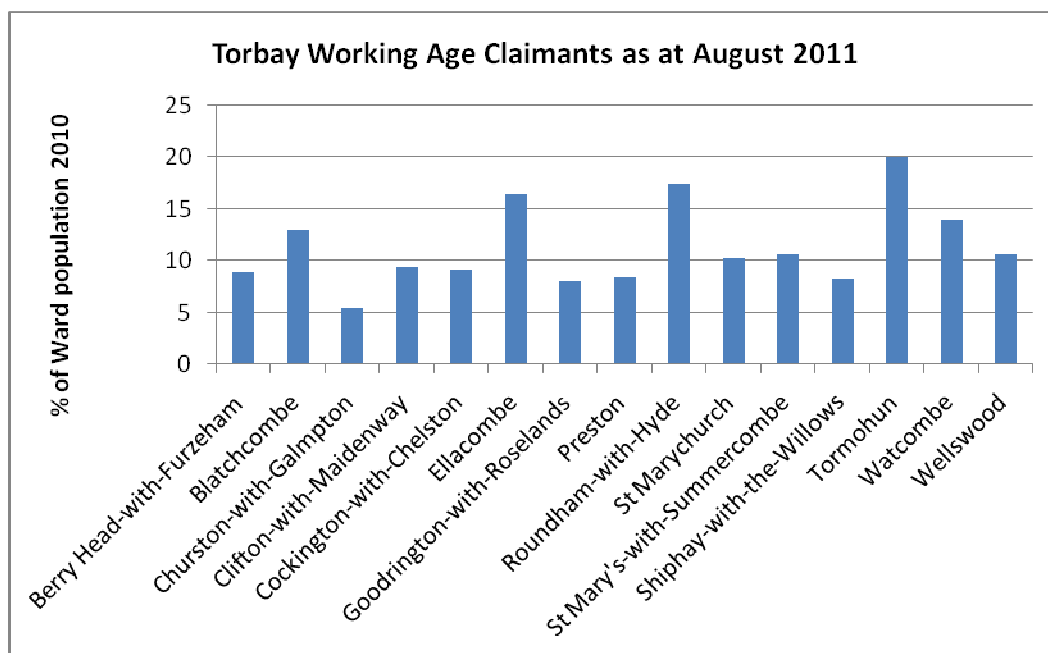
Table 3: Working Age Population Receiving Out of Work Benefits 2010

Ward name	Number of working-age people in receipt of out-of-work benefits	Proportion of the working-age population who are in receipt of out-of-work benefits	Torbay Rank (1=highest)	UK Rank (1=highest)
TORBAY	14755	19.4	-	-
Roundham-with-Hyde	1310	30.4	1	335
Tormohun	2245	29.8	2	383
Watcombe	1020	24.8	3	947
Ellacombe	1165	24.8	4	957
Blatchcombe	1385	21.3	5	1594
St Mary's-with-Summercombe	1125	17.9	6	1982
Wellswood	805	19.1	7	2102
St Marychurch	755	13.4	8	2460
Berry Head-with-Furzeham	885	16.4	9	2940
Preston	845	15.2	10	3362
Clifton-with-Maidenway	620	15.1	11	3421
Cockington-with-Chelston	920	14.3	12	3730
Shiphay-with-the-Willows	785	19.6	13	4104
Goodrington-with-Roselands	540	13.4	14	4122
Churston-with-Galmpton	350	10.8	15	5431

Source: The Poverty Site

The latest data (August 2011) on claimants of key benefits show that Torbay's more deprived wards (Roundham with Hyde, Tormohun, Blatchcombe, Watcombe and Ellacombe) have a higher proportion of claimants than elsewhere and compared to the Torbay and England average (11% and 14% respectively).

Figure 5: Working Age Claimants of Key Benefits by Ward



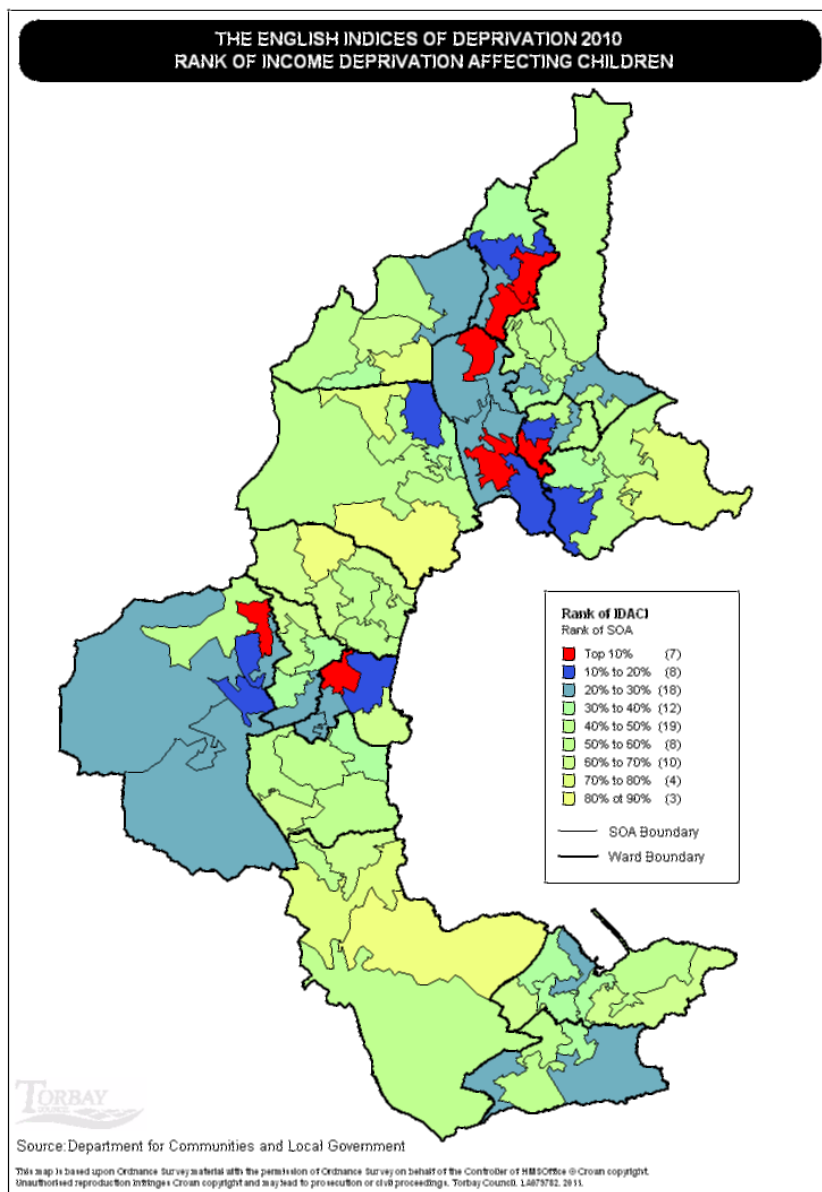
Source: DWP

3.3 Income Deprivation Affecting Children Index (IDACI)

The Income Deprivation Affecting Children Index (IDACI) was produced as part of the overall Indices of Multiple Deprivation (2007) and is a subset of the Income Deprivation Domain. IDACI shows the proportion of children (aged 0-15) in each SOA who live in families which are income deprived. Income Deprivation is classified as households in receipt of Income Support / income based Jobseekers Allowance / Pension Credit or those who are in receipt of Working Tax Credits / Child Tax Credit with an equivalised income of 60% of the national median before housing costs.

The number of people in Torbay who live in the 10% most deprived areas has increased by 254.5% from 3,065 in 2007 to 10,867 in 2010. 8.1% of Torbay's whole population and 10.3% of children aged 0 to 15 live in the 10% most deprived areas in England for IDAC. The number of children aged 0 to 15 living in the 10% most deprived areas for IDAC has increased from 681 to 2,301.

Figure 6: IDACI 2010

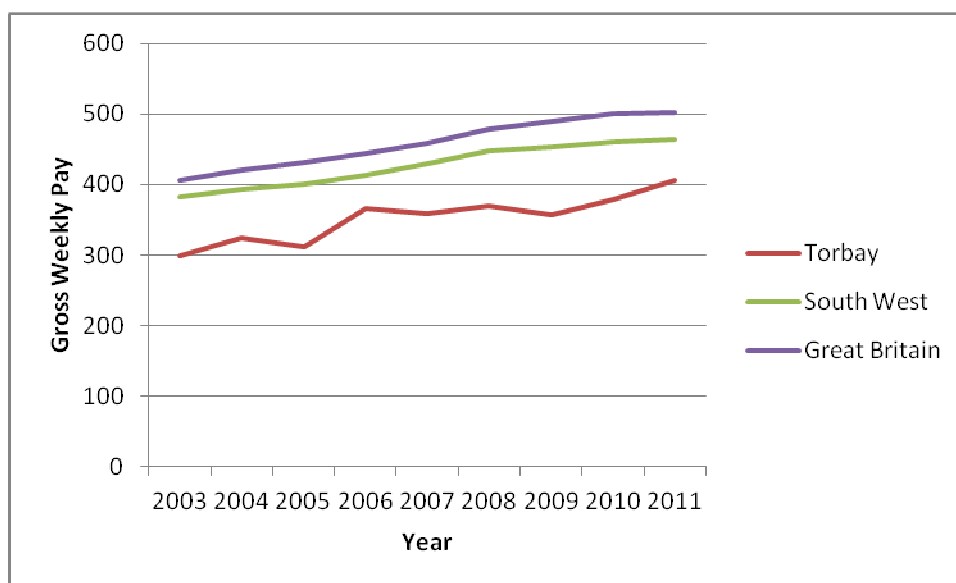


4. SECOND TIER OUTCOMES: FACTORS THAT DIRECTLY INFLUENCE FAMILIES' INCOMES AND RESOURCES

4.1 Household income

For those people in employment, median full time earnings across the South West are below the England average and across Torbay, median earnings are much lower again, this is demonstrated in Figure 7 below. In 2011 the gross weekly pay for someone working full time was £406.2 compared to £502.6 nationally.

Figure 7. Gross Weekly Pay



4.2 Free School Meals

Free School Meals eligibility is considered to be a proxy measure for economic disadvantage and children are eligible if their parents take up income related benefits such as Income Support, Income Based Job Seekers Allowance and Working Tax Credits where they are working less than 16 hours a week.

Take up and eligibility for free school meals (FSM) in maintained schools has increased over the last two years as demonstrated in table 4 below. Approximately 21% (2,686) of children across Torbay are eligible for FSM, although 16% (2,062) took a FSM. There are a higher proportion of children who attend Special Schools who are eligible for FSM, when compared to the rest of the school population. At a school level, those schools which serve our most deprived communities, Ellacombe, Kings Ash, Upton St. James, Barton and Watcombe Primary Schools all have high proportions of children who are eligible for FSM.

Table 4: Spring 2011 and 2012 Maintained Free School Meal Take Up and Eligibility

	Total NOR		FSM Taken on census day		Pupils eligible for FSM		% of pupils who took a FSM		% of pupils eligible for FSM	
	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012
PRIMARY	7657	7699	1170	1308	1468	1614	15.3%	17.0%	19.2%	21.0%
SECONDARY	4794	4669	593	616	855	922	12.4%	13.2%	17.8%	19.8%
SPECIAL	327	346	121	138	132	150	37.0%	40.0%	40.4%	43.4%
TOTAL	12778	12714	1884	2062	2455	2686	14.7%	16.2%	19.2%	21.1%

School Name	% of pupils who had a FSM	% of pupils eligible for FSM
MAINTAINED PRIMARY SCHOOLS 2012		
Ellacombe	39.7%	50.2%
Barton	33.9%	44.3%
Kings Ash	35.1%	43.2%
Watcombe	29.3%	39.2%
Upton St James	25.0%	37.0%
Curledge Street	35.9%	36.1%
Cockington	22.7%	27.4%
St Marychurch	16.6%	23.0%
Priory	20.8%	21.1%
Queensway	12.1%	19.0%
Sacred Heart	12.3%	18.1%
Roselands	16.9%	17.6%
Homelands	17.3%	17.3%
Babbacombe	13.8%	16.8%
St Margaret Clitherow	7.4%	15.8%
Torre	11.3%	15.4%
Furzeham	10.5%	14.1%
Warberry	9.0%	10.5%
Collaton St Mary	9.9%	10.4%
Brixham Primary	7.7%	10.3%
Sherwell Valley	9.0%	10.1%
White Rock	7.9%	9.8%
Preston	7.0%	9.5%
Galmpton	6.4%	9.4%
Oldway	7.3%	9.3%

School Name	% of pupils who had a FSM	% of pupils eligible for FSM
MAINTAINED SECONDARY SCHOOLS -2012		
Torquay Community College	17.0%	26.5%
Westlands Technology College	13.2%	20.2%
Paignton Community & Sports College	13.5%	19.7%
St Cuthbert Mayne School	10.0%	14.1%
MAINTAINED SPECIAL SCHOOLS – 2012		
Combe Pafford School	36.8%	46.6%
Mayfield School	29.5%	33.6%
Torbay School	76.0%	56.0%

Source: Spring School Census 2012

5. THIRD TIER OUTCOMES: FACTORS THAT DIRECTLY INFLUENCE FAMILIES ABILITIES TO ENTER AND SUSTAIN WELL PAID EMPLOYMENT IN THE SHORT AND LONGER TERM

5.1 Achievement in the Early Years Foundation Stage

The recent review completed by Frank Field *The Foundation Years: Preventing Poor Children Becoming Poor Adults* (2010) highlights the importance of a child's early years experience and the impact this has on their development which in turn is fundamental improving life chances.

Field identifies that by the time a child is 3 years old, 80% of their brain has developed and for those children who are living in deprived communities the services that children receive in the first five years of life are key to supporting development.

At the end of Early Years Foundation Stage children are observed and given scores against their level of development across 13 areas of learning. Local authorities are currently measured against two national indicators for children's achievement in the Foundation Stage. The first indicator measures children's achievement overall, the proportion of children who score at least 78 points across the Foundation Stage Profile (FSP) with at least 6 in each of the personal, social and emotional development (PSED) and Communication, Language and Literacy (CLL) scales (NI72).

Table 5 below shows that children who live in Torbay's Wards as a proportion of all children who were assessed in the FSP for the Ward. Children in Torbay generally have lower levels of achievement than national counterparts, however locally children's achievement has increased in 2011. For those children who live in the 30% most deprived areas 4 out of 5 areas show an increase. Although children's achievement has generally increased from the 2007 baseline, the level of achievement for children who live in the most deprived wards is still lower than the rest including Blatchcombe which shows the lowest achievement in 2011.

Table 5: NI72: Children Achieving NI72 by Ward as proportion of total children in Ward

	2008	2009	2010	2011
ENGLAND	49.0%	52.0%	56.0%	59.0%
TORBAY	50.8%	45.9%	53.9%	57.2%
Berry Head-with-Furzeham	54.3%	48.5%	71.0%	62.1%
Blatchcombe	54.5%	41.6%	56.3%	37.8%
Churston-with-Galmpton	68.9%	65.2%	60.0%	74.4%
Clifton-with-Maidenway	55.4%	41.7%	49.3%	58.8%
Cockington-with-Chelston	44.8%	45.8%	69.4%	65.2%
Ellacombe	50.7%	36.2%	42.7%	53.7%
Goodrington-with-Roselands	58.1%	64.9%	56.3%	75.4%
Preston	48.1%	61.2%	70.3%	57.3%
Roundham-with-Hyde	56.2%	40.9%	41.0%	48.2%
Shiphay-with-the-Willows	45.6%	40.3%	49.2%	60.4%
St Marychurch	46.4%	43.2%	45.3%	55.7%
St Mary's-with-Summercombe	57.6%	50.0%	58.9%	56.9%
Tormohun	39.5%	42.9%	44.9%	54.7%
Watcombe	50.5%	32.4%	41.8%	41.0%
Wellswood	33.0%	45.0%	55.9%	80.0%

The second indicator which is used to measure children’s achievement in the Foundation Stage is based around an inequality gap. NI 92, The % gap in achievement in the Foundation Stage between the lowest achieving 20% and the rest, considers the how well the lowest achieving 20% have performed compared to their peers. Across Torbay the gap has narrowed steadily since the 2007 but in 2011 jumped nearly 2%. Table 6 shows that in 2011 over 60% of children in the lowest achieving 20% live in Torbay’s most deprived communities.

Table 6: Lowest Achieving 20% by Rank of Overall Deprivation (2007 IMD in 2008-10, IMD 2010 in 2011)

Rank of Overall Deprivation	2008		2009		2010		2011	
	Number	%	Number	%	Number	%	Number	%
Top 10%	41	16.3%	50	19.5%	43	19.6%	61	24.6%
10% to 20%	23	9.1%	17	6.6%	27	12.3%	20	8.1%
20% to 30%	81	32.1%	74	28.8%	75	34.2%	70	28.2%
30% to 40%	42	16.7%	37	14.4%	46	21.0%	22	8.9%
40% to 50%	24	9.5%	29	11.3%	22	10.0%	39	15.7%
50% to 60%	21	8.3%	16	6.2%	36	16.4%	24	9.7%
60% to 70%	8	3.2%	<5	1.6%	9	4.1%	7	2.8%
70% to 80%	8	3.2%	<5	1.2%	<5	0.9%	<5	1.6%
80% to 90%	<5	0.4%	0	0.0%	<5	0.9%	<5	0.4%

5.2 Key Stage 2

Data on children’s achievement at Key Stage 2 (KS2) is a good indication of how well they are progressing. Data for 2010 is based on teacher assessments. Table 7 below shows that there is not a great deal of difference between achievement at KS2 locally and nationally although the English gap has widened in 2011.

Table 7: KS2 Achievement

	2009		2010*		2011	
	ENGLISH (Level 4+)	MATHS (Level 4+)	ENGLISH (Level 4+)	MATHS (Level 4+)	ENGLISH (Level 4+)	MATHS (Level 4+)
Torbay	79%	77%	79%	79%	77%	79%
National	80%	79%	81%	80%	82%	81%

Source: Department of Education

* Torbay 2010 Achievement based on Teacher Assessments

The relationship between absence and achievement is also clear at this key stage. Locally data suggests that children who did not achieve level 4 in English and Maths at Key Stage 2 tended to have a higher rate of absence at school. This was a common theme across those schools which serve the most deprived communities.

5.3 GCSE

Table 8 shows the distinct increase in GCSE achievement since 2009 although Torbay is still below the national average for the maintained sector.

Table 8: GCSE Achievement : 5+ A*-C inc English & Maths

	2009	2010	2011
Torbay	53.7%	54.0%	57.2%
National	49.8%	55.3%	58.4%

Source: Department of Education

5.4 School Absence

Absence from school does impact on a child's educational attainment and as a result their life chances and outcomes going forward. Torbay's Every School Day Matters strategy aims to improve levels of attendance across schools. While the numbers of children who are persistently absent from school are very low Torbay has a slightly higher rate than the national average. Those children who have unauthorised absence from school are more likely to also Free School Meals. This is demonstrate in Table 9 below. For children in Secondary School, they are also slightly more likely to have unauthorised absence compared to the whole cohort of children who have unauthorised absence.

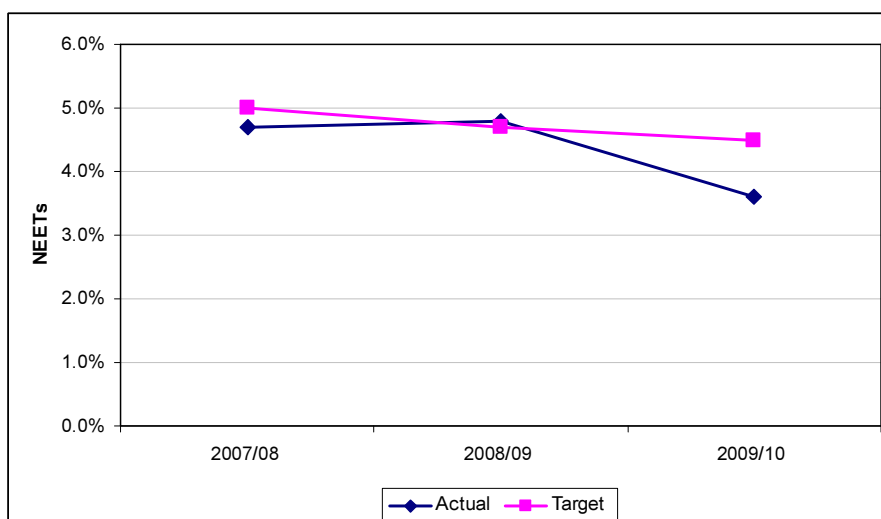
Table 9: Local Authority Maintained School Absence Academic Year 2010/11

School	Contextual Breakdown	No of pupils	% authorised absence	% unauthorised absence	Total % Absence	Total % Attendance
Secondary Schools	Whole cohort	5414	6.0	1.3	7.3	92.7
	Free School Meals	966	7.7	2.5	10.2	89.8
	Ethnicity (BME)	232	5.5	1.3	6.8	93.2
	Children with Statements	186	6.2	2.0	8.2	91.8
	Children on SA & SA Plus	1526	6.6	2.1	8.7	91.3
Primary Schools	Whole cohort	6373	4.7	0.6	5.3	95.7
	Free School Meals	1290	5.6	1.4	7.0	93.0
	Ethnicity (BME)	389	5.5	0.8	6.3	93.7
	Children with Statements	172	6.3	0.6	6.9	93.1
	Children on SA & SA Plus	1345	5.3	1.0	6.3	93.7

5.6 Not in Education, Employment or Training (NEET)

The number of young people aged 16 to 18 who are not in education, employment or training (NEET) has decreased recently and in 2009/10 fell well below the target set, figure 8 below. However, given very recent press regarding the numbers of young people who are unemployed, we could see the numbers of NEETs increase.

Figure 8: 16 to 18 year olds who are NEET



5.7 Teenage Conceptions

Young women who become mothers are more likely to suffer from poor outcomes and subsequently their children are more at risk of poor outcomes⁷. Research and data tell us that the majority of teenage conceptions are unplanned as over half end in abortion. It tends to be young women from poorer backgrounds and areas of high unemployment who are more likely to become teenage mothers. Teenage mothers suffer from poorer mental health in the 3 years after birth and the children of teenage mothers are more likely to be at risk of poor outcomes as they grow up. There is a higher risk of low educational attainment, higher risk of unemployment and a high risk that they themselves will become teenage parents⁵

In terms of the under 18 conception rate, Torbay has continued to see a rise in the rate of under 18 conceptions to 64.9 per 1000 15 to 17 year old girls in 2008. The target set by the Government to reduce the rate of teenage conceptions by 50% (from the 1998 baseline) is shown in table 10 Torbay is the only authority in our statistical neighbour group which has seen an increase (46.9%) in the rate of teenage conceptions since 1998.

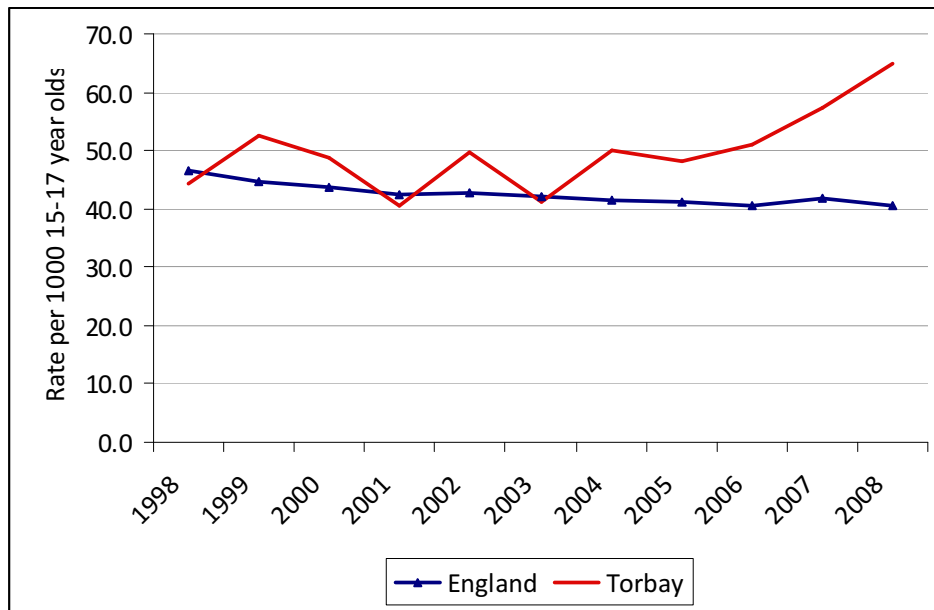
Table 10: Under 18 Conception Rates Torbay

Torbay UA	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
u18 conception rate	52.7	48.9	40.6	49.6	41.2	50.0	48.6	51.1	57.4	64.9	55.0	47.0
% leading to abortion	45	46	57	50	45	49	53	49	56	54		51

The graph in figure 9 below, highlights the stark difference between the rate of teenage conceptions locally and nationally.

⁵ Teenage Pregnancy Unit (2004). *Long Term Consequences of Teenage Births for Parents and their Children*.

Figure 9: Rate of Teenage Conceptions National Comparison



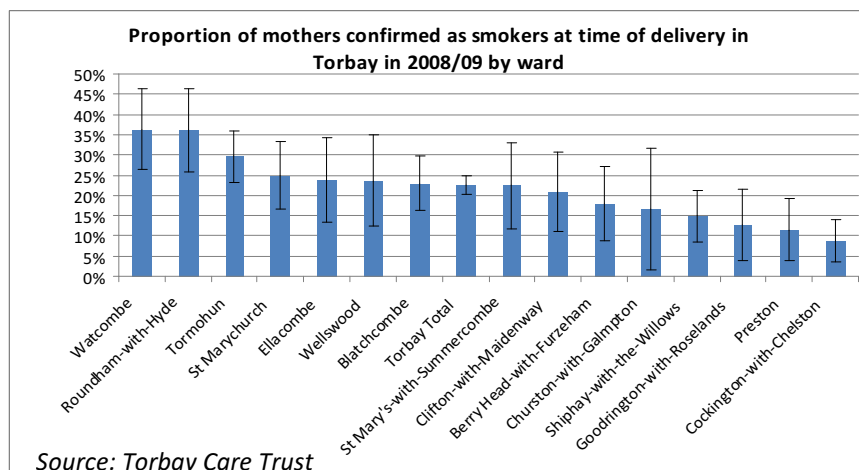
6. OTHER INDICATORS: IMPACT AND INDICATIVE OF CHILD POVERTY

There are a number of other issues which become an impact of living in poverty. Life expectancy is a prime example in Torbay with the difference in male life expectancy of just over 7 years. This final section of the assessment considers the impact of poverty on health outcomes and crime and ASB.

6.1 Health

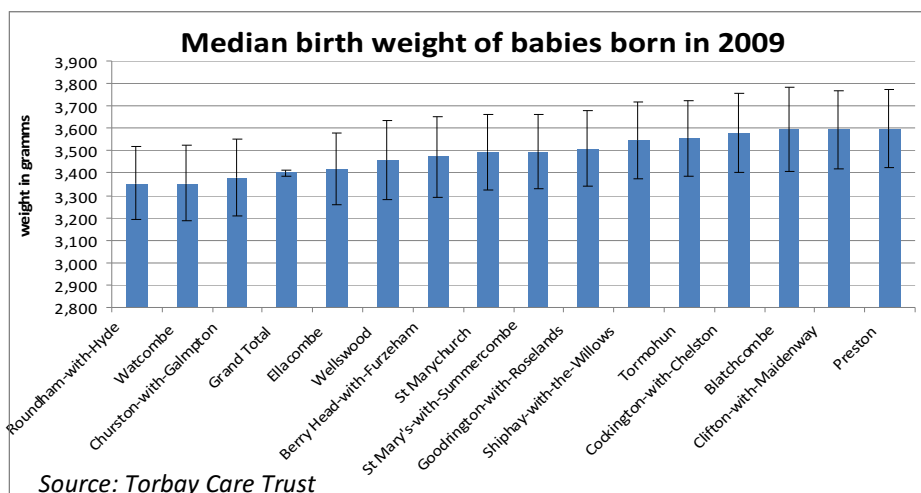
The effects of smoking on health are widely documented, smoking can lead to a number of cancers as well as other longer term and irreversible diseases such as Emphysema. Women who smoke throughout pregnancy are increasing the risk that their baby will not develop which can lead to low birth weight. In 2008/09, just over a fifth of women in Torbay were confirmed as smokers at the time their child was born. There are statistically more children born to mothers who smoke in Watcombe and Roundham with Hyde when compared to the Torbay average, see figure 10 below.

Figure 10: Mothers smoking at time of delivery



Across Torbay in 2009, the median birth weight of babies born in Roundham with Hyde and Watcombe were lower than the Torbay median, while the difference is not significant it is interesting to note that these are the same wards where there is a higher proportion of mothers confirmed as smokers at time of delivery.

Figure 11: Median Birth Weight



Mental health is a significant contributory factor and potential impact of living in poverty. Adults who are living in poorer areas are more likely to be at risk of developing a mental illness than those on average incomes⁶. Financial strain can lead to insecurity and be a source of stress, which, in turn, can become contributory factors to mental illness, the mental illness experienced can then compound financial hardship as those suffering can impact on a person's ability to retain a job⁷. It is estimated that there are 5.25 million people in England who have a common mental disorder, table 11 below shows that in Torbay 12,510 people are predicted to have a common mental disorder, this equates to 16.2% of the population.

Table 11: Adults 18 to 64 predicted to have a mental Health Disorder

	Number predicted to have a common mental disorder	Number predicted to have a borderline personality disorder	Number predicted to have an antisocial personality disorder	Number predicted to have psychotic disorder
2010	12,510	350	269	311
2015	12,399	347	268	308
2020	12,494	349	272	310
2025	12,544	350	274	312
2030	12,544	350	276	312

Source: PANSI Based on Adult psychiatric morbidity in England 2007: Results of a Household Survey

The misuse of alcohol and drugs can have an impact on a person's ability to retain employment, in addition to this can be a financial strain on families because of the dependency. There is also a risk that parents who are dependent on alcohol or drugs have a reduced parenting capacity which can lead to safeguarding issues. It is

⁶ The Poverty Site: Health Survey for England DH, 2010.

⁷ Gould, N (2006). Mental Health and Child Poverty. Joseph Rowntree Foundation, York.

estimated that 6% of the population in Torbay have a dependence on alcohol and 3.4% have a dependence on drugs.

Table 12: People Aged 18-64 Predicted to have a dependence on Alcohol or Drugs by Gender

	Male		Female		Total	
	Number	%	Number	%	Number	%
Total population 18-64 predicted to have alcohol dependence	3,332	8.7%	1,294	3.3%	4,626	6%
Total population 18-64 predicted to be dependent on drugs	1,724	2.2%	902	2.3%	2,625	3.4%

Source: PANSI: Adult psychiatric morbidity in England 2007: Results of a household survey

Tables 13 and 14 below show the rate of Alcohol and Drug episodes respectively. It is important to note that this represents people who have been assessed and accessed a service, it is not an rate of prevalence across the population. In both tables the wards which have higher rates than the Torbay wide rate have been highlighted. Although this gives us an indication that in these wards more people are accessing treatment services, it could also be because there are easier points of access to treatment services in these wards.

Table 13: Access to Alcohol Services 2009/10

Ward	Rate per 10,000
Berry Head-with-Furzeham	37.86
Blatchcombe	42.15
Churston-with-Galmpton	8.62
Clifton-with-Maidenway	27.88
Cockington-with-Chelston	29.63
Ellacombe	68.04
Goodrington-with-Roselands	22.39
Preston	30.29
Roundham-with-Hyde	83.22
Shiphay-with-the-Willows	26.6
St Marychurch	38.68
St Mary's-with-Summercombe	23.55
Tormohun	87.73
Watcombe	65.68
Wellswood	46.69
Grand Total	50.31

Source: Torbay Care Trust

Table 14: Access to Drug Services 2009/10

Ward	Rate per 10,000
Berry Head-with-Furzeham	30.76
Blatchcombe	57.8
Churston-with-Galmpton	5.17
Clifton-with-Maidenway	33.11
Cockington-with-Chelston	22.79
Ellacombe	94.21
Goodrington-with-Roselands	22.39
Preston	34.95
Roundham-with-Hyde	95.55
Shiphay-with-the-Willows	16.8
St Marychurch	56.94
St Mary's-with-Summercombe	37.01
Tormohun	158.35
Watcombe	67.46
Wellswood	33.95
Grand Total	58.27

Source: Torbay Care Trust

6.2 Crime and Anti-Social behaviour

Not surprisingly those experiencing child poverty are also likely to be growing up in areas with higher levels of crime, anti social behaviour and domestic abuse. These wards also have more young offenders and more First Time Entrants to the criminal justice system.

Main wards with crime and ASB were Tormohun and Roundham with Hyde. These wards contain the town centres of Torquay and Paignton which include the main shopping and night time economy areas.

Table 15: Crime and ASB by ward 2009/10

	Recorded Crime 2009/10	Crime per 1,000	ASB 2009/10	ASB per 1,000
Berry Head with Furzeham	645	64	613	61
Blatchcombe	656	60	913	83
Churston with Galmpton	153	23	174	26
Clifton with Maidenway	200	28	189	26
Cockington with Chelston	476	42	551	49
Ellacombe	584	78	537	72
Goodrington with Roselands	325	45	273	38
Preston	405	39	362	35
Roundham with Hyde	1062	138	971	126
Shiphay with the Willows	567	49	510	44
St Marychurch	931	99	651	69
St Mary's with Summercombe	276	37	357	48
Tormohun	2486	215	1935	168
Watcombe	454	62	652	89
Wellswood	658	84	395	50
Torbay	9878	74	10118	75

Table 16 below shows ward ranking for several indicators based on the rate per 1000 population in each ward. It is ordered by the rate of young offenders by ward. This data is based on the last post code of young offenders in the 2009/10 financial year. The top 4 wards are also those with high levels of child poverty.

Table 16: Ward ranking for rates of young offenders, first time entrants, crime and ASB

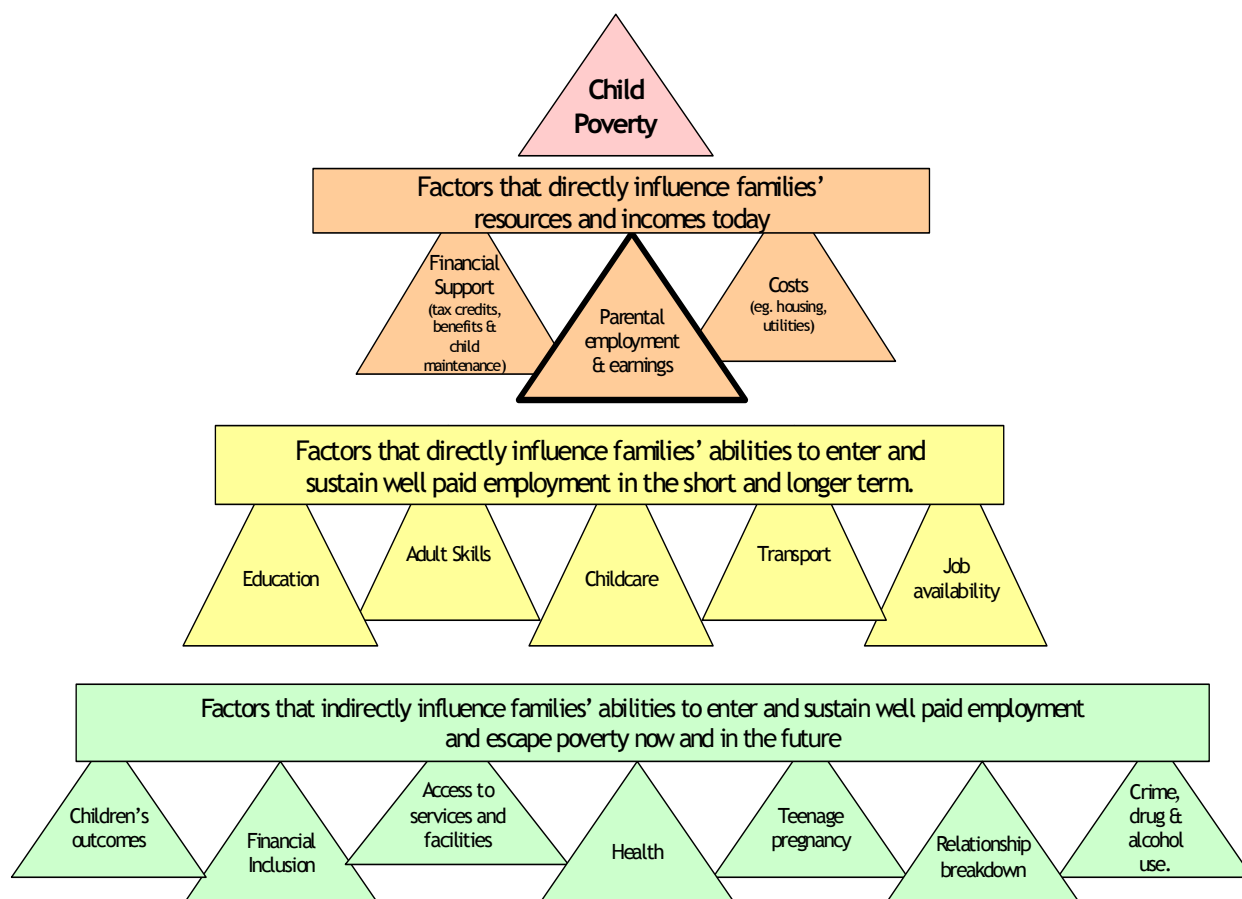
	Young offenders	FTEs	Crime	ASB
Ellacombe	1	1	5	5
Watcombe	2	3	7	3
Blatchcombe	3	2	8	4
Tormohun	4	4	1	1
Cockington with Chelston	5	5	11	9
St Marychurch	6	6	3	6
Roundham with Hyde	7	9	2	2
St Mary's with Summercombe	8	11	13	10
Clifton with Maidenway	9	10	14	14
Shiphay with the Willows	10	8	9	11
Goodrington with Roselands	11	7	10	12
Berry Head with Furzeham	12	14	6	7
Wellswood	13	12	4	8
Preston	14	13	12	13

The table below shows the wards with the most domestic abuse crimes per head of population. Again the wards with the most crimes also had highest levels of child poverty. The JSNA evidences that the wards which have significantly higher proportions of domestic violence crimes where children are present are Ellacombe, Roundham with Hyde and Watcombe.

Table 17: Domestic abuse crimes per 1000 population, ranking by ward

	Domestic abuse
Tormohun	1
Roundham with Hyde	2
Ellacombe	3
St Marychurch	4
Blatchcombe	5
Watcombe	6
St Mary's with Summercombe	7
Berry Head with Furzeham	8
Goodrington with Roselands	9
Clifton with Maidenway	10
Wellswood	11
Preston	12
Cockington with Chelston	13
Shiphay with the Willows	14
Churston with Galmpton	15

Appendix One: Child Poverty Basket of Indicators



Tier	Outcome	Related Indicators in Current NIS which would make up a Basket
High level outcome	All of the children living in poverty in the local area	NI116: Proportion of children in poverty.
Second tier of outcomes: factors that directly influence families' incomes and resources today	The number of parents in employment.	NI151: Overall employment rate
	The earnings of parents in employment.	NI166: Median income of employees in the area.
	The number of families taking up the benefits and tax credits that they are entitled to	N/A
	The timeliness and accurateness of payments administered by local partners.	NI181: Time taken to process HB/CTB new claims and change events.
	The proportion of families with children living in decent homes.	NI158: % non-decent council homes
		NI156: Number of households living in temporary accommodation.
	The proportion of families with children experiencing fuel poverty.	NI187: % people receiving income based benefits living in homes with a low energy rating.

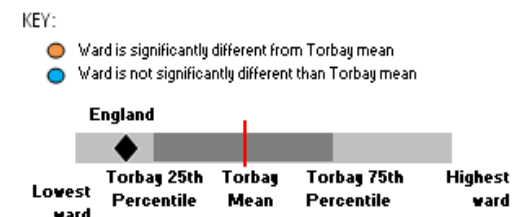
Third tier: Factors that directly influence families' abilities to enter and sustain well paid employment in the short and longer term.	The skills levels of parents.	NI163: Proportion aged 19-64 for males and 19-59 for females qualified to L2 or higher.
	The levels of achievement and progression amongst children and young people, particularly those from low income families and other disadvantaged groups.	NI82: Inequality gap in the achievement of a level 2 qualification by the age of 19
		NI92: Narrowing the gap between the lowest achieving 20% in the EYFS and the rest
		NI101: LAC achieving 5A*-C GCSEs or equivalent at KS4 including English and Maths
		NI102: Achievement gap between pupils eligible for FSM and their peers at Key Stage 2 and 4.
		NI105: SEN/non-SEN gap achieving % A*-C GCSEs including English and maths.
		NI106: young people from low income backgrounds progressing to HE.
		NI108: KS4 attainment for BME groups.
	NI117: 16 to 18 year olds who are NEET	
	The sufficiency of suitable employment opportunities that offer sufficient pay and/or progression routes to move families out of poverty.	N/A
The sufficiency of suitable and affordable childcare for parents in employment and training.	NI118: Take up of formal childcare amongst low income families.	
The sufficiency of affordable transport, particularly between poorest communities and areas where there are employment opportunities.	NI176: Working age people with access to employment by public transport.	
Additional Indicators partners may wish to add to their basket	<p>In addition to the core basket set out above, partners may want to include other indicators that reflect pertinent issues in their area. Other relevant indicators include:</p> <ul style="list-style-type: none"> ▪ NI76: Reduction in number of schools where fewer than 65% of pupils achieve level 4 or above with English and Maths at KS2. ▪ NI78: Reduction in number of schools where fewer than 30% of pupils achieve 5 or more A*-C at GCSE including GCSEs in English and Maths. ▪ NI112: Under 18 conception rate ▪ NI146 Adults with learning disabilities in employment ▪ NI150: Adults in contact with mental health services in employment ▪ NI153: Working age people claiming out of work benefits in the worst performing neighbourhoods ▪ NI161: Number of level 1 qualifications in literacy achieved. ▪ NI162: Number of entry level qualifications in numeracy achieved. ▪ NI172: Percentage of small businesses in an area showing employment growth. 	

TORBAY JOINT STRATEGIC NEEDS ASSESSMENT - WARD PROFILE TOOL - JAN 2011



SELECT WARD:

TORMOHUN POPULATION: 11,542
TORBAY POPULATION: 134,200



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Domain	Indicator (Rate or Proportion in brackets)	Ward indicator Value	Ward indicator rate or proportion	Torbay mean	England mean	Lowest ward	Range	Highest Ward
Demography	1 RETIREMENT AGE POPULATION	2,140	18.5%	26.5%	18.9%	16.7%		39.9%
	2 AVERAGE AGE	n/a	40.5	44.2	39.6	38.8		52.1
	3 FEMALE LIFE EXPECTANCY*	n/a	83.0	85.3	82.0	79.7		87.8
	4 MALE LIFE EXPECTANCY*	n/a	79.0	78.9	78.9	77.9	74.5	
Pride in the Bay	5 SATISFACTION WITH PLACE TO LIVE	117	76.0%	83.5%	79.7%	75.0%		93.2%
	6 ABILITY TO INFLUENCE DECISIONS	41	30.8%	23.3%	28.9%	13.3%		30.8%
	7 AVERAGE DOMESTIC ELECTRIC CONSUMPTION	15,540	3,597	3,608	3,800	3,331		3,910
Learning and skills for the future	8 FOUNDATION STAGE ACHIEVEMENT	74	69.2%	77.3%	77.0%	58.6%		88.4%
	9 KEY STAGE 2 ENGLISH ACHIEVEMENT	69	71.9%	79.5%	81.0%	71.2%		88.2%
	10 KEY STAGE 2 MATHS ACHIEVEMENT	72	75.0%	79.7%	81.0%	72.7%		87.1%
	11 GCSE'S ACHIEVEMENT	42	48.3%	49.4%	50.0%	30.1%		73.7%
	12 PERSISTENT ABSENCE	69	5.8%	3.8%	3.3%	1.7%		6.8%
	13 FREE SCHOOL MEALS	311	22.3%	15.7%	16.2%	7.3%		28.4%
The New Economy	14 CHILD POVERTY	760	33.3%	23.4%	20.9%	9.0%		38.5%
	15 OUT OF WORK BENEFITS	2135	27.2%	16.8%	12.5%	8.3%		27.2%
	16 NEED TO IMPROVE JOB PROSPECTS	41	29.5%	23.3%	-	17.8%		33.3%
	17 HOUSEHOLD INCOME	n/a	£490	£530	-	£440		£630
	18 AVERAGE VALUE OF CCJ	439	£1,277	£2,058	£1,962	£1,203		£7,621
Stronger communities	19 TEENAGE PREGNANCY	17	77.3%	49.0%	42.4%	23.0%		77.3%
	20 SMOKING IN PREGNANCY	54	29.9%	20.7%	14.0%	9.2%		39.1%
	21 DOMESTIC ABUSE INCIDENTS WITH CHILDREN PRESENT	179	155	98	-	27		184
	22 POLICE RECORDED ASB	1935	1,676	754	-	256		1,676
	23 ALCOHOL RELATED HOSPITAL ADMISSIONS*	302	2,204	1,622	1,743	1,165		2,283
	24 ALL AGE ALL CAUSE MORTALITY*	383	688	546	582	389		722

Appendix Three: JNSA Ward profile for Watcombe

TORBAY JOINT STRATEGIC NEEDS ASSESSMENT - WARD PROFILE TOOL - JAN 2011

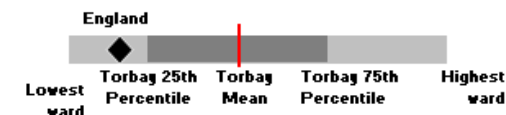


SELECT WARD:

WATCOMBE POPULATION: 7,366
TORBAY POPULATION: 134,200

KEY:

- Ward is significantly different from Torbay mean
- Ward is not significantly different than Torbay mean



Domain	Indicator (Rate or Proportion in brackets)	Ward indicator Value	Ward indicator rate or proportion	Torbay mean	England mean	Lowest ward	Range	Highest Ward
Demography	1 RETIREMENT AGE POPULATION	1,744	23.7%	26.5%	18.9%	16.7%		39.9%
	2 AVERAGE AGE	n/a	41.2	44.2	39.6	38.8		52.1
	3 FEMALE LIFE EXPECTANCY*	n/a	79.7	85.3	82.0	79.7		87.8
	4 MALE LIFE EXPECTANCY*	n/a	74.5	78.9	77.9	74.5		82.4
Pride in the Bay	5 SATISFACTION WITH PLACE TO LIVE	89	82.4%	83.5%	79.7%	75.0%		93.2%
	6 ABILITY TO INFLUENCE DECISIONS	17	19.1%	23.3%	28.9%	13.3%		30.8%
	7 AVERAGE DOMESTICE ELECTRIC CONSUMPTION	10,791	3,644	3,608	3,800	3,331		3,910
Learning and skills for the future	8 FOUNDATION STAGE ACHIEVEMENT	58	58.6%	77.3%	77.0%	58.6%		88.4%
	9 KEY STAGE 2 ENGLISH ACHIEVEMENT	89	85.6%	79.5%	81.0%	71.2%		88.2%
	10 KEY STAGE 2 MATHS ACHIEVEMENT	82	78.8%	79.7%	81.0%	72.7%		87.1%
	11 GCSE'S ACHIEVEMENT	42	42.0%	49.4%	50.0%	30.1%		73.7%
	12 PERSISTENT ABSENCE	71	6.8%	3.8%	3.3%	1.7%		6.8%
The New Economy	13 FREE SCHOOL MEALS	353	28.4%	15.7%	16.2%	7.3%		28.4%
	14 CHILD POVERTY	675	38.5%	23.4%	20.9%	9.0%		38.5%
	15 OUT OF WORK BENEFITS	925	21.1%	16.8%	12.5%	8.3%		27.2%
	16 NEED TO IMPROVE JOB PROJECTS	24	25.0%	23.3%	-	17.8%		33.3%
Stronger communities	17 HOUSEHOLD INCOME	n/a	£540	£530	-	£440		£630
	18 AVERAGE VALUE OF CCJ	206	£1,474	£2,058	£1,962	£1,203		£7,621
	19 TEENAGE PREGNANCY	10	66.6	49.0	42.4	23.0		77.3
	20 SMOKING IN PREGNANCY	25	39.1%	20.7%	14.0%	9.2%		39.1%
	21 DOMESTIC ABUSE INCIDENTS WITH CHILDREN PRESENT	115	156	98	-	27		184
	22 POLICE RECORDED ASB	652	885	754	-	256		1,676
	23 ALCOHOL RELATED HOSPITAL ADMISSIONS*	163	1,778	1,622	1,743	1,165		2,283
	24 ALL AGE ALL CAUSE MORTALITY*	210	539	546	582	389		722

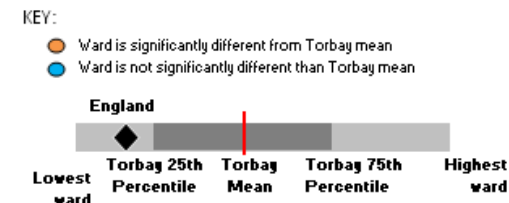
Appendix Four: JNSA Ward profile for Ellacombe

TORBAY JOINT STRATEGIC NEEDS ASSESSMENT - WARD PROFILE TOOL - JAN 2011



SELECT WARD:

ELLACOMBE POPULATION: 7,442
TORBAY POPULATION: 134,200



Domain	Indicator (Rate or Proportion in brackets)	Ward indicator Value	Ward indicator rate or proportion	Torbay mean	England mean	Lowest ward	Range	Highest Ward
Demography	1 RETIREMENT AGE POPULATION	1,246	16.7%	26.5%	18.9%	16.7%	[Chart]	39.9%
	2 AVERAGE AGE	n/a	38.8	44.2	39.6	38.8	[Chart]	52.1
	3 FEMALE LIFE EXPECTANCY*	n/a	81.0	85.3	82.0	79.7	[Chart]	87.8
	4 MALE LIFE EXPECTANCY*	n/a	78.4	78.9	77.9	74.5	[Chart]	82.4
Pride in the Bay	5 SATISFACTION WITH PLACE TO LIVE	74	75.5%	83.5%	79.7%	75.0%	[Chart]	93.2%
	6 ABILITY TO INFLUENCE DECISIONS	18	22.0%	23.3%	28.9%	13.3%	[Chart]	30.8%
	7 AVERAGE DOMESTICE ELECTRIC CONSUMPTION	10,037	3,637	3,608	3,800	3,331	[Chart]	3,910
Learning and skills for the future	8 FOUNDATION STAGE ACHIEVEMENT	58	65.2%	77.3%	77.0%	58.6%	[Chart]	88.4%
	9 KEY STAGE 2 ENGLISH ACHIEVEMENT	68	75.6%	79.5%	81.0%	71.2%	[Chart]	88.2%
	10 KEY STAGE 2 MATHS ACHIEVEMENT	69	76.7%	79.7%	81.0%	72.7%	[Chart]	87.1%
	11 GCSE'S ACHIEVEMENT	28	30.1%	49.4%	50.0%	30.1%	[Chart]	73.7%
	12 PERSISTENT ABSENCE	46	4.6%	3.8%	3.3%	1.7%	[Chart]	6.8%
The New Economy	13 FREE SCHOOL MEALS	262	23.4%	15.7%	16.2%	7.3%	[Chart]	28.4%
	14 CHILD POVERTY	535	30.2%	23.4%	20.9%	9.0%	[Chart]	38.5%
	15 OUT OF WORK BENEFITS	1095	22.4%	16.8%	12.5%	8.3%	[Chart]	27.2%
	16 NEED TO IMPROVE JOB PROSPECTS	26	31.7%	23.3%	-	17.8%	[Chart]	33.3%
	17 HOUSEHOLD INCOME	n/a	£520	£530	-	£440	[Chart]	£630
	18 AVERAGE VALUE OF CCJ	236	£1,682	£2,058	£1,962	£1,203	[Chart]	£7,621
Stronger communities	19 TEENAGE PREGNANCY	10	63.7	49.0	42.4	23.0	[Chart]	77.3
	20 SMOKING IN PREGNANCY	30	26.5%	20.7%	14.0%	9.2%	[Chart]	39.1%
	21 DOMESTIC ABUSE INCIDENTS WITH CHILDREN PRESENT	137	184	98	-	27	[Chart]	184
	22 POLICE RECORDED ASB	537	722	754	-	256	[Chart]	1,676
	23 ALCOHOL RELATED HOSPITAL ADMISSIONS*	161	1,892	1,622	1,743	1,165	[Chart]	2,283
	24 ALL AGE ALL CAUSE MORTALITY*	212	607	546	582	389	[Chart]	722

Appendix Five: JNSA Ward profile for Roundham with Hyde

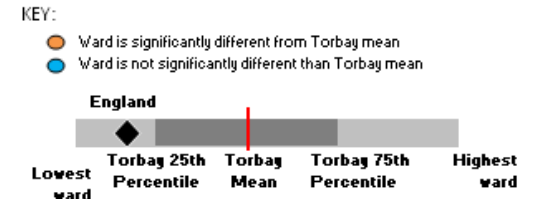


TORBAY JOINT STRATEGIC NEEDS ASSESSMENT - WARD PROFILE TOOL - JAN 2011



SELECT WARD:

ROUNDHAM-WITH-HYDE POPULATION: 7,697
 TORBAY POPULATION: 134,200



Domain	Indicator (Rate or Proportion in brackets)	Ward indicator Value	Ward indicator rate or proportion	Torbay mean	England mean	Lowest ward	Range	Highest Ward
Demography	1 RETIREMENT AGE POPULATION	2,339	30.4%	26.5%	18.9%	16.7%		39.9%
	2 AVERAGE AGE	n/a	46.8	44.2	39.6	38.8		52.1
	3 FEMALE LIFE EXPECTANCY*	n/a	81.0	85.3	82.0	79.7		87.8
	4 MALE LIFE EXPECTANCY*	n/a	74.9	78.9	77.9	74.5		82.4
Pride in the Bay	5 SATISFACTION WITH PLACE TO LIVE	95	80.5%	83.5%	79.7%	75.0%		93.2%
	6 ABILITY TO INFLUENCE DECISIONS	14	13.3%	23.3%	28.9%	13.3%		30.8%
	7 AVERAGE DOMESTIC ELECTRIC CONSUMPTION	9,963	3,331	3,608	3,800	3,331		3,910
Learning and skills for the future	8 FOUNDATION STAGE ACHIEVEMENT	51	85.0%	77.3%	77.0%	58.6%		88.4%
	9 KEY STAGE 2 ENGLISH ACHIEVEMENT	47	71.2%	79.5%	81.0%	71.2%		88.2%
	10 KEY STAGE 2 MATHS ACHIEVEMENT	48	72.7%	79.7%	81.0%	72.7%		87.1%
	11 GCSE'S ACHIEVEMENT	26	47.3%	49.4%	50.0%	30.1%		73.7%
	12 PERSISTENT ABSENCE	19	2.8%	3.8%	3.3%	1.7%		6.8%
	13 FREE SCHOOL MEALS	167	21.4%	15.7%	16.2%	7.3%		28.4%
The New Economy	14 CHILD POVERTY	355	27.5%	23.4%	20.9%	9.0%		38.5%
	15 OUT OF WORK BENEFITS	1245	27.0%	16.8%	12.5%	8.3%		27.2%
	16 NEED TO IMPROVE JOB PROSPECTS	26	24.1%	23.3%	-	17.8%		33.3%
	17 HOUSEHOLD INCOME	n/a	£440	£530	-	£440		£630
	18 AVERAGE VALUE OF CCJ	195	£1,405	£2,058	£1,962	£1,203		£7,621
Stronger communities	19 TEENAGE PREGNANCY	8	76.4	49.0	42.4	23.0		77.3
	20 SMOKING IN PREGNANCY	25	28.0%	20.7%	14.0%	9.2%		39.1%
	21 DOMESTIC ABUSE INCIDENTS WITH CHILDREN PRESENT	125	162	98	-	27		184
	22 POLICE RECORDED ASB	971	1,262	754	-	256		1,676
	23 ALCOHOL RELATED HOSPITAL ADMISSIONS*	250	2,283	1,622	1,743	1,165		2,283
	24 ALL AGE ALL CAUSE MORTALITY*	475	722	546	582	389		722

Child Poverty Commission
Overseeing Torbay's Story Child Poverty Strategy
' A Call for Action '

Terms of Reference

1. Aim

1.1. The aim of the group is to oversee and require all those involved to be accountable and to demonstrate what difference has been made in tackling child poverty and the impact within communities.

1.2. The group will explore the following issues: (this could be expanded by the group/ and or be translated into a mission statement?or outcomes for measurement)

- How we break the cycle and what the barriers are that stop families getting a better income now, as well as how to reduce the chances of children growing up to become the parents of poor children tomorrow.

- What the difficulties are that families on low incomes face and how these might be overcome.

- How local services and communities could work better together to help families and improve people's aspirations and opportunities for employment

Insert new framework ? reporting line to Health Well Being Board
/ link to TSCB

2. Principles

The overarching principles the group will work to are:

2.1. Families and Communities will be included in the whole process

2.2. A partnership approach will be used in engaging the specific hot spots identified in the needs assessment.

- 2.3. Stakeholder groups / experts will be invited to present evidence / be cross-examined as part of the Commission's work.
- 2.4. Identify how we are addressing the drivers and outcomes of child poverty around the 'building blocks framework'
- 2.5. Equality and Diversity – promote a change to the thinking and behaviour to improve the future aspirations of our families by 2020

3. Accountability

- 3.1. The group will be accountable to the Health and Well being Board.
- 3.2. The group will provide an annual report and regular updates to the Health and Well-being Board as requested.

4. Membership

- 4.1. The core membership of the group will include representatives of following bodies:
 - Torbay Council representatives
 - Families and Young People
 - Health
 - Police
 - Safer Communities
 - Education
 - Members
 - TDA
 - Job Centre Plus
 - Voluntary Sector stakeholder organisations
- 4.2. The group will determine roles and responsibilities of membership within appendix 1.
- 4.3. Technical / clinical expertise will be provided as required and agreed by the Chair person.

5. Organisation

- 5.1. The membership of the group will be reviewed annually or as the requirements on the group change in response to need.
- 5.2. The Chair group will be elected annually. ? How will this work
- 5.3. The development of task and finish groups will be agreed at meetings including requests for member participation.

6. Frequency of meetings

- 6.1. It is envisaged the Group will meet twice yearly.?

7. Agenda and Minutes

- 7.1. The agenda will be agreed by the Chair in consultation with ? who

- 7.2. The minutes of the meeting will be circulated to the Group for comment within two weeks of the meeting.
- 7.3. Minutes will be agreed at the following meeting.
- 7.4. An administrator will be provided.

8. Decision Making by Vote

- 8.1. Decision making will be agreed through a consensus and approval rather than voting. **? Will they make decisions or just recommendations**

9. Conflict of interest

- 9.1. Group members will be subject to Torbay Council's code of conduct and procedure for registering outside interests. Group members will declare personal interest in any item under discussion and absent themselves from the whole meeting or part of the meeting while the subject is being discussed.

10. Confidentiality

- 10.1. As the Group's work involves recommending decisions, discussions are confidential to the agencies represented on the Group.
- 10.2. In the case of making recommendations on the outcomes of service activity, decisions made by the group are confidential until the decision has been considered by the Accountable Groups the provider has been informed of the decision. The opinions expressed by individual members of the group remain confidential.

11. Freedom of Information

- 11.1 Some of the agencies that form the strategy group fall under the scope of the Freedom of Information Act 2000 and must comply with the provisions of the legislation. Information provided to the group may be subject to disclosure if an agency that is covered by the Act receives a request for the information.
- 11.2 Any agency receiving a request for information that has been provided by the group should advise the relevant agencies of the information requested, and give them opportunity to raise any objections they may have. However, it should be noted that the final decision to disclose or withhold the information rests with the agency that received the request.

12. The Press

- 12.1 If any member of the group is approached by the press, they should refer the query to the press office of Torbay Council or contact a member of Torbay Council staff on the group, who will refer the query.

APPENDIX 1 – Core Membership

Membership of the Group is agreed for 2012/13.

Organisation	Position	Nominated representative

DRAFT

Report of the Overview and Scrutiny Board to the Mayor

Anti-Social Behaviour and the Private Rented Housing Sector – Notice of Call-in

1. At its meeting on 3 July 2012, the Overview and Scrutiny Board considered the details of a call-in by five Members of the Council of the decision by the Mayor to, amongst other things, consider the Board's report into Anti-Social Behaviour and the Private Rented Housing Sector as part of the internal service review of Community Safety and subsequently as part of the overall prioritisation of the budget for this service later in the year.
2. The Call-in Promoter (Councillor Darling) set out the reasons for calling-in the decision and each of the Call-in Supporters also addressed the Board about their concerns regarding the decision.
3. The Board heard representations from Melville Hill Community Group and Torquay Neighbourhood Plan who were opposed to the decision of the Mayor.
4. The Mayor responded to the points raised by both the Call-in Promoter and Supporters and the Members of the Board that, whilst he welcomed the Board's report, he wished to consider (in the Autumn) a wider report on the issue which covered Registered Social Landlords as well as private landlords together with information from ward councillors and Community Partnerships.
5. In accordance with the Constitution, the Overview and Scrutiny Board had three options open to it:
 - Take no further action
 - Refer the decision back to the Mayor
 - In exceptional circumstances, refer the matter to the Council
6. Following the debate, it was agreed:

The Overview and Scrutiny Board believes that the Record of Decision and the explanation given at the meeting by the Mayor of his decision have limited relation to each other. Further, the Mayor indicated that he needed additional data which the Board was advised should be readily available.

Therefore, the matter be referred back to the Mayor at the meeting of the Council on 12 July 2012.

7. In accordance with the Constitution, the options open to the Mayor are:
 - Confirm the decision without modification
 - Confirm the decision with modification
 - Rescind the decision

Agenda Item 11



Title: **Revenue Outturn 2011/12 – Subject to Audit**

Public Item: **Yes**

Wards Affected: **All Wards in Torbay**

To: **Overview and Scrutiny Council** On: **20 June 2012**
On: **12 July 2012**

Key Decision: **No**

Change to Budget: **Yes** Change to Policy Framework: **No**

Contact Officer: **Paul Looby**

☎ Telephone: **207283**

✉ E.mail: **paul.looby@torbay.gov.uk**

1. What we are trying to achieve and the impact on our customers

- 1.1. The revenue outturn report shows the results of the Council's expenditure throughout the financial year 2011/12 and makes recommendations with respect to the declared surplus. It gives confidence that the Council has managed its resources well in delivering its stated objectives.
- 1.2 A separate report will be presented to Members of the final capital outturn position.

2. Recommendations for decision

- 2.1 **That the revenue outturn position for 2011/12 be noted.**
- 2.2 **That the Overview and Scrutiny Board be asked to report directly to Council on any recommendation it may have following its review of the outturn position.**
- 2.3 **That it be recommended to the Council that:**
- (i) **That a sum of £0.305m be transferred to an Employment Fund Reserve (paragraph A3.8);**
 - (ii) **That the transfer of £0.136m of the revenue underspend to the Comprehensive Spending Review Reserve (paragraph 3.9) be approved;**

- (iii) That it be noted that the transfers in (i) and (ii) above are subject to the final audit of the Council's accounts.
- (iv) That the reserves proposed in paragraph 3.8 of the submitted report be amalgamated.

3. Key Points and reasons for recommendation

- 3.1 The Council continues to be faced with an extremely challenging future due to the expected reduction in government grant over the next two years of the current Comprehensive Spending Review (CSR) and the likely further reductions required in the following CSR. In addition, the Council is impacted by the political and economic uncertainty within Europe and the impact this may have upon the public finances of the country and future grant support for local government.
- 3.2 2011/12 was a challenging year financially for the Council due to significant pressures within Children's Services, Adult Social Care and Spatial Planning. However, despite these pressures, the Council has been able to contain spending and is in the position whereby income received has exceeded expenditure in 2011/12. A summary of how the net surplus was achieved and how it is recommended to be used is shown below:

	Council Budget	Council Outturn	Over/(under)spend
Council Expenditure	124,832	125,346	514
Unallocated Grants	955	0	(955)
Surplus achieved	125,787	125,346	(441)
Allocated to:			
- Employment Fund Reserve			305
- CSR Reserve			136
Balance			0

- 3.3 The Council was able to achieve this small surplus due to the successful implementation of strict financial control including a moratorium on non-essential expenditure, a vacancy freeze for all non-front line posts (using redeployment for vacancies in preference to redundancies where possible), and the non committal of unringfenced grants. These actions meant that the Council could declare an overall underspend. This situation comprises a number of over and underspends in different services at the end of the financial year (the detail is summarised below in section A3). These measures were supported by careful monitoring of budgets and performance by the Mayor, Executive Leads, Overview and Scrutiny Board and the Senior Leadership Team
- 3.4 The actions taken have ensured that services have continued to be provided to those most in need. Savings have mostly been achieved in discretionary areas. Whilst in the short term the impact on services has been minimal, there will be consequences from the freeze on expenditure which, in some cases, only defers

spend or, if continued in the longer term, could have an adverse consequence of increasing expenditure e.g. repairs and maintenance.

Reserves

Financial Challenge Reserves

- 3.5 As part of a previous Council decision, reserves were created to assist in meeting the financial challenges it faced over the period of the Comprehensive Spending Review (CSR). Three reserves, and spending on those reserves (for one-off purposes), have been reported to Members throughout the year and the balance on each reserve as at 31 March 2012 are shown below:

Reserve	Working Balance £'m
Comprehensive Spending Review Reserve	2.890
Budget Pressures Reserve	0.443
Financial Strategy and Change Management Reserve	0.149
Balance at 31 March	3.482

- 3.6 The main reserve is the CSR reserve which was set up in 2010 to support the Council during the financial challenges it faced. The main call on this reserve has been the cost of redundancies of which costs amounted to £0.6m. This CSR reserve will be maintained to assist the Council in managing the impact of further structural changes.
- 3.7 The Council holds two other uncommitted reserves: a Budget Pressures Reserve and a Change Management and Financial Strategy Reserve. Members will also recall that the council had to account for sunk costs arising from the redesign of the office accommodation review. This has been confirmed as £0.5m and has been funded the Financial Strategy and Change Management Reserve.
- 3.8 Due to the ongoing financial pressures that will be faced by the Council, it is suggested that these reserves are merged into the CSR reserve, creating one reserve which will be used as considered appropriate by the Mayor in consultation with the Chief Finance Officer, the Chief Executive and the Executive Lead for Finance. Business Units will be expected to explore options to manage any budget pressures during the year before consideration is given to releasing resources from this reserve.
- 3.9 Mindful of the challenges that will have to be faced in the next few years, it is recommended that a contribution of £0.136m of the surplus is made to the Comprehensive Spending Review. If the proposals to agree to merge the reserves are approved, the CSR reserve will stand at £3.618m from 1 April 2012.

General Fund Balance

- 3.9 The net surplus achieved continues the good record of the Council not having to make a call on general fund balances since the Council became a unitary authority in 1998. The General Fund Balance currently stands at £4.0m. This represents some 3.2% of net budget. In these challenging financial times there has been media attention as to the level of reserves held by Council's. It should be recognised that the general fund balance is uncommitted (unlike other earmarked reserves) and provides funds that would only be used for any unforeseen or unexpected expenditure that could not be managed within services. With this in mind and in light of the difficult financial climate faced by the Council and reduction to the Council's net budget, I believe that a cash balance of £4m, is a prudent and sustainable level. In addition the Council's external auditors will have a view as to the level of the Council's General Fund Balance.
- 3.10 The Council has a statutory obligation to report on its financial position in each year which culminates in the production of the Council's statutory annual accounts. The accounts must be finalised and signed by the Chief Finance Officer before the end of June each year.
- 3.11 The Council needs to consider the reserves position before the compilation of the statutory annual accounts and the audit of those accounts. As set out in the Accounts and Audit Regulations, the statutory accounts will be presented to Members of the Audit Committee for formal approval in September 2012. This allows Members to consider and approve the accounts after the statutory audit has been completed and reported to Members in September 2012. For Members information, the external audit of the accounts will commence on 9 July 2012 and is expected to take approximately 2 months.
- 3.12 As in previous years there will be a review of all earmarked reserves. This will be undertaken as part of the budget preparation process and is reported to Members at least once a year usually in the autumn, as has been the practice in recent years.
- 3.13 Once this review has been completed, where applicable any surplus monies can be recycled as part of the budget setting process for the following year. Members will be aware that these reserves are earmarked for specific purposes with the exception of the General Fund Reserve which remains the only fund the Council holds to meet emergency costs. With media attention focusing in the level of Council reserves it should be noted that any release of monies from reserves should only be used for one off purposes and cannot be used to sustain ongoing expenditure. However, due to the expected challenges the Council will face with ongoing reductions to its grant, all earmarked reserves will be scrutinised.

For more detailed information on this proposal please refer to the supporting information.

Paul Looby
Executive Head of Finance

Appendices Appendix 1 Write-Off's over £5,000 (Exempt Appendix).

Supporting information

A1. Introduction and history

- A1.1 The Council approved the 2011/12 budget at its meeting on 24 February 2011. Financial monitoring reports have been presented to the Overview and Scrutiny Board and Council during 2011/12. These reports summarised and identified the key spending pressures faced by Business Units within the Council and where appropriate, the action officers took to ensure the Council spent within the agreed budget set for the year. This process ensured that there was effective public monitoring and scrutiny of the revenue budget throughout the financial year.
- A1.2 This report compares the revised budget position for 2011/12 to the revenue outturn position as at the end of the financial year and explains key variances
- A1.3 The outturn position indicated in this report is the final position subject to the Council's external auditors – the Audit Commission - completing their annual audit of the accounts. As part of any audit review, there is the possibility that changes may be made to the overall outturn position for the Council. However, should any variations to the figures be necessary these are not expected to be materially significant.

A2. Carry Forwards

- A2.1 The Council's Financial Regulations states that, subject to the approval of Council when considering the end of the financial year position, any overall net underspend within a directly controllable revenue budget may be carried forward into the following financial year.
- A2.2 Under the terms of the Constitution, Directors and Executive Members discuss any proposed carry forwards and agreed those that should be recommended for approval.
- A2.3 As part of the 2011/12 outturn all adjustments i.e. carry forwards are for committed expenditure and do not require Council approval. No other carry forwards have been permitted.

Schools Service

- A2.4 A balanced budget position has been declared for Schools Block Activities after making a contribution to reserves of £0.012m. This position will be reported to the Schools Forum.
- A2.5 Schools will be carrying forward balances of £3.5m from 2011/12 to 2012/13 – these resources are earmarked for schools related expenditure. This is an increase against the previous year. It is important to note that although balances have increased in 2011/12 this is on a smaller base as schools that have converted to Academies over 2011/12 are no longer included in the figures.

A3. Net Expenditure

A3.1 Net expenditure for 2011/12 was £125.3m. This gives an overall Council surplus of £0.441m against the revised budget of £125.8m. The main variations are summarised in table 1.

Table 2

Net Revenue Expenditure 2011/12

Council Services	Revised Budget	Outturn	Net Over /(Under) spend
	£'000	£'000	£'000
Place and Environment			
Residents and Visitors	9,960	9,448	(512)
Waste	10,518	10,155	(363)
Spatial Planning	5,565	6,060	495
Torbay Development Agency	4,853	4,615	(238)
Harbours	0	0	0
Sub Total	30,896	30,278	(618)
Children, Schools & Families	21,123	23,259	2,136
Sub Total	21,123	23,259	2,136
Communities & Local Democracy			
Community Engagement			
Community Safety	1,427	1,278	(149)
	2,864	2,435	(429)
Sub Total	4,291	3,711	(580)
Adults and Operations			
Adult Social Care	41,937	43,382	1,445
Business Services	2,615	2,336	(279)
Finance	11,005	9,793	(1,212)
Information Technology	3,999	3,866	(133)
Commercial Services	2,586	2,522	(64)
Supporting People	6,380	6,199	(181)
Sub Total	68,522	68,098	(424)
Operational budget - Overspend	124,832	125,346	514
Unallocated Grants	955	0	(955)
Total	125,787	125,346	(441)

A3.2 A brief summary of the main variances and the principal reasons for any underspends or overspends within each directorate are explained below. Note that all directorates made savings from vacancy management and the moratorium on expenditure introduced part way through the year.

Place and Environment

A3.3 Overall underspend of £0.618m after the application of carry forwards.

Residents and Visitor Services - underspend of £0.512m. This was primarily due to additional car parking income which increased throughout the year. Members will be aware that parking revenue funds both parking and transport initiatives.

Waste and Cleaning - underspend of 0.363m. This was due to improvements in waste diversion and recycling which continue to deliver savings in landfill tax, landfill gate fees and transportation costs.

Spatial Planning - overspend of £0.495m. This was mainly due to increased costs for Concessionary Fares, a reduction in planning fee income due to weaknesses within the national and local economy, the delay in the government's introduction of "full cost recovery" for planning fees and a delay in the charging for rubble at the civic amenity site.

Economic Development Company (Client side) - underspend of £0.238m. This was primarily due to savings within facilities management and the Council froze some repairs and maintenance expenditure on its contract.

As part of the outturn position agreed by Council in 2010/11 a carry forward was approved for the TDA in recognition of an expected shortfall in professional fee income during the year. This was transferred to the EDC in 2012/13. As part of this year's outturn it was established this carry forward was not required as the EDC's professional fee income was better than anticipated. This carry forward of £0.292m has been returned to the Council and earmarked in a Regeneration Reserve.

A3.4 **Communities and Local Democracy** Overall underspend of £0.580m.

Community Safety - underspend of £0.431m partly due to bringing forward the implementation of proposed savings for 2012/13 to generate savings in 2011/12.

Community Engagement - underspend of £0.149m partly due to savings within the Members allowances budget as a result of some Members undertaking more than one special responsibility allowance.

Children, Schools & Families

A3.5 Overall overspend of £2.136m. As reported during the year the overspend was within Safeguarding and Wellbeing due to the increased numbers (see note below) and costs for children in care and placements within the independent sector plus the continued use and costs associated with the appointment of

agency social workers within the Children in Need service. The overspend within Safeguarding and Wellbeing is partly offset by savings within Children's, Schools and Communities and Commissioning and Performance budgets.

A3.6 The number of looked after children at the end of March was 252, an increase of 32 since 31st March 2011 (220). The number of children on Child Protection Plans for the same period is 290.

Adults and Operations

A3.7 Overall underspend £0.424m. However, within this portfolio there were a number of significant variations which are summarised below:

<p>Adult Social Care – net overspend of £1.445m</p> <p>This included the application of additional resources from government for “winter pressures” and application of the section 256 NHS monies as set out in the Annual Strategic Agreement with the Torbay NHS Care Trust. It should be noted that without the application of the “winter pressures” monies the overspend would have been £1.654m</p>
<p>Learning Disability - as a result of the personalisation agenda costs have increased within this area without a corresponding decrease in traditional care services such as residential care. Underpinning the cost pressures are a number of factors such as transitional cases from children services, ordinary residency issues, older family carers and costs relating to clients at risk of offending.</p>
<p>Older People and Physical Disability – due to expenditure within non-residential services such as domiciliary and day care and personal budgets. Whilst costs have reduced in residential and nursing placements there has been a movement of clients and costs to domiciliary care. Underpinning this cost pressure is the demographic pressures of an ageing local population.</p>
<p>Mental Health - due to overspends on residential and domiciliary care.</p>
<p>The main variations for other services within this portfolio are summarised below:</p>
<p>Business Services - underspend of £0.279m due to a reduction in recruitment costs arising from the reduction in the number of posts advertised within the council and savings as a result of bringing forward a restructure of the service and additional income received from services provided to schools.</p>
<p>Commercial Services – underspend of £0.064m due to in year management.</p>
<p>Information Technology – underspend of £0.133m underspend due to reduced costs for IT licenses and by reducing the annual contribution to the IT renewals reserve.</p>
<p>Supporting People - underspend of £0.181m due to contractual negotiations with service providers and in year management.</p>

Finance - underspend of £1.212m primarily due to in year management and savings within treasury management due to higher than budgeted cash balances (linked to the profile of spend within the capital programme) combined with higher investment rates leading to better investment returns, lower audit and inspection fees, lower than expected discretionary pension costs and reduced staffing costs arising from vacancy management within the business unit.

Unringfenced Grants

A3.8 As reported throughout the year a number of uncommitted grants and budgets were held back as part of the Council's strategy to mitigate against the in year budget pressures. These resources grants remained uncommitted at year end i.e. the Council's contingency of £270,000, the New Homes Bonus (NHB) allocation of £305,000 and the Local Services Support Grant of £380,000. It is proposed to earmark the NHB to an employment reserve to be used on initiatives for economic regeneration and growth which is a key priority for the Council. The criteria for use of this reserve is under development and will be reported to Members when complete.

A4. Debtors Outturn

A4.1 The key issues with respect to debtors are:

Council Tax

A4.2 The 2011/12 targets for collection of Council Tax were:

- (i) collect 96.5% of the Council Tax due within the financial year ; and
- (ii) collect 50% of the arrears brought forward from previous years.

At the end of the financial year the Council collected £56.7m which is 95.8% of the Council Tax due in 2011/12. This is a reduction on the outturn position at the end of last year.

A4.3 The collection of arrears proved difficult due to the weakness of the local economy. The arrears outstanding at the end of the financial year were £3.9m.

A4.4 2012/13 will be the second year Torbay has frozen council tax. Changes in welfare benefit regulations will reduce many people's disposable income. This, combined with the continuing weakness of the local economy, will place pressure on collection performance during the next 12 months. The position will continue to be monitored and reported to Members on a quarterly basis.

A4.5 There are no Council Tax write-offs over £5,000 to report.

Non-Domestic Rates

A4.6 The targets for the collection of NNDR (business rates) were:

- (i) To collect 98.0% of the business rates due in the financial year; and
- (ii) To collect 50% of the arrears brought forward from previous years.

A4.7 At the end of the fourth quarter, the Council collected £34.2m which is 97.5% of the business rates due in the year 2011/12. Performance was impacted due to the changes in the exemptions in respect of unoccupied properties.

A4.8 The impact of the continued downturn within the local economy has meant it continues to be a difficult environment for the business sector and this has made it a challenging time with respect to the collection of income, reflecting the difficult trading conditions and a number of business failures due to the recession. The total arrears outstanding at the end of the year was £1.5m.

NNDR write- offs are set out at exempt Appendix 1.

A5. Conclusion

A5.1 The regular budget monitoring reports to Members during the year identified the key variations which have been summarised in this outturn report. Despite significant budget pressures within Adults, Children's and Spatial Planning the Council was still able to declare a small surplus due to management action taken and the application of grants. The Council is already preparing for the ongoing financial challenges it faces in the future starting with a detailed service review of all activities within each Business Unit and is mindful of the significant ongoing pressures it faces including the Waste Agenda, increasing demands made upon Social Care for Adults and Children's as well as the volatility in income collection and continued likely reduction of government grant. This review is ongoing and will be completed before the end of the summer.

A5.2 As part of the overall strategy of strict financial management and control, Members and officers must continue to manage their budgets robustly in 2012/13 to maintain expenditure within their approved allocation and continue to demonstrate value for money to ensure the Council is not in a position that it would have to implement draconian actions in order to achieve a balanced position at year end.

A5.3 A key principal that must be adhered too is that any new proposals and service issues should not be considered or brought forward unless clear and achievable funding sources (or savings) are identified, and that these are priority projects for the Council and are not driven simply because some external funding has become available. In addition at the first indication of a variance against the approved budget, officers must identify the anticipated size of the variance, the cause of the variance and the remedial action to bring the budget back into balance. This will be supported through the regular budget monitoring to Executive Lead Members, Overview and Scrutiny and the Senior Leadership Team.

A5.4 The Council continues to have some uncommitted reserves in 2012/13 to assist in addressing any unforeseen events and which will also assist the Council in managing a reduction in service provision over the next few years.

A6. Risk assessment of preferred option

Outline of significant key risks

- A6.1 There is a risk that the Council will have insufficient reserves. The maintenance of the general fund balances of £4m and the CSR of £3.6m will assist in ensuring the Council's general fund reserves are sufficient to assist with its medium term financial planning and manage unforeseen events.
- A6.2 There is a risk that savings generated in the 2011/12 financial year will have resulted in pent-up demand. This issue was considered during the budget setting process for 2012/13 and is, to some extent, mitigated by carry forwards.

A7. Other Options

- A7.1 Members could propose alternative uses for the surplus.

A8 Summary of resource implications

- A8.1 The resources implications are outlined within the report.

A9. What impact will there be on equalities, environmental sustainability and crime and disorder?

- A9.1 The approval of the recommendations will assist all Council services in meeting their obligations with respect to equalities, environmental sustainability and crime and disorder.

A10. Consultation and Customer Focus

- A10.1 Directors and Executive Heads and their Executive Leads have discussed and agreed the outturn position.

A11. Are there any implications for other Business Units?

- A11.1 Implications for Business Units with respect to the outturn position.



Title: **Capital Investment Plan - Budget Monitoring 2011/12 - Quarter Four (Outturn - Subject to Audit)**

Public Item: **Yes**

Wards Affected: **All Wards in Torbay**

To: **Overview & Scrutiny Board Council** On: **20th June 2012
12th July 2012**

Contact Officer: **Martin Phillips**
Telephone: **207285**
E.mail: **Martin.phillips@torbay.gov.uk**

1. What we are trying to achieve

- 1.1 The Council's capital investment plan with its investment in new and existing assets is a key part of delivering the Council's outcomes. This is the final Capital Monitoring report for 2011/12 under the Authority's agreed budget monitoring procedures. It provides high-level information on capital expenditure and income for the year (subject to Audit), compared with the latest budget position as at quarter three reported in February 2012.

2. Recommendation(s) for decision

Overview & Scrutiny Board

- 2.1 **That Members note the outturn position for the Council's Capital expenditure and income for 2011/12 and make any recommendations to Council**

Council

- 2.2 **That the outturn position for the Council's Capital expenditure and income for 2011/12 be noted.**
- 2.3 **That the action taken by the Chief Finance Officer, under the Officer Scheme of Delegation, to carry forward the unspent budgets for expenditure or work in progress (together with their funding) from 2011/12 to 2012/13 be noted.**
- 2.4 **That the funding of the capital investment plan for 2011/12 as outlined in paragraph C1.1 of the submitted report be approved.**

3. Key points and reasons for recommendations

- 3.1 Members of the Overview and Scrutiny Board and Council have received regular budget monitoring reports on the Council's Capital Investment Plan throughout the year. Each quarter the four year capital investment plan is updated. This

report is the monitoring report for the fourth quarter 2011/12 which is also the financial year end. Variations reported in this report, including those shown in Appendix B, are those arising in this quarter.

- 3.2 Outturn expenditure for the year was £22.1 million compared with the budgeted spend as per the last monitoring position in February of £24.9 million. Reasons for this variation over a number of schemes are included in paragraph B2.8. In percentage terms, spend was 89% of the forecast in February. This compares with 93% for 2010/11.
- 3.3 The 2011/12 total capital spend of £22.1 million is less than 50% of the spend in 2010/11 and recent years. This is a combination of the impact of the coalition government's reduced public sector funding and the absence in the capital investment plan of the completion of a major scheme such as Torquay Community college rebuild or Brixham Regeneration.
- 3.4 2012/13 spend is expected to be at a lower level due to the ongoing impact of the reduction in capital funding and the Mayor's strategy to not use borrowing under the Prudential Code unless there is a strong business case.
- 3.5 A total of £22.1m was spent on a range of capital investment schemes in 2011/12 and a number of significant schemes such as Cockington Court craft centre and Parkfield Youth facility were completed.
- 3.6 The original capital budget approved by Council in February 2011 was £42.0 million. That was subsequently revised during 2011/12 for re profiling of expenditure from 2010/11, new schemes and re profiling spend to future years. All changes with reasons have been included in previous monitoring reports.
- 3.7 The most significant change in the four year capital investment plan in the year was the revision to the Office Rationalisation project which was reduced by £19m in the year. This was offset in part by the approvals by Council for a higher level of support, funded from borrowing under the prudential code, for the South Devon Link Road (£12m) and Princess Promenade (£3m)
- 3.8 The overall expenditure position by Directorate for 2011/12 is summarised in the table below:

Directorate	Original Budget 2011/12 April 11	Revised Budget 2011/12 Quarter 4	Outturn for 2011/12	Outturn less Revised Budget
	£m	£m	£m	£m
Place & Environment	12.6	10.1	9.2	(0.9)
Children, schools and families	18.4	10.5	9.5	(1.0)
Schools – Devolved Formula Capital	0.3	1.6	0.7	(0.9)
Communities and Local Democracy	0.9	1.0	0.6	(0.4)
Adults and Operations (inc. Corporate)	11.4	2.5	2.1	(0.4)
Total	43.6	25.7	22.1	(3.6)

- 3.9 Details of schemes completed and progressed during the year are included in the Supporting Information to this report along with a summary of the re profiling that occurred in the last quarter.
- 3.10 Capital budgets of £3.8m will be carried forward to 2012/13 to enable schemes not completed or progressed in 2011/12 to be continued in the current year along with the funding sources for the scheme. The Council in approving the 2012/13 Capital Investment Plan changed the management and approval process for Capital schemes with delegated powers given to the Chief Executive to approve schemes in consultation with the Mayor and others within the approved Plan totals.
- 3.11 The Council set its Prudential Indicators for 2011/12 and monitoring arrangements for “affordable borrowing” in February 2011. The detailed Outturn Indicators are provided as part of the Treasury Management Outturn Report to be presented to Council.

For more detailed information please refer to the supporting information attached.

Paul Looby
Chief Finance Officer

Appendices:

Appendix A

Background Information

Appendix B

Capital Investment Plan 2011/12 Quarter Four (Outturn) Summary

Appendix A – Background Information

A1. General

A1.1 Council approved the original 4-year Capital Investment Plan for the period 2011/12 - 2014/15 in February 2011. This Plan indicated spending of £42.0 million in 2011/12 out of the total 4-year Capital Plan Budget of £73.8 million. (This was before re profiling of expenditure from 2010/11 and any approval/revision of schemes during 2011/12).

A1.2 Quarterly budget monitoring reports have been presented to the Overview & Scrutiny Board during the year. New additions to the Plan and significant changes to approved budgets have been approved by Council and noted by the Board through this process.

A1.3 The Council produces a regular “capital success” leaflet which highlights the benefits of a number of schemes on the capital plan. The latest is “Spring 2012” and covers a number of projects that were completed in 2011/12. These can be accessed on the Council’s website on this link:

<http://www.torbay.gov.uk/index/yourcouncil/financialservices/capitalprogramme.htm>

A1.4 The expenditure predictions as at January 2012 were presented in Capital Monitoring Report to Council in February 2012. That Report noted anticipated expenditure of £24.9 million in 2011/12 out of a revised 4-year Capital Plan Budget of £78 million (prior to any further changes to the Plan approved by Council in February 2012).

A1.5 During the last quarter the Plan was revised for a small number of changes:

Scheme	Variation	Change £m	Reason
Estimate – Quarter Three 2012/13		24.9	
Integrated Transport Plan	Additional Funding	0.1	Additional Grant Funding 11/12
Office Rationalisation project	Additional to scheme	0.1	Relocation of CCTV control room
Provision for repayment of capital grant (see para A1.6)	New cost	0.5	Provision for repayment of grant due to DWP on closure of supported employment workshop
Other variations		0.1	
Estimate – Quarter Four 2011/12		25.7	

A1.6 Subsequent to the budget decisions in relation to the supported employment service the Economic Development Company presented a proposal to Council on May 16th 2012 to utilise this site in an exchange of land to enable the Council to build an Innovation Centre. Any costs of the grant repayment to the Department of Work and Pensions (DWP) will form part of the business case to be presented by the EDC for approval. In the meantime negotiations are ongoing with DWP on the value of the grant repayment due.

A1.7 Appendix B provides a schedule of the outturn for spending and funding in 2011/12.

Column (1) shows the latest budget for the year (as at quarter four)
 Column (2) shows the actual payments during the year.
 Column (3) shows the variance between outturn and revised budget
 Column (4) shows the net budget to be carried forward to 2012/13.
 Column (5) gives a summary of the reason for any significant variation

A1.8 The net budget to be carried forward for transport and childrens' services are shown as one sum which reflects the Council's previous allocation of funding to these services for those services to manage within that total allocation, usually linked to ring fenced funding allocations. As approved in the 2012/13 capital investment plan, allocations in 2012/13 and future years will be done on an individual scheme basis.

A1.9 In order to meet the timetable for the statutory closure of accounts it is inevitable that assumptions are now made with regard to the final outturn figures which may be subject to challenge by the Audit Commission (the Council's external auditors) when the Audit of the Council's accounts is undertaken. Any changes will be reported to a future meeting.

B1. Expenditure Outturn & Performance

B1.1 The actual service expenditure in 2011/12 was £22.1 million. The outturn for individual projects is provided in Appendix B. A summary at service level is in the table below –

	Latest Budget	Outturn	Spent	Variation
	£m	£m	%	£m
Place & Environment	10.1	9.2	97	(0.9)
Children, schools and families	10.5	9.5	90	(1.0)
Schools – Devolved Formula Capital	1.6	0.7	44	(0.9)
Communities and Local Democracy	1.0	0.6	60	(0.4)
Adults and Operations (inc. Corporate)	2.5	2.1	84	(0.4)
TOTALS	25.7	22.1	86	(3.6)

In overall terms there was net variation in the Plan spend of £3.6 million, which is 14% of the revised budget. This compares with less than 10% re profiling in 2010/11. A summary of the significant re profiling and reasons is included below.

B1.2 The re profiling of budget within the £3.8m identified to be carried forward to 2012/13, is summarised by scheme (in excess of £0.250m) in the table below:

Scheme	Re Profiling £m	Reason
Devolved Formula Capital	(0.9)	"Ring fenced" schools grant allocated to schools during the financial year but returned by the schools as unspent at year end.
South Devon Link Road	(0.4)	Less expenditure than expected incurred by Devon County Council in year
Torquay Community College	(0.3)	Although the project is substantially complete there are a number of minor issues to be completed.
Disabled Facility Grants	(0.3)	Reflects the timing of grant authorisations and management by the service of demand for grants
Office Rationalisation Project	(0.4)	Reflects latest expenditure profile and allocation of some costs to revenue

B1.3 The Capital Investment Plan spans 4 financial years and includes development projects where spending is expected to run for a number of years. It is normal that annual budgets need to be re-phased between years as schemes develop through feasibility, design and construction stages in order to ensure continuity. On occasion consultation with end-users, affordability of design and negotiation with external funders can significantly delay anticipated start dates.

B1.4 During the year, budgets were regularly re-scheduled between the four years of the plan and the reasons were reported to the Overview & Scrutiny Board.

B1.5 On a number of schemes, even though works had not been undertaken by the year end a number of contractual commitments have been entered into to progress the scheme. The Council's 2011/12 Statement of Accounts shows that at the end of 31/3/12 there was over £1.6 million of expenditure on Council assets that were "assets under construction".

B1.6 In overall terms individual projects have, again, mainly stayed within budget once the "Decision to Invest" stage is reached. Where project costs have exceeded budget, and funds could not be brought forward from future year's budgets, services were asked to identify additional sources of funding. No scheme has been carried forward to 2012/13 which will be a call on (new) funding allocated in the 2012/13 Capital Investment Plan for future years.

B1.7 The Chief Finance Officer is authorised under the Officer Scheme of Delegation to approve re-phasing of expenditure between years provided the impact does not exceed the overall level of the approved programme and the available funding resources. Under this delegation, net budget provision of £3.8 million has been carried forward into 2012/13 to fund commitments on works in progress and to enable approved schemes to be completed. Conversely service budgets for 2012/13 have been reduced on those projects which have spent in advance (within the overall capital budget for the project). A revised Capital Investment Plan, incorporating the budgets carried forward and any schemes that are now significantly changed will be presented with the first capital monitoring report for 2012/13.

B1.8 In addition to the re profiling of expenditure to future years the corresponding budgets for the funding of these schemes are also carried forward. Where

funding has been received but not applied, this funding is reflected on the Council's balance sheet as usable reserves.

B2. Individual Project Monitoring

B2.1 Appendix B shows the expenditure in 2011/12 on each individual project.

B2.2 A number of projects have been completed during the year and are now delivering improved services to users. The highlights by Directorate area for 2011/12 are as follows:

B2.3 Place and Environment

Although it had a minimal financial impact in the year, the approval of a £110m scheme with 70% funding by the Department of Transport for the South Devon Link Road was a significant event in 2011/12. This major scheme for Torbay is an essential part of the Council's strategy to provide a regeneration and tourism boost during a period of economic uncertainty.

Three major schemes reached completion and were operational in the year. These were the £4m scheme for the improvement of Tweenaway junction, the £3m scheme for the Cockington Court and Craft Centre and the Brixham Regeneration project for the Fish Quay area was substantially completed.

The Council continued to support affordable housing with the final payment made for the supported accommodation scheme at Dunboyne and the acquisition of land at Hatchcombe nurseries.

Other major projects were started during the year including the £5m Torre Abbey (phase two) works and infrastructure works at both Princess Promenade and Haldon Pier.

Finally the new Play Park on Paignton Green was opened in 2012 to wide acclaim.

B2.4 Children's, Schools and Families

This Directorate usually represents 50% of the total Council capital expenditure. The total spend in year was reduced in line with lower levels of central government support for schools capital.

During 2011/12 the Children's Services Capital Programme experienced slippage on several projects for a variety of reasons. A number of schemes, including Barton Primary, Preston Primary and Curledge Street Primary all experienced delays as a result of the need to re-design to reduce costs and/or meet end user requirements.

The **Barton Primary** project is a large and complicated project with extensive, invasive works to ceilings and roofs, walls and floors, it also requires mechanical and electrical installations as well as general refurbishment throughout the building. It is likely to be disruptive and unpredictable and required careful planning to try and minimise the disruption to the school. All of this has impacted on programme and it is highly likely that unforeseen problems will become apparent once work starts on site, possibly resulting in even further slippage.

At **Preston Primary** there have been on-going negotiations with the school regarding need and design and these have resulted in the project becoming significantly larger than originally anticipated. This has impacted on programme. The project finally started on site in October 2011 and is going well. It is expected to complete in the Summer 2012 so further slippage on the scheme is unlikely.

The project at **Curledge Street Primary** was significantly delayed because of changes to Sure Start funding which meant that the scheme had to be redesigned. The project was also delayed to allow larger year groups to work their way through the school before demolition of older buildings and mobiles could begin. Both issues impacted on programme and resulted in slippage.

In addition, 2011/12 resources were allocated to schemes mid-year and the overall programme had to be adjusted to reflect expected project cashflows. This resulted in the need to slip some resources to future years.

Projects completed in Year:

Oldway Hall - The new hall at Oldway was completed in November 2011. The school is now able to offer school meals to a significantly larger number of pupils. The hall also provides a wonderful space for all school assemblies, performances and sport and PE. It has quickly become a highly valued school and community facility.

Roselands Re-modelling - the project at Roselands were completed in April 2011. The new build includes several classrooms which replace old, poor condition mobiles. The school are very pleased with the new facilities and they have been able to rationalise their accommodation and play space as a result of the new, fit for purpose buildings.

St Cuthbert Mayne 14-19 Project - completed in November 2011, the St Cuthbert Mayne project has provided much needed facilities to support the 14-19 curriculum in Torbay. The project has delivered new, modern classrooms that are fit for purpose and have significantly improved the teaching and learning environment for pupils and staff.

My Place - the £5m project completed in the Autumn 2011 and has already hosted several major events. The My Place project has provided a world-class facility for young people in Torbay as well as for youth groups from across the country.

B2.5 Communities & Local Democracy

The significant spend in this Directorate is on Disabled Facilities Grants which under spent in the year due to the service management of demand for these grants. The level of grants awarded will be reviewed on an annual basis.

B2.6 Adults & Operations (including Corporate)

A significant change in the year was the revision to the Office Rationalisation project which was reduced by £19m in the year to a £10m scheme. The phase in relation to Torhill House was substantially completed with works due to start on

the Torquay Town Hall in 2012/13 in order to accommodate staff who will vacate Roebuck House by the end of 2012.

As a result of the budget decision to cease the supported employment service at the PLUS workshop a provision has been made to repay a grant to the Department of Work and Pensions. (see paragraph A1.6)

The Council approved a capital contingency of £1.1 million. This contingency is still in place to provide for unforeseen emergencies or shortfall in projected income over the 4-year Plan period and represents approx. 1% of the total capital plan.

C1. Receipts & Funding

C1.1 Resources used in the year to fund the actual spending, compared to the anticipated use of resources, are as follows –

	Latest Budget £m	Outturn £m	Difference £m
Borrowing -	4.6	3.4	(1.2)
<i>of which -</i>			
<i>Supported (by Gov't 'funding)</i>	2.2	1.7	(0.5)
<i>Unsupported (Prudential)</i>	2.4	1.7	(0.7)
Grants	18.9	16.4	(2.5)
Other Contributions	0.1	0.1	0
Revenue & Reserves	0.6	0.9	0.3
Capital Receipts	1.5	1.3	(0.2)
Total Required	25.7	22.1	(3.6)

C1.2 Capital Grants continue to be the major funding stream (75% in 11/12) for the Council to progress its investment plans. The majority of these grants are a result of a “bid” process from other public sector bodies. With potential significant reductions on public sector expenditure expected this funding stream could be significantly reduced for future capital projects.

C1.3 Borrowing was kept within Affordable Borrowing limits and the effect on the Revenue Accounts was within Budget (see Prudential Indicators in Treasury Management Outturn 2011/12 Report).

C1.4 In addition to the £1.7 million of borrowing supported by central government, i.e. costs of borrowing funded in future year revenue grants, unsupported (Prudential) borrowing of £1.7 million was utilised to fund (or part fund) expenditure on the following projects:

- Princess Promenade
- Office Rationalisation Project
- Car Parking Meters

Temporary borrowing, pending expected capital receipts, was used for

- Brixham Regeneration
- Provision for repayment of DWP capital grant

- C1.5 A significant change in the borrowing requirement in the four year capital investment plan in the year was the revision to the Office Rationalisation project which was reduced by £19m in the year. This was offset in part by the new approvals by Council for a higher level of support, funded from borrowing under the prudential code, for the South Devon Link Road (£12m) and Princess Promenade (£3m).
- C1.6 Repayment of the prudential borrowing by services varies between projects and reflects the anticipated use of the asset or a suitably shorter period over which the service feels is appropriate, however prudential borrowing is never taken over a period which is greater than the anticipated life of the asset.
- C1.7 The Council sets aside an amount in its revenue budget (known as minimum revenue provision) for the repayment of the borrowing on its maturity. In 2011/12 it set aside £3.5m in respect of capital expenditure by the Council, along with £0.4m in relation to the PFI scheme for Westlands and Homelands Schools (funded by the PFI Grant). This ensures that in the long term all borrowing will be repaid.
- C1.8 Borrowing is related to the funding of fixed assets. The costs of these assets tend to be spread over the long term which is line with the long term use of these assets. The value of Council long term assets as at 31/3/12 was approx. £340 million. (It should be noted that as schools convert to Academy status the value of the asset is removed from the Council's balance sheet however the Council remains liable for any borrowing or long term liabilities in relation to these schools up to the date of transfer.)

C1.9 **Capital Receipts –**

C1.10 Capital receipts in the year were £0.8 million. Receipts included the following:

- £0.1m Right to Buy Housing “clawback”
- £0.7m Land sales including 56 Palace Avenue and Trevelyan

In year these receipts, in addition to £0.5m held in the Capital Receipts reserve, were applied in 2011/12 to fund capital expenditure, therefore the Council did not hold any capital receipts that were unapplied at year end.

C1.11 The target for securing capital receipts from asset sales to fund the 4-year Capital Investment Plan, following review of the Budget in February 2012 was £4.7 million (required by March 2016).

C1.12 This means that the approved Plan as at 1 April 2012 relies upon the generation of a total of £4.7 million capital receipts from asset sales by the end of 2015/16. These targets are expected to be achieved provided that -

- approved disposals currently “in the pipeline” are completed
- the Council continues with its disposal policy for surplus and underused assets and,
- no new (or amended) schemes are brought forward that rely on the use of capital receipts for funding.

C1.13 Of the receipts expected £1.2 million is in relation to the Tesco development at Brixham. An additional sum is expected for the disposal of the old Paignton

Library site. All capital receipts are required to fund already approved capital schemes.

C1.14 There is an ongoing risk over the value of receipts. However the current approved plan has taken a prudent approach to the value of potential receipts and number of assets to be disposed.

C1.15 Capital Contributions – S106 & Community Infrastructure Levy

C1.16 The general target for securing capital contributions to fund the 4-year Capital Investment Plan, following review of the Budget in February 2012 was £5.3 million (required by March 2016).

C1.17 Of this total the Council had received £0.7m of capital contributions by 31st March 2012.

C1.18 The intention is that capital contributions are applied to support the schemes already approved as part of Capital Investment Plan and not allocated to new schemes unless the agreement with the developer is specific to a particular scheme outside the Capital Investment Plan.

C1.19 The Council is expected to agree a charging schedule for its Community Infrastructure Levy in 2012 which will, in part, replace S106 contributions from developers.

CAPITAL INVESTMENT PLAN - EXPENDITURE IN YEAR 2011/12

	Total 2011/12 Revised Quarter Four £'000	col 1	col 2	Total 2011/12 Variance £'000	col 3	col 4	Total Reprofile £'000	Note re Budget
PLACE AND ENVIRONMENT RESIDENTS AND VISITORS								
Transport								
Local Transport Plan								
Highway Capital Maintenance annual programme	1,365	1,306	(59)					
Integrated Transport programme	911	587	(324)					Some Funds used to fund Tweenaway below
RFA Tweenaway Cross Junction	1,632	1,573	(59)					
New Growth Points Funding								
NGP - South of Tweenaway, Lane Improvement	476	663	187					Additional spend to be funded from Integrated Transport
NGP - Windy Corner Junction	5	0	(5)					
NGP - Strategic Cycleway	100	115	15					
NGP - Great Parks Access	20	0	(20)					
	4,509	4,244	(265)				265	Budget & Funding to be reprofiled to future years
South Devon Link Road								
South Devon Link Rd - Council contribution	641	284	(357)				357	Spend by DCC lower in year than estimated
Drainage & Coast Protection								
Princess Promenade (Western Section) Repairs	400	384	(16)				16	Budget & Funding to be reprofiled to future years
Torre Abbey Sands steps - substantial repair	32	32	0				0	
Car Parks								
Multi-Storey Car Parks Refurb Programme - Phase 1	1	1	0				0	
On Street Parking meters	60	129	69				(69)	Machines & Software purchased in March
	213	122	(91)				91	Some vehicles not purchased by year end
TOR2								
Council Fleet Vehicles	1,347	952	(395)				395	
ENVIRONMENT POLICY (INCL WASTE)								
Barton Gas Safety Works	1	0	(1)				1	
	1	0	(1)				1	
CULTURAL SERVICES								
Libraries								
Paignton Library Re-build	(138)	(158)	(20)				0	
Museums								
Torre Abbey Renovation - Phase 2 Design	27	27	0				0	
Torre Abbey Renovation - Phase 2	775	617	(158)				158	Actual pattern of expenditure incurred in 11/12
Sport & Leisure								
Illuminations - replacement of Festoon Lighting	4	4	0				0	
Barton Playing Fields	22	10	(12)				12	Budget & Funding to be reprofiled to future years
Rock Walk Enhancement	74	116	42				0	
Oddicombe Cliff stabilisation	79	74	(5)				0	
Fibbay Projects	59	60	1				0	

CAPITAL INVESTMENT PLAN - EXPENDITURE IN YEAR 2011/12

	Total 2011/12 Revised Quarter Four £'000	Total 2011/12 Outturn £'000	Total 2011/12 Variance £'000	Total Reprofile £'000	Note re Budget
	col 1	col 2	col 3	col 4	col 5
Paignton Geoplay Park	481	459	(32)	32	Budget & Funding to be reprofiled to future years
	1,393	1,209	(184)	202	
ECONOMIC DEVELOPMENT					
<u>Brixham Regeneration</u>	500	517	17	(17)	12/13 budget to fund 11/12 spend in advance
Harbour Development Phase 1&2 (Quay & Buildings)					
<u>Business Development</u>	677	687	10	(10)	12/13 budget to fund 11/12 spend in advance
Sea Change - Cockington Court					
<u>Affordable Housing</u>					
<u>Grants to Housing Providers</u>					
Sanctuary - Dunboyne 39 Extra Care Units	620	620	0	0	
WCHA - Foxhole School site (30 units)	11	11	0	0	
Sanctuary HA - Raleigh Ave (4 units)	16	16	0	0	
NGP - HCA Match Land Acquisitions	658	593	(65)	65	One site not purchased in 11/12
Torbay Enterprise Project	115	115	0	0	
	2,597	2,559	(38)	38	
TORBAY HARBOUR AUTHORITY					
<u>Torquay Harbour</u>					
Haldon Pier - Structural repair Phase 1/2	300	213	(87)	87	Actual pattern of expenditure incurred in 11/12
	300	213	(87)	87	
	10,147	9,177	(970)	988	
TOTAL PLACE AND ENVIRONMENT					
CHILDREN, SCHOOLS AND FAMILIES					
<u>CHILDREN'S SERVICES</u>					
<u>Pre-Primary & Primary</u>					
Foxhole Schools - Amalgamation	102	59	(43)	(43)	
Primary Places 2011/12	100	13	(87)	(87)	
Bxrn CoE Prim - Ph 2	1	1	0	0	
Curledge St - Remodelling	1,066	1,146	80	80	
Roselands - Remodelling	201	194	(7)	(7)	
Ellacombe - Remodelling	10	3	(7)	(7)	
Sherwell Valley Primary	1	1	0	0	
Cockington Primary-Ch. Cen & mobiles	5		(5)	(5)	
Barton Primary Cap Project	167	170	3	3	
Preston Primary - ASD Unit	390	560	170	170	
Queensway RC Primary - Prim proj	4	4	0	0	
Oldway Primary Disabled Changing Rooms	38	25	(13)	(13)	
Oldway Primary Hall	965	1,007	42	42	
SureStart/Early Years 2008/09 - 2010/11	1	(1)	(2)	(2)	
Childrens Centres	141	35	(106)	(106)	Centenary Way project under review with Community
<u>Secondary Schools</u>					
Torquay Community College Re-build (Building Schools for the Future)	876	620	(256)	(256)	Some works outstanding on major project eg IT costs

CAPITAL INVESTMENT PLAN - EXPENDITURE IN YEAR 2011/12

	Total 2011/12 Revised Quarter Four £'000	Total 2011/12 Outturn £'000	Total 2011/12 Variance £'000	Total Reprofile £'000	Note re Budget
	col 1	col 2	col 3	col 4	Col 5
Torquay Girls Grammar Astro turf Fencing	10	0	(10)		
Paignton Community Sports College - Astroturf pitch	64	22	(42)		
Paignton Community Sports College Mobile Replace 14-19 Project	412	761	349		School completed their works earlier than anticipated
Churston Learning Resource Centre	0	(20)	(20)		
Cuthbert Mayne 14-19 Project	620	620	0		
Westlands 14-19 Project	416	265	(161)		Change of contractor and £200k of contributions made April & May 2012
Education Review Projects	97	0	(97)		
Special Schools					
Combe Paiford Business Enterprise	6	(10)	(16)		
Combe Paiford Construction Workshop	3	0	(3)		
Mayfield expansion	200	71	(129)		Work commenced on site June 2012
"All School" Initiatives					
Condition & Modernisation Funding/Basic Need					
- Capital Repairs & Maintenance - prior years	2	2	0		
- Capital Repairs & Maintenance 2009/10	3	3	0		
- Capital Repairs & Maintenance 2010/11	207	114	(93)		
- Capital Repairs & Maintenance 2011/12	584	484	(100)		
- Feasibilities	31	8	(23)		
- Schools Access	110	62	(48)		
- Special Education Needs - reactive works	64	31	(33)		
- School Security	86	32	(54)		
- Asbestos Removal	14	0	(14)		
- 14-19 Diploma Delivery	35	0	(35)		
Short Breaks for Disabled Children	71	32	(39)		
Other Facilities					
Youth Modular Projects	50	0	(50)		
My Place Parkfield	3,113	3,057	(56)		
Foxhole Community Campus (contribution)	4	4	0		
Foxhole Community Multi Use Games Area	22	2	(20)		
EOTAS Halswell House	60	48	(12)		
Minor Adaptations Childcare	122	45	(77)		
Total CHILDREN, SCHOOLS AND FAMILIES	10,474	9,460	(1,014)	1,014	Budget & Funding to be reprofiled to future years
Devolved Formula Capital - Schools Ring Fenced					
Devolved Formula Capital - allocated direct to schools	1,582	698	(884)	884	Funding ring fenced to, and spent by, schools
Total CHILDREN, SCHOOLS AND FAMILIES	1,582	698	(884)	884	
COMMUNITIES AND LOCAL DEMOCRACY					
HOUSING STANDARDS					
Private Sector Support					
Private Sector Renewal	111	75	(36)	36	Budget & Funding to be reprofiled to future years
Insulation Scheme	20	10	(10)	10	Budget & Funding to be reprofiled to future years

CAPITAL INVESTMENT PLAN - EXPENDITURE IN YEAR 2011/12

	Total 2011/12 Revised Quarter Four £'000	Total 2011/12 Outturn £'000	Total 2011/12 Variance £'000	Total Reprofile £'000	Note re Budget
	col 1	col 2	col 3	col 4	
Disabled Facilities Grants	844	572	(272)	272	Col 5 Grant requests not processed in 11/12
Total COMMUNITIES AND LOCAL DEMOCRACY	975	657	(318)	318	
ADULTS AND OPERATIONS					
ADULT SOCIAL SERVICES					
<u>Facilities</u>					
Mental Health Care Initiatives	188	166	(22)	22	
Provision for Repayment of Capital Grant re PLUS premises	464	464	0	0	Budget & Funding to be reprofiled to future years
<u>IT</u>					
Adult Social Care IT Infrastructure	18	18	0	0	
	670	648	(22)	22	
COMMUNICATIONS & CUSTOMER SERVICES					
<u>Central Property issues</u>					
Office Rationalisation Project Ph 2 - Project Remainder	1,687	1,219	(478)	478	Budget & Funding to be reprofiled to future years
Capital Expenditure Funded from Revenue in 2011/12 (reclassification)	0	185	185	0	
<u>Schemes funded from LPSA Performance Reward Grant</u>					
Various ICT Improvements	65	12	(53)	53	Budget & Funding to be reprofiled to future years
	1,762	1,416	(346)	531	
OTHER CORPORATE & CROSS-SERVICE ISSUES					
<u>Enhancement Prior to Sale</u>					
Works required prior to disposal of surplus assets	4	9	5	(5)	12/13 budget to fund 11/12 spend in advance
Enhancement of Development sites	45	6	(39)	39	Budget & Funding to be reprofiled to future years
	49	15	(34)	34	
Total ADULTS AND OPERATIONS	2,481	2,079	(402)	587	
Total CAPITAL INVESTMENT PLAN	25,659	22,071	(3,588)	3,791	

Agenda Item 13



Title: **Treasury Management Outturn 2011/12**

Wards Affected: **All Wards in Torbay**

To: **Audit Committee Council** On: **27 June 2012
12 July 2012**

Contact Officer: **Pete Truman**

☎ Telephone: **7302**

✉ E.mail: **Pete.truman@torbay.gov.uk**

1. What we are trying to achieve

1.1 This report informs the Council/Committee of the performance of the Treasury Management function in supporting the provision of Council services in 2011/12 through management of cash flow, debt and investment operations and the effective control of the associated risks.

1.2 Recommendation

- (i) **That the Treasury Management decisions made during 2011/12 as detailed in the submitted report be endorsed; and**
- (ii) **That the Prudential and Treasury Indicators as set out at Annex 1 of the submitted report be approved.**

2. Key Points

2.1 The key points arising from Treasury Management operations in 2011/12 are:

- Challenging interest rate conditions with a static bank rate and poor borrowing rates in terms of opportunities to repay loans (see sections A7 & A9)
- Concerns over counterparty quality limiting investment opportunities (see sections A9 & A10 and Annex 3)
- Repayment of £9 million of borrowing with ongoing revenue savings of £205k (see section A8)
- An average rate of interest paid on borrowing in 2011/12 of 4.25% (see section A8)
- An overall return on investments of 1.43% exceeding the benchmark rate of 0.49% (see paragraphs A4.1 and A10.7).
- Revenue budget outturn within target (see paragraph A11.1)

3. Background

3.1 The Council is required through regulations issued under the Local Government Act 2003 to produce an annual outturn report reviewing treasury management activities and the actual prudential and treasury indicators for 2011/12.

- 3.2 This report also meets the requirements of the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 3.3 Treasury management is defined by the Code as:
- “The management of the authority’s investments and cash flows, it’s banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.*
- 3.4 During 2011/12 the minimum reporting requirements were that full Council should receive the following reports:
- An annual treasury strategy in advance of the year (Council 2nd February 2011)
 - A mid-year review report (distributed to Members on 30th November 2011)
 - An annual report following the year describing the activity compared to the strategy (this report)
- 3.5 Recent changes in the regulatory environment place a much greater onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the policies previously approved by Members.
- 3.6 The Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Audit Committee before they were reported to full Council.
- 3.7 A major element of the Treasury Management function is the implementation and control of the Council’s borrowing decisions. Like all local authorities Torbay Council uses borrowing as a key source of funding for enhancing, purchasing or building assets within the approved capital plan.
- 3.8 Borrowing allows the repayment costs of capital expenditure to be spread over future years which means that the costs of roads, schools etc are more likely to be met by those who use the assets than would be the case if the full cost of providing these facilities were met by taxpayers at the time of their construction.
- 3.9 As part of the annual budget process the Council sets limits for the total amount of borrowing that it considers is affordable in terms of revenue resources available to make repayments. Treasury Management officers are tasked with maintaining borrowing within these levels and obtaining best value for the Council in terms of repayment rates and length of loans.
- 3.10 The Treasury Management team also carry out management of the Council’s surplus cash balances arising from, for example:
- Short term revenue balances (working capital)
 - Cash backed reserves
 - Capital funding received in advance of commencement of schemes

Balances are invested with approved financial institutions and other local authorities to obtain the best return for periods which ensure cash is available when needed. Security of cash and liquidity are the absolute priorities in all investment decisions.

- 3.11 Treasury Management strategies were planned and implemented in conjunction with the Council's appointed advisors, Sector Treasury Services although the Council officers were the final arbiters of the recommended approach.

Paul Looby
Executive Head of Finance

Appendices and Annexes

Appendix 1	Treasury Management Activities in 2011/12
Annex 1	Prudential and Treasury Indicators 2011/12
Annex 2	The Economy and Interest Rates in 2011/12
Annex 3	Counterparties with which funds have been deposited in 2011/12

Documents available in members' rooms

None

Treasury Management Activities in 2011/12

A1. Introduction

A1.1 This Appendix covers:

- Capital Expenditure and Financing 2011/12;
- Capital Financing Requirement;
- Treasury Position at year End;
- The Strategy for 2011/12;
- The Economy and Interest rates 2011/12;
- Borrowing Rates in 2011/12;
- Borrowing Outturn for 2011/12;
- Investment Rates in 2011/12;
- Investment Outturn for 2011/12;
- Revenue Budget Performance;
- Reporting Arrangements and Management Evaluation

A2 Capital Expenditure and Financing 2011/12

A2.1 The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need (though the timing of borrowing may be delayed through the application of cash balances held by the Council).

A2.2 The overall need to borrow has remained fairly neutral with new capital approvals in 2011/12 offset by a reduction in the Office Rationalisation Programme.

A2.3 The actual capital expenditure forms one of the required prudential indicators and is shown in the table below. Other Prudential and Treasury Indicators are presented at Annex 1 to this report.

	2010/11 Actual £m	2011/12 Estimate £m	2011/12 Actual £m
Total capital expenditure	44	25	22

A3 Capital Financing Requirement

A3.1 The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's net debt position. The CFR results from the capital activity of the Council and what resources have been used to pay for the capital spend. It represents the 2011/12 unfinanced capital expenditure and prior years' net or unfinanced capital expenditure which has not yet been financed by revenue or other resources.

A3.2 Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board [PWLb] or the money markets), or utilising temporary cash resources within the Council.

A3.3 **Reducing the CFR** – the Council's underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively a repayment of the borrowing need. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. The Council's 2011/12 MRP Policy (as required by CLG Guidance) was approved as part of the Treasury Management Strategy Report for 2011/12 on 2nd February 2011.

A3.4 The total CFR can also be reduced by:

- the application of additional capital financing resources (such as unapplied capital receipts); or
- charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).

A3.5 Following the transfer of Local Government reorganisation debt from Devon County Council in 2010/11 the Council now budgets £500,000 per annum to reflect a provision for the repayment of this debt on maturity (similar to MRP). In light of the approved 2012/13 Treasury Management Strategy to maximise flexibility the funds have been paid into a reserve at the end of 2011/12.

A3.6 The Council's CFR for the year represents a key prudential indicator analysed at Annex 1 and summarised below. This includes PFI schemes on the balance sheet, which increase the Council's long term liabilities. No borrowing is actually required against these schemes as a borrowing facility is included in the contract (if applicable).

CFR (£m)	31 March 2011 Actual	31 March 2012 Revised Indicator	31 March 2012 Actual
CFR at Year End	137.6	137.8	137.1

A3.6 The borrowing activity is constrained by prudential indicators for net borrowing and the CFR, and by the authorised limit presented at Annex 1 to this report.

A4 Treasury Position at Year End

A4.1 The Council's funding and investment positions at the beginning and end of year was as follows:

	31 March 2011 Principal	Rate/ Return	Average Life yrs	31 March 2012 Principal	Rate/ Return	Average Life yrs		
Fixed rate funding:								
-PWLB	£147.5m			£143.5m				
-Market	<u>£10.0m</u>	£157.5m	4.31%	26.9	<u>£10.0m</u>	£153.5m	4.31%	27.0
Variable rate funding:								
-PWLB	£5.00m			£0.0m				
-Market	<u>£0.00</u>	£5.00m	0.69%	14.3	<u>£0.0m</u>	<u>£0.0m</u>	<u>0%</u>	
Total debt		£162.5m	4.20%	26.4		153.5m	4.31%	27.0
CFR		£137.6m				£136.4m		
Borrowing in excess of CFR*		£24.9m				£17.1m		
Investments*:								
- in house		£80.7m	1.28%			£67.6m	1.41%	
- with managers**		£35.5m	1.20%			£35.5m	1.51%	
Total investments		£116.2m	1.25%			£103.1m	1.43%	

* The Capital Investment Plan approved in February 2012 requires £22m to support approved schemes over the next four years.

** Rates for investments reflect the average rate achieved over the full year.

*** The principal for external management of funds reflects the original amount applied to the contract on 21st June 2007 and subsequent additions in 2009/10

A4.2 The total debt figure at year end of £153.5m includes borrowing supported by central government. The Local Government Finance Settlement for 2011/12 (available on the Communities and Local Government website) recognises a figure of £95m on which central funding is based for interest payments and MRP.

A4.3 The outturn against approved treasury limits is analysed at Annex 1 to this report.

A5. The Strategy for 2011/12

A5.1 The expectation for interest rates within the strategy for 2011/12 anticipated low but rising Bank Rate (starting in quarter 4 of 2011) with similar gradual rises in medium and longer term fixed borrowing rates over 2011/12.

A5.2 Events in the early part of the year gave rise to a significant shift in the outlook for interest rates with expectations of static Bank Rate extended to 2013 and borrowing rates revised down by around 80 basis points (a change of 20% on the previous forecast).

A5.3 Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

A5.4 The general aim of the treasury strategy for 2011/12 and following years was to bring down the difference between gross and net debt levels (see para A4.1) in order to reduce the credit risk and cost incurred by holding high levels of investments.

A6 The Economy and Interest Rates 2011/12

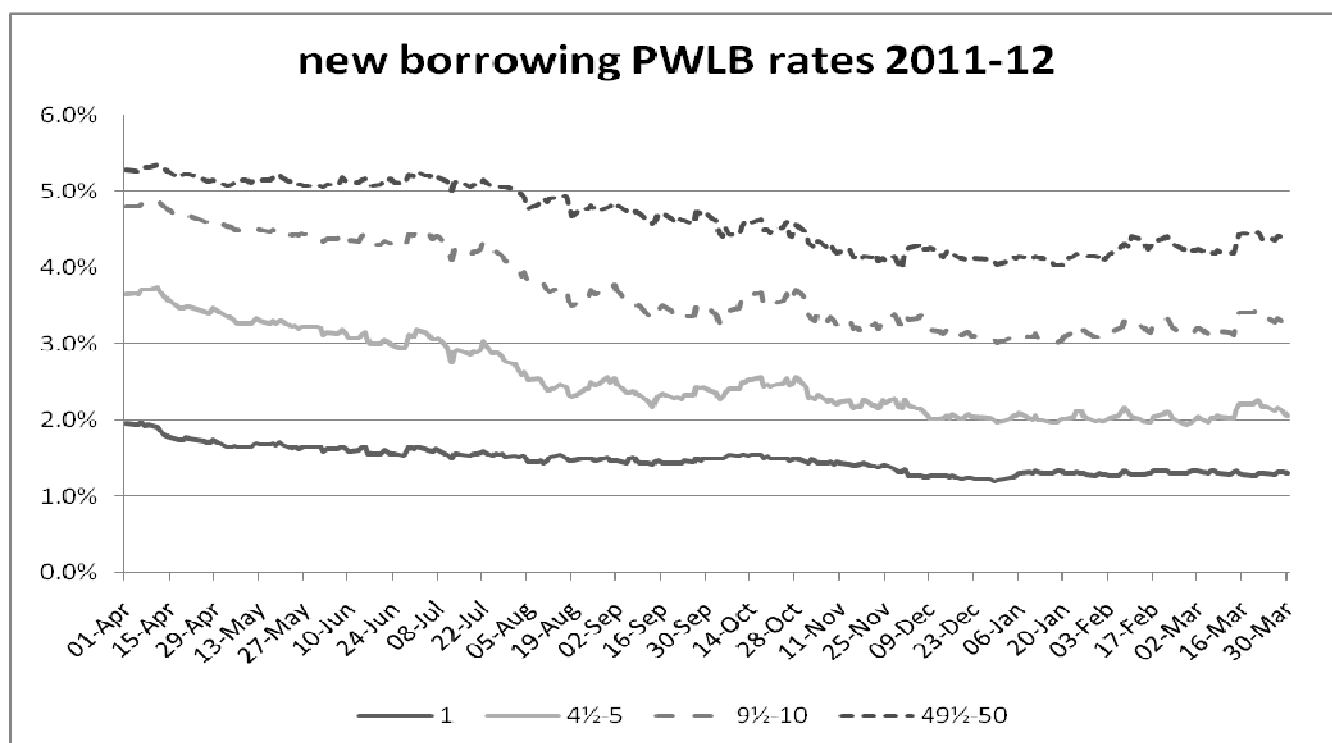
A6.1 A commentary of the economic factors prevalent in 2011/12 is given at Annex 2.

A7. Borrowing Rates in 2011/12

A7.1 The following table below shows, for a selection of PWLB maturity periods, the high and low points in rates, the average rates, spreads and individual rates at the start and end of the financial year applicable for new borrowing. The following graph illustrates the path of rate movements during the year.

PWLB New Borrowing Rates 2011/12 for 1 to 50 Years

	1 Year	1½ - 2 Years	2½ - 3 Years	3½ - 4 Years	4½ - 5 Years	9½ -10 Years	24½ - 25 Years	49½ - 50 Years	1 month variable
01/04/11	1.950%	2.420%	2.870%	3.280%	3.650%	4.800%	5.360%	5.280%	1.570%
31/03/12	1.290%	1.420%	1.590%	1.810%	2.050%	3.200%	4.310%	4.350%	1.560%
High	1.970%	2.470%	2.930%	3.350%	3.730%	4.890%	5.430%	5.340%	1.590%
Low	1.190%	1.320%	1.500%	1.710%	1.940%	3.010%	3.940%	3.980%	1.560%
Average	1.466%	1.693%	1.958%	2.243%	2.533%	3.702%	4.610%	4.635%	1.561%
Spread	0.780%	1.150%	1.430%	1.640%	1.790%	1.880%	1.490%	1.360%	0.030%
High date	06/04/11	06/04/11	06/04/11	06/04/11	11/04/11	11/04/11	11/04/11	11/04/11	05/04/11
Low date	29/12/11	30/12/11	30/12/11	27/12/11	27/12/11	30/12/11	18/01/11	30/11/11	15/04/11



A7.2 A separate tier of rates applies to early repayment of loans which is around 1% lower than new borrowing levels. Repayment rates need to be as high as possible (matching or exceeding the individual loan rate) to make debt rescheduling economic. Given the overriding aim to reduce borrowing the rate environment during the year restricted opportunities for loan repayment.

A8 Borrowing Outturn for 2011/12

A8.1 The Borrowing strategy for 2011/12 anticipated no new borrowing with current year requirements having previously been taken in advance of expected rises in rates.

A8.2 In line with the overall strategy of reducing borrowing levels, £9million of PWLB loans were prematurely repaid with breakage costs of £242,657 partially funded by resultant in-year interest savings.

A8.3 **Borrowing Performance** – Total borrowing was reduced from £162.4 million to £153.4 million during the year generating ongoing annual savings of £205k. The average rate of interest paid on loans in 2011/12 was 4.25%.

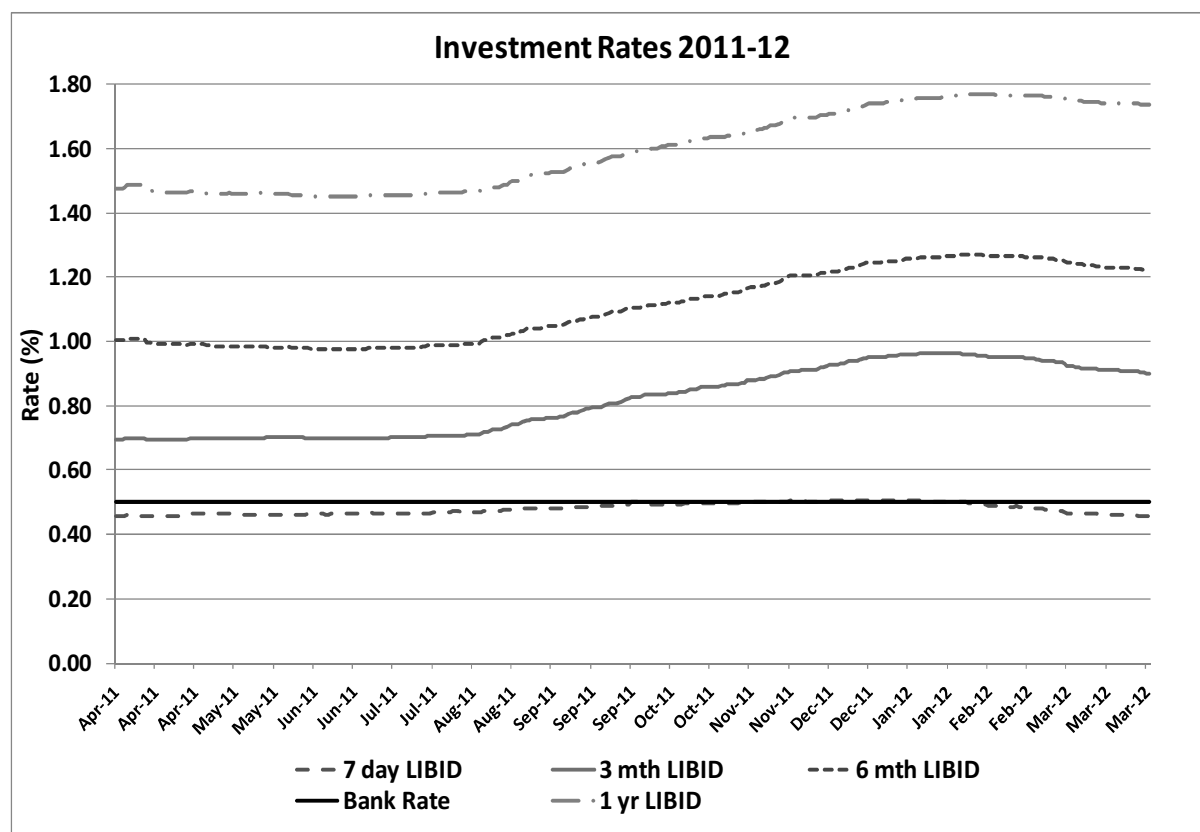
A9 Investment Rates in 2011/12

A9.1 The tight monetary conditions following the 2008 financial crisis continued through 2011/12 with little material movement in the shorter term deposit rates. However, one month and longer rates rose significantly in the second half of the year as the Eurozone crisis grew. Bank Rate remained at its historic low of 0.5% throughout the year while market expectations of rate rises were gradually pushed further and further back during the year to the second half of 2013 at the earliest.

A9.2 Overlaying the relatively poor investment returns were the continued counterparty concerns generated by the Eurozone sovereign debt crisis.

A9.3 The table below shows, for a range of investment durations, the range (high and low points) in rates, the average rates and individual rates at the start and end of the financial year. The following graph illustrates the path of market benchmark rates over the year

	Overnight	7 Day	1 Month	3 Month	6 Month	1 Year
01/04/2010	0.44%	0.46%	0.50%	0.70%	1.00%	1.48%
31/03/2011	0.43%	0.46%	0.57%	0.90%	1.22%	1.74%
High	0.55%	0.51%	0.65%	0.96%	1.27%	1.77%
Low	0.43%	0.46%	0.50%	0.69%	0.98%	1.45%
Average	0.45%	0.48%	0.56%	0.82%	1.11%	1.60%
Spread	0.12%	0.05%	0.15%	0.27%	0.29%	0.32%
High date	30/06/11	30/12/11	11/01/11	12/01/12	25/01/12	25/01/12
Low date	14/03/12	01/04/11	01/04/11	12/04/11	11/06/11	22/06/11



A10 Investment Outturn for 2011/12

A10.1 **Investment Policy** – the Council’s investment policy is governed by CLG guidance which emphasises the priorities of security and liquidity of funds and requires Local Authorities to set out their approach for selecting suitable counterparties. The policy was approved by Council within the Annual Investment Strategy on 2nd February 2011 and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data.

A10.2 In line with the Strategy investments were made within a tight counterparty selection framework with predominantly short duration. A number of one-year deposits were made where additional margins over market levels were available to boost investment returns.

A10.3 The Euro zone sovereign debt crisis and its potential impact on banks prompted a decision by the Chief Finance Officer to reduce the maximum duration for new deposits to three months for all counterparties regardless of their individual credit quality (excluding UK part-nationalised Banks).

A10.4 The exception for UK part-nationalised Banks reflects officer's view that these institutions offer the safest domicile for Council cash with the implicit UK government guarantee overriding individual credit ratings. In light of this a number of one-year deposits were taken with these institutions at rates over the market level, to boost investment returns.

A10.5 A list of those institutions with which the in-house team invested funds during the year is provided at Annex 3. No institutions with which investments were made showed any difficulty in repaying investments and interest in full during the year.

A10.6 **Externally Managed Investments** – Scottish Widows Investment Partnership (SWIP) was appointed to manage £13,500,000 of the Council's cash on 21st June 2007. Additional funds were placed with SWIP during the 2009/10 financial year.

A10.7 During the year SWIP has made use of a diverse range of investment instruments to enhance returns with market conditions giving rise to particularly strong fund performance in the final quarter.

A10.8 **Performance Analysis** - Detailed below is the result of the investment strategy undertaken by the Council. Despite the continuing difficult operating environment the Council's investment returns remain well in excess of the benchmark.

	Average Investment Principal	Rate of Return (gross of fees)	Rate of Return (net of fees)	Benchmark/ Target Return
Internally Managed	£79,587,914	1.413%	1.413%	0.480%
Externally Managed	£35,500,000	1.510%	1.360%	0.529%

The benchmark for internally managed funds is the average 7-day LIBID rate (uncompounded).
The benchmark for externally managed funds is the 7-day LIBID rates, averaged for the week and compounded weekly.

A10.9 In interest terms, the in-house treasury function contributed an additional £742,000 to the General Fund over and above what would have been attained from the benchmark return. SWIP's net return achieved an additional £295,000 over their target return level of 10% above benchmark.

A11 Revenue Budget Performance

A11.1 The effect of the decisions outlined in Appendix 1 to this report on the approved revenue budget is outlined in the table below.

	Revised Budget 2011/12	Actual 2011/12	Variation
	£M	£M	£M
Investment Income	(1.2)	(1.7)	(0.5)
Interest Paid on Borrowing	6.7	6.7	0.0
Premium on early repayment of Borrowing	0.2	0.2	0.0
Net Position (Interest)	5.7	5.2	(0.5)
Minimum Revenue Provision	4.3	4.3	0.0
PFI Grant re: MRP	(0.4)	(0.4)	0.0
Net Position (Other)	3.9	3.9	0.0
Net Position Overall	9.6	9.1	(0.5)

A11.2 The Revenue Grant settlement 2011/12 includes funding of £8.8m for interest payments and MRP related to supported borrowing within the above figures.

A11.3 The changing position was regularly reported to OSB and Council throughout the year as part of the budget monitoring reports to Members

A12 Reporting Arrangements and Management Evaluation

A12.1 The management and evaluation arrangements identified in the annual strategy and followed for 2011/12 were as follows:

- Weekly monitoring report to Executive Lead for Finance and Chief Finance Officer
- Monthly meeting of the Treasury Manager and Chief Accountant to review previous months performance and plan following months activities
- Regular meetings with the Council's treasury advisors
- Regular meetings with the Council's appointed Fund Managers
- Membership and participation in the CIPFA Benchmarking Club

A12.2 Draft results for the 2011/12 CIPFA Benchmarking Club, show that the treasury management team achieved interest rate performance in the top 33% of participating Authorities for borrowing and in the top 25% for investments.

A12.3 An Internal Audit Review of Treasury Management assessed the function as Good Standard overall with a High Standard rating specifically for assurance against financial loss and undetected error or fraud. The draft report observed, *"As in previous years very high operational standards are maintained and it is pleasing to be able to report a number of improvements, particularly in regard to ensuring all procedural documentation is complete and up to date."*

Prudential and Treasury Indicators 2011/12

Net borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose. This essentially means that the Council is not borrowing to support revenue expenditure. Net borrowing should not therefore, except in the short term, have exceeded the CFR for 2011/12 plus the expected changes to the CFR over 2012/13 and 2013/14. This indicator allows the Council some flexibility to borrow in advance of its immediate capital needs in 2011/12. The table below highlights the Council's net borrowing position against the CFR. The Council has complied with this prudential indicator.

CFR (£m)	31 March 2011 Actual	31 March 2012 Revised Indicator	31 March 2012 Actual
Opening balance	129.7	137.6	137.6
Capital expenditure in year funded from borrowing	12.3	4.2	3.4
Minimum Revenue Position	(4.0)	(4.0)	(3.9)
Repayment of Deferred Liabilities	(0.4)	0	0
CFR at Year End	137.6	137.8	137.1
Net borrowing position	56	89	60

The authorised limit - the authorised limit is the "affordable borrowing limit" required by s3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. The table below demonstrates that during 2011/12 the Council has maintained gross borrowing within its authorised limit.

The operational boundary – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary is acceptable subject to the authorised limit not being breached. Borrowing levels were below the operational boundary throughout the year.

	2011/12
Authorised limit	£228m
Maximum gross borrowing position	£173m
Operational boundary	£201m
Average gross borrowing position	£168m

Actual financing costs as a proportion of net revenue stream - this indicator identifies the trend in the cost of capital (borrowing and other long term liabilities net of investment income) against the net revenue stream.

	2011/12
Total Financing Costs	£10.7m
Net Revenue Stream	£125.4m
Ratio – Including direct financing from Revenue	8.6%
Ratio - Excluding direct financing from Revenue	7.8%

Treasury Indicators:

Maturity Structure of the fixed rate borrowing portfolio - This indicator assists Authorities avoid large concentrations of fixed rate debt that has the same maturity structure and would therefore need to be replaced at the same time.

	31 March 2012 Actual	31 March 2012 Proportion	2011/12 Original Limits Upper-Lower
Under 12 months	£0	0%	3% - 0%
12 months and within 24 months	£0	0%	3% - 0%
24 months and within 5 years	£0	0%	12% - 0%
5 years and within 10 years	£15M	10%	20% - 3%
10 years and within 25 years	£36M	24%	50% - 12%
25 years and above	£102M	66%	95% - 60%

Principal sums invested for over 364 days - The purpose of this indicator is to contain the Council's exposure to the possibility of losses that might arise as a result of it having to seek early repayment or redemption of principal sums invested. The 2011/12 Actual applies to funds administered by the external Fund Manager.

	2010/11 Actual	2011/12 Limit	2011/12 Actual
Investments of 1 year and over	£12m	£69m	£9m

Exposure to Fixed and Variable Rates - The Prudential Code requires the Council to set upper limits on its exposure to the effects of changes on interest rates.

The fixed rate limit set allows for the Council's entire borrowing to be locked out at affordable levels. The variable limit reflects the use of Liquidity Accounts for investing cash. (The negative Actual value reflects the extensive use of these variable rate instruments (due to attractive rates and counterparty concerns), netted against a zero level of variable debt.)

	31 March 2011 Actual	2011/12 Limits	31 March 2011 Actual
Net principal re fixed rate borrowing / investments	£116m	£119m	£70m
Net principal re variable rate borrowing / investments	-£29m	£35m	-£15m

The Economy and Interest Rates 2011/12

By Sector Treasury Services 23rd April 2012

Sovereign debt crisis. 2011/12 was the year when financial markets were on tenterhooks throughout most of this period, fearful of the potential of another Lehmans type financial disaster occurring, sparked off by a precipitous Greek default. At almost the last hour, the European Central Bank (ECB) calmed market concerns of a liquidity crisis among European Union (EU) banks by making available two huge three year credit lines, totalling close to €1 trillion at 1%. This also provided a major incentive for those same banks to then use this new liquidity to buy EU sovereign debt yielding considerably more than 1%.

A secondary benefit of this initiative was the bringing down of sovereign debt yields, for the likes of Italy and Spain, below panic levels. The final planks in the calming of the EU sovereign debt crisis were two eleventh hour agreements: one by the Greek Government of another major austerity package and the second, by private creditors, of a "haircut" (discount) on the value of Greek debt that they held, resulting in a major reduction in the total outstanding level of Greek debt. These agreements were a prerequisite for a second EU / IMF bailout package for Greece which was signed off in March.

Despite this second bailout, major concerns remain that these measures were merely a postponement of the debt crisis, rather than a solution, as they did not address the problem of low growth and loss of competitiveness in not only Greece, but also in other EU countries with major debt imbalances. These problems will, in turn, also affect the financial strength of many already weakened EU banks during the expected economic downturn in the EU. There are also major questions as to whether the Greek Government will be able to deliver on its promises of cuts in expenditure and increasing tax collection rates, given the hostility of much of the population. In addition, an impending general election in April / May 2012 will deliver a democratic verdict on the way that Greece is being governed under intense austerity pressure from the northern EU states.

The UK coalition Government maintained its aggressive fiscal policy stance against a background of warnings from two credit rating agencies that the UK could lose its AAA rating. Key to retaining this rating will be a return to strong economic growth in order to reduce the national debt burden to a sustainable level, within the austerity plan timeframe. The USA and France lost their AAA ratings from one rating agency during the year.

UK growth proved mixed over the year. In quarter 2, growth was zero, but then quarter 3 surprised with a return to robust growth of 0.6% q/q before moving back into negative territory (-0.2%) in quarter 4. The year finished with prospects for the UK economy being decidedly downbeat due to a return to negative growth in the EU in quarter 4, our largest trading partner, and a sharp increase in world oil prices caused by Middle East concerns. However, there was also a return of some economic optimism for growth outside the EU and dovish comments from the major western central banks: the Fed in America may even be considering a third dose of quantitative easing to boost growth.

UK CPI inflation started the year at 4.5% and peaked at 5.2% in September. The fall out of the January 2011 VAT hike from the annual CPI figure in January 2012 helped to bring inflation down to 3.6%, falling further to 3.4% in February. Inflation is forecast to be on a downward trend to below 2% over the next year.

The Monetary Policy Committee agreed an increase in quantitative easing (QE) of £75bn in October on concerns of a downturn in growth and a forecast for inflation to fall below the 2% target. QE was targeted at further gilt purchases. The MPC then agreed another round of £50bn of QE in February 2012 to counter the negative impact of the EU debt and growth crisis on the UK.

Gilt yields fell for much of the year, until February, as concerns continued building over the EU debt crisis. This resulted in safe haven flows into UK gilts which, together with the two UK packages of QE during the year, combined to depress PWLB rates to historically low levels.

Bank Rate was unchanged at 0.5% throughout the year while expectations of when the first increase would occur were steadily pushed back until the second half of 2013 at the earliest. Deposit rates picked up in the second half of the year as competition for cash increased among banks.

Risk premiums were also a constant factor in raising money market deposit rates for periods longer than 1 month. Widespread and multiple downgrades of the ratings of many banks and sovereigns, continued Euro zone concerns, and the significant funding issues still faced by many financial institutions, meant that investors remained cautious of longer-term commitment.

Counterparties with which funds were deposited (April 2011 – March 2012)

Banks and Building Societies

Bank of Scotland
Barclays Bank
Lloyds TSB
Nationwide Building Society
Oversea Chinese Banking Corporation (Singapore)
Royal Bank of Scotland/National Westminster
Santander UK
United Overseas Bank (Singapore)

Local Authorities

City of Newcastle upon Tyne
Corby District Council
Falkirk Council
Salford City Council

Other Approved Institutions

Royal Bank of Scotland Money Market Fund
Scottish Widows Investment Partnership



Title: **Health and Safety Service Plan 2012/13**

Public Agenda Item: **Yes**

To: **Council/The Mayor**

Date: **12th July 2012**

Wards Affected: **All wards in Torbay**

Key Decision: **Yes Ref: I008930**

Change to Budget: **No**

Change to Policy Framework: **Yes**

Contact Officer: **Helen Perkins**

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1. What are we trying to achieve?

- 1.1 For Members to agree the contents of the Health and Safety Enforcement Service Plan, which is an annual requirement of the Health and Safety Executive (HSE). By approving this plan, Members will ensure that businesses, residents and the wider community of Torbay are continued to be provided with a suitable level of protection by the health and safety team.

Recommendation(s) for decision

- 1.2 That the Health and Safety Service Plan 2012/13 set out at Appendix 1 to the submitted report be approved.

2. Reasons for recommendation(s)

- 2.1 The production of the Health and Safety Enforcement Service Plan is a statutory requirement of the Health and Safety Executive and a requirement of the Councils Policy Framework.
The plan adheres to the guidance produced by the Health and Safety Executive and is a factual account of this statutory service.
- 2.2 During 2011/12, a piece of work has reaffirmed its compliance to ensure that the health and safety enforcement work carried out by the Commercial Team is compliant with new Section 18 Guidance as required by the Health and Safety Executive. A number of focused interventions were also carried out in 2011/12 which included a pilot project in relation to gas safety in commercial food premises as this is a recognised area which can often be neglected by businesses. Of the premises included in this pilot 70% were found to be non compliant and the necessary action was taken to achieve compliance in these premises. As a result of this pilot gas safety has been prioritised for 2012/13.

Work was also carried out on tanning salons in Torbay to ensure that the level of UV radiation was in line with World Health Organisation guidelines, the majority were found to be compliant and additional support was provided for businesses who did not comply.

- 2.3 As part of the Government's plans to reform the health and safety system in the UK Lord Young's report on health and safety enforcement 'Common Sense Common Safety' was published in 2010 along with the Lofstedt report in 2011. The aim of both reports was to free businesses from the unnecessary burden of red tape whilst at the same time maintaining the progress made on health and safety outcomes. The Business Unit has continued to both assist and engage with local businesses to facilitate their compliance with health and safety standards without significant financial burden, this has meant an increased emphasis on web based sector support for businesses which is relevant to them and needed by them. The Commercial Team already operate a sensible risk management system and already offer a considerable amount of advice and support to businesses and the contents of Lord Young's and the Lofstedt report has reaffirmed our commitment to taking this approach. In support of this, the department continues to promote the Safer Workplace Better Business pack produced by Torbay in partnership with other Devon Authorities. This has been written for small and medium sized businesses that once read and completed will provide a basic level of compliance with the requirements of the Health and Safety. This pack is available on the Council's website for all businesses to download.

3. Other options considered

- 3.1 No other options considered as statutory plan.

4. Combined Impact Assessment (CIA)

The CIA is a tool which helps officers to fully consider the impact of the proposed decisions on the community.

I confirm that a Combined Impact Assessment has been completed and is available as a background document on request from the report author.

For more detailed information on this proposal please refer to the supporting information attached.

Frances Hughes
Executive Head of Community Safety

Supporting Information

5. Introduction and History

- 5.1 In September 2001, the Health and Safety Commission (HSC) issued mandatory guidance to Local Authorities on how they must implement adequate arrangements for the enforcement of health and safety law and to perform those duties in accordance with guidance from the HSC. The Health and Safety Commission has recently amalgamated with the Health and Safety Executive (HSE). These requirements were issued under Section 18 of the

Health and Safety at Work etc Act 1974. The requirements included a range of issues against which Local Authorities would be measured. One of these requirements was to produce “a service plan detailing the Local Authorities priorities and its aims and objectives for the enforcement of health and safety.”

5.2 The guidance requires that the Service Plan includes information on the following:

- future objectives and major issues that cross service boundaries;
- key programmes, including a planned inspection programme in the context of current regional plans and strategies;
- information on the service that is being provided;
- the means by which these services are going to be provided;
- any performance targets and how they will be achieved; and
- a review of performance to address any variance from meeting the requirements of the service plan.

5.3 As well as specifying the need for a Service Plan, the guidance also requires:

- a clear published statement of enforcement policy and practice;
- a system for prioritised, planned inspection activity according to hazard and risk, and consistent with any advice given by the Health and Safety Executive and Local Authorities Enforcement Liaison Committee (HELA);
- the capacity to investigate workplace accidents and to respond to complaints by employees and others against allegations of health and safety failures;
- arrangements for benchmarking performance with peer Local Authorities;
- provision of a trained and competent inspectorate; and
- arrangements for liaison and co-operation in respect of the Primary Authority Scheme.

The responsibility for health and safety enforcement lies with the Commercial Team within the Community Safety Business Unit.

5.4 The Service Plan highlights the pressures on this statutory service from:

- the Health and Safety Executive in terms of qualitative and quantitative targets.
- businesses and consumers in Torbay, as part of the service is demand led;
- competition for increasingly limited resources within the team, against, for example, Food Standards Agency requirements, other demand led services, need to ensure continuing competencies of Officers in the full range of services delivered; and
- the Health and Safety Authority is also a prescribed statutory consultee under the Licensing Act 2003.

5.5 From the 1st April 2012 a pilot utilising officers from the Commercial Team started with Trading Standards Officers gathering intelligence for other teams whilst undertaking their routine inspections. This has resulted in more efficient working. This is achieving better integration of the different services

at the front line, providing a more business friendly support service, offering advice and support to business. This has also lead to better intelligence sharing so inspections and interventions are targeted at higher risk businesses.

- 5.6 Better intelligence allows the better managed premises to be trusted to implement the officers advice, while poorer performing premises, generally with a record of poor compliance, will be prioritised for further inspections, so making the 'playing field' more even and improving the overall safety of premises.
- 5.7 At the end of April 2012 new guidance from the HSE has reaffirmed the councils approach to intelligence led interventions meaning that the number of full inspections will be limited to high risk premises and other lower risk premises will be dealt with by different interventions such as targeted topic specific inspections e.g. gas safety, asbestos.

6. Summary of Combined Impact Assessment

6.1 Equalities, Consultation and Engagement

In relation to the Council's requirement to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations the Combined Impact Assessment outlined the following potential consultation and equalities implications and impacts. Most of the work contained in this service plan is of a statutory nature so consultation in these areas is limited however the views of different sectors of the business community are gathered during inspections and then any necessary changes made such as providing information in other languages etc. The Business Unit produces a bi annual food and safety newsletter which is produced both in paper and electronic format to ensure it is accessible to all. As the Business Unit undertakes health and safety work in a wide range of businesses such as residential homes and children's nurseries, the proposals in this report will have a positive impact on the elderly and young within our society.

6.2 Environment

The issue has been analysed in light of implications against the following environmental criteria:

- energy and carbon;
- sea level rise and extreme weather events;
- natural environment;
- built environment; and
- waste and water.

(a) No issues have been identified in this section.

6.3 Economic Development

The issue has been analysed in light of the impacts against the following criteria:

- economic growth of Torbay;
 - perception of Torbay as a place to invest;
 - promotion of new employment opportunities in Torbay;
 - promotion of higher value economic activity in Torbay; and reduction of economic deprivation in Torbay
- (a) The programme of risk based inspections has meant that businesses are being encouraged to perform well in the area of health and safety thereby hopefully promoting good business sense encouraging economic growth, this provides a level playing field for all businesses as small independent businesses are capable of achieving the same standard as a large national company.
 - Safe well run businesses help to promote the Bay as a safe, healthy place to visit, live and work in.

The Health and Safety Service provides guidance to new start up businesses setting up in the Bay and are often the first point of contact for the prospective business owner. The service encourages businesses to get it right first time ensuring compliance and a safe well run business.

6.4 Identified Risks

- (a) No key risks identified.

6.5 In light of 6.1 to 6.4 above, the following course of action is recommended:

Outcome 1: No major change required - CIA has not identified any potential for adverse impact in relation to equalities, the environment and economic development and all opportunities to promote equality, the environment and economic development have been taken.

7. Summary of resource implications

7.1 The Health and Safety Service Plan presented is within the current budget allocated to the service.

Documents available in members' rooms

None

Background Papers

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

- Combined Impact Assessment (CIA)
- Community Plan 2011 onwards

Appendices

Appendix 1 Health and Safety Service Plan 2012/13

Health & Safety

Service Plan

2012-2013



Some of our highlights/achievements of 2011/12



100% of high risk premises inspected in 2011/12.



The Safer Work Better Business Pack produced by Devon Local Authorities in 2011 is now being used by many other Local Authorities across the country.



19 tanning salons inspected and tested in 2011 to determine whether or not the UV levels comply with World Health Organisation guidelines. 19 premises were found to be below the required level and 2 were above and further work was carried out with these premises to ensure the level of UV exposure was of a safe level.



Pilot intervention on gas safety in commercial food premises carries out. As a result of this pilot 70% of premises were found to be non compliant and the necessary action was taken to secure compliance. A further piece of work is planned on gas safety during 2012/13.

TORBAY COUNCIL

HEALTH AND SAFETY SERVICE PLAN 2012/13

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**TORBAY COUNCIL
HEALTH AND SAFETY SERVICE PLAN 2012/13**

1.0 Service Aim, Objectives, Key Tasks and Targets

1.1 Introduction

This is the ninth Health and Safety Service Plan produced by Torbay Council's Community Safety Business Unit in response to the Health and Safety Executive's mandatory guidance produced under Section 18 Health and Safety at Work etc Act 1974. The plan is intended to inform residents and the business community of Torbay and the wider audience of the arrangements Torbay Council have in place to regulate health and safety at work.

The primary function of the Business Unit is to protect public health, safety and welfare by supporting businesses to comply with the minimum legal standards.

All interventions are based on the risk posed by the business from a variety of intelligence sources for example complaints about working practices or the safety of premises, accidents etc. These interventions may be providing education and advice, undertaking inspections or undertaking investigations relating to an accident.

Where businesses fail to comply with the advice given or fail to provide a safe working environment for employees and the public at large, then the Business Unit will use its enforcement policy to protect them, and in doing so provide a fair and even playing field in which businesses can operate.

To many, health and safety is seen as a burden on business. In fact the opposite is true. Poor health and safety will result in accidents and poorer health which results in extensive time off work and increased costs for the business and this impacts directly on the business and ultimately on the economy of Torbay. It also potentially gives an unfair advantage to those who might ignore the law.

<p>1.2 Aims and Objectives</p>	<p>The objectives of the Health and Safety at Work etc Act 1974 are:</p> <ul style="list-style-type: none"> - securing the health, safety and welfare of persons at work; - protecting persons other than persons at work against risks to health or safety arising from work activities; - controlling explosive, highly flammable or dangerous substances; - controlling the emission of noxious or offensive substances from prescribed classes of premises.
<p>1.2.1</p>	<p>Since 1974 all Local Authorities have had statutory duties to enforce health and safety at work legislation in premises. Nationally, Local Authorities enforce this legislation in 1.2 million premises. These are offices, shops, retail and wholesale distribution outlets, the hotel and catering sector, residential care homes and the leisure industry.</p> <p>If a Local Authority fails to meet its statutory obligations, the Secretary of State may invoke intervention powers, following a local enquiry. Torbay Council meets these requirements.</p>
<p>1.2.2</p>	<p>The Health and Safety at Work etc Act is the primary statute, under which there are numerous regulations, e.g. COSHH, First Aid at Work, accident reporting (RIDDOR), etc. The regulations are aimed at improving and preserving standards for the health, safety and welfare of persons at work and those who may be affected by the work activity.</p>
<p>1.2.3</p>	<p>In implementing its policy the Council is mindful of the pressures on local businesses particularly where, for example, the economy is seasonal and subject to fluctuation.</p>
<p>1.2.4</p>	<p>This policy will be put into effect by the Commercial Team within the Community Safety Business Unit. Procedural notes will support the policy where necessary to assist staff in delivering a high quality and consistent service.</p>
<p>1.2.5</p>	<p>Whilst the Commercial Team offers a full range of education, advice and enforcement duties under the Health and Safety at Work etc Act 1974, it does not offer this on premises operated by the Council. The Council employs staff independently to offer advice to the Council and any enforcement is undertaken by the Health and Safety Executive. There is now much closer working with the Council's internal health and safety</p>

team as they are now also under the management of the Executive Head Community Safety.

1.3 **Links to Corporate Objectives and Plans**

The desired future for Torbay is contained within its overall vision:

“Working for a healthy, prosperous and happy Bay”

1.3.1

There are four key challenges that feed from the new community plan for 2011 onwards. These are

- 1) Developing our economy, improving job prospects and responding to the recession.
- 2) Opportunities for older people and the challenges of providing services to an ageing population
- 3) Climate change – reducing our carbon footprint and the risk of flooding
- 4) Improving the quality of life for our least well off members of society.

The Health & Safety function significantly contributes to the challenges highlighted above. The service links directly with an Elected Member who is the Executive Lead for Community Safety

1.3.2

The health and safety service also links directly with other corporate policies on Equal Opportunities, Sustainability and Crime and Disorder.

2.0 Background

2.1 Authority Profile

Torbay is a Unitary Authority comprising the coastal towns of Torquay, Paignton and Brixham. It has an estimated population of 134,700 rising to 200,000 during the summer months. The Council covers an area of 25 square miles (6450 hectares). There are 22 miles of coastline, and its geographical location and reputation as the English Riviera demand that it is an area heavily dependent on tourism. Torbay hosts 9 million bed nights each year, and the industry employs 15,000 people both directly and indirectly. The industry accounts for 13.5% of the areas gross domestic product. Many of the smaller premises are seasonal, opening only between Easter and October each year.

At the start of 2012/13 there are 3371 businesses registered on the Division's database, within Torbay for whom Torbay Council is the enforcing Authority. These can be profiled as:

33.11%	Retail shops
17.63%	Catering, restaurants and bars
11.35%	Hotels, campsites and other short stay accommodation
13.91%	Consumer services
11.00%	Offices
4.57%	Leisure and cultural services
3.37%	Residential care homes
2.37%	Wholesale shops, warehouses and fuel storage depots
0.98%	Other

2.1.2

The Community Safety Business Unit is located at Roebuck House in Torquay. Torbay Council also has a one-stop-shop in each town (Torquay, Paignton and Brixham) known as "Connections". Normal office hours are 9.00 am – 5.00 pm. There is no formal Out of Hours service so any emergencies would go through a Control Centre and onto the emergency cascade system.

2.2 **Scope of the Health and Safety Service**

The principle areas of health and safety work are:

- (i) Providing targeted training to identified sectors.
- (ii) Inspection of workplaces;
- (ii) Investigation of accidents;
- (iii) Investigation of health and safety related complaints made by residents and visitors to Torbay;
- (iv) Health and safety advice to traders, residents and visitors to Torbay;
- (vi) Inspection and sampling within workplaces, e.g. swimming pools, legionella;
- (vii) Administering, inspecting and taking enforcement action under Petroleum Licensing legislation
- (viii) Administering, inspecting and taking enforcement action under Sunday Trading legislation.
- (ix) Administering, inspecting and taking enforcement action under Manufacture and Storage of Explosive Regulations.
- (x) Supporting Trading Standards with regard to Test Purchasing operations, notably fireworks and petroleum products
- (xi) Administering and undertaking annual inspection of premises with Zoo licences.

At the present time, two operational teams within Community Safety undertake health and safety enforcement. These are the Food and Safety team and the Licensing and Public Protection Team. Educational advice on health and safety is also given out by Trading Standards Officers whilst on their inspections.

In premises where food issues take precedence over health and safety, then the Food and Safety team will continue to take the lead for the purpose of inspection and enforcement in both food safety and health and safety. Officers from the Licensing and Public Protection team will take the lead in premises where health and safety matters are predominant over food (e.g. DIY stores and nightclubs). This may be altered from time to time to allow flexibility between the teams.

2.3 Local Priorities

Torbay has contributed to and support the health and safety priorities identified by the Devon Health and Safety Sub Group for specific interventions during 2012/13. The main five hazards have been determined as:

- Gas Safety in Catering
- Body Modification and nail bars
- Swimming Pools
- Estates Excellence
- Slips and trips.
- Management of asbestos.
- E Coli and Open farms

To enable Torbay Council to effectively target resources to areas of highest health and safety risk both national local priorities are incorporated into the teams annual work plan.

2.4 Enforcement Policy

Torbay Council's approach to enforcement reflects the responsibilities placed upon it by the Health and Safety at Work etc Act 1974 (the 'Act') and the range of powers that the Act makes available, including regulations made under the Act.

It is Torbay Council's policy that enforcement action, be it verbal warnings, the issue of written warnings, statutory notices or prosecutions, is primarily based upon an assessment of risk or/and the seriousness of any alleged offence.

2.4.1

The Regulatory Compliance Code came into effect on 6th April 2008, and Torbay Council is required to comply with this. As part of demonstrating its compliance, the Business Units Enforcement Policy has been reviewed and published.

- 2.4.2 It is Torbay Council's policy to follow guidance on enforcement action contained in the HELA and Health and Safety Executive guidance. Any departure from this policy will be exceptional, capable of justification and will, where appropriate, involve consultation with the Devon Health and Safety Liaison Group and HELA. All health and safety enforcement officers are required to support and comply with this policy and will be given sufficient information, instruction and training to enable them to do so.
- 2.4.3 In accordance with the Health and Safety Executive (HSE) Enforcement Policy Statement, Torbay Council implemented the Enforcement Management Model (EMM) during 2005/06 and has used it since, also having refresher training in 2012. The EMM is a standard reference document that is intended to help enforcement officers make enforcement decisions.
- 2.4.4 Initial and ongoing training will be given to all health and safety enforcement officers to ensure they understand the requirements of these policies and abide by the terms of the policies where making an enforcement decision. EMM training for all officers was completed in March 2004 through the Devon Health and Safety Sub Group.
- All enforcement decisions are discussed and approved by the business units Enforcement Panel. This is a panel of senior practitioners from the Business Unit with Legal Services who provide support and challenge to enforcement actions and ensure compliance and consistency with the Enforcement Policy.
- 2.4.5 All Council employees hold identity cards, which state the name, position and incorporate a picture of the cardholder. Enforcement Officers carry an additional identification card, again incorporating a photograph, which details their powers and duties under the legislation they have the powers to enforce. Enforcement Officers when calling to a home or place of business will always show their enforcement identification card.

3.0 Resources

3.1 Allocation of Staff

	EHO/ FSO	Additional HSW Qualifications	APD or Equivalent	FTE	Authorised S19 Inspector
Environmental Health Manager (Commercial)	EHO	✓	✓	0.05	✓
Principal Environmental Health Officer (Food and Safety)	EHO	✓	✓	0.1	✓
Senior Environmental Health Officer	EHO	x	x	0.2	✓
Senior Environmental Health Officer	EHO	✓	x	0.2	✓
Senior Environmental Health Officer	EHO	✓	x	0.5	✓
Senior Environmental Health Officer	EHO	x	x	0.2	✓
Senior Environmental Health Officer	EHO	x	x	0.2	✓
Senior Environmental Health Officer	EHO	x	x	0.2	x
Senior Environmental Health Officer	EHO	x	x	0.1	✓
Noise and Public Protection Officer	HSO	✓	N/A	0.2	✓
Senior Licensing Officer	LO	✓	N/A	0.05	✓

3.1.1

There are currently the equivalent of 2 full time officers dealing with health and safety matters. This is a reduction of 0.5 FTE from last years service plan

Although the Community Safety Commercial Team was restructured two years ago following the Hampton review, it is anticipated that with the current pressures on resources that another restructure will take place in the coming year, which is likely to reduce resources further. The focus will increasingly be on high risk premises and serious incidents/accidents.

3.1.2

The area of health and safety has also been reviewed by Lord Young and a number of the recommendations will have an impact on the work of Local Authorities. Some of the main recommendations covered areas such as minimising the regulatory burden on businesses, ensuring sensible Risk management and encouraging a multi agency approach. In 2011 the Lofstedt report was published in relation to the area of health and safety, this report similar to Lord Young's was based around reducing the regulatory burden for businesses and cutting red tape in many areas. The report also highlighted the need to reduce the compensation culture and using sensible risk management principles to utilise effective resources and achieve compliance in the areas where it is needed most.

This will result in the remaining resources being focused on high risk premises and serious incidents/accidents, which has increasingly been the case in Torbay anyway. This aligns with the reduction in resources being experienced. What is of more concern is how much this will impact on business advice and whether this will continue as resources are cut further.

3.1.3

From the 1st April 2010 Community Safety re-organised from three into two teams. The overall aim was to achieve better integration of the different services, providing a more business friendly support service, offering advice and support to business. This has also led to better intelligence sharing so inspections and interventions are targeted at higher risk businesses, particularly those where the intelligence identifies the need for intervention. This has been achieved to date, though the impact of resource cuts may impact on this in the coming years..

3.1.4

The outcome has been that the better managed premises are trusted with advice, while poorer premises, often with a record of poor compliance, are targeted with further inspections, so making the 'playing field' more even and improving the overall safety of premises.

3.2 **Staff Development Plan**

Staff development is an ongoing process and takes the form of both formal structured training and ongoing workplace training. Training is made available wherever possible.

3.2.1

There is a two monthly Health and Safety meeting, chaired by PEHO (Food and Safety), which provides opportunities for staff to raise any relevant issues, including those relating to consistency, in an open forum situation. This provides a useful training opportunity and sharing of information.

3.2.2	<p>Procedural manuals are regularly reviewed with the team as a whole and from late 2012 the officers will have access to an online health and safety management system. Officers then have the opportunity to influence future work and direction. Much work has been undertaken with the Devon-wide Health and Safety Sub Group in the development of such procedures to improve local consistency.</p>
3.2.3	<p>Torbay Council is committed to ensuring that its Officers are able to fulfil equivalent requirements of the NVQ5 Standard for Inspectors, through the implementation of the Regulators Development Needs Analysis (RDNA) tool and new Section 18 standard. This is a rolling programme of in-house and Devon wide training, which will contribute towards Officers competencies. Following completion of the RDNA tool in 2011/12 some areas of additional training were identified e.g. Electrical Safety and this is hopefully going to be organised by the Devon Health and Safety Sub Group.</p>
3.2.4 Access to Information	<p>There is a wide range of technical information available to Officers to assist in their enforcement duties. The majority of information is received and stored electronically from HSE, with more complex, regularly used publications being stored on hardcopy. All Officers have Internet access and access to publications. A new register of Expertise in Devon has been set up through the health and safety Sub Group should officers require more expertise in a particular area of work e.g. legionella, asbestos.</p>
3.2.5 Liaison with Other Statutory Agencies	<p>Health and safety enforcement routinely requires liaison with other statutory agencies. Within the Community Safety Business Unit this includes: Food and Safety; Licensing and Public Protection; Trading Standards Officers; and Environmental Protection. Much of this liaison is informal, as the teams are co-located.</p> <p>An arrangement exists with the Council's Planning and Development Business Unit, to enable Health and Safety Officers to view the weekly Planning Application lists. This enables Officers to detect new businesses and identify potential welfare issues with new developments, and offer advice on corrective issues to the applicants at any early stage.</p> <p>Long established liaison arrangements also exist with Devon and Somerset Fire and Rescue Service. Information on potential hazards is shared, in both directions, where there is a shared enforcement responsibility. Devon Fire and Rescue Service have a nominated Local Authority Liaison Officer through whom referrals are made.</p>

4.0 Service Delivery

4.1 Health and Safety Premises Inspections

The purpose of a health and safety inspection is to identify hazards and risks within a working environment, both to employees and others who may be affected by the work activity, and seek to ensure that they are controlled. Officers visit premises on a routine basis, as well as when following up complaints or investigating accidents. Officers may take samples of equipment or environmental samples for analysis to ensure that health and safety provisions are complied with.

Premises are categorised according to risk, and in the past this determined their frequency of inspection. The risk category can change year on year, as the actual risk changes, due to factors such as improved management, or change of management. The risk rating system has changes with new Section 18 guidance being produced by the Health and Safety Executive. Categories B3 and B4 have been amalgamated in to the bands below. At the start of 2012/13 the breakdown of premises was:

A	=	18	Inspection every year
B1	=	38	Other intervention (18mnth)
B2	=	685	Other intervention(3 yrs)
C	=	2430	Other intervention(10 years)
unrated	=	000	
Total		3171	

The whole approach to inspection of premises has changed in recent years, following the publication of the Hampton Report and Lofstedt. The focus is increasingly on high risk businesses, either by risk assessments completed at previous inspections, or inspections based upon complaints or intelligence. This is reflected in the revised LAC 67/2 which came into force on the 1st April 2012, this now means that only A risk premises will receive a full primary inspection and the other Category B1 and C premises will be dealt with by other interventions and will only be risk rated if they are substantially non compliant, in which case they will be put back into the system for a full inspection.

4.1.2

The Business Unit is increasingly sharing intelligence with other agencies helping to more specifically identify high risk activities within businesses. The Business Unit has also introduced training for Trading Standards Officers, so that when they attend their 'primary' inspection, they can look at targeted risk areas in the other disciplines. An example is that all officers undertaking inspections also enquire about asbestos and accident recording. The data from this intervention is then used to target premises for further intervention by the health and safety officers.

4.1.3 Those businesses that refuse to take the safety of others seriously or fail to comply with expected standards, will be targeted to ensure compliance. This will ensure that they do not have an unfair competitive advantage over other business.

4.1.4 A work programme has been developed in partnership with the other Devon authorities, as well as with authorities from Cornwall and the wider South West region. This is to achieve a greater focus on the high risk issues that need to be targeted.

4.2 **Performance Measurement** Health and Safety performance is measured by both internal and external means and these can be summarised in the review of achievements and improvements at the end of this report.

The work of the Business Unit is targeted, based upon education and advice first, inspection and support second and only when a business fails to heed advice or except support will enforcement action be taken. Quite clearly some matters are so serious that enforcement powers have to be implemented immediately to protect employees, contractors or members of the public visiting premises.

4.2.1 **Review of Performance** Overall the Health and Safety function has performed reasonably well; achieving many of its targets, in a year when its resources were stretched by reduced staff resources as well as dealing with a number of legal cases in hotels and caravan sites.

4.3 **Health and Safety Complaints** The number of health and safety service requests has reduced in the last year and the number being investigated is also reduced due to the introduction of an accident and complaints filter.

	No of Service Requests	Requiring Investigation
2009/10	213	61 (28.63%)
2010/11	192	45 (23.44)
2011/12	144	20%

4.4 **Accident Investigation** All accidents received are put through a filtering system and this allows the team to only investigate those accidents which present an ongoing risk that really need some form of intervention. This may involve contacting the injured party or the workplace, to prioritise the need for a more in depth investigation, in accordance with internal procedures. Following such an assessment, more in depth investigations are instigated involving site visits and more formal investigatory work where necessary.

4.4.1

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) requires certain types of injury when it happens at a workplace to be reported to the enforcing Authority. This report is made directly to the Incident Control Centre, which is a national call centre to whom statutory reports must be made. When the Incident Control Centre is notified, the Council receives the notification via the Internet throughout the day.

	Accidents Reported	Non-Reportable	Site Visits Required
2009/10	245	10	145 (59%)
2010/11	315	40	123 (39%)
2011/12	245	38	43(18%)

Over the last three years the number of accidents that have been reported have remained fairly static although there is a slight decrease from last year.

In 2011 as a result of revised Section 18 guidance a new accident filtering system was introduced to ensure that officers only investigate those accidents which really need it. This has ensured that resources are targeted more effectively and this is reflected in the figures in the table above.

4.5 **Sampling**

The teams have the ability to sample a range of issues, which may affect safety and health including swimming pool water for disinfection level, water sampling for legionella and pseudomonas. Where potentially faulty equipment or hazardous substances are implicated in an accident investigation, the Team is able to liaise with laboratories and colleagues at HSE to have this type of product examined.

Where community acquired infections may be attributable to business/commercial premises, Officers will be involved in sampling to try to identify potential sources and causes of infection.

Routine, proactive sampling is not undertaken, unless it is part of a national initiative.

4.6 **Formal Action**

Of the 112 inspections undertaken, 47 needed a formal letter requesting that improvements be carried out. There were also 4 Improvement and 1 Prohibition notices served. There is one large legal case pending relating to health and safety within a hotel premises.

4.7 **Work Plan for 2012/13**

The work plan for 2012/13 is based around the agreed priorities of the Devon Sub Group priorities, which will be delivered, where appropriately with our partners across Devon, the South West. Locally this will include inspections of high risk premises or those that come to our attention through shared intelligence, complaints or accidents.

4.7.1

During recent years, significant work was undertaken looking at the safety of **swimming pools**. The work during 2009/10 resulted in most premises becoming compliant with the latest guidance. Whilst these interventions are now complete there will still be a small amount of work in continuing to monitor compliance with standards in the pools in Torbay.

4.7.2

The remainder of our work will be undertaking **inspections** of high risk business and those that come to our attention through intelligence, accident information or due to complaints. The Commercial team are also implementing cross working between teams which follows on from the Retail Enforcement Pilot. The aim is to collect intelligence, so when a primary inspection e.g. when a Trading Standards inspection is undertaken, then a limited inspection of Health and Safety is undertaken, at the same time in a chosen topic area to assess compliance. The initial feedback from businesses on this is very good and they are welcoming this new type of approach.

In addition to this both the food and health and safety officers will be involved in **Gas Safety** intervention work in commercial food premises to secure compliance. National data has indicated that this issue is often disregarded by business owners and as such can put both employees and visitors to commercial premises at risk. In 2011/12 preliminary work on this subject started with 35 hotels being inspected, 70% of which were non compliant in terms of gas safety. As a result the necessary actions were taken to secure compliance and this has now been achieved. During this work officers will also be looking at compliance with asbestos issues.

Intervention work is also planned for **nail bars** in Torbay as nationally there have been issues with some of the chemicals used in these premises.

4.7.3

The Council also has responsibility for premises that sell and store **fireworks** under the Manufacture and Storage of Explosive Regulations (MSER), **Petroleum premises**, which includes the permitting of those premises under the Pollution, Prevention and Control Act 1999. Test purchasing does take place with regard to the sale of underage products, notably fuel and alcohol, in conjunction with Trading Standards.

4.7.4 The Health and Safety Executive **Guidance**, covered under Section 18 Health and Safety at Work Act 1974, has been changed and following a number of updated procedures the Business Unit complies with this updated guidance.

4.7.5 The mandatory **annual return** for the Health and Safety Executive (HSE) on levels of advice, inspection and enforcement activity undertaken during the year has been completed.

5.0 Achievements 2011/12

5.1 **Working in Partnership in Devon** The Devon Health and Safety Sub Group, of which Torbay is a leading member, works in partnership across the County, with nine other local authorities to deliver a programme of work. The primary role is education and advice, but if businesses fail to respond to this help and advice and fail to consistently provide adequate health and safety, then the secondary role is enforcement.

5.1.2 This is working very well and Devon is being recognised nationally for some of the work it has done in recent years. It works together running events across the county particularly in relation to the training of officers.

5.2 **Service Requests and Complaint Investigations** The number of health and safety service requests/complaints remained low at 144 this past twelve months. This is below last year. This may be due to increased compliance or the under reporting of health and safety issues.

5.3 **Inspections and Targeted Interventions** During 2011/12 153 inspections and targeted interventions were undertaken, under the high risk inspections and intervention programme, which was an increase on last year. In addition there were 695 proactive actions undertaken, through advice, training as part of proactive work, accidents and complaints.

In 2011/12 work was carried out in the area of **tanning salons** to assess compliance in relation to the World Health Organisation standards on UV emissions. 19 salons were inspected and tested and 17 were found to be compliant, the 2 remaining have been given advice on how to reduce UV exposure by time limits etc.

5.4 **Promoting Awareness of Health and Safety with the Young** As part of our commitment to promoting health and safety and developing a coordinated programme of activities, we organised a number of events during 2011/12

5.4.1

Junior Lifeskills

Two events were held in 2011. In May a total of 19 schools and 700 pupils attended, while in September, 17 schools and 795 pupils attended.

There were ten scenario providers: these were Torbay Council (Building site safety & road safety, food safety and alcohol awareness), BT (appropriate use of 999), Western Power (Electrical safety), RNLI (Beach safety), St John Ambulance and British Red Cross (both First Aid), Devon and Cornwall Constabulary (Bullying and Internet safety), Torbay Care Trust Lifestyles Team (Healthy eating and smoking awareness) and Devon and Somerset Fire and Rescue (Fire safety).

6.0 Quality Assessment

6.1 Introduction

Torbay Council recognises the need to measure the effectiveness of its health and safety enforcement duties. Auditing, peer review and external monitoring is seen as part of this process to ensure that its procedures result in high quality, consistent inspections. The interpretation and action taken by Officers following an inspection should also be consistent within the Authority. The Commercial Team has an up to date Internal Quality Monitoring procedure which includes an internal audit process along with procedures on how to ensure consistency across the team.

6.2 Qualifications and Training

The Authority will ensure that it only appoints appropriately qualified and experienced personnel to health and safety enforcement duties.

The Authority will have regard to the competencies defined in NVQ5 for health and safety regulators when assessing the competency of its Officers. Where an Officer cannot be shown to achieve the standard in all areas, the Authority will ensure that the Officer is supervised by an Officer who does possess these competencies.

The department is compliant with the new Section 18 guidance which was introduced in April 2011 and as part of this the authorisation process for health and safety functions has been fully reviewed and updated to ensure that all ten Local Authorities in Devon are consistent and using the same authorisation procedure.

6.3	Procedural Documents	Torbay Council operates a system of procedural documents for key areas of health and safety enforcement. These are issued in a controlled document format. A number of these procedures have already been updated this year in line with Section 18 guidance and this will continue in 2011/12, the officers will also have access to a new electronic system of procedural documents produced by a recognised external company.
6.4	Standard Letters	Each Officer involved in health and safety enforcement is issued with standard phrases and standard letters in the form of controlled documents. Each approved format is signed by the Principal Environmental Health Officer (Food Safety) and cannot be changed without their prior consent and the reissue of a signed amendment. The Principal Environmental Health Officers periodically review the formats and issue amendments as required. It is each individual Officers responsibility to ensure that they update their documentation in accordance with the amendments issued.
6.5	Results and Development Annual Review (RADAR)	Torbay Council provides for personal review and development through its RADAR procedure. At least twice a year each employee is given the opportunity to raise and discuss issues with their line manager and agree performance or personal development plans.
6.6	Customer Feedback	Due to limited resources the department now longer sends out customer feedback forms, however we encourage businesses to provide us with feedback during inspections and any comments that may improve the service are acted upon.

6.7 **Maintaining Premises Database**

The Community Safety Business Unit operates and maintains a collective property database known as Authority. The system holds property based information on premises in Torbay

Maintaining a reliable picture of premises subject to health and safety enforcement in Torbay is difficult, as few businesses opt to register with us. The limited number of inspections undertaken does not allow regular maintenance of risk categories, and businesses in Torbay frequently change ownership. The Team relies on its own local intelligence to detect changes of business, but this is also supplemented by information gathered by other Teams within the Community Safety Business Unit, in particular the Trading Standards Team

However, the following systems also allow us to check the database for accuracy:

- A weekly list of planning applications is received. Those of interest from a health and safety perspective are checked against the AUTHORITY database.
- Types of premises subject to special survey or project work, e.g. builders merchants, are checked against the database. Any amendments are then made expediently in accordance with Divisional procedures.

6.8 **Identification of achievements and any variation from the service plan**

Table 6 below identifies the status of planned service improvement actions from 2011/12. Any remaining improvement objectives are shown in the table below along with the reason for the delay and a revised target, which will be included in the work programme for 2012/13 where appropriate.

Table 6

Service Improvement	Planned Outcome/Output	Actions	Target Date
Produce a Health and Safety Service Plan for 2011/12	To provide a structured plan to help formalise the annual workplan for health and safety functions and to provide information to both Elected Members and the public on the work of Community safety in relation to the area of health and safety	Achieved – Production of Health and Safety Service Plan for 2011/12	
To inspect all high risk A and B1 premises	To secure compliance with Health and Safety legislation	Achieved – all A and B1 premises inspected.	
To review and improve Work Related Death Policy	To improve the approach the department takes when dealing with Work Related Deaths and Major Injury investigations	Due to other work pressures work has not yet been completed in this area	By Sept 2013
Undertake a Tyre and Exhaust premises project in partnership with the Devon Health and Safety Sub group members	To increase the knowledge of health and safety within these premises thereby helping to ensure compliance	Achieved - officers now trained in the inspection of tyre and exhaust premises.	
Following a training needs assessment organise Gas and Electrical safety training for all officers involved in health and safety	To increase the knowledge and competency of officers in these areas of work	Achieved - All food and health and safety officers now fully trained in Gas Safety.	
Contribute to production of an Event safety pack	To provide information for the organisers of small scale events.	Achieved - event safety pack now completed.	
Securing compliance with Section 18 Guidance	To ensure that the health and safety function carried out by Community Safety is performed in a consistent manner and that there is a effective method of organising that function.	Achieved - the health and safety function is now fully compliant with the new Section 18 Guidance which came into force in April 2011.	
To ensure that the requirements of the new Sunbed (Regulations) Act 2010 are met by businesses in Torbay	To ensure that coin operated sunbed premises comply with the new requirements and in turn the general public and specifically those under 18 are protected.	Achieved- 19 tanning salons inspected and tested. 17 compliant and 2 non compliant and given further advice to comply.	

6.9 Areas of Improvement for 2012/13

Some of the current planned improvements for 2012/13 are outlined in Table 7.

Table 7

Service Improvement	Planned Outcome/Output	Target Date
To improve the level of compliance in relation to gas safety in commercial food premises thus ensuring the health and safety of visitors and employees alike.	To carry out a gas safety inspection at the time as completing a food hygiene inspection in commercial premises ensuring that the premises is fully compliant and taking any necessary actions to become compliant.	March 2013
To carry out interventions in nail bars in Torbay	To inspect nail bars in Torbay to ensure they comply with health and safety legislation.	March 2013
To review the work related death procedures	To improve the approach the department takes in relation to Work Related Deaths and the n issue new guidance to all officers.	Sept 2013
To determine the level of compliance in relation to asbestos in commercial premises	To gather intelligence on asbestos at the same time as undertaking the gas safety project. This data can then be used for further work depending on the level of compliance found.	March 2013
To improve the health and safety web pages and make them more user friendly for the customer using them.	Review all health and safety web pages and carry out the necessary improvements	March 2013
Inspect all A risk premises and carry out interventions in other B1 and C risk premises.	To secure compliance with health and safety legislation.	March 2013
To improve the links into the business community.	To investigate any possible links between Community Safety and the Local Enterprise Partnerships to improve communication and understand the needs of the business community in relation to areas such as website information.	March 2013



Title: **Food Safety Service Plan 2012/13**

Public Agenda Item: **Yes**

To: **Council**

Date: **12th July 2012**

Wards Affected: **All Wards**

Key Decision: **Yes Ref: I008927**

Change to Budget: **No**

Change to Policy Framework: **Yes**

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1. What are we trying to achieve?

- 1.1 By approving the contents of the Food Safety Service Plan required annually by the Food Standards Agency, Members will ensure that residents and the business community of Torbay continue to be provided with a statutory food safety service.
- 1.2 By targeting our interventions based on risks created by businesses, we can ensure the public's health, safety and welfare is not compromised due to poor practices. Food Safety work is focused on assessing, correcting and preventing the impact of poor practices on the health of the local population. Much of the work undertaken by the team is "unseen" by the wider population, yet it impacts on every person's daily life.

Recommendation(s) for decision

- 1.3 That the Food Safety Service Plan 2012/13 set out at Appendix 1 to the submitted report be approved.

2. Reasons for recommendation(s)

- 2.1 The production of a Food Safety Service Plan is a requirement of the Food Standards Agency. Detailed guidance on the format and the content of the Plan is contained in the Framework Agreement on Local Authority Food Law Enforcement. The appended Food Safety Service Plan adheres to the guidance and is a factual account of this statutory service.
- 2.2 The developments and actions for the coming year are in line with supporting wider policies addressing inequalities in health e.g. closing the gap, tackling childhood obesity and food safety in the home.

3. Other options considered

- 3.1 No other options considered as it is a statutory plan.

4. Combined Impact Assessment (CIA)

The CIA is a tool which helps officers to fully consider the impact of the proposed decisions on the community.

I confirm that a Combined Impact Assessment has been completed and is available as a background document on request from the report author.

For more detailed information on this proposal please refer to the supporting information attached.

Frances Hughes
Executive Head of Community Safety

Supporting Information

5. Introduction and History

- 5.1 Food Standards Agency guidance entitled Framework Agreement for Local Authority Food Law Enforcement details many requirements for Local Authorities, which had to be implemented from April 2001. These requirements include the production and implementation of an annual Food Safety Service Plan and a Food Sampling Policy. The guidance provides information on how enforcement service plans should be structured and what information they contain. Service plans developed under these arrangements will provide the basis on which Local Authorities are monitored and audited by the Food Standards Agency.
- 5.2 The document shown in Appendix 1 is the Food Safety Service Plan prepared by the Community Safety Business Unit. It includes food standards and food hygiene requirements in accordance with the Food Standards Agency prescribed format. It builds on the previous years Plan and details matters such as achievements in service delivery, a review of last years implementation and this years work plan for 2012/13, this may alter during the year as the service is very reactive and responds to changes in legislation as and when is necessary.
- 5.3 The Commercial Team works in an environment where more effective joint working between the various professional disciplines of the teams has been achieved, thereby allowing resources to be utilised more effectively. This in turn improves the customer experience and we continually aim to work on new approaches as to how we deal with the business community to support their business development and in doing so secure compliance with public health legislation.
- 5.4 In 2012/13 the Food Safety Team will be implementing a number of risk based interventions with the aim of improving compliance with food safety legislation. These are focused on high risk businesses making sure that our resources are targeted to best effect. The main focus of work will as 2011/12 be to continue the implementation of the national Food Hygiene Rating Scheme mentioned below in 5.5.
- 5.5 In November 2011 the Council implemented the National Food Hygiene Rating Scheme which allows the Authority to publish the food hygiene rating of food

businesses in Torbay following their food hygiene inspections. This now provides our customers with increased information and allows them to make informed choices about where they eat. It is also now evident that this scheme in many cases is driving up compliance and encouraging businesses to obtain a high standard of food safety in their premises. Over 500 premises have been rated so far and of the premises requesting a rescoring visit many have gone from a rating of 1 (major improvement needed) to a 5 (very good). Full implementation of the scheme remains a priority for 2012/13 particularly focusing in on those premises who are assessed as non compliant with a rating of less than 3.

5.6 In 2011 the Food Standards Agency started to undertake a review of food safety enforcement across England. This review is looking at how food enforcement currently operates in England in consultation with the business community and enforcement authorities alike. The proposed timescale for the completed review is 2014 and depending on its finding may have an impact onto how food safety enforcement is delivered in Torbay. Although still in its early stages the changes introduced by the Public Health White Paper may also have an impact onto the way in which the Food and Safety Team works particularly in relation to the area of infectious disease control and it is hoped that a more effective joined up approach between the different partner agencies will be achieved.

5.7 In November 2011 the Food Standards Agency inspected Torbay as a result of the food safety statutory returns submitted to them. The key issues highlighted in their report were:

- the large volume of seasonal businesses and the fact they need to be inspected quickly;
- the backlog of medium risk premises that require an intervention.

An action plan has been developed and agreed with the Food Standards Agency to mitigate the issues raised however with the current level of resources allocated to this service the Food Team is not able to carry out 100% of interventions in all the premises as laid out in the statutory Food Law Code of Practice.

Members can however be reassured by the appended report that food safety and therefore the health of the local population is being proactively protected in the highest risk premises by the work of the Food and Safety Team. Some of the Food and Safety Team's highlights and achievements of 2011/12 can be seen on Page 2 of the appended Report.

6. Summary of Combined Impact Assessment

6.1 Equalities, Consultation and Engagement

In relation to the Council's requirement to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations the Combined Impact Assessment outlined the following potential consultation and equalities implications and impacts. Most of the work contained in this service plan is of a statutory nature so consultation in these areas is limited however the views of different sectors of the business community are gathered during inspections and then any necessary changes made such as providing information in other languages etc. As the Business Unit undertakes food safety work in a wide range of businesses such as residential homes and children's nurseries, the proposals in this

report will have a positive impact on the elderly and young within our society. The Business Unit uses a variety of methods to ensure that its service is accessible to all sectors of the community, these include regular newsletters in both paper and electronic form, a range of information and support on their web pages and face to face contact with businesses via inspections and also at targeted events such as the seminar that was organised for the Bengali and Chinese food business operators through the use of interpreters.

6.2 Environment

The issue has been analysed in light of implications against the following environmental criteria:

- energy and carbon;
- sea level rise and extreme weather events;
- natural environment;
- built environment; and
- waste and water.

No impact

6.3 Economic Development

The issue has been analysed in light of the impacts against the following criteria:

- economic growth of Torbay;
- perception of Torbay as a place to invest;
- promotion of new employment opportunities in Torbay;
- promotion of higher value economic activity in Torbay; and reduction of economic deprivation in Torbay

- The introduction of the Food Hygiene Rating Scheme has meant that businesses are being encouraged to perform well in the area of food safety thereby encouraging customers to eat in their premises and encouraging economic growth, this scheme provides a level playing field for food businesses as small independent businesses are capable of achieving a food hygiene rating equal to a large national company.
- Clean well run food businesses help to promote the Bay as a clean, healthy place to live and work in. The Business Unit also supports the tourist economy by helping to ensure that the Bays attractions and accommodation such as hotels are safe to eat in.
- The Food Safety Service provides guidance to new food businesses setting up in the Bay and are often the first point of contact for the prospective business owner. The service encourages businesses to get it right first time ensuring compliance and a healthy well run premises.

6.4 Identified Risks

(a) No identified risks.

6.5 In light of 6.1 to 6.4 above, the following course of action is recommended:

Outcome 1: No major change required - CIA has not identified any potential for adverse impact in relation to equalities, the environment and economic development and all opportunities to promote equality, the environment and economic development have been taken.

7. Summary of resource implications

7.1 Within current budget

Documents available in members' rooms

None

Background Papers

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

- Combined Impact Assessment (CIA)
- Community Plan 2011 onwards

Appendices

Appendix 1 – Food Safety Service Plan 2012/13

Food Safety

Service Plan

2012-2013



This document is available in large print
or other formats on request.

Some of our highlights/achievements of 2011/12



100% of high risk food premises inspected (apart from those where access could not be obtained as closed for the season)

88% of premises broadly compliant (target of 80%)



National Food Hygiene scheme launched in Torbay in November 2011 and over 500 food premises now rated. Because of the scheme many premises have gone from a poor rating of 1 to a very good rating of 5.



500 primary school children taught how to store food safely in the home at a Junior Lifeskills event.



Chinese food safety project undertaken which included running a food safety seminar using interpreters. As a result of this intervention over half of the Chinese restaurants and takeaways in Torbay have a rating of 5 (Very Good).



Various food standards samples were taken during the year. Most proved to be satisfactory and compliant with food standards legislation however a small number were non-compliant and needed interventions from the Food and Safety Team to secure compliance. These samples included post mix drinks, mussel samples, bread for levels of salt and environmental swabbing of catering premises.



A trainee Environmental Health Officer in the Food and Safety team was awarded 2nd place in the UK Environmental Health Student of the Year after completing her 4 year training in the department.

TORBAY COUNCIL

FOOD SAFETY SERVICE PLAN 2012/13

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Appendix A

Organisational chart for the Service

TORBAY COUNCIL FOOD SAFETY SERVICE PLAN

1.0 Service Aims and Objectives

1.1 Aims and Objectives

The Food Standards Agency (FSA) Framework Agreement, July 2004, sets out the Agency's expectations on the planning and delivery of food law enforcement. This Service Plan has been developed by Torbay Council in line with this Agreement, and shows the on-going commitment to providing an effective and value for money Food Law Enforcement Service. This Plan also forms the basis on which Torbay Council will be monitored and audited by the Food Standards Agency.

For the period 2000/05 the FSA reported that the incidence of food borne diseases had reduced by 19.2%, with over 1.5 million fewer cases in England and Wales. This is as a result of the Agency's Food Borne Disease Strategy, which the work of Local Authorities has formed an important part.

The role of this service plan, through the following aims and objectives, is to continue this work on reducing the incidence of food related diseases and improve the health and wellbeing of the public.

Torbay Council's Food Safety Service Aims and Objectives are:

Aim 1: "To promote, through education and enforcement, the sale and/or production of food which is fit and without risk to health".

Objective 1.1: "To undertake a risk-based programme of inspections and interventions in food premises in accordance with the Food Standards Agency Food Law Code of Practice"

Objective 1.2: "To register food businesses in accordance with EC852/2004 and the Food Hygiene (England) Regulations 2006.

Aim 2: "To prevent and control the spread of food borne illness through education and enforcement".

Objective 2.1: "To provide a risk-based response to all notifications of food related illness or suspected illness in order to minimise effects on the community".

Objective 2.2: "To carry out pro-active sampling in accordance with nationally and locally set programmes".

Objective 2.3: "To provide information, advice and education on food safety and public health issues to the business and residential community".

Objective 2.4: "To respond to complaints concerning food and food safety".

1.2 Links to Corporate Objectives and Plans

The Council's Corporate priorities fed from the Community Plan sets out a number of corporate goals. One of these goals has direct links to the Food Safety Service:

- "Working for a healthy, prosperous and happy Bay"
- Food safety is a statutory duty of the Council. Whilst there are no specific food safety targets set out in the Corporate Strategy, a commitment has been given to ensuring that community protection strategies aim to raise health standards and reduce health inequalities through the delivery of relevant services, in partnership with other agencies.

The Food Service Plan is a key Policy Document and is reported annually to full Council for approval.

A corporate performance management framework monitors performance of all services within the Council. Local performance indicators are reported on a quarterly basis through the SPAR system and the use of the Balanced Scorecard.

The Food Safety Service has the following vision:

- "To improve public health and safety through partnership, education and enforcement"

2.0 Background

2.1 Authority Profile

Torbay Council is a Unitary Authority which comprises of the three main towns of Torquay, Paignton and Brixham, on the south coast of England.

The current population is approximately 134,700 of which 7.8% are from ethnic minority groups. The population rises to approximately 200,000 in the summer months. Tourism is Torbay's dominant industry with the industry accounting for 13.5% of the areas gross domestic product. Employment in the service industry is higher than the national average. There are 1912 food premises in Torbay, including the busy fishing port of Brixham, a number of large national manufacturers as well as numerous hotels and other tourist accommodation.

2.2 Organisational Structure

The chart attached at Appendix A shows the structure of the Food and Safety Team
The Food and Safety Team sits within the Commercial Team of the Community Safety Business Unit and comprises both Trading Standards Officers and Environmental Health Officers. The Commercial Team also contains Licensing Officers and Health and Safety Officers. Day to day service delivery is supervised by the Principal Environmental Health Officer (Food Safety) lead food officer responsibility also lies with this officer.

As a result of current national and local drivers for change such as the Hampton review and the Councils transformation agenda the Community Safety Business Unit has reviewed its arrangements to ensure it can be in a strong position to respond to any changes. As part of this, the Food and Safety Team along with other teams within Community Safety are trialling a pilot project where when Trading Standards Officers go out to inspect premises such as hotels they undertake information gathering for other teams and in particular gather vital intelligence for the Food and Safety team to help prioritise future workplans. The initial evaluation of this project has begun and this is already showing that the businesses are welcoming this new approach and it also raises the profile of Community Safety within those businesses.

Additionally appointed specialist services are provided by the Food Examiner at the NAMAS accredited Health Protection Agency Laboratory in Porton Down and a Public Analyst from Somerset Scientific Services based at Somerset County Council in Taunton.

2.3 Scope of the Food Service

The Food Safety service comprises a range of key functions:

- Programmed food hygiene and food standards inspections of food premises within the Bay.
- Health and safety inspections, accident investigations and project work in commercial food premises
- Responding to food alerts
- Dealing with food and food related complaints and other service requests
- Carrying out an annual food sampling programme
- Registering food premises and mobile vehicles
- Dealing with imported food and its origin.
- Education e.g. Chinese Food Hygiene awareness seminars and Junior Lifeskills.
- Food Safety Newsletter and web site information.
- Investigating cases of food related illness and other infectious diseases.

The Food and Safety Team has the main responsibility for food standards enforcement work, this work is carried out by both qualified Environmental Health Officers and Trading Standards Officers within this team.

The Food Safety service operates from Roebuck House offices between 9.00am and 5.00pm, Monday to Friday. Evening and weekend sampling and inspections are carried out as determined by the risk based inspection programme and the premises opening hours. Officers are also present on a weekly basis in the early hours of the morning at Brixham Fish Market to ensure food hygiene standards are being maintained.

Emergency food safety issues are currently directed initially to a 24 hour central control team and then onto authorised food officers as required. Community Safety does not have a formal Out of Hours Service. In addition the Council's website, www.torbay.gov.uk is used to provide information about food safety services for consumers and business and

also provides a direct email address for service requests
food.safety@torbaygov.uk

2.4 Demands on the Food Service

On 1st April 2012 the Council had 1809 registered food businesses. The risk profile of these premises shown in Table 1 has been determined in accordance with the FSA's Food Law Code of Practice.

Table 1

Priority	Premises Category	Frequency of Inspection/ Intervention	Total number of premises in category (April 2011)
A	High	6 months	7
B	High	12 months	130
C	High	18 months	815
D	Other	24 months	286
E	Other	36 months	521
U	-	Awaiting inspection	153
Total			1912

The inspection portfolio includes 415 retailers, 35 manufacturers, 571 restaurants and other caterers. There are 190 public houses and clubs, 251 caring premises and 384 hotels and guesthouses. Further demands are placed on the service by the team's responsibility for the school meals client function commissioned by Children's Services. There are 38 schools which have this additional element of support and enforcement. An additional workload this year has been the involvement of the School Meals Client Officer in the inspection of high risk businesses in addition to his normal workload.

There are also two medium sized premises producing dairy products and 14 EC approved fish processing establishments. As mentioned earlier the fishing industry is a vital part of Torbay's economy and the port of Brixham is the largest in England and Wales in terms of value of direct landed catch, which totalled £20 million in 2006.

Brixham Fish Quay is also a significant contributor to the work of the Food and Safety team with its daily auction and regular exports to the EU and other nations and involves at least fortnightly food hygiene inspections by officers. There is also a mussel bed off Brixham which requires monthly sampling and has Category B status which means the mussels are required to be purified before sale. In 2011/12 a considerable amount of time for the lead officer on fish has been spent approving new fishery establishments due to moving units following the opening of the new fish market premises in 2011.

The Torbay area has already been described primarily as a tourist area and there are a large number of hotels and other tourist attractions which are only open during the tourist season between Easter and October.

Additional demands on the Food Safety service in 2011/12 included:

In 2011/12 the Food and Safety team were involved in the launch of the National Food Hygiene Rating Scheme. The scheme was formally launched in November 2011 and rated inspections were carried out from July 2011. To date just over 500 food premises have been rated. The introduction of the scheme has involved a considerable amount of work setting it up and advising the businesses of the scheme. In addition the officers have received a considerable amount of training and continue to undergo regular peer review exercises to ensure consistency in the ratings that are given across the bay.

At the end of 2011/12 due to budget pressures the Food and Safety Team lost one Senior EHO who moved across to the Housing Team – this officer used to spend a day a week on food safety visits and revisits. This post has not been replaced. The knock on effect of this means that the food safety officers will now have to carry out the food enforcement inspections of schools previously carried out by the Senior EHO.

Additional demands for 2012/13 include:

In November 2011 the Food Safety service at Torbay received a follow up visit by the Food Standards Agency following their receipt of the annual Local Authority Enforcement Monitoring scheme data. The feedback from this audit pinpointed a number of matters.

- That Torbay has a huge volume of seasonal businesses that open and shut in Torbay on a regular basis and that these premises need to be inspected quickly before they close down again for the winter.
- That the department does not have enough authorised food officers allocated to that function to undertake all its statutory obligations laid down in the Food Law Code of Practice. The backlog of inspections to Category C and D risk premises was highlighted as an issue by the Food Standards Agency which needs to be addressed in 2012/13.

As during 2011/12, officers working in the Food and Safety Team also undertake health and safety interventions in food and non food premises. In 2012/13 the Food Team will be carrying out a gas safety intervention which will involve them auditing food premises in relation to gas safety issues at the same time as carrying out food safety inspections. This work is needed as a previous pilot has shown it is an area that can often be neglected and can lead to serious consequences. This work however means that the food officers will have to spend longer at each premises. Other work which the food officers will also undertake is the monitoring of swimming pools over the summer months to maintain ongoing compliance in this area.

The Public Health White Paper introduced by Government is expected to have an impact into the way the whole of Community Safety works and there may be considerable opportunities for the Food and Safety team to be involved in other areas of public health work as the Executive Head of Community Safety will be sitting on the new Health and Wellbeing Board once it comes into effect next year.

2.5 Enforcement Policy

The Community Safety Enforcement Policy sets out what food businesses and others being regulated can expect from the service. The Policy is based on the principles contained within the Regulators Compliance Code. The Policy covers the following areas:

- The Guiding Principles of Enforcement which officers will adhere to whilst undertaking their duties
- the approach we will adopt
- practical arrangements for putting the policy into effect
- how we will endeavour to ensure the quality of the service consistency and effective targeting and proportionality of enforcement activity

A copy of the Enforcement Policy is available for inspection at the Council offices on request or via the Council's website. All formal enforcement actions such as prosecutions are taken before the departments Enforcement Panel made up of officers from Community Safety and the Councils Legal team.

The service is committed to ensuring the active implementation and monitoring of the Council's Corporate Equality and Diversity Policy, which states that services will be provided in a fair and equitable way to all groups and individuals in the community. An initial Equality Impact Assessment was completed in November 2010 for the whole Food and Safety Service

3.0 Service Delivery

3.1 Food Premises Inspections

Torbay Council has a number of internal performance indicators relating to food safety. For 2012/13 these are as follows:-

- Number of high risk A and B food premises (food hygiene) inspected (Target 100 %)
- Number of high risk food standards premises inspected (Target 100%)

In relation to other C and D risk inspections the targets for 2012/13 are contained within the Food Hygiene Rating scheme Project Plan. This project means a significant increased inspection target from previous years and therefore apart from the day to day statutory work the amount of other intervention work has again been kept to a minimum for 2012/13.

The inspection programme is based on the inspection rating scheme and the intervention Strategy contained in the FSA Food Law Code of Practice.

New potentially low risk businesses are contacted by a business support unit to ensure that they have basic information for compliance and to identify any that might be of higher risk which will then be inspected.

The number of inspections for category A premises is 2 a year as they require an inspection frequency of 6 months.

New premises are normally inspected within 28 days of opening and will be in addition to this total inspection figure and it is anticipated that there will be approximately 75 such premises during the year.

All premises where a statutory notice has been served or which are found to require significant work to be carried out will be subject to a secondary visit within an agreed timescale. It is estimated that at least 143 re-visits will be carried out in addition to the programmed inspections and alternative intervention initiatives. There may also be a number of businesses formally requesting to be revisited for the purposes of rescoring under the Food Hygiene Rating Scheme. In 2011/12 the number of requests for rescoring was 30.

Environmental Health currently has an estimated FTE of 6.5 officers, including administration ([See Table 4](#)), working on food safety issues.

The primary objectives when carrying out interventions are in accordance with the Food Standards Agency Food Law Code of Practice, however, a special emphasis is placed on the level of compliance with the requirements for documented control systems. Specific consideration is also given to whether samples need to be taken during routine food hygiene inspection work.

3.2	Food Complaints	<p>The Environmental Health Service responds to all complaints about food or food premises made to the Council.</p> <p>There were 8 complaints about defective food received up to the end of March 2012. There were also 631 other service requests received relating to issues such as unhygienic food premises, requests for information and advice that were handled by the Food Safety team in 2011/12.</p>
3.3	Primary Authority Principle	<p>The previous Home Authority Scheme has now been replaced by the Primary Authority Scheme under the new Regulatory Enforcement and Sanctions Act 2009. This aims for the first time to give companies the right to form a statutory partnership with a single local authority. The objective of this is to provide robust and reliable advice on compliance that other Councils must take into account of when carrying out inspections or dealing with non compliance.</p> <p>The Food and Safety Team is not currently signed up as a Primary Authority however the team will be undertaking a piece of work in 2012/13 which will be looking at new ways of working with businesses and will include areas such as the Primary Authority Scheme and other new initiatives.</p>
3.4	Advice to Business	<p>The Authority is committed to improving food safety standards through both education and enforcement. In order to use limited resources most effectively, advice is targeted and is as follows:</p> <ul style="list-style-type: none"> • During inspections and as part of follow up documentation; • Via Food Safety Newsletters delivered to all registered food businesses • Start up advice on request. • Through guidance information available on the Food Safety teams fully revised website pages • Distribution of relevant food safety material to food businesses particularly via the website. • Advice and information is given to businesses requesting guidance either by telephone or e-mail. <p>In 2011/12 the Food and Safety Team has continued to work hard to implement the Food Standards Agency Safer Food Better Business scheme within many of the Bays food premises thereby increasing the level of communication with local businesses.</p>

3.5 Food Inspection and Sampling

During 2011/12 the Food Safety Team further developed links into the local business community by the organisation of a Food Hygiene Training Day for Chinese Food Business Operators as they are some of the highest risk premises in the Bay due to the nature of the products they handle. On this the businesses could obtain information on food safety issues and in particular gather information on how the Food Hygiene Rating scheme applied to their business. The aim of which was to improve communication and consultation with businesses in order to refine and develop service delivery performance. This approach seems to have worked in many premises and 24 out of the 40 Chinese food premises now have a food hygiene rating of 5 (very good).

The Service has in place a documented and publicised sampling policy and a separate documented procedure and programme.

The sampling programme is drawn up in consultation with the Devon Chief Environmental Health Officers Food Sub Group and the SWERCOTS Food Group, in partnership with the Food Examiner from the Health Protection Agency Laboratory covering the Torbay area and the Public Analyst at Somerset Scientific Services. The purpose of food sampling is to ensure that food is safe to eat, to verify a businesses procedures and to ensure compliance with food safety and standards legislation.

The programme covers authority, county, national LACORS and when required European sampling objectives. Each Authority is allocated sampling credits by the Health Protection Agency in order to undertake food hygiene sampling and food standards sampling which is resourced from an allocated budget within the Food Safety overall budget. During 2011/12 the Health Protection Agency Laboratory network went through a further major reorganisation which led to the closure of the HPA Food and Water Laboratory at Bristol and Torbay now sends its food and water samples to the Porton Down (Dorset) HPA Laboratory.

During 2011/12 85 samples were taken of a range of products including raw and cooked meat, ready to eat deli foods, environmental swabbing and mussel samples. Food standards sampling also included potatoes for anti sprouting agent, post mix drinks, meat species in takeaway premises and alcohol testing to check for substitution. Most of the results from these samples were found to be satisfactory and no further follow up action was required, however some of the samples were found to be unsatisfactory and follow up work was required to secure compliance. For example, the post mix drinks mix showed that the dispensing equipment needed to be cleaned better so revisits were carried out and an educational article placed within the food safety newsletter.

The programme does not preclude the need to undertake reactive sampling, which includes food complaints, and investigations for food poisoning outbreaks.

In 2012/13 Torbay's Food Safety Team will be linked to a national sampling database called FSS Net. This will allow the Food Standards Agency and the Local Authority to monitor trends in results and to determine priorities for future years.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

All formal and informal notifications are recorded on the Environmental Health Service Authority database. Subsequent investigations are based on the type of organism, the number of cases, and are in accordance with Department of Health and Health Protection Agency guidance.

A documented procedure has been produced and agreed with the Health Protection Agency and follows the principles established in a countywide procedural document, prepared by the Devon Food Safety Sub Group. During 2011/12 294 infectious disease notifications were received.

Campylobacter was the highest of those reported in Torbay and forms part of the Fast's Food Borne Disease Strategy for targeted campaigns. The team also investigated a number of Norovirus outbreaks in hotels reported to the department by the Health Protection Agency and other food premises to give advice and try to control any spread of infection across the Bay.

3.7 Food Safety Incidents

The service has a documented procedure which deals with action to be taken following the receipt or initiation of a food alert.

The FSA Food Law Code of Practice has required specific recording of actions taken following the receipt of a food alert.

Food alerts are received by a direct email from the Food Standards Agency (FSA), by direct emails to the Principal Environmental Health Officer and the Food Safety email box which is checked every day and by text messages to officers' mobile phones.

3.8 Liaison with other Organisations

The Food Alert warning procedure for food incidents recognises that such issues are required to be dealt with quickly in accordance with the categories for each food alert. The procedure identifies the mechanism for passing on the food alert to the appropriate officer, an outline of the action to be taken. Most food alert warnings received require only a small amount of officer resource.

However on occasions it is necessary to provide more resources to deal with food alerts. Any actions taken on a food alert are documented within the Authority data recording system.

During 2011/12 39 Food Alerts were received by the Food Safety Team.

Consistency and value for money is a key feature in all of the Council's Environmental Health functions. With regard to the food safety service, this is achieved by:

- Priority being given to attendance and active participation by the Principal Environmental Health Officer at the Devon Chief Environmental Health Officers' Food Sub Group. This Group co-ordinates benchmarking exercises, acts as the discussion forum for topical issues and a means of optimising countywide consistency in enforcement and advice.
- The Food Safety Service also liaises with the following :
 - Health Protection Agency
 - Torbay Care Trust
 - The Food Standards Agency
 - Devon and Cornwall Police
 - The Immigration Service
 - TDA Business Forum
 - Trading Standards Regional Sub Group

The Environmental Health Service have access to all development and building control applications and acting as a formal consultee on key planning and building control applications and a statutory consultee on all Licensing Act applications.

3.9 Food Safety Promotion

Educational and promotional activities are considered to be important aspects in the delivery of a comprehensive food safety service and it is achieved in the following ways:

- Food Safety articles in the bi annual Food and Safety Newsletter sent to all food businesses in the Bay.
- Food information available directly from the Food Safety section of the Council website and from the team directly.
- Targeted advice/information sent to relevant groups on issues of county or national significance.
- Targeted seminars and training sessions are undertaken on various food safety subjects. In 2011/12 the Food Safety team ran a Food Hygiene Training Seminar for Chinese Food Business Operators
- The Food Safety Team has also continued its involvement with the Torbay Junior Lifeskills event coordinated by Community Safety. In 2011/12 the team ran a food safety scenario at this event and taught over 500 schoolchildren including young adults with learning difficulties about the importance of food safety using two characters called Sam and Ella and their fridge of food safety horrors! There is a large piece of work to be undertaken by the organisers of Junior Lifeskills in 2012/13 to evaluate the effectiveness of this event and ensure that it is still relevant and that the messages are taken in by the children attending.

4.0 Resources

4.1 Staffing Allocation

The Community Safety Business Unit structure is based on a number of multidisciplinary teams. The Food Safety Team is located within the wider Commercial Team. Following the restructure in 2010/11 the links between the various teams have become much closer and there is more joint working between teams and the sharing of intelligence to ensure resources are focused in the right place i.e. those with highest risk.

[Table 4](#) shows the current full time equivalent of staff working on food safety enforcement, broken down by the competency requirements of the Food Standards Agency Food Law Code of Practice (England) - General qualification and experience requirements.

EHRB officers are Environmental Health Officers who are registered with the Environmental Health Officers Registration Board, (EHRB), after attaining the approved qualifications in Environmental Health.

Non-EHRB staff are other officers, who may be involved in the service, such as for administration duties.

Table 4: Staff resources dedicated to food safety

Environmental Health Officer (Food and Safety Team)	EHORB	FTE	Other
Principal EHO	YES	0.8	
Senior EHO	YES	0.8	Lead Assessor
Senior EHO	YES	0.8	
Senior EHO	YES	0.4	Lead Assessor
Senior EHO	YES	0.8	Lead Assessor
Senior EHO	YES	0.8	Lead Assessor
EHO	YES	0.8	
Technical Clerks x 2 (Part of Operational Support team)	NO	0.8	Level 3 Food Hygiene Cert
Trading Standards Officers (Food and Safety Team)	Dip TS/DCAT	FTE	Other
Trading Standards Officer x 3	YES	0.3	New posts in team since April 2010

4.2 Staff Development Plan

All food safety staff are subject to an annual appraisal and one progress review which tracks and identifies training and development needs. Food safety training needs are prioritised in the context of wider Environmental Health requirements identified within the service wide training plan.

All food safety staff complete a training record log to further assist in identifying development and training needs and for monitoring the competency of individual officers. The officers undertaking specific duties, such as dealing with approved premises, are identified and the training requirements assessed accordingly.

Some of the specific food safety training undertaken by staff during 2011/12 include:-

- Internal Food Hygiene Rating Consistency peer review exercises
- Food Factory Enforcement training
- Internal training on new food standards legislation e.g. gluten free claims.

5.0 Quality Assessment

5.1 Quality Assessment

The provision of quality services is one of the Council's three guiding principles and food safety is no exception. With regard to food safety the quality agenda is pursued via a number of methods.

Management Monitoring

The documented quality management procedure includes specific monitoring arrangements that are in place for example checking of inspection letters and notices and joint consistency/quality monitoring visits undertaken by the Principal Environmental Health Officer. Complaints against the service are monitored on a Service and Corporate basis.

Food Standards Agency

The service is required to submit an Annual return, detailing the inspections, enforcement and educational activities undertaken, to The Food Standards Agency who closely monitor performance to ensure compliance with the FSA framework agreement.

The FSA also has the power to set standards and to monitor local authority food law enforcement services under the Food Standards Act 1999. The FSA collects information from all United Kingdom food authorities and submits the information to the European Commission.

As detailed in section 3.8, the Principal Environmental Health Officer attends meetings of the Devon Food Sub Group to discuss relevant issues on a regular basis. This group comprises of representatives of all the District and Unitary councils, and the Health Protection Agency.

This forum offers the opportunity to discuss, in detail, a wide range of quality and consistency issues relevant to food safety.

During 2012/13 Torbay's Food Safety service are due to be audited as part of an internal Swercots audit scheme by Cornwall Council.

6.0 Review Process

6.1 Review against the service plan

As detailed within Section 1.2, the Council has an established performance management board to monitor the performance of its services.

From an operational perspective the Principal Environmental Health Officer reviews the key performance measures and service improvements contained in the plan on a quarterly basis. [Table 5](#) shows some of the internal indicators covering service delivery and performance as well as the national indicator for food safety and the wider key indicators on the Community Safety Balanced Scorecard that the Food Safety Team feed into and it is those which are reported to management team and members through their internal SPAR performance boards.

In addition, regular one to one meetings are held with staff involved in the Food Safety Service. This is to ensure that on-going projects and improvements outlined in this service plan are effectively monitored and managed. The notes for these meetings are documented, along with actions and timescales for relevant staff.

Table 5 – Food Safety Service Performance Indicators

SERVICE DELIVERY INDICATORS		2009/10	2011/12	2012/13
Number of Category A risk food hygiene premises (due every 6 months) inspected	Target	100%	100%	100%
	Outcome	100%	100%	
Number of Category B risk food hygiene premises (due every 12months) inspected	Target	100%	100%	100%
	Outcome	87%	100%	
Number of high risk food standards inspections carried out	Target	100%	100%	100%
	Outcome	67%	100%	
% of food premises in the area that are Broadly Compliant with food hygiene law (National indicator up to April 2010)	Target	80%	80%	80%
	Outcome	88%	88%	

6.2 Identification of achievements and any variation from the service plan

Table 6 below identifies the status of planned service improvement actions from 2011/12. Any remaining improvement objectives are shown in the table below along with the reason for the delay and a revised target, which will be included in the work programme for 2012/13 where appropriate.

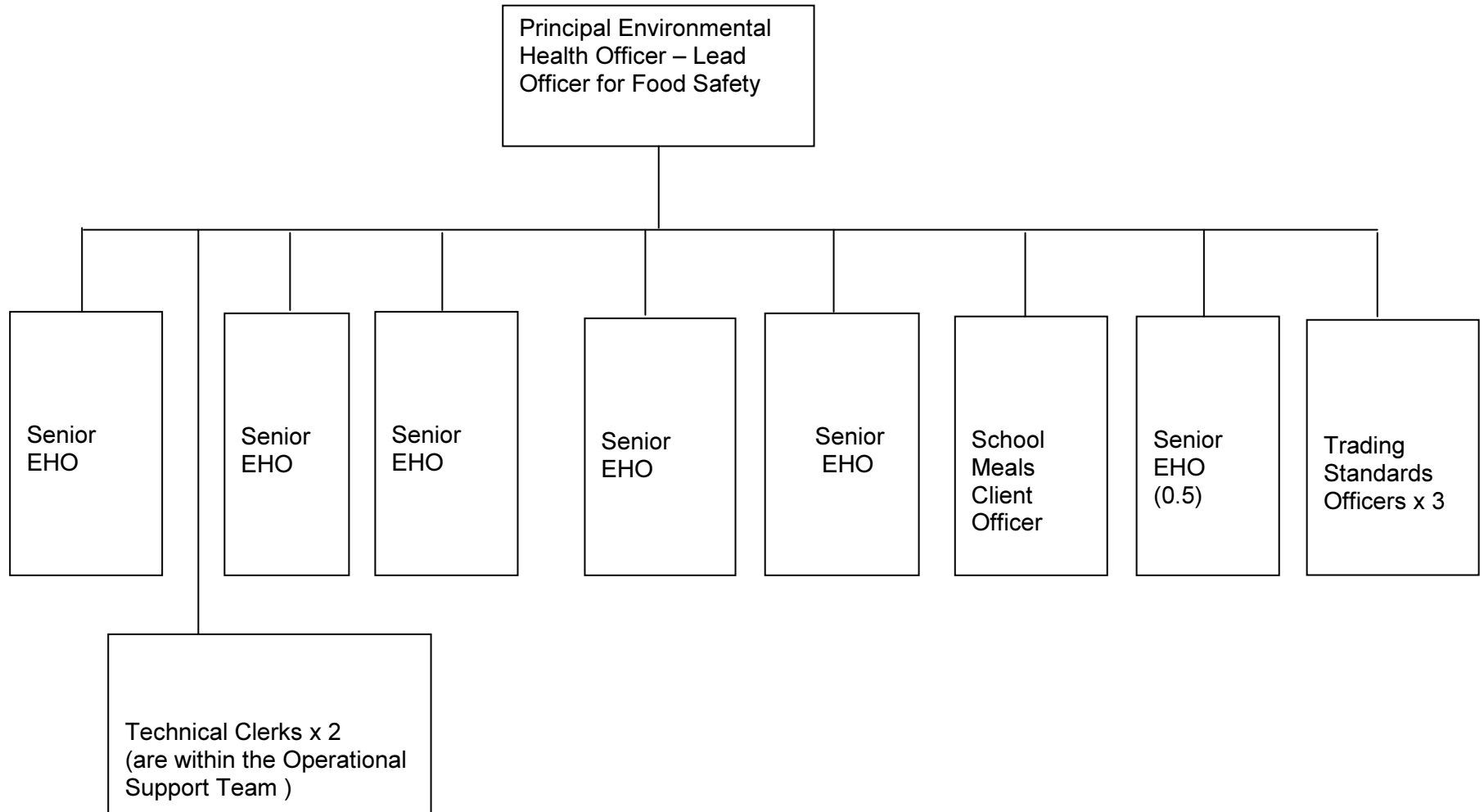
Table 6

Action	Planned Outcome/Output	Achieved Or reason	New Target Date
To raise the standards of food hygiene within food premises in Torbay	Implement the FSA's Food Hygiene Rating Scheme to ensure both hygiene standards are raised and that consumers have better access to information on food businesses and thereby making informed choices on where they wish to	Achieved – The National Food Hygiene Scheme was launched in November 2011. 500 food premises have been rated so far. Of the premises that have put in for a request of a rescore the majority have gone from a rating of 1 (major improvement needed to a rating of 5 (very good)	Ongoing work.
To implement the recommendations of the new FSA E Coli guidance for businesses and enforcement officers.	To assess butchers and catering premises compliance with the FSA's E Coli Guidance	Achieved- all butchers have been written to and inspected in line with the E Coli guidance. Article on E Coli placed in Food Safety Newsletter and guidance followed on inspections.	
To implement a project with Chinese food businesses	To aim to work with these businesses to ensure that they are broadly compliant with food hygiene legislation and in doing so develop good working relationships with the businesses and have a better understanding of specific cultural issues.	Achieved – All Chinese food premises inspected. Food Hygiene seminar run for Chinese food business operators. 24 out of 40 now have a food hygiene rating of 5 following interventions by local authority.	
To continue cross professional working pilot to make effective use of resources	To ensure that intelligence from other teams within Community Safety is used effectively.	Achieved – FAB's project introduced where Trading Standards Officers gather intelligence and provide information to businesses in the lower risk food premises. Initial feedback from businesses is that they welcome this approach.	

Table 7

Service Improvement	Planned Outcome/Output	Link to FSA framework agreement	Target Date
To raise the standards of food hygiene in food businesses in Torbay	To continue with the National Food Hygiene Rating scheme and complete the required number of interventions in the NFHSR plan and to particularly concentrate on those premises scoring a rating of O or 1.	All areas of Framework agreement	To complete Year 2 of project plan by March 2013
To continue the Cross Professional Working pilot	To ensure that the intelligence from non food officers is used effectively to put resources into the areas that need it whilst at the same time raising the profile of the work of Community Safety. This pilot will be kept under review to ensure its effectiveness.	All areas of framework agreement	Ongoing
To ensure that the food safety web pages are up to date, relevant and user friendly for businesses	To take part in the wider Community Safety work to improve the department's web pages and to ensure we target information to businesses in the best and most appropriate ways.	All areas of Framework agreement	March 2013
To improve the links between the business community and the local authority food safety service.	To investigate any possible links into the Local Enterprise Partnerships to the mutual benefit of the business community and local authority alike. Also promote the concept of the Primary Authority scheme to businesses who may be interested in this approach.	All areas of Framework Agreement	March 2013
To ensure that all the seasonal premises due in Torbay receive an intervention in line with the Food Law Code of Practice	To inspect all seasonal premises that are due in 2012/13 before they close down for the winter season.	All areas of the Framework agreement	March 2013
To ensure food is safe to eat for residents and visitors alike in Torbay	To complete annual food safety and food standards sampling plans and also incorporate more imported foods sampling by being part of the FSA Imported Foods sampling programme.	All areas of Framework agreement	March 2013

Appendix A - Organisational Structure Chart for Food and Safety Service



Agenda Item 19

Standing Order D11 (in relation to Overview and Scrutiny) – Call-in and Urgency and Standing Order E15 – Special Urgency Council Meeting, 12 July 2012

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

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

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

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

Also in accordance with Standing Order E15 in relation to Access to Information, matters which are likely to be key decisions and which have not been included in the Forward Plan may still be determined if the General Exception procedure or Special Urgency procedure as set out in the Standing Orders in relation to Access to Information are followed.

The table below sets out this information:

Matter for decision	Decision-taker	Reasons for urgency	Consultation
Innovation Centre 3 rd Phase	The Mayor	<p>The decision relates to the approval of investment proposals in a major new Innovation Centre at White Rock to create at least 220 new jobs, with the support of grant funding. The project also required purchase of a suitable site at Whiterock and the disposal of the site of the Pluss building on Waddeton Close, Paignton, which was due for closure.</p> <p>The decision had to be made urgently in order to approve the funding by the end of May 2012. Therefore the decision taken by the Mayor must be implemented immediately as any delay likely to be caused by the call-in process would prejudice the Council's and public's interests.</p>	The Overview and Scrutiny Co-ordinator was consulted on 14 May 2012.

Matter for decision	Decision-taker	Reasons for urgency	Consultation
		The Mayor took his decision at the Adjourned Annual Council meeting on 16 May 2012 and the background of this decision is set out in Record of Decision published on 21 May 2012 .	

Anthony Butler
Monitoring Officer