



Town Hall, Castle Circus,
Torquay, Devon TQ1 3DR
Main Switchboard (01803) 201201
Fax (01803) 207006 DX 59006

Tuesday, 21 October 2014

Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 30 October 2014** commencing at **3.00 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Steve Parrock".

Steve Parrock
Executive Director of Finance and Operations

(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
01803 207012

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

Meeting of the Council Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the Minutes of the meeting of the Council held on 25 September 2014.

(Pages 1 - 18)

4. **Declarations of interests**

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

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

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

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

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

5. **Communications**

To receive any communications or announcements from the Chairman, the Mayor, the Overview and Scrutiny Co-ordinator or the Executive Director of Operations and Finance.

6. **Members' questions**

To respond to the submitted questions asked under Standing Order A13.

(Pages 19 - 22)

7. **Notice of motions**

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

(a) Notice of Motion - Fairer Tax System (Mayoral Decision)

(Page 23)

8. **Proposed Disposal of Surplus Assets (Mayoral Decision)** (Pages 24 - 51)
To consider a report on the disposal of 13 assets which are surplus to the Council's requirements.
9. **Extreme Weather Resilience Report: Torbay 2013/14 (Mayoral Decision)** (Pages 52 - 76)
To consider the submitted report on the above.
10. **Adjournment**
To consider adjourning the meeting until 5.30 p.m.
11. **Petitions**
To receive petitions and any oral representations from the public in accordance with Standing Order A12 as set out below:-
- (a) **Petition to Save Torbay's Countryside - Restore funding for Torbay Coast & Countryside Trust in 2014/15 to £193k and in 2015/16 to £183k**
- Approximately 331 e-signatures and 2,632 written signatures from residents and people who work or study in Torbay. In accordance with Standing Orders the petition will be considered at this meeting.
- (b) **Reduce and stop development of more services for substance abuse near Torquay Town Centre**
- Approximately 48 e-signatures from residents and people who work or study in Torbay. At the request of the petitioner organiser this petition will be presented to the meeting.
12. **Public question time**
To hear and respond to any written questions or statements from members of the public which have been submitted in accordance with Standing Order A24.
- (a) Public Question - Fly-Tipping at the Coach Station (Page 77)
- (b) Public Question - Flooding at Torre Marine (Page 78)
13. **Saving Proposals 2015/2016** (Pages 79 - 138)
To consider a report setting out the Mayor's draft savings proposals for 2015/2016 which, if approved, would form the basis of the budget which the Council will be asked to approve in February 2015.
- The full revised savings proposals are available on the Council's website at www.torbay.gov.uk/finalproposals1516.pdf.
14. **Review of Reserves 2015/16** (Pages 139 - 152)
To consider a report on the review of the Council's reserves and any recommendations from the Overview and Scrutiny Board.

15. **Children's Services 5 Year Cost Reduction Plan** (Pages 153 - 176)
To consider a report setting out challenges and increased demands Torbay Council Children's Services have faced over the last few years.
16. **Parking Charges and Enforcement Activity** (Pages 177 - 182)
To consider the submitted report on the above.
17. **Review of Enforcement and Prosecution Policy for Environmental Health, Trading Standards, Licensing and Housing Standards** (Pages 183 - 208)
To consider a report on the above policy.
18. **Review of Polling Districts, Polling Places and Polling Stations 2014** (Pages 209 - 244)
To consider the submitted report on the above.
19. **Review of Political Balance** (Pages 245 - 248)
To consider a report on the review of political balance.
20. **Composition and Scheme of Delegation of Executive Functions** (Pages 249 - 257)
To receive an amendment to the composition and constitution of the Mayor's Executive, together with a revised record of delegations of Executive Functions (in accordance with Standing Order C4.2(a)).

Note

An audio recording of this meeting will normally be available at www.torbay.gov.uk within 48 hours.



Minutes of the Council

25 September 2014

-: Present :-

Chairman of the Council (Councillor Barnby) (In the Chair)
Vice-Chairman of the Council (Councillor Hill)

The Mayor of Torbay (Mayor Oliver)

Councillors Addis, Amil, Baldrey, Bent, Brooksbank, Cowell, Davies, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hytche, James, Lewis, McPhail, Mills, Morey, Parrott, Pentney, Pountney, Pritchard, Stockman, Stocks, Stringer, Thomas (D), Thomas (J) and Tyerman

55 Opening of meeting

The Chairwoman welcomed Rob Butler, Deputy Lord Mayor of the City of Perth, Australia, to the meeting. The meeting was then opened with a prayer.

56 Apologies for absence

Apologies for absence were received from Councillors Butt, Darling, Hernandez, Kingscote, Richards and Scouler. The Monitoring Officer also advised that Councillors James, McPhail, Stringer and Thomas (D) would be joining the meeting after the adjournment.

57 Minutes

The Minutes of the meeting of the Council held on 17 July 2014 were confirmed as a correct record and signed by the Chairman.

58 Declarations of interests

Councillor Parrott declared a non-pecuniary interest in Minutes 63 and 65 as he was the Chairman of the Strategic Advisory Board for Children's Centres.

59 Communications

The Chairwoman announced that the Civic Garden Party and Civic Church Service raised approximately £1,100 for the Chairwoman's charities and expressed her thanks to all those who attended.

The Mayor:

- (i) announced that the South Devon Export Network (SDEN) held in Torbay had won the prestigious national award Enterprising Britain, in the 'Support for Exporting' category, sponsored by the Department for Business, Innovation and Skills. The Mayor added that SDEN enabled local business people to meet quarterly to exchange information and knowledge about trading internationally;
- (ii) advised that following on from the consultation with residents and stakeholders and feedback from the Priorities and Resources Panel he had decided that, due to uncertainty with the 2015/16 funding from the coalition Government and the in-year pressures currently facing the Council, he withdrew the budget savings proposals from this Council meeting to allow sufficient time to consider the issues before his budget savings proposals were presented to Council; and
- (iii) welcomed the announcement that the coalition Government would revisit its decision to cut funding for local welfare provision from April 2015, which funds the Council's Crisis Support Scheme. The Mayor advised the Council that monies had been ring fenced to respond to the proposed cut to ensure a scheme could continue in the next financial year.

60 Order of Business

In accordance with Standing Order A7.2 in relation to Council meetings, the order of business was varied to enable agenda Item 6 (Members' questions) to be considered at end of the meeting.

61 Notice of Motion - Lease for the Pavilion, MDL Car Park and Cary Green (Mayoral)

Members considered a motion in relation to the lease for the Pavilion, MDL Car Park and Cary Green, Torquay, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Cowell and seconded by Councillor Parrott:

that this Council requests the Mayor to bring to full Council the terms of any lease for the Pavilion, MDL Car Park, Cary Green and associated space for disposal before any final agreement is entered in to.

Council considers this to be in accordance with the Mayor's policy of making his decision at full council.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor. The Mayor advised that as he had already taken the decision, following a recommendation by the Council, for the Chief Executive of Torbay Development Agency to determine the details of the lease and as these negotiations had been progressed he rejected the motion.

62 Notice of Motion - Solar Schools Motion

Members considered a motion in relation to the Friends of the Earth 'Run on Sun' campaign and the use of solar technology on school and Council buildings, notice of which was given in accordance with Standing Order A14.

It was proposed by Councillor Baldrey and seconded by Councillor Pountney:

This Council welcomes the 'Run on Sun' campaign that has been launched by Friends of the Earth to:

- a) promote clean energy;
- b) make it easier for schools to invest in solar power; and
- c) raise awareness of the financial, practical and environmental benefits of schools being powered by solar energy.

This Council also welcomes the extensive work that has been successfully carried out by the officers of our Environmental Policy Team and TDA in recent years to reduce the Council's energy bills and invest in clean, renewable energy.

This Council applauds the pioneering spirit and vision shown by the staff, students and governors of Saltaire Primary School in West Yorkshire, where the solar panels installed in August last year are operating successfully.

This Council notes that:

- a) solar photovoltaic and thermal panels are an affordable renewable energy technology that can be quickly installed and easily maintained across Torbay's schools estate;
- b) the capital investment required for solar photovoltaic panels is typically repaid within 7-9 years (by reduced electricity bills and feed-in-tariff income) and the energy generated for 25-40 years is free to the school;
- c) Friends of the Earth estimate that the financial benefits per school can be as high as £8,000 per annum;
- d) the use of solar technologies contributes towards cutting Torbay's carbon footprint;
- e) solar technologies are a visible symbol of our determination as a community to reduce our carbon footprint and build energy security across Torbay; and
- f) solar technologies are a fantastic educational resource that can boost awareness of sustainable energy among children and local families.

This Council therefore requests (wherever possible involving Community Groups) that:

- i) in light of falling installation costs the Director of Place and Torbay Development Agency re-evaluate the business case for installation of solar technology on school and council buildings;
- ii) should the business case prove positive then the Director of Place engages as proactively as possible with Torbay's schools to ensure the maximum and earliest roll-out of solar technologies across the schools estate;
- iii) the Environmental Policy Team launches a high profile and well-publicised borough-wide campaign to encourage our schools to invest in solar technologies; and
- iv) the Environmental Policy Team liaises closely with Friends of the Earth to ensure that Torbay Council is positively involved in the 'Run on Sun' campaign.

In accordance with Standing Order A14.3(a), the motion stood referred to the Mayor. The Mayor referred the motion to the Place Policy Development Group to explore the economies and benefits of the proposal.

63 Torbay Children and Young People's Plan 2014-19

The Council considered the submitted report setting out the Torbay Children and Young People's Plan 2014-19. The Plan reviewed the achievements of Children's Services and partners and set out headline priorities for the next five years. It was noted the Plan also provided a strategic vision and commitment to improve the lives of children and young people, particularly those most vulnerable.

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

that the Children and Young People's Plan set out in Appendix 1 of the submitted report, be approved.

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

64 Adoption Agency Activity Report

Members noted the submitted report in respect of adoption agency activity.

65 Children's Service 5 year funding strategy

The Chairman advised that this item had been deferred.

66 Disposal of Real Estate Assets (Mayoral Decision)

The Council made the following recommendation to the Mayor:

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

that the Mayor be recommended:

- (i) that the two assets listed in Appendix 1 of the submitted report be declared no longer required for service delivery and that the Executive Head of Commercial Services be requested to advertise their intended individual disposal in accordance with both the Council's Community Asset Transfer Policy 2008 and where appropriate Section 123(2A) of the Local Government Act 1972;
- (ii) that, subject to any expressions of interest received from the community and any objections received to any disposal advertised pursuant to s123 of the Local Government Act 1972, the assets listed in Appendix 1 of the submitted report be individually disposed on such terms as are acceptable to the Executive Head of Commercial Services in consultation with the Chief Executive of Torbay Development Agency; and
- (iii) that the Executive Head of Commercial Services in consultation with the Chief Executive of the Torbay Development Agency be delegated authority to consider any objections received on the advertisement of any of the proposed disposals pursuant to s123 of the Local Government Act 1972.

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.

67 Time to Change (Mayoral Decision)

The Council made the following recommendation to the Mayor:

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

that Council commits to agreeing to make a pledge which will benefit staff and the population of Torbay, by challenging the stigma and negative attitudes surrounding mental health. This commitment can then be fed up to the Time to Change initiative and Torbay Council will be seen as a forward-thinking organisation with a commitment to its staff and population.

Agreeing to take the Time To Change pledge means agreeing that people with mental health problems (and that is 1 in 4 within a year), should not be afraid to talk about their issues, just like anyone with asthma or diabetes.

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.

(Note: During consideration of Minute 63, Councillor Stocks declared a non-pecuniary interest as her son worked for Devon Partnership Trust who deliver mental health care in Torbay.)

68 Cultural Strategy

The Council received Torbay's Cultural Strategy 'Enjoy, Talk, Do, Be...' as set out in the submitted report. The Strategy aimed to harness the value of culture and all the benefits it brings, within the context of positively addressing the post recession context and planning for a sustainable future. A revised Officer recommendation was circulated.

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

- (i) that the Council approve ENJOY, TALK, DO, BE - A cultural strategy for Torbay and its communities 2014-2024 and adopt the strategy as part of the Council's Policy Framework; and
- (ii) authority be delegated to the Director of Place, in consultation with the Mayor and the Executive Lead for Culture and Arts, to develop a cultural sector led Culture Board which will act as a catalyst for partners to engage with the strategy across the sector and develop funding options for the implementation of the aims and objectives.

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

69 Freedom of the Borough

It was proposed by the Mayor and seconded by Councillor Mills:

that this Council, being appreciative of the significant defence role undertaken by HMS Torbay around the world and in recognition of its long association with the towns of Torbay, does offer the submarine and its crew Honorary Freedom of the Borough of Torbay.

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

The Chairman announced that HMS Torbay was currently on active duty and therefore a formal presentation and procession would be held in early 2015.

70 Capital Investment Plan Update - 2014/15 Quarter 1

The Council considered the submitted report setting out an overview of the Council's approved Capital Investment Plan for quarter one. The report provided details of capital expenditure and funding for the year compared with the latest

budget position reported to the Council in February 2014. A revised Officer recommendation was circulated.

It was proposed by the Mayor and seconded by Councillor Mills:

- (i) Council note the latest position for the Council's Capital expenditure and funding for 2014/15;
- (ii) Council approve that £6.1 million of capital resources to be allocated to schools for basic need (pupil places) for the period up to 2017/18, subject to each individual scheme being approved by the Operational Director in consultation with the Mayor;
- (iii) Council approve £0.630 million of capital resources to be allocated to schools for repair and maintenance in 2014/15;
- (iv) Council approve £0.1 million of capital resources to be allocated to schools for the free school meals initiative;
- (v) Council approve £0.350 million of capital resources, previously allocated to the empty homes scheme to be reallocated to improvement works at Torquay Harbour side. The Council will continue to work to explore bringing back empty homes in accordance with the Council's empty homes policy and the Director of Place be requested to prepare a report outlining how this will be achieved, including setting out how the Council will work with the private sector in this regard;
- (vi) Council approve £0.1 million capital grant to support Torbay Coast & Countryside Trust's Green Heart Project to be funded from capital receipts;
- (vii) Council approve £0.150 million of capital resources to fund improvements works at the Old Toll House in Torquay to be funded from capital receipts;
- (viii) Council approve £0.237 million of capital resources to fund additional beach huts at Broadsands. This is to be initially funded from prudential borrowing which will be repaid from future beach hut income; and
- (ix) Council approve the allocation of £0.660 million from the SDLR reserve to support the Council's contribution to support the Torquay Gateway transport scheme (£0.385m) and Torquay Centre Access transport scheme (£0.275m). The reserve to be repaid, as resources permit, from future year transport capital resources.

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

- (v) Council approve £0.350 million of capital resources be allocated to a revised and simplified empty home schemes and/or made available for affordable homes schemes.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Cowell, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), Morey, Parrott, Pentney, Pountney, Stocks, Stockman and Thomas (J) (14); Against: The Mayor, Councillors Addis, Amil, Barnby, Excell, Hill, Hytche, Lewis, Mills and Pritchard (10); Abstain: Councillors Bent, Brooksbank and Tyerman (3); Absent: Councillors Butt, Darling, Hernandez, James, Kingscote, McPhail, Richards, Scouler, Stringer and Thomas (D) (10). Therefore, the amendment was declared carried.

The substantive motion (the original motion with amended (v)) was then before Members for consideration.

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

71 Revenue Budget Monitoring 2014/15 - Quarter 1

The Council noted the current projected outturn for the Revenue Budget 2014/2015 based on quarter 1 information, as set out in the submitted report.

72 Adjournment

At this juncture, the meeting was adjourned until 5.30 pm on Thursday 25 September 2014.

73 Petition requesting a covenant protecting Churston Golf course from development

In accordance with Standing Order A12, the Council received a petition requesting a covenant with the residents of Churston and Galmpton to not allow development of Churston Golf Course without first obtaining the agreement of the majority of the residents of the ward at a referendum (approximately 2,000 signatures).

At the invitation of the Chairwoman, Mr Billings addressed the Council.

The Chairwoman advised that, under the Council's Petition Scheme, as the petition had reached the 1,000 signature threshold it was subject to debate by the Council.

The Monitoring Officer outlined the options open to the Council and advised that an officer report had also been circulated.

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

that the Council enter into a deed covenanting with the residents of Churston and Galmpton ward in the following terms:

'Torbay Council covenants with all inhabitants of the ward of Churston and Galmpton that for a period of 100 years beginning on the date of this deed it will not on the land shown edged in red on the plan attached to the submitted report, known to be Churston Golf Course, allow any development of Churston Golf Course without any such proposal first obtaining the majority of votes in a referendum of the persons who at the day of the referendum would be entitled to vote as electors at an election of Councillors for the Churston and Galmpton Ward and are registered as local government electors at an address within this Ward. For the purposes of this covenant 'development' shall not include any development permitted under the terms of the lease between The Council of the Borough of Torbay and Churston Golf Club Limited dated 3 April 2003. Nothing contained or implied in this Deed shall prejudice or affect the exercise by the Council of its regulatory functions under the Town and Country Planning Act 1990 or any other statute or statutory instrument.'

The Covenant would be appropriately registered with the Land Registry.

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

that the decision be deferred to allow further investigation by the Place Policy Development Group.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Addis, Baldrey, Barnby, Bent, Brooksbank, Cowell, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), Hill, James, Lewis, McPhail, Morey, Parrott, Pentney, Pountney, Stocks, Stockman, Stringer, Thomas (D), Thomas (J) and Tyerman (25); Against: The Mayor, Councillors Amil, Excell, Hytche, Mills and Pritchard (6); Absent: Councillors Butt, Darling, Hernandez, Kingscote, Richards and Scouler (6). Therefore, the amendment was declared carried.

The substantive motion was then before Members for consideration.

In accordance with Standing Order A19.4, a recorded vote was taken on the substantive motion. The voting was taken by roll call as follows: For: Councillors Addis, Baldrey, Barnby, Bent, Brooksbank, Cowell, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), Hill, James, Lewis, Morey, Parrott, Pentney, Pountney, Stocks, Stockman, Stringer, Thomas (D), Thomas (J) and Tyerman (24); Against: The Mayor, Councillors Amil, Excell, Hytche, Mills and Pritchard (6); Abstain: Councillor McPhail (1); Absent: Councillors Butt, Darling, Hernandez, Kingscote, Richards and Scouler (6). Therefore, the substantive motion was declared carried.

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.

74 Petition to save Churston Library

In accordance with Standing Order A12, the Council received a petition requesting the Mayor to abandon proposals to close Churston Library or replace staff with volunteers (approximately 2,000 signatures).

At the invitation of the Chairwoman, Mr Feasey addressed the Council.

The Chairwoman advised that, under the Council's Petition Scheme, as the petition had reached the 1,000 signature threshold it was subject to debate by the Council.

The Monitoring Officer outlined the options open to the Council.

It was proposed by Councillor McPhail and seconded by Councillor Hytche:

- (i) that the petitioners be thanked for presenting their petition to the Council; and
- (ii) that the Mayor be recommended to give further consideration to his budget savings proposals in respect of Churston Library and alternative options in light of the petition.

An amendment was moved by Councillor Cowell and seconded by Councillor Morey:

to take the action requested by the petition.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Amil, Cowell, Davies, Doggett, Ellery, James, Mills, Morey, Parrott, Pentney, Pountney, Pritchard, Stocks, Stockman, Stringer, Thomas (D) and Thomas (J) (17); Against: Councillors Addis, Bent, Brooksbank, Excell, Faulkner (J), Hill, Hytche, Lewis, McPhail and Tyerman (10); Abstain: The Mayor, Councillors Baldrey, Barnby and Faulkner (A) (4); Absent: Councillors Butt, Darling, Hernandez, Kingscote, Richards and Scouler (D) (6). Therefore, the amendment was declared carried.

The substantive motion was then before Members for consideration.

During consideration of the substantive motion, the Monitoring Officer gave constitutional advice that a decision on the budget would not be made until the Mayor presented his budget proposals to the Council and therefore any decision by the Council would not be binding on the Mayor at this stage of the budget setting process.

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

(Note: In accordance with Standing Order A19.5, the Mayor requested his abstention from voting on the substantive motion to be recorded in the minutes.)

75 Petition - Meadfoot Beach Clean Up

In accordance with Standing Order A12, the Council received a petition requesting the 'clean up' of Meadfoot Beach (approximately 52 electronic signatures and 73 written signatures).

The Chairwoman advised, that following the publication of the agenda, the petitioners had requested to meet direct with the decision-maker. Therefore, the petition would be referred to the Director of Place and the Executive Lead for Tourism and Harbours.

76 Petitions - (i) Land rear of Rocombe Close and (ii) public space behind Barradon Close, Rocombe Close and Swedwell Road

In accordance with Standing Order A12, the Council received two petitions requesting maintenance of land and public space rear of Rocombe Close, Barradon Close and Swedwell Road, Torquay (approximately 30 signatures and 96 signatures respectively).

At the invitation of the Chairwoman, Mr Cousins, addressed the Council in relation to the petition relating to Rocombe Close.

The Chairwoman informed the meeting that, following publication of the agenda, Mr Oxenham was unable to attend the meeting to present the second petition, but a statement and photograph received from him had been circulated to all members.

The Chairwoman advised that both petitions would be referred to the Director of Place for consideration in consultation with the Executive Lead for Safer Communities, Highways, Environment and Sport.

77 Saving Proposals 2015/2016

The Chairwoman advised that following the decision of the Mayor, this item had been withdrawn.

78 Proposal to Develop a Tourism Business Improvement District

The Council considered the submitted report setting out a proposal to identify alternative funding models for supporting tourism activity through the development of a Torbay Retail and Tourism Business Improvement District (TRTBID). The proposed TRTBID would combine both retail and tourism which was considered to have the greatest marketing impact.

It was proposed by the Mayor and seconded by Councillor McPhail:

- (i) to allocate up to £100,000 from Torbay Council budgets, over a two year period (2014/15 and 2015/16) to develop the TRTBID to reach the ballot expected in autumn 2015; and
- (ii) the Council endorses the proposed representation and function of the TRTBID Task Group to take forward the development and consultation stage of the TRTBID project.

An amendment was proposed by Councillor Stringer and seconded by Councillor Pountney:

- (i) Of the £100,000, the Council shall allocate £25,000 to the English Riviera Tourism Company and £25,000 to the Torbay Town Centres Company, to facilitate all three organisations to commission the TRTBID in partnership.

In accordance with Standing Order A19.4, a recorded vote was taken on the amendment. The voting was taken by roll call as follows: For: Councillors Baldrey, Bent, Brooksbank, Cowell, Davies, Doggett, Ellery, Faulkner (A), Faulkner (J), James, Lewis, Morey, Pentney, Pountney, Stocks, Stockman, Stringer, Thomas (D), Thomas (J) and Tyerman (20); Against: The Mayor, Councillors Addis, Amil, Barnby, Excell, Hill, Hytche, McPhail, Mills and Pritchard (10); Abstain: Councillor Parrott (1); Absent: Councillors Butt, Darling, Hernandez, Kingscote, Richards and Scouler (6). Therefore, the amendment was declared carried.

The substantive motion (the original motion with the additional wording for (i)) was then before Members for consideration.

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

79 Members' questions

Members received a paper detailing the questions, as attached to the agenda, 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 in respect of questions 1 and 3.

Chairwoman

Record of Decisions

Disposal of Real Estate Assets

Decision Taker

Mayor and Executive Lead for Employment and Regeneration, Finance and Audit on Thursday, 25 September 2014

Decision

- (i) That the two Assets listed in Appendix 1 of the submitted report be declared no longer required for service delivery and that the Executive Head of Commercial Services be requested to advertise their intended individual disposal in accordance with both the Council's Community Asset Transfer Policy 2008 and where appropriate Section 123(2A) of the Local Government Act 1972;
- (ii) That, subject to any expressions of interest received from the Community and any objections received to any disposal advertised pursuant to s123 of the Local Government Act 1972, the assets listed in Appendix 1 of the submitted report be individually disposed on such terms as are acceptable to the Executive Head of Commercial Services in consultation with the Chief Executive of Torbay Development Agency; and
- (iii) That the Executive Head of Commercial Services in consultation with the Chief Executive of the Torbay Development Agency be delegated authority to consider any objections received on the advertisement of any of the proposed disposals pursuant to s123 of the Local Government Act 1972.

Reason for the Decision

The disposal of assets not required for service delivery will generate capital receipts to be reinvested in the Council's existing capital programme which will contribute towards achieving the Council's objectives. The disposals will also reduce the expenditure and repair liability across the Council's assets.

Implementation

This decision will come into force and may be implemented on 8 October 2014 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report sets out details of two unused assets for disposal which will achieve capital receipts and cost savings. The following assets were considered for disposal which are no longer required by the Council:

1. 386 Teignmouth Road, Torquay; and
2. Site at Bolton Cross, Brixham;

The Mayor considered the recommendations of the Council made on 25 September 2014 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options are set out in the submitted report.

Is this a Key Decision?

Yes – Reference Number: I017530

Does the call-in procedure apply?

Yes

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

None

Published

30 September 2014

Signed: _____
Mayor of Torbay

Date: 30 September 2014

Record of Decisions

Time to Change Mental Health Champion Organisation

Decision Taker

Mayor on Thursday, 25 September 2014

Decision

That Council commits to agreeing to make a pledge which will benefit staff and the population of Torbay, by challenging the stigma and negative attitudes surrounding mental health. This commitment can then be fed up to the Time to Change initiative and Torbay Council will be seen as a forward-thinking organisation with a commitment to its staff and population.

Agreeing to take the Time To Change pledge means agreeing that people with mental health problems (and that is 1 in 4 within a year), should not be afraid to talk about their issues, just like anyone with asthma or diabetes.

Reason for the Decision

By committing and signing up to the Time to Change pledge the Council will support the development of a mental health action plan.

Implementation

This decision will come into force and may be implemented on Wednesday 8 October 2014 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Time to Change is a national mental health initiative supported by the Department of Health. It aims to tackle the stigma and discrimination around mental health. The pledge to Time to Change is a commitment that all local authorities are asked to take. In addition to changing attitudes to mental health, the pledge requires the Council to develop a mental health action plan which will benefit its staff and the community.

The Mayor considered the recommendations of the Council made on 25 September 2014 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

Councillor Stocks declared a non-pecuniary interest as her son works for the Devon Partnership Trust who deliver mental health care in Torbay.

Published

30 September 2014

Signed: _____
Mayor of Torbay

Date: 30 September 2014

Record of Decisions

Petition requesting a covenant protecting Churston Golf Course from development

Decision Taker

Mayor on Thursday, 25 September 2014

Decision

That the Council enters into a deed covenanting with the residents of Churston & Galmpton ward in the following terms;

'Torbay Council covenants with all inhabitants of the ward of Churston and Galmpton that for a period of 100 years beginning on the date of this deed it will not on the land, shown edged in red on the plan attached to the submitted report, known to be Churston Golf Course, allow any development of Churston Golf Course without any such proposal first obtaining the majority of votes in a referendum of the persons who at the day of the referendum would be entitled to vote as electors at an election of Councillors for the Churston and Galmpton Ward and are registered as local government electors at an address within this Ward. For the purposes of this covenant 'development' shall not include any development permitted under the terms of the lease between The Council of the Borough of Torbay and Churston Golf Club Limited dated 3 April 2003. Nothing contained or implied in this Deed shall prejudice or affect the exercise by the Council of its regulatory functions under the Town and Country Planning Act 1990 or any other statute or statutory instrument.'

The Covenant would be appropriately registered with the Land Registry.

Reason for the Decision

To respond to the petition requesting the Council to enter into a covenant to not allow development of Churston Golf Course. By entering into the deed of covenant with the residents of Churston and Galmpton ward, no development, other than that already permitted by the lease dated 3 April 2003, will be able to take place on Churston Golf Course without first obtaining consent of the majority of those residents taking part in a referendum on the development proposals.

Implementation

This decision will come into force and may be implemented on Wednesday 8 October 2014 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

A petition has been received requesting the Council to enter into a covenant to not allow development of Churston Golf Course without first obtaining the agreement of the majority of the residents of the Churston and Galmpton ward. The wording of the petition is set out below:

'In 2012, Torbay Council made a covenant with the residents of Paignton promising not to allow any development of Paignton Green without the agreement of the majority of residents. In July 2014, the Council then covenanted with the residents of St Marychurch promising not to allow any development of Babbacombe downs the agreement of the majority of residents.

The residents of Churston and Galmpton ask to be treated equally.

The Golf Course is highly valued by the community and as it provides the Green Wedge between Paignton and Brixham, contributes materially to the character of the area, and acts as an important wildlife corridor.

As freehold land owner, Torbay Council is asked to covenant with the residents of Churston and Galmpton not to allow development of Churston Golf Course without first obtaining the agreement of the majority of the residents of the ward at a referendum.'

The submitted report set out the implications of the proposed covenant.

The Mayor considered the recommendation of the Council made on 25 September 2014 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options are set out in the submitted report. The Council also recommended to the Mayor that the decision be deferred to allow further investigation by the Place Policy Development Group.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

30 September 2014

Signed: _____
Mayor of Torbay

Date: 30 September 2014

Agenda Item 6

Meeting of the Council

Thursday, 30 October 2014

Questions Under Standing Order A13

Question (1) by Councillor Baldrey to the Executive Lead for Strategic Planning, Housing and Environmental Policy (Councillor Thomas (D))	Why is it that in the time since the road widening at Tweenaways has been completed has the Council not disposed of the houses adjacent to the junction whose gardens were taken for the work to be carried out?
Question (2) by Councillor James to the Executive Lead for Business Planning and Governance (Councillor McPhail)	There were 46 senior council directors and managers on wages of £50,000 to £125,000 in 2013/14, but this compares to only 34 in 2012/13 - an increase of 12 (or 33%). How do you justify this in the face of such unprecedented budget reductions? Despite the brilliant and hard work that they do, do you agree that we need to significantly reduce the top heavy structure of the council in a time when we are contracting fast?
Question (3) by Councillor James to the Deputy Mayor and Executive Lead for Tourism (Councillor Mills)	Do you agree with me that spending almost £25,000 on a palm tree is an unacceptable misuse of public money and will you ask for a full investigation by the overview and scrutiny committee into how such misuse could have occurred?
Question (4) by Councillor Darling to the Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Excell)	Weed Treatment - Over the last two years the regime to tackle weed growth on pavements has changed to only two treatments a year. This has resulted in treatments occurring twice a year with works being conducted in the winter when there is little weed growth. Those wards where treatment occurs in the winter may only get a second visit in the late growing season. To me and many residents this has resulted in a significant failure in the treatment of weeds on pavements. How do you plan to remedy this problem?

<p>Question (5) by Councillor Cowell to the Executive Lead for Business Planning and Governance (Councillor McPhail)</p>	<p>Is the Executive Lead for Business Planning and Governance aware that a petition by local residents highlighting their concerns about the Mayor's recent reshuffle, in particular that of the former Deputy Mayor Cllr David Thomas, was rejected by officers. Why?</p>
<p>Question (6) by Councillor Darling to the Mayor</p>	<p>Housing benefit delays - The advertised 10 maximum week time in processing Housing benefits is resulting in real hardship and worry for many local residents. Private landlords are less likely to let to Housing benefit claimants. Sanctuary housing are threatening eviction to tenants and families on the breadline are having to make choices between rent and food. What plans do you have to reduce this period to a more appropriate 5 week maximum to process housing benefit claims?</p>
<p>Question (7) by Councillor Cowell to the Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Excell)</p>	<p>Can you confirm the additional costs incurred for Tor2 to collect fly-tipped waste from Lymington Road Coach Station since the matter was raised in an e-mail from me to officers on August 14th 2014?</p> <p>Can you also detail any other costs as a result of the fly-tipping?</p> <p>Will you confirm that the garden waste collection service at Lymington Road will continue despite the recent tipping issues?</p>
<p>Question (8) by Councillor Darling to the Executive Lead for Business Planning and Governance (Councillor McPhail)</p>	<p>Child Poverty - Additional amendment to the Child Poverty report which was approved at Council on 27 Feb 2014.</p> <p>"A further amendment was proposed by Councillor Darling and seconded by Councillor Faulkner (J):</p> <p>(iv) that in light of the aspirations contained in the Torbay Child Poverty Commission "Torbay Gains" report, the Corporate Plan be revised to ensure that it aligns with the corporate elements of the report and a revised Corporate Plan be presented to the Council in September 2014.</p> <p>On being put to the vote, the amendment was declared carried."</p> <p>In light of the above extract from the Full Council meeting in February can you please explain why this has not appeared on a Full Council Agenda to date at either September or October? I have raised this matter with both the Executive Head of Business Services and the Deputy Mayor.</p>

<p>Question (9) by Councillor Doggett for the Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Excell)</p>	<p>On September 30th, I was invited to a meeting of the Transport Sub-Group of the Torbay Business Forum. This has the remit to establish priorities for the Sub-Group to work on. One of the most important points to be raised was how to get the best out of the South Devon Link Road once completed. The feelings of the Group were that we need a Park and Ride Service for Torbay. Overall Strategic thoughts were that there was finite road space, whatever is done. Therefore what assurances can you give me to revisit the possibility of a Park and Ride Service? This will, for example, provide access to the new proposed Edginswell Railway Station, and also Torbay Hospital, and Torquay Town Centre.</p>
<p>Question (10) by Councillor Darling to the Executive Lead Adult Social Care and Older People (Councillor Scouler)</p>	<p>Podiatry Service - It has been drawn to my attention that a number of people have started to be discharged from the podiatry service in Torbay. What change in criteria has been enacted? How many people have been affected by such a change and what risks were identified before such a change in service was implemented?</p>
<p>Question (11) by Councillor Davies to the Executive Lead for Harbours, Culture and the Arts (Councillor Amil)</p>	<p>Do you support the redevelopment of Paignton Harbour and how much will the redevelopment cost?</p>
<p>Question (12) by Councillor Pountney to the Mayor</p>	<p>Can the Mayor update the Council on any developments in the terms of the proposed lease of Cary Green and the Pavilion and will he make the full details of any lease available to the public before it is sign?</p>
<p>Question (13) by Councillor Morey to the Executive Lead for Harbours, Culture and the Arts (Councillor Amil)</p>	<p>Will the Executive Lead for Harbours, Culture and the Arts confirm that it is her intention to urge the Mayor to accept that the control and management of Churston Library must remain in local authority control?</p>

<p>Question (14) by Councillor Cowell to the Deputy Mayor and Executive Lead for Tourism (Councillor Mills)</p>	<p>Would the Deputy Mayor agree with me that the value of the English Riviera Tourism Company is more than illustrated by the three years of growth evidenced in the research undertaken by the South West Research Company on behalf of the sector in the South West?</p> <p>Can he also confirm that he is fully committed to the Torbay Tourism and Retail BID and that he will work constructively with the TRTBID task group to achieve the successful delivery of this essential BID?</p>
<p>Question (15) by Councillor Parrott to the Executive Lead for Safer Communities, Highways, Environment and Sport (Councillor Excell)</p>	<p>In light of evidence around child sexual exploitation, violent sexual abuse, domestic abuse, rapes and assaults, please could the Executive Lead advise whether women are safe in the Bay?</p>
<p>Question (16) by Councillor Doggett to the Mayor</p>	<p>Through Torbay Council's policies and working with partners, why are the Council and partners promoting additional jobs only and not ensuring that employment development in Torbay is focused on better paid jobs for our Communities?</p>
<p>Question (17) by Councillor James to the Mayor</p>	<p>It has recently been revealed that the government gives out £85 billion a year in subsidies, grants and tax breaks for big businesses in this country. One year's worth of these subsidies would wipe out the structural deficit and remove the need for any more cuts in public spending, including to this council. Do you agree with me that it is absolutely outrageous that hard working local residents on low incomes, along with the poorest and most vulnerable people in Torbay, are having to suffer while subsidies to big businesses continue untouched?</p>

Agenda Item 7a

Notice of Motion - Fairer Tax System (Mayoral) – Council 30 October 2014

This Council recognises that while many ordinary people face falling household income and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share. Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinationals pay their fair share, enabling authorities around the world to provide quality public services. The UK government must listen to the strength of public feeling and act now to end the injustice of tax dodging by large multinational companies in developing countries and the UK.

This Council therefore resolves to write to the Chancellor of the Exchequer urging that immediate action is taken to address this anomaly.

Proposer; Councillor Andrew Baldrey

Seconder; Councillor Bobbie Davies

Agenda Item 8



Meeting: Council (Mayoral Decision)

Date: 30 October 2014

Wards Affected: Churston with Galmpton, Roundham with Hyde, Shiphay with the Willows, Tormohun, Cockington with Chelston, Watcombe, Ellacombe

Report Title: Proposed Disposal of Surplus Assets

Is the decision a key decision? Yes

When does the decision need to be implemented? As soon as possible

Executive Lead Contact Details: Mayor Oliver, Mayor and Executive Led for Employment, Regeneration, Finance and Audit, mayor@torbay.gov.uk

Supporting Officer Contact Details: Liam Montgomery, Head of Asset Management and Housing, (01803) 208720, liam.montgomery@torbay.gov.uk

1. Purpose and Introduction.

- 1.1. To make individual recommendations relating to the disposal of 13 unused assets to achieve capital receipts and cost savings.

2. Proposed Decision

- 2.1. That the Mayor be recommended:

- (i) that the Mayor considers any feedback received before the 30 September 2014 from Ward Members, the Local Access Forum (where appropriate) and the relevant Community Partnerships to the disposal of the 13 Assets listed in Appendix 1 to the submitted report;
- (ii) that the 13 Assets listed in Appendix 1 to the submitted report be declared no longer required for service delivery and that the Head of Commercial Services be requested to advertise their intended individual disposal in accordance with both the Council's Community Asset Transfer Policy 2008 and where appropriate Section 123(2A) of the Local Government Act 1972;
- (iii) that, subject to any expressions of interest received from the Community and any objections received to any disposal advertised pursuant to S123 of the Local Government Act 1972 and subject to (i) above, the assets listed in Appendix 1 to the submitted report be individually disposed on such terms as are acceptable to the Executive Head of Commercial Services in consultation with the Chief Executive of Torbay Development Agency; and
- (iv) that the Executive Head of Commercial Services in consultation with the Chief Executive of the Torbay Development Agency be given delegated authority to consider any objections received on the advertisement of any of the proposed disposals pursuant to s123 of the Local Government Act 1972.

3. Reason for Decision

- 3.1. Expenditure and repair liability across the Council's assets significantly exceeds available resources.
- 3.2. On behalf of the Council, the Torbay Development Agency (TDA) continues to review the suitability and challenge the present use of assets. Together with Council officers it has considered the assets listed in Appendix 1 with a view to reducing running costs and generating capital receipts. These receipts could then be used to support the Council's approved Capital Programme.
- 3.3. The recommendations take into account any views expressed by the public consultation.
- 3.4. The disposal of assets not required for service delivery will enable the capital receipts to be reinvested into the Council's existing Capital Programme, which will contribute to the Council's objectives.
- 3.5. The reduction of the number of assets held is seen as an important element to achieving a sustainable maintenance regime for future generations.
- 3.6. At this point it is neither possible nor desirable to publicly quantify the expected total receipt.
- 3.7. Section 123(2A) of the Local Government Act 1972 states that subject to certain exceptions a council may not dispose of land consisting or forming part of an open space unless before disposing of the land they advertise the disposal for two consecutive weeks in a local newspaper, and consider any objections to the proposed disposal which may be made to them. An open space is defined for the purposes of the Act as being any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground

4. Supporting Information

- 4.1. The Capital Strategy is approved by the Council each year and provides that funding for the Capital Programme will be met in part from asset disposal.
- 4.2. The Corporate Asset Management Plan which is approved by the Council each year provided that the Council would adhere to the following guiding principles in the management of its assets:
 - To continuously maintain and improve assets;
 - To release value and minimise cost by challenging and reviewing the manner and use of assets;
 - To periodically review all assets to identify possible alternative use or disposal;
 - To ensure that disposals are effectively managed; and
 - To monitor running costs to target potential savings.
- 4.3. A number of the proposed disposal sites are deemed to be open space. As such their sale will be advertised in accordance with Section 123(1)(2a) of the Local Government Act 1972. The Council will need to consider any objections prior to their disposal.

- 4.4. Once an asset has been declared surplus then the Community is given an opportunity to lease it through the Council's Community Asset Transfer Policy.
- 4.5. If no community interest is received, or the Council's Community Asset Transfer Panel does not approve the transfer of an asset to the Community then, where appropriate, architects will be instructed to obtain planning consent for alternative uses.
- 4.6. When an asset is considered to be available for sale, either with or without planning consent, an external agent or auctioneer (as deemed appropriate) will be instructed to sell the asset in accordance with Council Standing Orders.

5. Possibilities, Options and Fair Decision Making

- 5.1. The assets could be retained and the repair and maintenance of the properties continued by the Council. If the assets are retained then the anticipated capital receipt will be lost, and the cost of initial repair and/or replacement of the properties and future maintenance, will remain the responsibility of the Council

6. Equal Opportunities

- 6.1. An Equality Impact Assessment has been published in respect of these proposals and is attached to this report as Appendix 2.

7. Public Services (Social Value) Act 2012

- 7.1. Where deemed appropriate, architects will be employed to obtain an alternative planning consent and external agents / auctioneers (as appropriate) will be appointed to effect a disposal.

8. Consultation

- 8.1. Letters including plans of the individual assets have been forwarded to relevant Ward Members and Community Partnerships, and where appropriate, the Secretary for the Torbay Local Access Forum. No comments have been received from any of the organisations mentioned.

9. Risks

- 9.1. The disposal of assets not required for service delivery has been identified as one of several initiatives to provide additional funding to tackle the urgent land and building backlog maintenance liability and provide receipts for the Capital Programme. Inevitably, there may be some objections to the disposal of some of the assets identified. Failure to consult adequately may lead to abortive disposal work should some of the disposals not proceed. This risk has been mitigated by consulting adequately and by advertising prior to any marketing taking place.

10. Appendices

Appendix 1 Schedule of assets to be declared surplus.

Appendix 2 Equalities Impact Assessment

Appendix 3 EM2445 – Hillrise Playground, Brixham

Appendix 4 EM2454 – Land adjoining Davies Avenue, Paignton

Appendix 5 EM2429 – Land at Whitstone Rd, Paignton

- Appendix 6 EM2429a – Land at corner of Sands Road, Paignton
- Appendix 7 EM2426 – Land at junction of Dart Avenue & Tamar Avenue
- Appendix 8 EM2426a – Land at junction of Dart Avenue & Marldon Avenue
- Appendix 9 EM2455 – Land adjacent No 7. Weaver Court, Torquay
- Appendix 10 EM2458 – Land at Plym Close, Torquay
- Appendix 11 EM2448 – Pendennis Playground 1, Torquay
- Appendix 12 EM2457 – Land R/O Sanford Road, Torquay
- Appendix 13 EM2449 – Land at junction Clennon Lane & Fore Street, Torquay
- Appendix 14 EM2459 – Land at end of Garth Road, Torquay
- Appendix 15 EM2456 – Land at Stentiford Hill, Torquay

11. Additional Information

11.1. None

Forward plan info for Oct 2014 Council

Site	Asset Ref	Asset Name	Ward	Plan Ref	Approx Area	Description	Comments
1	B0361	Hillrise Playground, Galmpton, Brixham	Churston with Galmpton	EM2445	124m ² /0.03 acres	Disused Playground	Not required for service delivery
2	P0012	Land adjoining Davies Avenue	Churston with Galmpton	EM2454	212.8m ² /0.05 acres	Open space	Not required for service delivery
3	P1082	Land at Whitstone Rd, Paignton	Roundham with Hyde	EM2429	635m ² /0.15 acres	An area of largely unused amenity land	Not required for service delivery
4	P0338	Land at corner of Sands Rd	Roundham with Hyde	EM2429a	519.28m ² /0.12 acres	An area of largely unused amenity land	Not required for service delivery. To investigate acquisition of freehold interest in adjoining land (hatched black on the plan) (leased in by Council) to create marriage value
5	T3119	Land at junction of Dart Avenue & Tamar Avenue	Shiphay with the Willows	EM2426	1338m ² /0.33 acres	An area of largely unused amenity land	Not required for service delivery
6	T3121	Land at junction of Dart Avenue & Marlton Rd	Shiphay with the Willows	EM2426a	331m ² /0.08 acres	An area of largely unused amenity land	Not required for service delivery
7	T0956	Land adj. No.7 Weaver Court	Shiphay with the Willows	EM2455	515.8m ² /0.12 acres	Open space	Not required for service delivery
8	T3050	Land at Plym Close	Shiphay with the Willows	EM2458	379.9m ² /0.09 acres	Open space	Not required for service delivery
9	T3042	Pendennis Playground 1, Pendennis Road, Torquay	Tormohun	EM2448	137.43m ² /0.03 acres	Playground is underused due to new playground being 276m away	Offered to Sanctuary Housing initially but they were not interested in the site. Offer to Community Partnership, if they are not interested look at development opportunities
10	T0240	Open land R/O Sanford Road	Cockington with Chelston	EM2457	705.5m ² /0.17 acres	Open space	Possibly offer to Community Partnership as community garden
11	T3109	Land Junction Clennon Lane & Fore Street,	Watcombe	EM2449	53.04m ² /0.01 acres	Area including trees	Offer to adjoining owner for parking or garage

12		Barton, Torquay Land at the end of Garth Road, Torquay	Watcombe	EM2459	564.7m ² / 0.13 acres	Open space	Not required for service delivery
13	T0395	Land at Stentiford Hill - Part	Ellacombe	EM2456	2,992.8m ² / /0.73 acres	Open space	Not required for service delivery

Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Proposed Disposal of Surplus Assets
Name (Key Officer/Author):	Susanne Lang
Position:	Asset Disposals
Date:	1 st October 2014
Business Unit:	T.D.A
Tel:	01803 208066
Email:	Susanne.lang@tedcilt.d.com

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

1)	Does this report relate to a key decision?	Yx <input type="checkbox"/>	N <input type="checkbox"/>
2)	Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following: <ul style="list-style-type: none"> • The Community (including specific impacts upon the vulnerable or equality groups) • Our Partners • The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision) 	Yx <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> Yx <input checked="" type="checkbox"/>	N <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/>

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>That 13 Council Real Estate Assets be declared no longer required for service delivery and that subject to any expressions of interest received under the Council's agreed Community Asset Transfer the Assets be individually disposed in due course. All assets are either vacant or previous Council services have been discontinued.</p> <p>The assets are:</p> <ol style="list-style-type: none"> 1. Hillrise Playground, Brixham 2. Land adjoining Davies Avenue, Paignton 3. Land at Whitstone Rd, Paignton 4. Land at corner of Sands Road, Paignton 5. Land at junction of Dart Avenue & Tamar Avenue 6. Land at junction of Dart Avenue & Marldon Avenue 7. Land adjacent No 7. Weaver Court, Torquay 8. Land at Plym Close, Torquay 9. Pendennis Playground 1, Torquay 10. Land R/O Sanford Road, Torquay 11. Land at junction Clennon Lane & Fore Street, Torquay 12. Land at end of Garth Road, Torquay 13. Land at Stentiford Hill, Torquay
2.	Who is intended to benefit / who will be affected?	<p>The disposal of assets not required for service delivery will enable the capital receipts to be reinvested into the Council's existing capital programme, and save ongoing repair and maintenance costs which will contribute to the Council's objectives and therefore benefiting the residents of Torbay.</p>
3.	What is the intended outcome?	<p>That 13 Council Real Estate Assets be declared no longer required for service delivery, and subject to any Expressions of Interest under the Council's Community Asset Transfer Policy 2008, and other representations received, the disposal of the assets be progressed to supply the Council with a Capital receipt.</p>

Section 2: Equalities, consultation and engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

Evidence, consultation and engagement

No	Question	Details
4.	Have you considered the available evidence?	<p>The effective use of assets is a key factor in delivering to the community of Torbay and the objectives and priorities they have set for the Council.</p> <p>The Councils Corporate Asset Management Plan (CAMP) 2013-2017 sets out the strategies to achieve the most efficient use of assets.</p> <p>The principle aim of the CAMP is to ensure that the opportunity cost of financial resources tied up in land and buildings is minimised, and that capital and revenue expenditure on the portfolio is directed efficiently and effectively to provide value for money.</p>

No	Question	Details
5.	How have you consulted on the proposal?	<p>Letters including plans of the individual assets have been forwarded to every Ward Councillor and Chairs of Community Partnerships, seeking any comments or observations on the proposals.</p> <p>The Wards and Community Partnerships affected are:</p> <ul style="list-style-type: none"> • Cockington with Chelston • Ellacombe • Shiphay & The Willows • Hele and Barton • Churston with Galmpton • Roundham with Hyde • Watcombe <p>The Secretary for the Torbay Local Access Forum has been sent individual plans, seeking any comments or observations on the proposals in respect of the following proposed disposals;</p> <ul style="list-style-type: none"> • Land at Whitstone Road, Paignton • Land at corner of Sands Rd, Paignton • Land at junction of Dart Avenue and Tamar Avenue, Torquay • Land at junction of Dart Avenue and Maridon Avenue, Torquay • Land adj. No. 7 Weaver Court, Torquay • Open land R/O Sanford Road, Torquay • Land at end of Garth Road, Torquay • Land at Stentiford Hill – (part of), Torquay <p>If the proposals are agreed by the Mayor, Notices, and advertisements in the local paper, will be posted under Section 123(1)(2a) of the Local Government Act 1972, and any representations considered by the Mayor.</p>
6.	Outline the key findings	<p>Any comments or observations on the proposals received will be reported to Members in an additional briefing document for consideration at the meeting on 30th October 2014.</p>

No	Question	Details
7.	What amendments may be required as a result of the consultation?	In reaching a decision on the proposals, the Mayor will consider any comments or observations received and if appropriate amend the proposals.

Positive and negative equality impacts

No	Question	Details		
8.	Identify the potential positive and negative impacts on specific groups	Consideration of any impact on specific groups has been considered and is reported below.		
	All groups in society generally	Positive Impact Capital receipt to help fund the agreed Capital Plan. Reduction of Council maintenance costs. Improved use of underused Council resources. Improved visual amenity. Provision of Community space.	Negative Impact Limited loss of open amenity area	Neutral Impact
	Older or younger people			There is no differential impact on Older or younger people with regard to this proposal.
	People with caring responsibilities			There is no differential impact on People with caring responsibilities with regard to this proposal.
	People with a disability	Although there is no differential impact on people with a disability, where appropriate, the Secretary for the Torbay Local Access Forum has		There is no direct differential impact on People with a disability with regard to this proposal.

No	Question	Details
	been sent individual plans, seeking any comments or observations on the proposals.	
Women or men		There is no differential impact on Women or men with regard to this proposal.
People who are black or from a minority ethnic background (BME)		There is no differential impact on People who are black or from a minority ethnic background (BME) with regard to this proposal.
Religion or belief (including lack of belief)		There is no differential impact on Religion or belief (including lack of belief) with regard to this proposal.
People who are lesbian, gay or bisexual		There is no differential impact on People who are lesbian, gay or bisexual with regard to this proposal.
People who are transgendered		There is no differential impact on People who are transgendered with regard to this proposal.
People who are in a marriage or civil partnership		There is no differential impact on People who are in a marriage or civil partnership with regard to this proposal.
Women who are pregnant / on maternity leave		There is no differential impact on Women who are pregnant / on maternity leave with regard to this proposal.
Socio-economic impacts (including impact on child poverty issues and deprivation)	The 13 Council Real Estate Assets that are being declared no longer required for service delivery will be subject to expressions of Interest	

No	Question	Details
9.	Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?	<p>under the Council's Community Asset Transfer Policy 2008. The disposal of assets will enable the capital receipts to be reinvested into the Council's existing capital programme, which will contribute to the Council's objectives and therefore benefiting the residents of Torbay.</p> <p>There is also a link to the future use of these sites being used to improve the visual amenity of some of the assets and will therefore enhance the value to the community and assist in social cohesion.</p> <p>It is considered that the improvement of the visual amenity of some of these assets will enhance the value to the Community.</p>

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	Summarise any positive impacts and how they will be realised most effectively?	The receipt of a Capital sum if assets are sold will assist in the provision of agreed expenditure under the Capital Plan.
11.	Summarise any negative impacts and how these will be managed?	Limited loss of amenity land, currently either inaccessible or rarely used.

--	--

Section 4: Recommended course of action

No	Action	Details
12.	State a recommended course of action [please refer to action after section 5]	Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken.

Section 5: Monitoring and action plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	The proposal is only to obtain approval from the Mayor to confirm the assets are no longer required for service delivery. If agreed, there will be ongoing discussions with Community Partnerships and Third Parties to ensure there is no negative impact to these proposals.

Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Receive, and consider any objections comments and observations from Consultees.	To ensure all interested parties' views are considered prior to consideration of Report.	TDA		30 th September 2014
2	If proposal agreed, to ensure 'Expressions of Interest' are sought	To comply with the Council's agreed	TDA		8 th October 2014

	under the Councils Community Asset Transfer protocol.	Community Asset Transfer protocol.			
3	If proposal agreed, to ensure the proposed disposal of any public open space is advertised in accordance with Section 123(1)(2a) of The Local Government Act 1972, and to report any objections to the Mayor for consideration.	To comply with Statute requirements	TDA		To be advertised after the Council decision



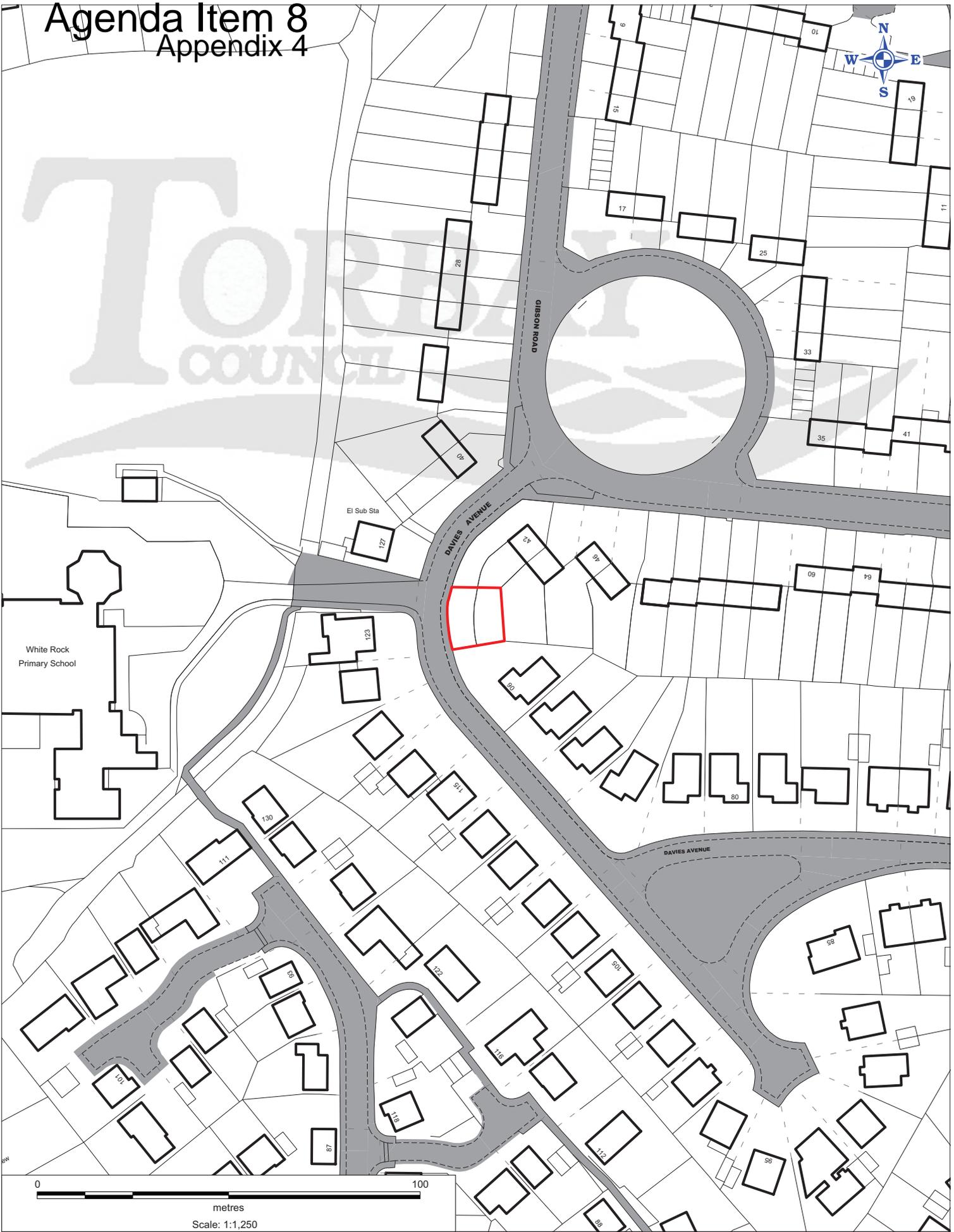
EM Plan No: EM2445
Date: 21st July 2014
Title: Hillrise Playground, Galmpton

Asset No: B0361
LR Title No: DN432469
Scale: 1:1250
Area: 124m²



Agenda Item 8

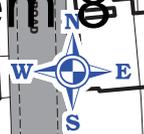
Appendix 4



EM Plan No: EM2454
Date: 22nd August 2014
Title: Land adjoining Davies Avenue, Paignton

Asset No: P0012
LR Title No: DN546292
Scale: 1:1250
Area: 212.8m²





EM Plan No: EM2429
Date: 10th June 2014
Title: Land at Whitstone Road, Paignton.

Asset No: P1082
LR Title No: DN551428
Scale: 1:1250
Area: 635.05m²



Agenda Item 8 Appendix 7



EM Plan No: EM2426
Date: 5th June 2014
Title: Land at the junction of Dart Ave and Tamar Ave, Torquay.

Asset No: T3119
LR Title No: DN437434
Scale: 1:1250
Area: 1,338.08m²



Agenda Item 8

Appendix 8



EM Plan No: EM2426a
Date: 5th June 2014
Title: Land at the Junction of Dart Ave and Marldon Rd, Torquay.

Asset No: T3121
LR Title No: DN437246
Scale: 1:1250
Area: 331.32m²



Agenda Item 8 Appendix 9



EM Plan No: EM2455
Date: 22nd August 2014
Title: Land adjoining No 7 Weaver Court, Torquay.

Asset No: T0956
LR Title No: DN291725
Scale: 1:1250
Area: 515.8m²



Agenda Item 8 Appendix 10

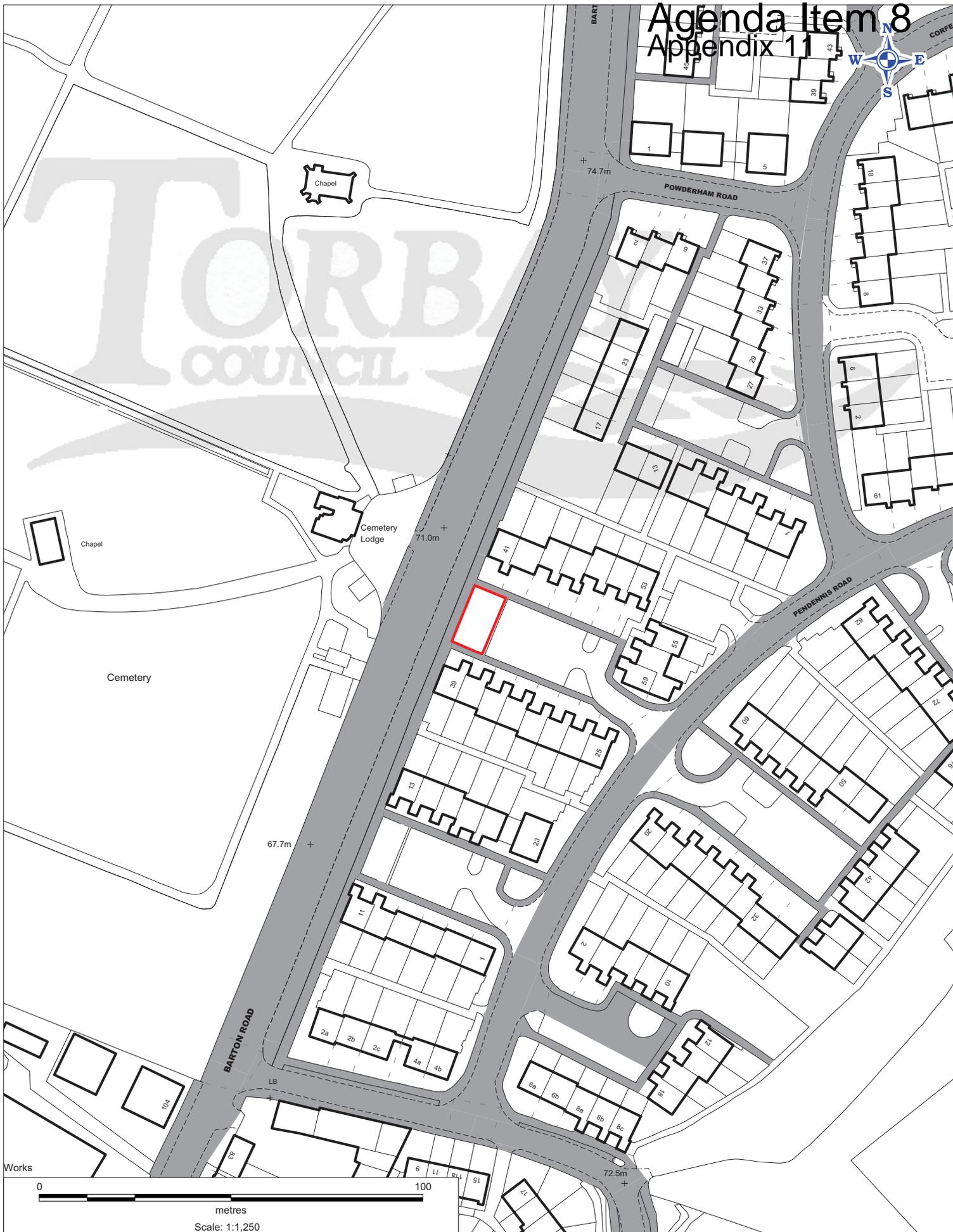


EM Plan No: EM2458
Date: 22nd August 2014
Title: Land at the end of Plym Close, Torquay.

Asset No: T3050
LR Title No: DN437250
Scale: 1:1250
Area: 379.9m²



Agenda Item 8 Appendix 11



EM Plan No: EM2448
Date: 22nd July 2014
Title: Pendennis Road Playground 1, Pendennis Road, Torquay

Asset No: T3042
LR Title No: DN434427
Scale: 1:1250
Area: 137.43m²



Agenda Item 8

Appendix 12



EM Plan No: EM2457
Date: 22nd August 2014
Title: Open land R/O Sanford Road, Torquay.

Asset No: T0240
LR Title No: DN528782
Scale: 1:1250
Area: 705.5m²



Agenda Item 8 Appendix 13

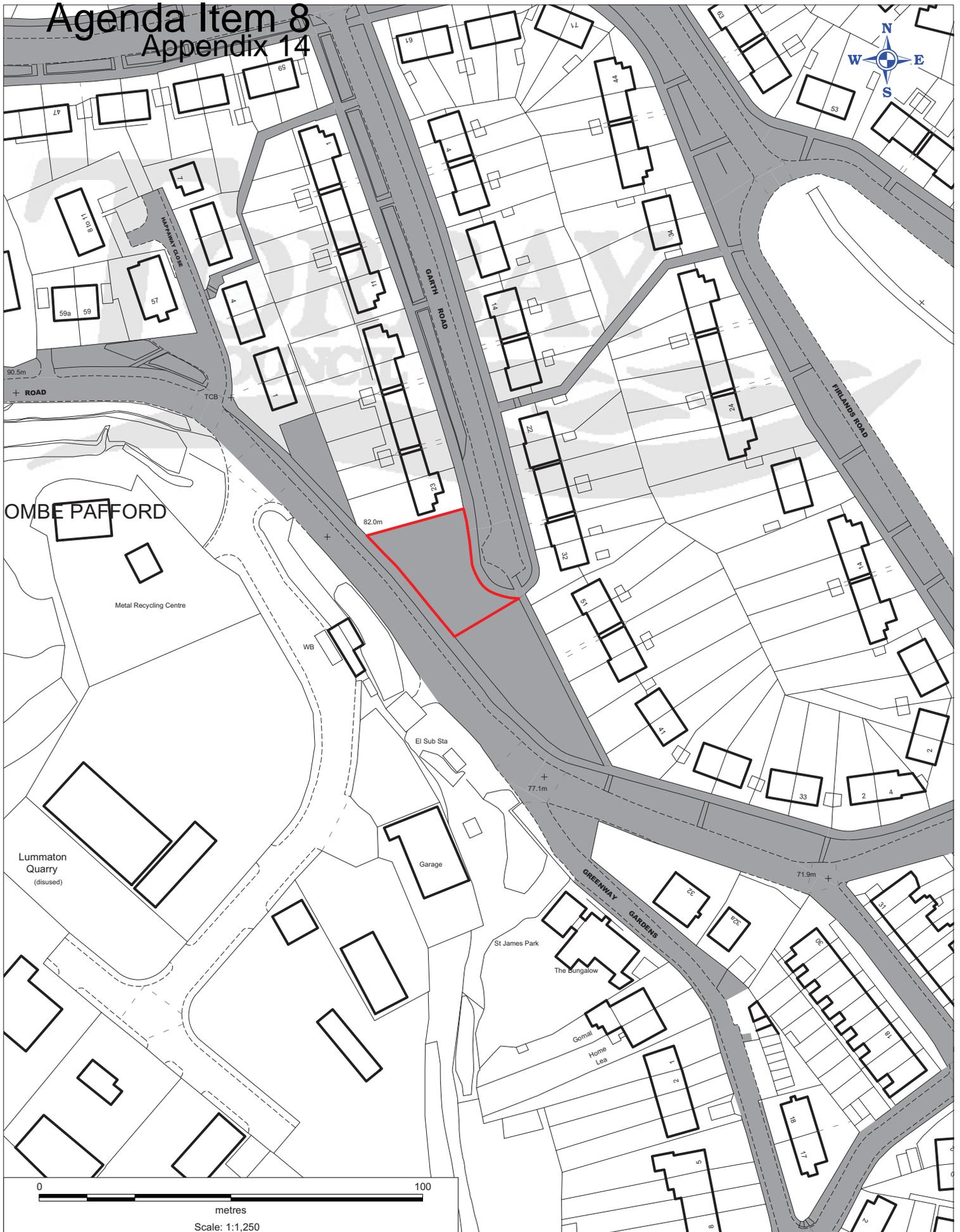


EM Plan No: EM2449
Date: 22nd July 2014
Title: Land at the junction of Clennon Lane & Fore Street, Torquay

Asset No: T3109
LR Title No: DN549791
Scale: 1:1250
Area: 53.04m²



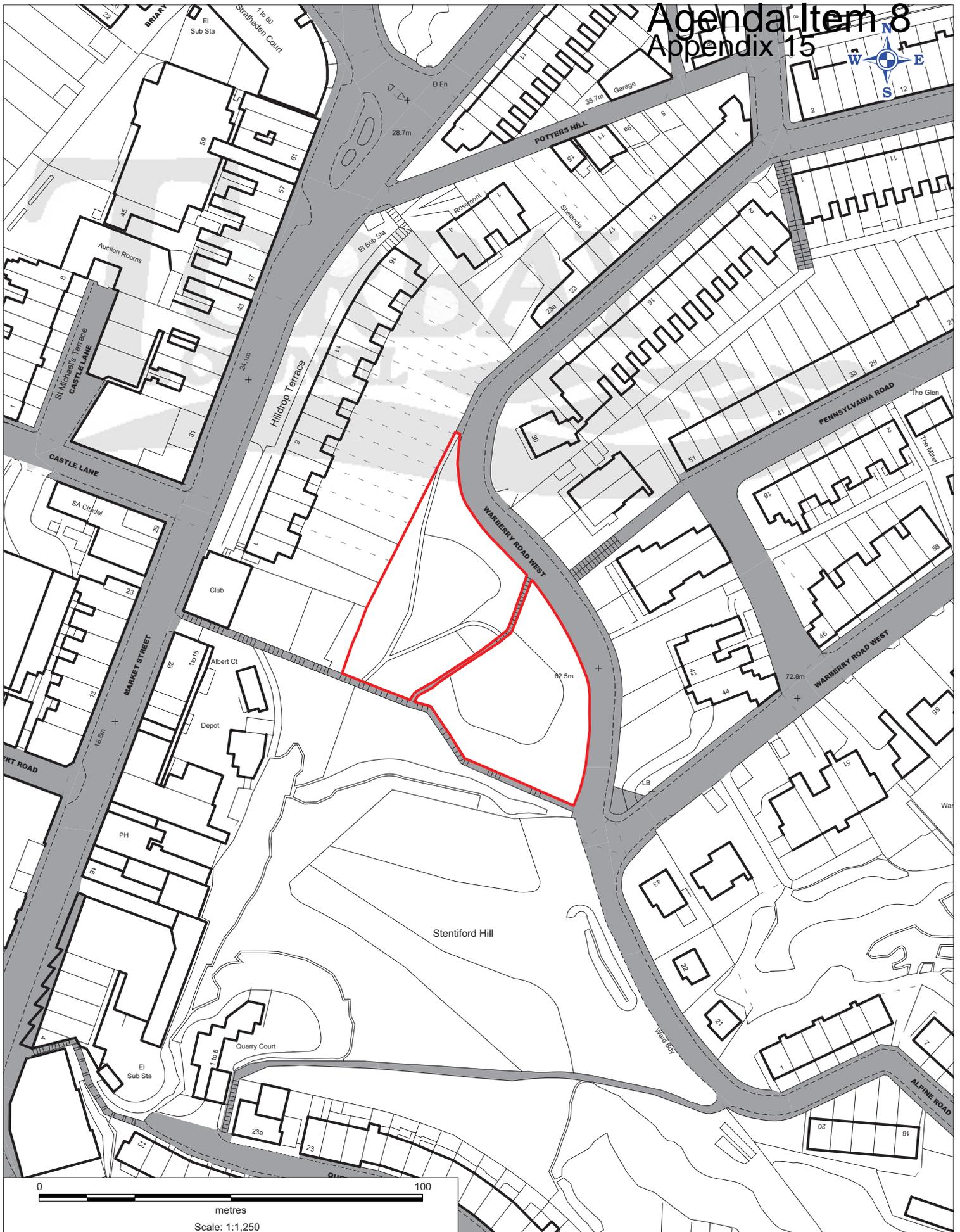
Agenda Item 8 Appendix 14



EM Plan No: EM2459
Date: 22nd August 2014
Title: Land at the end of Garth Road, Torquay.

Asset No: Highway Land
LR Title No: DN436836
Scale: 1:1250
Area: 564.7m²





EM Plan No: EM2456
Date: 22nd August 2014
Title: Land at Stentiford Hill, Torquay.

Asset No: T0395
LR Title No: DN520138
Scale: 1:1250
Area: 2,992.8m²



Agenda Item 9



Meeting: Full Council

Date: 30th October 2014

Wards Affected: All Wards

Report Title: Extreme Weather Resilience Report: Torbay 2013/14

Is the decision a key decision? No

When does the decision need to be implemented? Report timetabled for Full Council 30/10/14 to be close to the Autumn national government budget statement

Executive Lead Contact Details: Councillor Robert Excell - Deputy Leader Conservative Group & Executive Lead for Safer Communities, Highways, Environment and Sport

Supporting Officer Contact Details: Charles Uzzell - Director of Place & Resources

1. Purpose and Introduction

- 1.1 The report provides an evidence base which details the impacts of the 2013/14 winter storm period on Torbay whilst laying the foundations for greater resilience in the future. It focuses on Torbay's highway, footpath and rail network, coastal defenses, harbours and green infrastructure.
- 1.2 This report provides the Council with recommendations to improve our response to extreme weather events acting as a community leader, service provider and estate manager.
- 1.3 The Extreme Weather Resilience Report: Torbay 2013/14 provides a record of the 2013/14 winter storm period and its impact on Torbay. It is not statutory document but it is intended that it will be publically available. The report is not a definitive or exclusive list of recommendations as some impacts are unlikely to manifest themselves for several years into the future.
- 1.4 The report explores the opportunities and priorities of Torbay Council as a community leader, service provider and estate manager in respect to extreme weather. In an increasingly competitive landscape for public resources it is important that Torbay articulates how the Council and its partners develop responses to extremes of weather.

2. Proposed Decision

- 2.1 That the Mayor be recommended:

To approve the submitted report and adopt the following recommendations in the Extreme Weather Resilience Report: Torbay 2013/14:

- That Torbay Council continue to enhance partnership working through the Peninsular Rail Task Force and Network Rail to further develop resilience in the Far South West and ensure that information from the events of 2013/14 are shared to reduce the impacts of future extreme weather events.
- That Network Rail be recommended to prioritise future funding to improve resilience and connectivity to the far South West ensuring future strategic plans include the need to improve resilience to this area. This should include plans to raise track heights and raise line-side equipment cabinets above track level on sections of track to reduce the vulnerability of the rail network, and additional passing places on the Waterloo Line to act as an alternative route should the need arise.
- In the event of major disruption to rail services, coordination arrangements over adjacent geographical areas are enhanced by Network Rail and Train Operating Companies.
- That Torbay Council continues to enhance partnership working with the Local Enterprise Partnership, South West Transport Authorities and the Highways Agency to develop a resilient strategic highway network funded with support from central government.
- That Torbay Council acting as Lead Local Flood Authority facilitate new studies and undertake small scale flood risk management measures to tackle new recovery and resilience requirements, on top of the existing and planned programmes of work.
- That Government should consult Local Highway Authorities on a single set of criteria to be applied to emergency highway repair funding, to minimise the administrative burden when applying for funds at times of crisis.
- That Torbay Council develops a prioritised harbour repair programme with funding assistance from outside bodies.
- That Torbay Council further develop the resilience of Torbay's coastline using the Flood Steering Group to enhance partnership working with the Environment Agency (EA) and South West Water.
- That Torbay Council supports tourism businesses through increased publicity and media campaigns during extreme weather events. That Torbay Council also surveys the impact of future events on this sector.
- That Torbay Council and the Torbay Coast and Countryside Trust work in partnership to identify ways in which Torbay's green infrastructure can reduce and slow flooding during extreme weather events.
- That Torbay Council supports the development of the Environment Agency Flood Warden initiative.
- That Torbay Council explores ways of sharing information in real time between emergency response teams during emergency events, for example using 'Resilience Direct'.

3. Reason for Decision

- 3.1 The report provides the Council with recommendations to improve our response to extreme weather events acting as a community leader, service provider and estate manger.
- 3.2 The report documents the impacts of the severe weather events of 2013/14 and provides an evidence base which can be part of the Councils request to government for greater investment in resilience on strategic and local networks.
- 3.3 Devon County Council, Cornwall County Council, Somerset County Council, Plymouth City Council and the Isles of Scilly are all following a similar process to ensure that the impact of these extreme weather events are not forgotten but used to plan for a more resilient future for the South West.

Supporting Information

4. Position

- 4.1 The succession of storm events from December 2013 through to February 2014 highlighted the cost, damage and disruption that extreme weather can cause to homes, businesses and vital services. The severe flooding events, storm surges, coastal tidal issues and high winds experienced in Torbay and the wider South West Peninsula had a significant impact on individual people, communities, infrastructure and economic performance.
- 4.2 In Torbay the storm events damaged coastal defenses and promenades, caused sea front closures, landslides, flooding and damage to public and private property, roads and trees.

Sea front closures	Various sites and locations across Torbay
Sea wall damage	Victoria Breakwater - Brixham, Goodrington, Hollicombe - Paignton Corbyn Head, Meadfoot, Torre Abbey, Princess Pier, Institute Beach, Oddicombe to Babbacombe, Torquay
Land slides	Marldon Road, Goodrington North, Warberry Road
Promenade damage	Torre Abbey
Overtopping	Torre Abbey, Paignton, Preston, Livermead, Goodrington, Meadfoot, Beacon Cove, Oddicombe, The Strand, Brixham
Flooding	Long Road, Clennon Valley, Stoke Gabriel, Cockington , The Strand Tor Hill Road
Property damage	Castle Circus, St Marychurch , Torquay Road, Union Street
Fallen/damaged trees	50 across Torbay

- 4.3 Torbay Council is currently working with Peninsula County and Unitary Authorities to gain a collective understanding of the most urgent extreme weather and climate risks. Working in partnership it is contributing to the development of projects that help the Bay and its communities withstand extremes of weather more robustly.

- 4.4 The extreme weather events and severe disruption to the transport network in 2013-14 had an impact on Council budgets, the economic performance of the Bay and the South West as a whole. The Met Office and Environment Agency agree that these events reflect an increasing likelihood of more frequent and intense storms in the future.
- 4.5 The government has recognised this to some degree through the short-term allocation of increased national funding for the immediate repair of existing flood and coastal protection assets affected by the events of 2013/14. However, what is urgently required is a more sustained programme of investment through regional programmes and local intervention.
- 4.6 There has been an impact of the storms on the local economy both in the short term through operational issues, but perhaps more damagingly, in the longer term through a lack of strategic and local transport infrastructure resilience affecting economic output and investment confidence. There is evidence to suggest that transport improvements will help unleash economic growth in the sub-region which would in turn provide a major contribution towards the national economy.

5. Possibilities and Options

- 5.1 Torbay Council can communicate the impacts of the recent extreme weather events to local, regional and national bodies joining the other Peninsula Unitary and County authorities that have responded by preparing reports.
- 5.2 The Council can decide not to adopt the report or to change the recommendations but there is a risk that the events of 2013/14 will be forgotten and the opportunity to support national resilience investment will be lost.

6. Equal Opportunities

- 6.1 An Equality Impact Assessment will not be undertaken on the report. No major effects or significant negative impacts are expected to be identified.

7. Public Services (Social Value) Act 2012

- 7.1 Adoption of the report itself will not require any direct procurement.

8. Consultation

- 8.1 Development of the draft report has already involved consultation with Council departments and groups across the Bay. While the report seeks to address many of the issues raised it is acknowledged that these issues are a real challenge and many out of the Council's control.
- 8.2 The report has been presented to elected members.
- 8.3 The report if approved will be available on the Council website.

9. Risks

- 9.1 There could be a reputational loss if Torbay does not approve a response to the Winter 2013/14 storms as other Unitary and County authorities have responded.
- 9.2 By not demonstrating community leadership in this area Torbay could reduce its ability to secure Regional, National and European funding, as well as not taking full advantage of the adaptation opportunities that are occurring nationally and in particular in the South West.
- 9.3 Failure to improve the resilience of the area is also likely to lead to increased pressure on services and infrastructure and therefore higher costs for the Council during an extreme event.

Appendices

Appendix 1 The Extreme Weather Resilience Report: Torbay 2013/14

Additional Information

None



October 2014

**Draft Extreme Weather
Resilience Report: Torbay
2013/14**

Contents

1	Executive summary.....	3
2	Direct impact of the 2013/14 storm events.....	5
3	Highway network.....	6
4	Far South West rail network.....	9
5	Torbay's coastal defences.....	10
6	Flooding in Torbay.....	12
7	Green infrastructure.....	13
	7.1 Trees and Woodlands.....	13
	7.2 South West Coast Path.....	14
	7.3 Beaches.....	14
8	Brixham, Torquay and Paignton Harbours.....	15
9	Summary and Recommendations.....	17
10	Local framework documents, strategies and plans.....	20

1 Executive summary

The succession of storm events from December 2013 through to February 2014 highlighted the cost, damage and disruption that extreme weather can cause to homes, businesses and vital services. The flooding events, storm surges, tidal issues and high winds experienced in Torbay had a significant impact on individual people, communities and infrastructure underlining the impact that extreme weather can have on community resilience, transport, local government and the economy.

Torbay Council is working to gain a collective understanding of the most urgent extreme weather and climate risks as well as a commitment to action. Working with the Heart of the South West Local Enterprise Partnership (HOTSW LEP), regional local authorities and other organisations, Torbay is contributing to the development of projects that help the Bay and its communities withstand extremes of weather more robustly.

The South West Peninsula is southern Britain's front-line for intense storms tracking across the Atlantic under the influence of the jet stream and the UK Climate Projections (UKCP09) identify that severe weather is likely to be experienced more regularly in the future.

January 2014 was stormiest period experienced in the UK for at least 20 years and was the wettest period since 1910. The frequency of storm surges (8) that caused much of the damage and disruption would have been considerably worse for Torquay, Paignton and Brixham towns and harbours if the winds were in the east.

Torbay's orientation and topography meant that its natural defences prevented what could have been catastrophic damage and even more disruption. The Torbay area, though not as severely affected as some other Local Authority areas in the South West, still suffered damage and disruption. Torbay's location and infrastructure continues to be vulnerable and is highly reliant on a small number of strategic transport routes meaning that closures, incidents and delays on the highway and rail network can be very significant.

The main line railway was severely damaged at Dawlish severing a key transport link to the South West for many weeks. Huge waves overtopped coastal flood defences and many coastal communities in the region experienced flooding and damage to infrastructure, buildings and sea defences. Coastal damage was exacerbated by the cumulative effect of the sequence of storms in rapid succession resulting in major coastal erosion and the altering of beach profiles.

The economic impact of the storms on the local economy both in the short term through operational issues, but perhaps more damagingly, in the longer term through a lack of transport resilience that affects economic output, investment confidence and the perception of Torbay as a place to do business. Particularly vulnerable to these effects is the tourist industry which is a significant part of Torbay's economy.

Whilst it is difficult to attribute extremes of weather to climate change, the consensus view among the scientific community is that we will see an increasing number of extreme weather events in the future because of climate change. Torbay Council's Energy and Climate Change Strategy adopted in July 2014 underpins the council's response to improving resilience to the changing climate.

Torbay Council mobilised some of its own resources and successfully secured various grants to support the repair of damaged infrastructure which involved insurable assets were recovered via insurers but such losses were low in number and value. For non-insurable assets, a claim was submitted to the Bellwin* scheme which has yet to be approved.

Funded cost of storm damage repairs	Amount	Funder
Torbay Council funding used so far for structural repairs	£248,000	TC
Bellwin claim	£185,183	DCLG
Severe Weather Recovery Scheme (2013/14)	£336,225	DfT
Pothole Fund (2014/15)	£198,969	DfT
Small ports recovery fund	£295,000	DfT
Sea defence repairs	£408,000	EA
Total funding allocated to date	£1,671,377	

* The Bellwin Scheme is a discretionary government grant which gives special financial assistance to local authorities which would otherwise be faced with an undue financial burden as a result of providing relief and carrying out immediate work due to large-scale emergencies. Where the criteria of the Bellwin scheme are met, the grant is normally payable to authorities at 85 per cent of the eligible costs incurred above a threshold set for each authority.

Severe weather events have the potential to weaken highways, structures and coastal features leaving them more prone to catastrophic failure in subsequent events. The long term impact if the events of 2013/14 will not be fully realised for several years but the long term effect is that they may have increased vulnerability to future weather events. This cost therefore has yet to be realised. The Council is also currently seeking approximately £5.7M of capital funding to address major structural defects that have been identified within Haldon and Princess Piers at Torquay Harbour.

2 Direct impact of the 2013/14 storm events

The direct impact of the 2013/14 storm events caused damage to coastal defences and promenades, sea front closures, landslides, flooding and damage to property and roads, as well as many damaged and fallen trees.



Table 1 Summary of direct impacts on infrastructure

Sea front closures	Various sites and locations across Torbay
Sea wall damage	Brixham - Victoria Breakwater - Paignton - Goodrington, Hollicombe Torquay - Corbyn Head, Meadfoot, Torre Abbey, Princess Pier, Institute Beach, Oddicombe to Babbacombe,
Land slides	Marldon Road, Goodrington North, Warberry Road and Oldway Road
Promenade damage	Torre Abbey
Overtopping	Torre Abbey, Paignton, Preston, Livermead, Goodrington, Meadfoot, Beacon Cove, Oddicombe, The Strand, Brixham
Flooding	Long Road, Clennon Valley, Stoke Gabriel, Cockington , The Strand Tor Hill Road and Recreation Ground, Rathmore Road
Property damage	Castle Circus, St Marychurch , Torquay Road, Union Street, Oddicombe Beach properties and Torquay Rugby Club House.
Fallen trees	50 across Torbay

As well as direct impacts on infrastructure, there were wider impacts on the Torbay economy.

A total of 227 Torbay businesses responded to a flood impact survey issued by the Torbay Development Agency (TDA) in February 2014 where 35% said that their business had been directly affected by

flooding. The main economic impacts of the extreme weather were being the inability to travel to customers or customers travelling to the Bay and the additional cost and time involved in travel. Weather conditions limited those businesses working outdoors and tourism booking levels were reduced.

Tourism surveys were circulated among tourism businesses in Devon and Cornwall. A total of 154 responses were obtained, mostly from business contacts of the English Riviera Tourism Company that circulated the survey early in June, as well as other contacts in Devon. The tourism sector is said to be the business sector most negatively affected by the severe weather conditions.

The preliminary results of the tourism survey indicated that the rail disruption had a negative short-term and long-term impact on business performance. The disruption has impacted not only on those visitors who do come by rail but also in generating the perception that the south-west was cut off or closed for business not only during the period of disruption but afterwards as well. The Torbay Community was clear in its message that the area was open for business once the major disruption had passed but the impression left by media images was difficult to mitigate.

3 Highway network

Torbay Council's highways department is directly responsible for maintaining 522.5 kilometres of carriageway and 817 kilometres of footway highway network within Torbay. All highway authorities are classified as risk management authorities under the Flood and Water Management Act 2010 (FWMA) and must adhere to all the responsibilities imposed on risk management authorities; a duty to cooperate with other risk management authorities and authority to take on flood and coastal erosion risk

During the severe weather events the worst road damage in Torbay was limited to sections of the sea front and Cockington. The prolonged wet period may have encouraged a higher rate of run-off affecting some of the looser surfaces but there is no easy way of quantifying this. However, Torbay's direct damage to coastal defences and adjacent highways and footpaths was considerable. Cockington Lane was affected by flooding, and was closed to through traffic from 20th December to 9th January.

The main flood related problems in Torbay were associated with overtopping of coastal defences and heavy rainfall resulting in the capacity of sewers, watercourses, main rivers and highway drains being exceeded. In addition many highways were flooded as a result of surface water run off being unable to enter road gullies.

The seafront including Torbay Road (A3022) was closed four times between the 3rd and 7th Feb at the height of the storm surge. 17,000 vehicles use Torbay Road on average between the hours of 7am to 7pm, with any diverted traffic through unclassified routes. It is also a major bus link with a normal route of

2.6 miles diverted over the ring road on a route that is 8.4 miles causing massive passenger disruption. A total of seven overtopping events forced the closure of the seafront between February 2012 and February 2014 and is likely to continue to be susceptible to closures in the future

Many other roads were temporarily closed as in excess of 250 incidents of fallen and damaged publicly owned trees and an undefined large number of privately owned trees caused problems across the area. These closures left a lengthy backlog of problems for the Council to deal with. Problems have also arisen from cliff falls and landslides across the area which is threatening the connectivity through damage to roads.



The value of the road network as an asset in Torbay ('Depreciated Replacement Cost') is just over £30M according to the latest condition survey data. Preventative maintenance treatments (ensuring repairs to roads are completed before they reach a poor condition) have featured in all annual programmes for a number of years. The use of preventative treatment has increased since 2007 as the effect overall is to reduce the cost of repairs. The Torbay 'Life Cycle Planning Toolkit' suggests that £13M will be required before the principles of preventative treatments can be fully adopted.

Currently twenty-five percent of Torbay roads have been identified for different planned treatments waiting for suitable funding. This has allowed for additional funding to be targeted on vulnerable roads preventing pothole formation. Additionally surface dressing of major high speed roads has routinely been carried out and will continue to occur whilst the structural condition of carriageways remains suitable.

The Council received a significant increase from 11 to 23 Public Liability pothole claims compared to the same period last year. Conduct of these claims are still in some cases on-going and where the Council is found to be legally liable, settlement will be made from Council funds as the amounts fall below excess levels, leaving the Council responsible for meeting the costs of the claims.

The last time the Council saw such a spike in highway pothole claims was in 2010/11 when we were then subjected to wet and freezing conditions affecting the fabric of the highway. Both 2010/11 and 2013/14 show a direct correlation for an increase in pothole claims as a result of damage to the highway due to extreme weather conditions.

Torbay Council has an efficient highways maintenance regime, maintaining roads to a recognised Code of Good Practice backed by rigorous systems of inspection. However the current level of funding is not sufficient to allow enough preventative maintenance to take place to keep the overall asset in a stable condition. It is estimated that £2M is required per annum to maintain the highway network in its current condition. However this was before the storm events took place. In 2014/15 the government capital highways budget allocation will be £1,094,000, £134,000 less than 2013/14. The funding is intended to cover Torbay's carriageway network and all other highway assets, including footways, structures, street lighting, signs and barriers. The reduction in capital and revenue funding has reduced the amount of maintenance funding available to the network.

Recent grant applications have resulted in a top-up £535,194 allocation from the Department of Transport (DfT) but still only partially close the gap between network needs and the funding available to address them. This grant funding included the following:

- The Council was awarded from £336,225 Severe Weather Recovery Scheme to help manage the impacts that the 2013/14 storm events had on road conditions. This funding was used to support existing revenue funding, ensuring that adequate resources are in place to respond to the increased level of level of new defects identified and reported and to extend the planned resurfacing programmes to cover more of the roads in the worst condition, whilst continuing to concentrate other resources on preventative maintenance.
- The Council was also awarded £198,969 from the DfT's Pothole Fund to undertake more permanent repairs of the significantly increased numbers and sizes of potholes on the highway network. This focus on potholes, is pushing the Council to adopt a 'worst first' approach, rather than targeting investment at assets which represent the greatest risk or where treatment represents optimum benefit in terms of an assets 'whole life' cost and maximise value for money. Torbay Council is still left with the legacy of remaining repairs from damage caused by the storms of 2013/14, which will need to be funded from future capital allocations.

As well as considering local roads Torbay Council is part of a consultation group to improve the strategic resilience of the A303/A30/A358 corridor. The partnership is working closely with the Highways Agency to support its feasibility study of the route. The results of the study are due to be reported to Government in time for the Autumn Statement. Improving the corridor is supported by a cross-party group of MPs, all five South West LEPs and a wide range of businesses, emergency services and local authorities including Cornwall Council, Dorset County Council, Plymouth City Council and Devon County Council.

4 Far South West rail network

The railway is arguably the most vulnerable of all the strategic routes in the region given its low lying route through Devon, Somerset and route along the coast at Dawlish. All forms of extreme weather can impact on rail operations and compounding this challenge is that many of the railway's earthworks and embankments have not been constructed to modern design standards.

Damage to the network, with associated delays and service cancellations, was significant in the period from December 2013 to February 2014. Sections of the Great Western Mainline and Torbay branch line were closed during the period which impacted significantly on rail connectivity at times cutting off the whole South West Peninsula. These closures are summarised in Table 2:

Table 2 Lines closures affecting Torbay services between December 2013 and February 2014

Location	Cause	Length of closure
Riviera Line	Flooding at Edginswell	1 day (08/02)
Dawlish seawall	Sea wall collapse	60 days (03/02-03/04)
Exeter-Waterloo Line	Crewkerne landslip	1 day (08/02)
Exeter to Exmouth	Exe estuary wall damage	1 day (14/02)
Newton Abbot to Plymouth	Sea wall collapse	3 days (04/02-07/02)
Exeter to London Paddington	Somerset Levels flooding	7 days (03/02-10/02)
Exeter to Bristol	Somerset Levels flooding	31 days (07/02-10/03)

Most notably the sea wall at Dawlish, closed due to damage on 3rd February, sustained its worst damage since Victorian times with the complete collapse of an 80 metre section of wall on 4th February. This breach suffered further significant damage on 14th February, extending it to over 100 metres. A landslide behind the railway at Teignmouth further delayed repair work with no trains due to run until 4th April. Overall it resulted in 7500 full or part service cancellations to and from west of Exeter and created severe disruption for rail travellers throughout the South West Peninsula due to the organisation challenges encountered by rail operators.

The disruption events of 2014 are by no means new phenomena, repeating similar incidents as in previous years. The linear nature of the South West rail network and the absence of alternative routes beyond Exeter make it highly vulnerable to weather related disruptions.

The Torbay flood impact survey said that 55% of local business were experiencing difficulties because of the closure of rail links into Torbay with 75% of respondents' feeling investment in the South West rail infrastructure is poor or very poor. The Riviera line was closed for a day due to flooding at Edginswell effectively severing rail access from Torbay to anywhere outside of the Bay.

Torbay Council is part of a Peninsula Rail Task Force actively campaigning to secure investment to improve the resilience, speed and quality of services on the network. Improving the transport corridor is supported by a cross-party group of MPs, all five South West LEPs and a wide range of businesses, emergency services and local authorities.

The Mayor of Torbay was part of a cross-party Transport Select Committee in March 2014 to make Torbay's voice heard in the urgent appeal to restore rail links to the destination. Mayor of Torbay, Gordon Oliver said: *"I cannot overstate the urgency of reinstating rail links to Britain's most popular resort; and I delivered this message very clearly to the Transport Select Committee, who were left in no doubt as to our acute need for repaired and enhanced rail links".*

The Committee acknowledged the gravity of the message, and assured those local authorities present that urgent exploration of additional routes to the Dawlish line are being explored and that central government is prioritising the repairs at Dawlish to be completed in advance of the previously estimated timescales. The line at Dawlish was repaired in April 2014 and the government has tasked Network Rail to examine the feasibility of an additional line whilst confirming that the Dawlish Line will remain the main strategic route to the South West.

5 Torbay's coastal defences

Torbay Council is responsible for 36km of shoreline of which 9km is defended against coastal erosion by solid coastal defences with the remaining 27km of coastline consisting of natural undefended cliffs.

A combination of high tides, strong winds and large waves caused a succession of 5 major and 5 minor storms to hit coastal regions in Devon throughout January to mid- February. Due to the number of warnings provided before each storm event a number of properties were effectively protected using sandbags.

During the storm events there was severe damage to Torbay's coastal defences and seawalls at Victoria Breakwater in Brixham, Goodrington and Hollicombe in Paignton and Corbyn Head, Livermead, Torre Abbey, Princess Pier and Meadfoot in Torquay.

Even before the Winter 2013/14 storm events Torbay had experienced damage from extreme weather. In April 2013 a wash out behind the Livermead sea wall caused the South West Water rising main (which transfers all of Torquay's sewage to Brokenbury Sewage Treatment Works) to fail. In addition, there was a significant risk of the high pressure gas main under Torbay Road failing and therefore sheet piles were installed overnight in order to alleviate this risk. The main coast road between Torquay and Brixham (A379) had to be closed for three weeks resulting in major disruption to businesses and road users. The overall cost of the repairs to the sea wall and the revetment were in the region of £0.75M excluding the cost of the repair works to the rising main.



Extreme weather can affect the stability of sea cliffs, coastal outcrops and inland escarpments causing landslips and cliff falls. Early in 2013, following rock falls, one property at Oddicombe collapsed and due to structural damage at another property residents have had to leave their home. Other significant locations where rock falls have occurred include cliffs at Meadfoot Sea Road, Institute Beach, Hollicombe, Paignton Harbour; and Goodrington North. The quarry face at rear of Manscombe Close was also affected. The budget estimate for the stability works to those cliffs where funding has been secured is in the region of £0.5M.

In addition to repairing the damage to coastal defences earlier in the year £408,000 has been secured through the Environment Agency emergency storm funding for 2013/14. In addition a further £200,000

has been secured for the repairs to the coastal defence at Princess Pier through the small ports grant fund for storm repairs. The remaining costs associated with repairing this damage were included within the Council's Bellwin claim.

6 Flooding in Torbay

Torbay Council is the Lead Local Flood Authority (LLFA) for Torbay as defined by the Flood and Water Management Act 2010. It has responsibility for managing local flood risk from surface water, ordinary watercourses and ground water and is required to investigate all significant flood events (defined as more than 5 properties internally flooded during a storm event). The responsibility for consenting and enforcement on ordinary watercourses within Torbay has also transferred from the Environment Agency to Torbay Council under this act. The Council maintains, applies and monitors a Local Flood Risk Management Strategy (LFRMS) to address potential flood risk arising from local sources.



The occurrence and severity of flooding in Torbay has increased over recent years. Torbay is exposed to the combined potential flood risk from main river (formerly critical ordinary watercourses), tidal and coastal flooding. Both the urban drainage systems and surface water run-off also contribute significantly to the historical flooding within Torbay.

The succession of storms in 2013/14 brought the highest winter rainfall across Southern England since records began in 1766, resulting in widespread flooding, and extensive wind and coastal damage. The prolonged rainfall experienced over a 6 day period in 2012 generated 24 reports on internal flooding and 34 reports of external flooding to both residential and commercial properties throughout Torbay.

In 2013/14 flooding from surface water run-off, main rivers, ordinary watercourses, combined sewers and highway drainage occurred in Torquay, Paignton and Brixham. However, the majority of the flooding that affected coastal areas of Torbay was due to overtopping of coastal defences. In many areas this flood water resulted in the closure of highways, many of which were closed during every storm event between December 2013 and March 2014. In addition to the flooding across the whole storm period, a considerable number of fallen trees and branches on Torbay's roads, together with three embankment slips caused as a result of saturated ground and excessive rainfall.

Across Torbay, 14 properties (1 residential and 13 commercial) are reported to have experienced internal flooding between 23rd December 2013 to 14th February 2014; a significant reduction in comparison to the approximately 2000 properties in 2012 and early 2013.

There were reports of surface water flooding in Cockington village; however there were no properties flooded due to the action of TOR2 and the community. Working with the Environment Agency the Council is working to develop community flood warden schemes in Torquay, Paignton and Brixham. It should be acknowledged that the number of properties reported to have internally flooded is highly likely to be an underestimate due to the negative impact on property insurance.

7 Green infrastructure

Torbay Council manages 46 miles of Public Rights of Way (PRoW) which includes 12.5 miles of the South West Coast Path National Trail. Much of the public right of way network is managed by the Torbay Coast and Countryside Trust on behalf of Torbay Council. Green infrastructure helps to provide natural coastal protection; it contributes to the area's green infrastructure network and sustains a wide variety of wildlife.

7.1 Trees and Woodlands

The woodlands in the Bay suffered from higher than usual number of fallen and damaged trees due to the high winds. Torbay Council aims to further develop tree planting, greenspace management and sustainable urban drainage systems as a method of increasing resilience.

Torbay has a legacy of veteran Victorian trees which are vulnerable to prevailing and non-prevailing winds. Many are close to arterial roads and within urban areas and have the potential to create infrastructure damage. The Council's Natural Environment Services use tree management software and

close working arrangements cross-departmentally to respond to emergencies and the impact of extreme weather. The annual budget allocation of £40k for emergency works was exceeded during the storm period of 2013/14, with the actual cost is still being determined.

7.2 South West Coast Path

The storms caused damage to the South West Coast Path with sections being closed or diverted. Torbay Coast and Countryside Trust cleared the section it manages from Sharkham point to Maidencombe. The issues that affected the route were fallen trees, landslides and flooding.

The landslides at Saint Mary's Bay and Maidencombe were significant. The Saint Mary's Bay site is currently still closed with a diversion in place which takes people away from the coast. At Maidencombe a section was closed for around nine months whilst other sections of the route suffered from small scale erosion where path repairs and drainage works were necessary.

The cost of completing the backlog of repair work caused by extreme weather exceeds the Coast Path's annual maintenance fee (£16,000 from Natural England to the Torbay Coast and Countryside Trust) and so additional funding is being sought. The South West Coast Path and local routes are key tourism assets for the English Riviera with closures having an economic impact on local businesses such as pubs, cafes and accommodation providers.

7.3 Beaches

The effects of the storm altered beach profiles and moved large quantities of beach material creating some loss of amenity, as sand and shingle beaches now have large stones, cobbles, rocks and boulders strewn across them. Many of the beach hut facilities are packed away and moved in the winter but some privately owned beach hut stands were washed away.

The 2013/14 storms caused considerable damage to the café and businesses operating on Oddicombe beach. The damage sustained at Meadfoot promenade delayed the Meadfoot Beach Redevelopment Project, incurring financial implications based on loss of income and increased costs.



The beaches of Torbay are an important element of the Bays tourism offer and have a high recreational value for local people. The effects of the storm altered beach profiles and moved large quantities of beach material creating some loss of amenity, as sand and shingle beaches now have large stones, cobbles, rocks and boulders strewn across them.

The 2013/14 storms caused considerable damage to the café and businesses operating on Oddicombe beach. The damage sustained at Meadfoot promenade delayed the Meadfoot Beach Redevelopment Project, incurring financial implications based on loss of income and increased costs.

The impact of the storms on seabirds and marine life has not been fully assessed considering larger than usual numbers of birds and marine animals were stranded on beaches dying from exhaustion. Extremes of weather pose threats and opportunities to the unique coastal geological landscape that has UNESCO global geopark status.

8 Brixham, Torquay and Paignton Harbours

As a statutory entity Tor Bay Harbour Authority, owned and operated by Torbay Council, has existed since 1970 and in operational terms it has direct control over 22 miles of coastline and 16 square miles of open sea. This area includes the three enclosed harbours at Torquay, Paignton and Brixham.

All of Torbay's three enclosed harbours suffered damage to masonry, steps, rails and lighting from high winds and tidal surges over the storm period. They are an essential and usually unseen part of our transport system and tourism offer with well-rehearsed procedures for shutting down when the docking of vessels becomes too hazardous, and when quayside equipment needs to be locked down. Closure procedures exist for certain quays, piers, breakwaters and footpaths for use when public safety is put at risk during extreme weather.

Torbay Council received more than £300,000 from a £1.7million government investment package to repair small damages across England as a result of the 2013/14 winter storms. Transport Secretary Patrick McLoughlin, who announced the £1.7 million funding package, said 'Our small ports are vital to the livelihoods of the communities they serve and are the life blood of the local economy.'



Storm damage has been repaired at Torquay Harbour, Princess Pier, Torquay Town Dock pontoons. Paignton harbour East Quay wall and landing quay, Brixham harbour and breakwater masonry, railings and lighting.

The Council is currently seeking approximately £5.7M of capital funding to address major structural defects that have been identified within Haldon and Princess Piers at Torquay harbour. At present the structures have been assessed as having a limited useful life expectancy unless further remedial works are undertaken. The main structural defects identified include; widespread scour below sea level, many voids within the piers below sea level incomplete rock armour and voids within the central core of the piers.

As sea levels rise, consideration is necessary to improve their resilience levels to very high tides, including how they will cope with overtopping of quays for short periods, and protect critical infrastructure, such as IT systems and electricity sub-stations. Any significant failure of key elements of harbour infrastructure will have an immediate effect on the wider economy, especially areas like the fishing industry, tourism and marine leisure.

The Royal National Mission to Deep Sea Fishermen launched a nationwide appeal to help support the welfare of fishermen & their families for the men who were unable to get to sea because of the storms. In the region covered by the Brixham office over the period 40 larger boats and countless smaller vessels were confined to harbours. The Fishermen's Mission in Brixham assisted 228 families with a total of £114,000 in the area covered by the office.

9 Summary and Recommendations

Torbay Council is working to gain a collective understanding of the most urgent extreme weather and climate risks as well as a commitment to action. Working in partnership with Heart of the South West Local Enterprise Partnership (HOTSW LEP), The Peninsula Rail Task Force and regional local authorities and other organisations, Torbay is contributing to the development of projects that help the Bay and its communities withstand extremes of weather more robustly.

Torbay and the South West Peninsula are vulnerable to a range of weather conditions. The last two winters, for example, have suffered from different issues. In 2012/13 the problems were generally associated with flooding and the subsequent impact upon properties and the rail line north of Exeter. However the greatest impact in 2013/2014 has been on coastal communities with a greater number of storms and tidal surges. These events are very hard to predict which increases the Peninsula's level of vulnerability to extreme weather and add further strength to the need for greater investment in climate adaptation providing more resilience.

With many local roads closed for varying periods because of flooding, as well as trees or power lines temporarily blocking the carriageway, there is significant evidence that supports the case that connectivity improvements will be the key to unleashing economic growth in the sub-region. This in turn would provide a major contribution towards the national economy.

The recent extreme weather events and severe disruption to the transport network in 2013-14 have had a significant impact on Torbay Councils budget and the economic performance of the Bay and the South West as a whole. The Met Office and Environment Agency agree that these events reflect an increasing likelihood of more frequent and intense storms.

The UK Climate Projections 2009 (UKCP09) predicts that the annual mean temperature in Devon is very likely to continue throughout the 21st century beyond the one degree Celsius rise already experienced since 1900. This increase in temperature is very likely to increase the frequency and intensity of rainfall events, particularly in the winter months, and further increase sea levels by between 20cm and 68cm by the 2080s.

The projections identify that the severe weather experienced in Devon in both the 2012/13 and 2013/14 winters is likely to be experienced more regularly in the future. The Met Office suggests that we should also plan to be resilient to wet summers and to cold winters through this century. As such, strategic infrastructure interventions are required to adapt to climate change and mitigate the associated transportation and economic risks.

The Government has recognised this to some degree through the short-term allocation of increased national funding for the immediate repair of existing flood and coastal protection assets affected by the events of 2013/14. However, what is urgently required is a more sustained programme of investment through regional programmes and local intervention.

Recommendations

- That Torbay Council continue to enhance partnership working through the Peninsular Rail Task Force and Network Rail to further develop resilience in the Far South West and ensure that information from the events of 2013/14 are shared to reduce the impacts of future extreme weather events
- That Network Rail be recommended to prioritise future funding to improve resilience and connectivity to the far South West ensuring future strategic plans include the need to improve resilience to this area. This should include plans to raise track heights and raise line-side equipment cabinets above track level on sections of track to reduce the vulnerability of the rail network, and additional passing places on the Waterloo Line to act as an alternative route should the need arise.
- In the event of major disruption to rail services, coordination arrangements over adjacent geographical areas are enhanced by Network Rail and the Train Operating Companies.
- That Torbay Council continues to enhance partnership working with the Local Enterprise Partnership, South West Transport Authorities and the Highways Agency to develop a resilient strategic highway network funded with support from central government.

- That Torbay Council acting as Lead Local Flood Authority facilitate new studies and undertake small scale flood risk management measures to tackle new recovery and resilience requirements, on top of the existing and planned programmes of work.
- That Government should consult Local Highway Authorities on a single set of criteria to be applied to emergency highway repair funding, to minimise the administrative burden when applying for funds at times of crisis.
- That Torbay Council develops a prioritised harbour repair programme with funding assistance from outside bodies.
- That Torbay Council further develop the resilience of Torbay's coastline using the Flood Steering Group to enhance partnership working with the Environment Agency (EA) and South West Water.
- That Torbay Council supports tourism businesses through increased publicity and media campaigns during extreme weather events. That Torbay Council also surveys the impact of future events on this sector.
- That Torbay Council and the Torbay Coast and Countryside Trust work in partnership to identify ways in which Torbay's green infrastructure can reduce and slow flooding during extreme weather events.
- That Torbay Council supports the development of the Environment Agency Flood Warden initiative.
- That Torbay Council explores ways of sharing information in real time between emergency response teams during emergency events, for example using 'Resilience Direct'.

10 Local framework documents, strategies and plans

Torbay is administered by the unitary authority of Torbay Council and consists of 62.87 square kilometres (24.27 sq miles) of land, spanning the towns of Torquay, Paignton and Brixham, located around an east-facing natural harbour (Tor Bay) on the English Channel. The following framework documents, strategies and plans that are particularly pertinent to this document are:

- Local Plan - <http://www.torbay.gov.uk/newlocalplan>
- Shoreline Management Plan - <http://www.torbay.gov.uk/southdevonanddorsetsm>
- Energy and Climate Change Strategy - <http://www.torbay.gov.uk/index/yourservices/environment/climatechangestrat2014-19.pdf>
- South Coast Marine Plan - <https://www.gov.uk/south-inshore-and-south-offshore-marine-plan-areas>
- Tor Bay Harbour's Port Masterplan <http://www.torbay.gov.uk/portmasterplan>
- Itrees - <http://www.torbay.gov.uk/index/yourbay/parks/trees/tuf.pdf>
- Torbay Coastal Zone Management Plan 2013 -2018 <http://seatorbay.org.uk/sites/default/files/pictures/Coastal%20Zone%20Management%20Planv9lo gos.pdf>

Public Question Fly-Tipping – Council 30 October 2014

Why has it taken so long for the Council to take any action over the fly-tipping that is taking place at the Coach Station on Lymington Road, Torquay? What long term solutions is the Council considering to ensure that fly tipping does not take place at this site in the future?

Swithin Long

Agenda Item 12b

Public Question Flooding at Torre Marine– Council 30 October 2014

How is the Council working with the Environment Agency and the developers of the Torre Marine site to tackle the concerns of residents about flooding in and around the vicinity of the Torre Marine development in Torquay?

Swithin Long



Meeting: Council **Date:** 30 October 2014

Wards Affected: All

Report Title: Savings Proposals 2015/2016

Is the decision a key decision? Yes

When does the decision need to be implemented? As soon as possible

Executive Lead Contact Details: Mayor Oliver
01803 207001
mayor@torbay.gov.uk

Supporting Officer Contact Details: Paul Looby, Executive Head for Finance
01803 207283
paul.looby@torbay.gov.uk

1. Purpose and Introduction

- 1.1 Further to the publication of the Mayor's draft savings proposals on 4 July 2014, the Mayor published his savings proposals for 2015/2016 on Friday 12 September. The proposals were due to be considered at the meeting of the Council held on 25 September. However, consideration of the saving proposals were deferred to allow more time to consider and reflect on the number and range of views with respect to the proposals and to also take into account the complex issues and other financial challenges faced by the Council in the current and future financial years.
- 1.2 The Mayor's amended proposals have now be republished and are available online at www.torbay.gov.uk/finalproposals1516.pdf and has been circulated to all members of the Council. This report asks the Council to consider the proposals which, if approved, would form the basis of the budget which the Council will be asked to approve in February 2015.

2. Proposed Decision

- 2.1 That the savings proposals for 2015/2016 (which build upon the decisions made by the Council in February 2014) be approved and form the basis of the budget which the Council will be asked to approve in February 2015.

2.2 Reason for Decision

- 2.3 The early identification of savings proposals allows additional time for service change to be implemented with services having more time to effectively plan for the changes.
-

Supporting Information

3. Position

- 3.1 The Mayor published his draft saving proposals for 2015/16 on 4 July 2014 for consultation until 29 August 2014.
- 3.2 Members of the Priorities and Resources Review Panel and Stakeholders have considered various documents and responded to the Mayor on his saving proposals. The Mayor has considered all of the responses received and the final saving proposals have been drawn up after consideration of the various financial reports presented to Members. Members are requested to take into account and be mindful of the details from the consultation feedback when formulating their final decisions.

4. Possibilities and Options

- 4.1 Alternative proposals were included within the draft savings proposals published for consultation in July 2014. The proposals now published take account of the views expressed during the consultation period.

5. Fair Decision Making

- 5.1 Due to the scale of the savings proposals, extensive consultation has been undertaken including a review by the Overview and Scrutiny Board's Priorities and Resources Review Panel.
- 5.2 Public consultation on the proposals started on 4 July 2014 and closed on the 29 August 2014. The proposals were widely communicated to the Torbay community via local newspaper (Herald Express & Western Morning News), local radio (Palm FM, Radio Devon and Heart FM), BBC One Spotlight, Twitter and Facebook and were detailed on the Torbay Council website. Emails were sent to key stakeholders and a range of opportunities were provided for people to contribute to the consultation. People were also able to send representations via email and post to Torbay Council.
- 5.3 A general questionnaire was prepared which covered questions concerning Torbay Council services and proposals where there was a potential for some impact on the services the Council delivers. It was available online and as a paper questionnaire which was distributed via libraries, Connections offices and at the public budget event in Brixham. This asked for feedback on the proposals. There has been a good response to the consultation with a total of 1238 respondents via paper and online surveys.
- 5.4 Details of the budget proposals were made available in folders at all of the venues hosting the survey and via a link on the consultation page of the council website
- 5.5 Further detailed questionnaires for the Museums, Street Wardens and Connections proposals were also made available to the public at the above locations.
- 5.6 A budget event was held at which the Mayor and Officers were able to discuss the budget proposals with the public and key stakeholders. Over 120 people attended the event which was held on 21 August 2014 in Brixham.

- 5.7 In accordance with the Constitution, the Mayor's savings proposals were sent to all members of the Overview and Scrutiny Board for consideration. The Board established a Priorities and Resources Review Panel which then considered a number of the specific proposals and received representations from a range of organisations and individuals. The report from that review has been forwarded to the Mayor.
- 5.8 An Equality Impact Assessment (EIA) has been prepared for each of the proposals assessed as "major" and those "minor" proposals with a high level of community interest. These are included in the savings proposals pack. Each EIA evidences that the Council has fully considered the impact of the proposed changes to services and has carried out appropriate consultation on those changes with the key stakeholders. It enables the Council to make informed decisions about the proposals. The following EIAs have been completed:
- Childrens Services:
 - Action For Children
 - Efficiencies within Transport
 - Kool Club & Kids for Quids
 - Community Safety
 - Street Wardens
 - Information Services
 - Review of Connections
 - Residents & Visitor Services
 - CCTV
 - Children's Week Festival
 - English Riviera Tourism Company
 - Libraries
 - Churston Library
 - Library Inclusion Services – Blind Club & Prime Time
 - Resources Fund
 - Museums
 - Road Safety
 - Subsidised Transport
- 5.9 The published report takes account of the consultation results and the findings, conclusions and recommendations of the Priorities and Resources Review Panel with the Mayor's statement (including his response to the Panel) included within the report.

6. Public Services (Social Value) Act 2012

- 6.1 This Act does not apply to the proposals in this report.

7. Risks

- 7.1 The risks associated with the proposals are detailed within the Mayor's savings proposals document.

Appendices

Appendix 1 – Mayor’s Budget Statement

Appendix 2 - Updated Proposal Doc

Appendix 3 - Churston EIA

Appendix 4 – English Riviera Tourism Company EIA

Appendix 5 - Connections EIA

Mayor’s Savings Proposals – Published 22 October 2014 – available on the website at www.torbay.gov.uk/finalproposals1516.pdf

Mayor's Budget Statement

Introduction

The Mayor published his draft saving proposals for 2015/16 on 4 July 2014 for consultation until 29 August 2014. The associated documentation has been available on the Council's internet site at www.torbay.gov.uk/budget.

The Mayor had intended to present the saving proposals to the meeting of the Council being held in September 2014. However, consideration of the saving proposals were deferred to allow more time to consider and reflect on the number and range of views with respect to the proposals and to also take into account the complex issues and other financial challenges faced by the Council in the current and future financial years.

Members of the Priorities and Resources Review Panel and Stakeholders have considered various documents and responded to the Mayor on his saving proposals. The Mayor has considered all of the responses received and the final saving proposals have been drawn up after consideration of the various financial reports presented to Members. Members are requested to take into account and be mindful of the details from the consultation feedback when formulating their final decisions.

The supporting information to this report includes the Mayor's statement including his response to the Priorities and Resources Review Panel and his updated savings proposals.

A summary of the savings proposals by service area is shown in the table on the next page.

The saving proposals considered by Members and discussed at the Priorities and Resources Review Panel identified the key risks of the proposals. Members have also been provided with impact assessments which demonstrate how the proposals will impact the recipients of the services, and how any negative impacts are to be mitigated against.

As part of the budget setting process in February 2014, the Chief Finance Officer stated that the Council needs to set a robust and sustainable budget and that any "one-off" monies that are available should be applied to meet either "one-off" items of expenditure, such as redundancy costs, or be used to fund pump priming expenditure that should result in longer term efficiencies for the Council. The Chief Finance Officer does not recommend using "one off" monies to fund ongoing commitments unless there is a clear financial plan to address the ongoing spending commitment. Members are asked to take these issues into account when agreeing the final savings proposals.

The Mayor's 2015/16 budget proposals will be presented to Council for approval in February 2015. At that time the Council will have received confirmation of its final grant allocation from central government and the expected level of Business Rate and Council Tax income for the year. The savings proposals identified within this report and those agreed by Council in February 2014 will form the basis of the 2015/16 budget.

Summary Position for 2015/2016

	2014/2015				2015/2016	
	Gross Expenditure	Gross Income	Net Budget	FTE	Proposed Savings	Indicative Budget
Residents and Visitor Services	16,346,000	(8,972,000)	7,374,000	150.01	(1,850,450)	5,523,550
Spatial Planning	3,505,000	(2,346,000)	1,159,000	44.3	(299,000)	860,000
Torbay Economic Development Co Ltd	5,360,000	(1,526,000)	3,834,000	0	(688,300)	3,145,700
Tor Bay Harbour Authority	2,539,000	(2,539,000)	0	23.9	(160,000)	(160,000)
Resort Services	823,000	(867,000)	(44,000)	11.5	(41,500)	(85,500)
Waste and Cleaning	12,293,000	(794,000)	11,499,000	0	(1,050,000)	10,449,000
Adult Social Care	45,390,000	(1,778,000)	43,612,000	0	(6,140,700)	37,471,300
Children's Services	76,860,100	(51,559,000)	25,301,100	319.95	(888,000)	24,413,100
Public Health Commissioning	8,060,000	(8,060,000)	0	10	0	0
Community Safety	3,879,900	(1,598,000)	2,281,900	80	(287,000)	1,994,900
Business Services	1,315,000	(259,000)	1,056,000	18.8	(277,800)	778,200
Commercial Services	3,820,000	(1,216,000)	2,604,000	63.6	(370,500)	2,233,500
Finance	70,931,000	(69,369,000)	1,562,000	60	(371,000)	1,191,000
Information Services	3,779,000	(1,254,000)	2,525,000	87	(496,000)	2,029,000
Corporate Budgets	29,027,000	(16,035,000)	12,992,000	0	(55,000)	12,937,000
Totals	283,928,000	(168,172,000)	115,756,000	869.06	(12,975,250)	102,780,750

FTE stands for Full Time Equivalent and is derived from those staff on pensionable terms or on probation who are directly employed by the Council.

The FTE figures shown above are as at 1 April 2014 and are subject to change over the course of the year due to a range of factors such as the use of seasonal staff or where a higher graded post is replaced by more lower grade posts.

Statement from the Mayor

Members of the Council and residents will be fully aware of the unprecedented challenges faced by Torbay Council. The preparation of budget savings proposals has been extremely challenging and I have been working hard with Executive Lead Members and officers to address these challenges. It was for this reason, and the continuing changing financial landscape, that I decided to defer the debate and discussion on my proposals. This has enabled me have more time to listen to the views of residents, stakeholders and Members so I could further consider these difficult and complex issues.

It should be remembered that the Council set out two year savings proposals in February 2014 – the first time this has been achieved at the Council – and brought forward the consultation process on the budget to ensure all Members and stakeholders have had time to discuss, debate and respond to the proposals well in advance of their implementation.

I make no apology for reiterating that Members and Officers would not be making these reductions to services but have no choice due to the year-on-year reduction to local government funding as set out by the coalition government.

In my statement last month I referred to a number of pressures facing the Council including those within Social Care – both Children’s and Adults’ – and uncertainty with respect to a number of service pressures including the impact of the Care Act from April 2015, the outstanding Judicial Review for Care Home Fees and the creation of the Integrated Care Organisation with health partners.

Due to the continuing changing financial position it is impossible to address all of these issues in one month. However, I did ask Directors to assess how they could make in-year savings to address the forecast overspend this year. Directors have identified £0.6m of savings proposals that were due to be implemented from April 2015 and can be brought forward and implemented in the current financial year. If the Council approves my budget savings proposals on 30 October 2014 there may be further savings that could be brought forward which will enable further inroads into the forecast overspend. Officers are currently working on the quarter two budget monitoring position and will report to Members at the end of November. The impact of bringing forward savings will be reflected in the forecast position.

Members will be aware of the continued reductions in public expenditure imposed by the coalition government and the impact this has upon local government both now and into the medium term. Members will also be aware that a further £3.8 million of reductions are required to address changes in revenue requirements in 2015/16. These savings are in addition to the savings already identified and approved by Council on 13 February 2014. Savings of over £30m in the last three years have already been made and total reductions of £14m are estimated to be required in 2015/16. Members of Parliament have voted for these changes. As a result of these savings the number of full time equivalent posts within the Council has fallen by 153 since April 2013 and is estimated to fall by a further 60 to 80 based upon these proposed savings options.

Despite these further reductions to Torbay’s expenditure, I have put forward savings proposals with the intention that resources are allocated to the Council’s key priorities: protecting Children’s and Adult Services and promoting jobs and economic regeneration within the Bay. However, service reductions across all areas are inevitable and these have been outlined within

the detailed savings proposals and fully consulted upon. I would like to reiterate once again that I do not want to make the savings as set out within the budget proposals but I have no choice due to the unprecedented reductions from the Coalition Government and the fact a balanced budget must be set.

Torbay Council is faced with making additional savings in 2015/16 as a result of further government announcements made earlier this year. Given the magnitude of these ongoing reductions there is no alternative but to manage the reductions faced by the Council and be sensitive to the fact local residents' expectations are for service levels to be maintained at a time when demands on our services continue to increase and our resources are being reduced. That is why resources have been allocated according to the Council's priorities and with the objective of ensuring all services are provided in such a way to ensure that value for money is achieved.

I will continue to work with my colleagues and officers to meet my priorities and the financial challenges the Council faces in the current year by continuing to protect vulnerable children and adults and supporting jobs and economic regeneration.

I am proposing further savings in 2015/16. These are additional to the reductions put forward to Council in February 2014. These reductions will inform the budget setting for 2015/16 which will take place in February 2015. These updated saving proposals have been arrived at after considering the views of the Priorities and Resources Review Panel, Stakeholders and individual responses. As Members will be fully aware due to the ever reducing financial resources from government available to the Council and the size of these ongoing reductions I have been limited in the flexibility I have had in making changes to my original proposals.

There are still a number of ongoing and outstanding issues which could impact upon the Council's finances including the Judicial Review of care home fees, the creation of the Integrated Care Organisation and the impact of the Care Act to name a few. It is important that Members recognise that until the Council receives its final grant allocation from government (which is expected at the end of this calendar year) there could be a further call upon the Council's reserves to secure a balanced budget for 2015/16.

Members will note that I am proposing to use transitional funding to support a number of services next year. This will be funded from uncommitted reserves – i.e. the Comprehensive Spending Review (CSR) reserve. In addition this reserve will be used to fund the costs of restructuring arising from the savings proposals – the value of which will not be known until later in the year and is estimated to be £1 million. The other, as yet unknown, call on this reserve would be if an overspend in 2014/15 is declared. Whilst good progress is being made to address the in-year pressures, it is too early to confirm if a balanced budget can be achieved. If there is an overspend at year end this will have to be funded from the CSR reserve which will have an impact upon the uncommitted financial resources available to the Council in future years.

Response to Priorities and Resources Panel

All Members have had an opportunity to scrutinise the saving proposals since they were announced in 4 July 2014. The Priorities and Resources Review Panel held a series of meetings on 1, 2 and 3 September 2014 to hear the rationale for my proposals and to receive representations from a range of organisations and individuals. The Panel presented their views

and recommendations to me on 5 September 2014. I would like to thank the Panel for their hard work and the constructive comments they have made to help me formulate my final proposals. The Panel is also fully aware of the difficulties faced by the Council and the extremely challenging financial climate the Council is facing.

The Priorities and Resources Review Panel made a number of recommendations, which I have carefully considered. I have noted a number of the recommendations but would like to make a number of specific comments and highlight where I have set out changes to my savings proposals.

I note the comments in relation to the proposal to have one centralised **Connections Service and the request by the Panel to be provided with further details for the relocation of the service**. The centralisation of Connections has an impact not only upon residents of the Bay and the Customer Services department but also upon a number of other services within the Council. It is essential that such a significant change is carefully planned and fully costed taking into account all issues. To ensure this happens I am proposing that one year's transitional funding of £102,000 be provided to enable a full review to be undertaken to ensure the centralisation to one office is completed in a cost efficient and effective way.

Library Service. I have taken into account the views of the Panel and there is support from the community to be actively involved in the provision of the library service at Churston. Having listened carefully to the views of stakeholders and Members over the last month I propose to reinstate £105,000 back into the base budget for Churston Library and continue discussions to ensure the Council provides a cost effective and affordable library service.

In respect of the proposal to reduce the subsidy to the **English Riviera Tourism Company (ERTC)**, I have listened carefully to the number of representations made with respect to the ERTC over the last month. I therefore propose that from April 2015 the grant to ERTC should be reduced by £165,000 which leaves a base budget of £250,000. In addition I recommend a further one off £100,000 is provided to the ERTC as transitional funding. In making this proposal I am mindful that the general consultation results supported a reduction in the grant funding of the ERTC.

Museum Grants. Having listened to the arguments put forward, it is clear that further time is required to ensure that a sustainable future can be developed for our museums. I am therefore proposing transitional funding of £30,000 to be applied pro rata to Torquay and Brixham Museums for 2015/16.

Street Warden Service. I recognise the importance of the Street Warden Service to the communities where they operate. Therefore to enable future options on alternative funding to be fully explored, I propose that £36,000 will be added back to the base budget which will ensure a service will continue in 2015/16.

CCTV. In order for the Council to maintain this service it is vital that we find alternative ways of resourcing this service, therefore I propose that £25,000 of transitional funding for 2015/16 be provided to enable options for future delivery to be explored.

Subsidised Transport (relating to services 11, 17/17a, 22/22e and 25). I have noted the Panel's views in respect of these services and propose transitional funding for 2015/16 in the sum of £7,500 for the number 25 route which is the service between Paignton and Stoke Gabriel which

is jointly subsidised with Devon County Council.

I have noted the concern raised by the panel in respect of the **Fair Trade** grant and propose that £1,000 be added back into the base budget.

To support the transitional funding for the ERTC, I propose reducing the grant support to the **Riviera International Conference Centre (RICC)** for 2015/16 by a further £25,000. This is in addition to the £30,000 already announced bringing the total reduction to £55,000.

I have had limited flexibility with respect to the changes I can make to my original saving proposals. Some of these changes require further transitional funding which will be funded from the Comprehensive Spending Review (CSR) Reserve. Members will be aware this Reserve can only be used once and will also be used to fund future restructuring costs arising from the savings proposals and any other budget pressures the Council may face.

Subject to the updating of the Council's expected 2015/16 budgeted income in December 2014 from sources such as the Funding Settlement, Council Tax base and National Non-Domestic Rates income; to achieve a balanced budget for 2015/16 the CSR reserve will, if required, be used in the short term to fund any budget shortfall. Any additional savings required to meet that shortfall in the future will be identified and agreed during 2015/16.

As previously mentioned, in addition to the challenges faced by the Council, I want to ensure Torbay provides cost effective services to residents.

Updated Savings Proposals October 2014:

Residents and Visitor Services:

Proposals – Outline	Savings for 2015/16		Implementation Cost Include brief outline + year incurred	Delivery When will this proposal realise income / savings	Risks / impact of proposals <ul style="list-style-type: none"> Potential risks Impact on community Knock on impact to other agencies If statutory service please state relevant legislation section and Act together with any statutory guidance issued. 	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
<p>Churston Library Removal of Churston library from Torbay Council's library service provision. Churston library could be</p> <ul style="list-style-type: none"> handed over to the community for future delivery as part of redevelopment of the existing library and adjoining site Handed over to the community for future delivery from existing site Closed <p>It is proposed that this savings proposal is withdrawn and £105,000 is reinstated back into the base budget for Churston Library.</p>		105,000	<p>Associated redundancy costs and pension strain if applicable</p> <p>Project costs – capital and staffing</p> <p>Support for community in setting up for service delivery.</p>	April 2015	<p>It is proposed that this savings proposal is withdrawn and £105,000 is reinstated back into the base budget for Churston Library.</p>			X

Proposals – Outline	Savings for 2015/16		Implementation Cost <i>Include brief outline + year incurred</i>	Delivery <i>When will this proposal realise income / savings</i>	Risks / impact of proposals <ul style="list-style-type: none"> • <i>Potential risks</i> • <i>Impact on community</i> • <i>Knock on impact to other agencies</i> • <i>If statutory service please state relevant legislation section and Act together with any statutory guidance issued.</i> 	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
ERTC Reduce subsidy to the ERTC		165,000		April 2015	<p>This proposal is to reduce the grant funding to the ERTC leaving a grant of £250,000 in 2015/16. (This proposal takes account of a previously agreed reduction of £85,000 - This was agreed at the Council meeting held in February 2014.)</p> <p>There is the potential risk that this will result in destination marketing and the delivery of the visitor service information being reduced as a result of this reduction.</p> <p>It is also proposed that £100,000 of transitional funding is applied in 2015/16 for one year only (this is in addition to the grant of £250,000).</p>			X

Proposals - Outline	Savings for 2014/15 and 2015/16		Implementation Cost <i>Include brief outline + year incurred</i>	Delivery <i>When will this proposal realise income / savings</i>	Risks / impact of proposals	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
<p>One centralised Connections office:</p> <p>Close Brixham and Torquay Connections Offices and centralise the "Connections" service in Paignton Library And Information Centre (PLAIC)</p>		<p>2015/16</p> <p>£102k</p>	<p>There will be additional costs associated with this proposal (to be researched).</p>	<p>01/04/2015</p> <p>2015/16</p>	<ul style="list-style-type: none"> ▪ <i>Potential risks</i> ▪ <i>Impact on community</i> ▪ <i>Knock on impact to other agencies</i> ▪ <i>if statutory service please state relevant legislation section and Act together with any statutory guidance issued.</i> <ul style="list-style-type: none"> ▪ The location within PLAIC needs to be able to accommodate a significant increase in footfall ▪ Age UK would no longer be able to use the meeting room in Torquay Connections and would have to make alternative arrangements ▪ There is a need to ensure that the Main Reception at Torquay Town Hall does not become a face to face enquiry point ▪ Customers that currently use Brixham & Torquay Connections would either have to travel to Paignton or make use of the alternative facilities. ▪ Appointments may have to continue to be facilitated in Torquay due to meeting room space & staff travel costs to PLAIC <p>Proposed Amendment October 2014: it is proposed that £102,000 of transitional funding is applied in 2015/16 to enable further work to be undertaken to review the Connections operating model and having a centralised office</p>			X

Savings Proposals 2015/16: Equality Impact Assessment (EIA) – Churston Library

Officer Name:	Nick Niles	Position:	Libraries Manager - Operations
Business Unit:	Residents and Visitor Services	Directorate:	Place
Date Started :	June 2014	Date of current version:	October 2014

The council and its partners are facing a significant challenge in the savings it needs to make over the next couple of years. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of their proposals on the community. As a council we need to ensure that we are able to deliver the savings that we need to make while mitigating against any negative or adverse impacts on particular groups across our communities.

This EIA will evidence that the Council have fully considered the impact of the proposed changes and has carried out appropriate consultation on those changes with the key stakeholders. This EIA and the evidence provided within it will allow Councillors to make informed decisions as part of the decision-making process regarding the council's budget.

Executive Lead / Head Sign off

Page 92

Executive Lead(s)	Cllr Nicole Amil	Executive Head:	Sue Cheriton
Date:	October 2014	Date:	October 2014

Summary from Overall Savings Proposals:

Proposals – Outline	Savings for 2015/16		Implementation Cost Include brief outline + year incurred	Delivery When will this proposal realise income / savings	Risks / impact of proposals	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
<p>Removal of Churston library from Torbay Council's library service provision. Churston library could be</p> <ul style="list-style-type: none"> handed over to the community for future delivery as part of redevelopment of the existing library and adjoining site Handed over to the community for future delivery from existing site Closed <p>It is proposed that this savings proposal is withdrawn and £105,000 is reinstated back into the base budget for Churston Library.</p>		105,000	<p>Associated redundancy costs and pension strain if applicable</p> <p>Project costs – capital and staffing</p> <p>Support for community in setting up for service delivery.</p>	April 2015	<ul style="list-style-type: none"> Potential risks Impact on community Knock on impact to other agencies If statutory service please state relevant legislation section and Act together with any statutory guidance issued. <p>Risk of legal challenge if service is considered not to be comprehensive (Public Libraries and Museums Act 1964).</p> <p>Opportunities for the future of the site will need to consider the feasibility of development, the capacity to deliver the project and the ability/willingness of the community to take on service delivery at no cost to the Council, together with the potential consequent impact upon the range and quality of services that may be offered.</p> <p>A needs assessment has been undertaken regarding the library service. –</p> <p>It is proposed that transitional funding is applied for 15/16 to enable alternative community solution to be explored (£105k).</p> <p>Proposed Amendment: It is proposed that an additional amount of transitional funding be applied in 2016/17 for managerial support if a community solution is found</p>	Internal	Minor	Major

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the proposal and what is the intended outcome.	<p>The original proposal sought to establish a community run neighbourhood library in Churston as an enhancement to Torbay Council's overall library service provision in its remaining service points – the proposal also considered the following:</p> <ul style="list-style-type: none"> • redevelopment of the existing library and adjoining site • library handed over to the community for future delivery from existing site <p>The original proposal would reduce costs for Torbay Council, while at the same time establishing a community run neighbourhood library in Churston which would operate outside of Torbay Council's overall library service provision in its remaining service points.</p> <p>The model was based upon transferring the responsibility for running the library from the local authority to local community groups run by volunteers. A number of variations on the model are in place across the country.</p> <p>The proposal would also consider re-development of the existing site.</p> <p>It was originally proposed that transitional funding be applied for 15/16 to enable alternative community solution to be explored (£105k).</p> <p>This is the proposal that was consulted on between 17th July and 29th August 2014 as part of the budget process. Further consultation directly with the Friend of Churston Library took place on 20th August 2014.</p> <p><u>Section 6 of this EIA sets out the amendments to this proposal as a result of the consultation.</u></p>
2.	Who is intended to benefit / who will be affected?	<p>The proposal offers the opportunity for customers to be directly involved in, and influence, their local library service provision.</p> <p>Library customers may be able to benefit from continued access to library services when a library building may otherwise have closed.</p> <p>Volunteers may have the opportunity to benefit from gaining a range of new skills through training and development, and increased personal interaction with others.</p>

No	Question	Details
		<p>Staff assigned to Churston library (permanent and casual staff) may be affected adversely as jobs may be lost.</p> <p>Library managerial and support staff may see a reduction in their working hours as there will be a reduced number of libraries within Torbay's statutory provision.</p>

Section 2: Equalities, Consultation and Engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **Equalities, Consultation and Engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions/proposals on the Torbay community.

Evidence, Consultation and Engagement

No	Question	Details																											
3.	Have you considered the available evidence?	<ul style="list-style-type: none"> ● Around 65.5% of active borrowers are female. ● Over half the number of active borrowers are aged 56+. ● A breakdown of age and gender is shown in the table below. <table border="1" data-bbox="826 600 1264 1182"> <thead> <tr> <th>Age range</th> <th>Churston (%)</th> <th>Gender % M/F</th> </tr> </thead> <tbody> <tr> <td>0 - 15</td> <td>22.63</td> <td>42.7 / 57.3</td> </tr> <tr> <td>16 - 25</td> <td>3.42</td> <td>37.3 / 62.7</td> </tr> <tr> <td>26 - 35</td> <td>3.47</td> <td>17.7 / 82.3</td> </tr> <tr> <td>36 - 45</td> <td>7.79</td> <td>20.3 / 79.7</td> </tr> <tr> <td>46 - 55</td> <td>8.74</td> <td>28.5 / 71.5</td> </tr> <tr> <td>56 - 65</td> <td>14.62</td> <td>28.5 / 71.5</td> </tr> <tr> <td>66 - 75</td> <td>22.8</td> <td>35.7 / 64.3</td> </tr> <tr> <td>76+</td> <td>16.47</td> <td>40.1 / 59.9</td> </tr> </tbody> </table> <ul style="list-style-type: none"> ● Libraries offer a concessionary membership for customers who are registered sick or chronically disabled. A total of 33 	Age range	Churston (%)	Gender % M/F	0 - 15	22.63	42.7 / 57.3	16 - 25	3.42	37.3 / 62.7	26 - 35	3.47	17.7 / 82.3	36 - 45	7.79	20.3 / 79.7	46 - 55	8.74	28.5 / 71.5	56 - 65	14.62	28.5 / 71.5	66 - 75	22.8	35.7 / 64.3	76+	16.47	40.1 / 59.9
Age range	Churston (%)	Gender % M/F																											
0 - 15	22.63	42.7 / 57.3																											
16 - 25	3.42	37.3 / 62.7																											
26 - 35	3.47	17.7 / 82.3																											
36 - 45	7.79	20.3 / 79.7																											
46 - 55	8.74	28.5 / 71.5																											
56 - 65	14.62	28.5 / 71.5																											
66 - 75	22.8	35.7 / 64.3																											
76+	16.47	40.1 / 59.9																											

No	Question	Details																											
Page 97		<p>customers have this category of membership (32 adults, 1 child). There are also 21 customers registered as housebound for whom a relative or carer will borrow and return library items.</p> <ul style="list-style-type: none"> The following table shows the average frequency of visits by active borrowers by age group together with the frequency range. <table border="1" data-bbox="459 555 967 1223" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Age range</th> <th>Average (mean) number of visits to return/borrow/renew items</th> <th>Range of visits</th> </tr> </thead> <tbody> <tr> <td>0 - 15</td> <td>5</td> <td>1 - 45</td> </tr> <tr> <td>16 - 25</td> <td>4</td> <td>1 - 20</td> </tr> <tr> <td>26 - 35</td> <td>5</td> <td>1 - 30</td> </tr> <tr> <td>36 - 45</td> <td>6</td> <td>1 - 38</td> </tr> <tr> <td>46 - 55</td> <td>9</td> <td>1 - 41</td> </tr> <tr> <td>56 - 65</td> <td>9</td> <td>1 - 73</td> </tr> <tr> <td>66 - 75</td> <td>12</td> <td>1 - 91</td> </tr> <tr> <td>76+</td> <td>13</td> <td>1 - 77</td> </tr> </tbody> </table> <ul style="list-style-type: none"> A map showing the distribution of active borrowers, and areas of deprivation, can be found on the Councils website. In 2013/14, visitor numbers were highest on Thursdays (21.96%) followed by Friday (20.4%), Monday (19.62%), Wednesday (12.89%), Tuesday (12.75%) and Saturday (12.35%). Tuesday, Wednesday and Saturday are half day opening for Churston. However, in terms of visitors per opening hour, the busiest days were Wednesday 40.88 visits per hour, Tuesday (39.64), Saturday (38.39), Monday (30.24), Friday (25.59) and Thursday (28.1). Business levels per quarter are very consistent ranging from 23.36% – 26.78% of the total. The period from October – December was the quietest of the four, partly affected by the Christmas closure which, inevitably, depressed that return. 	Age range	Average (mean) number of visits to return/borrow/renew items	Range of visits	0 - 15	5	1 - 45	16 - 25	4	1 - 20	26 - 35	5	1 - 30	36 - 45	6	1 - 38	46 - 55	9	1 - 41	56 - 65	9	1 - 73	66 - 75	12	1 - 91	76+	13	1 - 77
Age range	Average (mean) number of visits to return/borrow/renew items	Range of visits																											
0 - 15	5	1 - 45																											
16 - 25	4	1 - 20																											
26 - 35	5	1 - 30																											
36 - 45	6	1 - 38																											
46 - 55	9	1 - 41																											
56 - 65	9	1 - 73																											
66 - 75	12	1 - 91																											
76+	13	1 - 77																											

No	Question	Details
4.	How have you consulted on the proposal?	<p>Two libraries consultations have been undertaken recently –</p> <ol style="list-style-type: none"> 1. A 'Review of Library Services' consultation was undertaken from the 11th December 2013 to the 16th January 2014. 2. A needs assessment has most recently been undertaken initial general consultation involved questionnaires available from Churston library (and other libraries) and an online survey made available on council web pages. <p>Surveys were also sent to local schools and to Torbay Council's Viewpoint Panel,</p> <p>The consultation caravan visited the 3 towns and Churston library during March, consulting specifically on the use of libraries and subsidised transport.</p> <p>A copy of the needs assessment has been made available online.</p> <p>Further consultation on the proposal (outlined on page 2) has now taken place – a question regarding this proposal was included in the 'General Budget Questionnaire.' The general budget questionnaire was open from the 17 July to the 29 August and was made available online and as a paper questionnaire which was distributed via libraries, Connections offices and at the public budget event in Brixham. The results from this can be found at section 5 as below.</p>
5.	Outline the key findings	<p>A question on this proposal was asked within the 'General Budget Questionnaire' the results from this are as follows:</p> <p>Libraries: Removal of Churston Library from Torbay Council's library service provision. This is expected to save £105,000.</p> <p>Churston library could be:</p> <ul style="list-style-type: none"> • Handed over to the community for future delivery as part of redevelopment of the existing library and adjoining site • Handed over to the community for future delivery from the existing site

No	Question	Details															
		<ul style="list-style-type: none"> <li data-bbox="240 1496 268 1630">• Closed <table border="1" data-bbox="347 622 651 1155"> <thead> <tr> <th data-bbox="352 958 459 1149">Do you support this proposal?</th> <th data-bbox="352 790 459 958">Number</th> <th data-bbox="352 622 459 790">Percent</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 958 507 1149">Yes</td> <td data-bbox="459 790 507 958">465</td> <td data-bbox="459 622 507 790">37.6%</td> </tr> <tr> <td data-bbox="507 958 555 1149">No</td> <td data-bbox="507 790 555 958">743</td> <td data-bbox="507 622 555 790">60.0%</td> </tr> <tr> <td data-bbox="555 958 603 1149">No answer</td> <td data-bbox="555 790 603 958">30</td> <td data-bbox="555 622 603 790">2.4%</td> </tr> <tr> <td data-bbox="603 958 651 1149">Total</td> <td data-bbox="603 790 651 958">1238</td> <td data-bbox="603 622 651 790">100%</td> </tr> </tbody> </table>	Do you support this proposal?	Number	Percent	Yes	465	37.6%	No	743	60.0%	No answer	30	2.4%	Total	1238	100%
Do you support this proposal?	Number	Percent															
Yes	465	37.6%															
No	743	60.0%															
No answer	30	2.4%															
Total	1238	100%															
6. Page 99	What amendments may be required as a result of the consultation?	<p data-bbox="778 129 911 1675">Following the public consultation and feedback from the Priorities and Resources meetings that took place throughout September 2014 it is apparent that there is support from the community to be actively involved in the provision of the library service at Churston. Therefore the proposed reduction of £105,000 for Churston Library has been reinstated. Discussions will continue to ensure the council provides a cost effective and affordable library service.</p>															

Positive and Negative Equality Impacts

No	Question	Details		
7.	Identify the potential positive and negative impacts on specific groups	Positive Impact	Negative Impact	Neutral Impact
	Older or younger people		Possible reduced or no access to immediately local library services. Potential loss of locally accessible service. Older people, children and young people may be more significantly affected as they will need to travel further to access another library.	
	People with caring responsibilities		Potential loss of free and adjoining car park. Potential loss of locally accessible service. Carers may need to travel further to access another library on behalf of the person cared for.	
	People with a disability		Potential loss of free and adjoining car park. Potential loss of locally accessible service. People with mobility and other issues may need to travel further to access another library. Potential loss of free and adjoining car park.	

No	Question	Details	
	Women or men		No differential impact
	People who are black or from a minority ethnic background (BME)		No differential Impact
	Religion or belief (including lack of belief)		No differential Impact
	People who are lesbian, gay or bisexual		No differential Impact
	People who are transgendered		No differential Impact
	People who are in a marriage or civil partnership		No differential Impact
	Women who are pregnant / on maternity leave		No differential Impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)		None
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		None
8a.	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	Given the amended proposal there are no cumulative impacts of the proposal.	

No	Question	Details
8b.	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	There are no impacts on any other public service area

Section 3: Mitigating action

No	Action	Details
9.	Summarise any negative impacts and how these will be managed?	Given the amended proposal there are no negative impacts of the proposal

Section 4: Monitoring

No	Action	Details
10.	Outline plans to monitor the actual impact of your proposals	Given the amended proposal there is no requirement to monitor the impact of the proposal

Section 5: Recommended course of action

No	Action	Outcome	Tick ✓	Reasons/justification for recommended action
11.	State a recommended course of action <i>Clearly identify an option and justify reasons for this</i>	Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken	✓	

<p>Page 103</p>	<p><i>decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes and justify the reasons for your decision</i></p>	<p>Outcome 2: Adjustments to remove barriers – Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</p> <p>Outcome 3: Continue with proposal - Despite having identified some <u>potential</u> for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have 'due regard'.</p> <p>Outcome 4: Stop and rethink – EIA has identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified</p>		
-----------------	---	---	--	--

Officer Name:	Sue Cheriton	Position:	Executive Head
Business Unit:	Residents and Visitor Services	Directorate:	Place and Resources
Date Started :	May 2014	Date of current version:	October 2014

The council and its partners are facing a significant challenge in the savings it needs to make over the next couple of years. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of their proposals on the community. As a council we need to ensure that we are able to deliver the savings that we need to make while mitigating against any negative or adverse impacts on particular groups across our communities.

This EIA will evidence that the Council have fully considered the impact of the proposed changes and has carried out appropriate consultation on those changes with the key stakeholders. This EIA and the evidence provided within it will allow Councillors to make informed decisions as part of the decision-making process regarding the council's budget.

Executive Lead / Head Sign off

Executive Lead(s)	Councillor Derek Mills	Executive Head:	Sue Cheriton
Date:	October 2014	Date:	October 2014

Summary from Overall Savings Proposals:

Proposals – Outline	Savings for 2015/16		Implementation Cost Include brief outline + year incurred	Delivery When will this proposal realise income / savings	Risks / impact of proposals	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
ERTC – Cease subsidy to the English Riviera Tourism Company (ERTC)			Redundancy payments may be incurred and committed contracted costs that cannot be honoured	April 2015	This proposal is to cease 100% of the grant funding to the ERTC. There is the potential risk that this will result in destination marketing and the delivery of the visitor service information being lost. It is proposed that transitional funding will be applied for 15/16 (£300k) – this is subject to agreement.			X
ERTC Reduce subsidy to the ERTC		165,000		April 2015	This proposal is to reduce the grant funding to the ERTC leaving a grant of £250,000 in 2015/16. (This proposal takes account of a previously agreed reduction of £85,000 - This was agreed at the Council meeting held in February 2014.) There is the potential risk that this will result in destination marketing and the delivery of the visitor service information being reduced as a result of this reduction. It is also proposed that £100,000 of transitional funding is applied in 2015/16 for one year only (this is in addition to the grant of £250,000).			X

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the proposal and what is the intended outcome.	<p>The original proposal was to cease payment through the revenue budget for the full Contract Commissioning Fee to the English Riviera Tourism Company from April 2015. This currently is £415,000 taking into account previously agreed reductions during the 2014/15 budget process.</p> <p>It was originally proposed that transitional funding of £350,000 would be applied for 15/16.</p> <p>This is the proposal that was consulted on between 17th July and 29th August 2014</p> <p><u>Section 6 of this EIA sets out the amendments to this proposal as a result of the consultation</u></p>
2.	Who is intended to benefit / who will be affected?	<p>Some or all of the services provided by the ERTC could potentially be lost as a result in the proposed reduction in funding. Those likely to be impacted are:</p> <ul style="list-style-type: none"> • The ERTC Company and Board • ERTC promotional partners who rely on the ERTC to promote their businesses may be affected • Attractions may also be affected as people may not have the option of getting information from the traditional sources and marketing activity will be reduced overall • Visitors - less enquiries may be able to be responded to via face to face, phone or email. So potential visitors may have a lesser service overall. • Local residents who jobs rely directly or indirectly on the tourism industry and those who see these services as vital to the general economy of the area

Section 2: Equalities, Consultation and Engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **Equalities, Consultation and Engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions/proposals on the Torbay community.

Evidence, Consultation and Engagement

No	Question	Details
3.	Have you considered the available evidence?	<p>Tourism Statistics for the English Riviera:</p> <p>National Statistics – 2012 for Torbay (Visit England) – latest available</p> <ol style="list-style-type: none"> 1. 2012 saw a 1% uplift in total visitors (trips) to the English Riviera compared to 0% for the whole of Devon 2. 2012 saw a 16% uplift in total staying visitor spend to the English Riviera compared to 15% for the whole of Devon 3. 2012 saw a 18% uplift in total overseas visitors to the English Riviera compared to 10% for the whole of Devon 4. 2012 saw a 28% uplift in total day visits to the English Riviera compared to 9% for the whole of Devon <ul style="list-style-type: none"> ☐ Total direct value of tourism to Torbay in 2012 was: £427,870,000 ☐ Total indirect value of tourism to Torbay in 2012 was: £563,217,000 ☐ Total number of jobs provided by tourism in 2012 was: 12,020 ☐ 2.1% of the total population in 2012 were dependent on tourism for employment

No	Question	Details																							
		<p>There are a number of quarterly performance indicators that show that tourism across the bay is improving:</p> <table border="1" data-bbox="183 94 837 1691"> <thead> <tr> <th data-bbox="183 1288 223 1691">Indicator</th> <th data-bbox="183 891 223 1288">2012/13</th> <th data-bbox="183 504 223 891">2013/14</th> <th data-bbox="183 94 223 504">Notes</th> </tr> </thead> <tbody> <tr> <td data-bbox="223 1288 367 1691">Businesses who consider their business to be the same/better than the previous year</td> <td data-bbox="223 891 367 1288">51%</td> <td data-bbox="223 504 367 891">58%</td> <td data-bbox="223 94 367 504">Target 75% - Below target but up on previous year</td> </tr> <tr> <td data-bbox="367 1288 510 1691">Businesses who reported turnover is the same of higher than the previous quarter last year</td> <td data-bbox="367 891 510 1288">47%</td> <td data-bbox="367 504 510 891">55%</td> <td data-bbox="367 94 510 504">Target 75% - Below target but up on previous year</td> </tr> <tr> <td data-bbox="510 1288 726 1691">Attractions who reported their visitor number were the same or higher than previous year</td> <td data-bbox="510 891 726 1288">71%</td> <td data-bbox="510 504 726 891">50%</td> <td data-bbox="510 94 726 504">Target 75% - Below target. Many attraction are weather dependant and the good summer affected all indoor attractions</td> </tr> <tr> <td data-bbox="726 1288 837 1691">Business confidence on future booking levels for the next quarter</td> <td data-bbox="726 891 837 1288">38%</td> <td data-bbox="726 504 837 891">63%</td> <td data-bbox="726 94 837 504">Target 65% - slightly below target</td> </tr> </tbody> </table>				Indicator	2012/13	2013/14	Notes	Businesses who consider their business to be the same/better than the previous year	51%	58%	Target 75% - Below target but up on previous year	Businesses who reported turnover is the same of higher than the previous quarter last year	47%	55%	Target 75% - Below target but up on previous year	Attractions who reported their visitor number were the same or higher than previous year	71%	50%	Target 75% - Below target. Many attraction are weather dependant and the good summer affected all indoor attractions	Business confidence on future booking levels for the next quarter	38%	63%	Target 65% - slightly below target
Indicator	2012/13	2013/14	Notes																						
Businesses who consider their business to be the same/better than the previous year	51%	58%	Target 75% - Below target but up on previous year																						
Businesses who reported turnover is the same of higher than the previous quarter last year	47%	55%	Target 75% - Below target but up on previous year																						
Attractions who reported their visitor number were the same or higher than previous year	71%	50%	Target 75% - Below target. Many attraction are weather dependant and the good summer affected all indoor attractions																						
Business confidence on future booking levels for the next quarter	38%	63%	Target 65% - slightly below target																						
4.	<p>How have you consulted on the proposal?</p>	<p>The Director of Place and Resources has advised the ERTC's CEO, Chairman and Board Directors of the proposed reductions but explained that transition funding is being considered to bridge the funding gap till the TBID ballot is taken in later in 2015. The proposed funding of the TBID process is being considered at Council and will provide the opportunity to provide future funding for destination marketing and visitor services activity after March 2016.</p> <p>A question regarding this proposal was included in the 'General Budget Questionnaire' The general budget questionnaire was open from the 17 July to the 29 August and was made available online and as a paper questionnaire which was distributed via libraries, Connections offices and at the public budget event in Brixham. The results from this can be found at section 5 as below.</p>																							

No	Question	Details															
5.	Outline the key findings	<p>A question on this proposal was asked within the 'General Budget Questionnaire' the results from this are as follows:</p> <p>*English Riviera Tourism Company (ERTC). Cease all funding to the ERTC. This is expected to save £415,000.</p> <table border="1" data-bbox="263 537 526 1243"> <thead> <tr> <th>Do you support this proposal?</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>771</td> <td>62.3%</td> </tr> <tr> <td>No</td> <td>394</td> <td>31.8%</td> </tr> <tr> <td>No answer</td> <td>73</td> <td>5.9%</td> </tr> <tr> <td>Total</td> <td>1238</td> <td>100.0%</td> </tr> </tbody> </table> <p>In addition during the consultation period:</p> <ul style="list-style-type: none"> • 42 letters have been received against the proposal from individuals, tourism business and key agencies such as Visit England, and 4 letters were received in support of this budget proposal. • A petition against the proposal to remove the English Riviera Tourism Company funding has been received which was signed by 187 names. 	Do you support this proposal?	Number	Percent	Yes	771	62.3%	No	394	31.8%	No answer	73	5.9%	Total	1238	100.0%
Do you support this proposal?	Number	Percent															
Yes	771	62.3%															
No	394	31.8%															
No answer	73	5.9%															
Total	1238	100.0%															
6.	What amendments may be required as a result of the consultation?	<p>Following a number of representations made with respect to the ERTC it is now proposed that from April 2015 the grant to ERTC will be reduced by £165,000 which leaves a base budget of £250,000. In addition it is proposed that a further one off £100,000 is provided to the ERTC as transitional funding.</p>															

Positive and Negative Equality Impacts

No	Question	Details			
7.	Identify the potential positive and negative impacts on specific groups		Positive Impact	Negative Impact	Neutral Impact
	Older or younger people			No differential impact	
	People with caring responsibilities			No differential impact	
	People with a disability			No differential impact	
	Women or men			No differential impact	
	People who are black or from a minority ethnic background (BME)			No differential impact	
	Religion or belief (including lack of belief)			No differential impact	
	People who are lesbian, gay or bisexual			No differential impact	
	People who are transgendered			No differential impact	
	People who are in a marriage or civil partnership			No differential impact	
	Women who are pregnant / on maternity leave			No differential impact	
	Socio-economic impacts (including impact on child poverty issues and deprivation)			Between 18% and 21% of Torbay working population work in Tourism related businesses. If visitors reduce this may impact upon the numbers employed in this sector and consequently on income for these families	

No	Question	Details
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	No differential impact
8a.	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	There are no other proposals within the budget which impact upon the ERTC directly.
8b.	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	<p>The tourism economy could be affected by reduced services if no other funding can be found to supplement the service .</p> <p>The Council is the only public sector organisation that supports the ERTC, and therefore no other public sector proposals will impact upon them.</p>

Section 3: Mitigating action

No	Action	Details
9.	Summarise any negative impacts and how these will be managed?	It is proposed that transitional funding of £100,000 will be applied for 15/16. This is subject to agreement by the Council on 30 October 2014. This will reduce the level of support given to the tourism sector particularly relating to targeted campaigns, by the English Riviera Tourism Company which may have an adverse impact on the sector and ultimately affect jobs for local people. The additional funding will help support the destination marketing of the resort until the TRTBID goes to ballot in the autumn of 2015.

Section 4: Monitoring

Details	
No	Action
10.	Outline plans to monitor the actual impact of your proposals
	The English Riviera Tourism Company monitor through the 'How business' monthly survey, this will be used to judge the impact of reduced marketing resources across the year.

Section 5: Recommended course of action

No	Action	Outcome	Tick ✓	Reasons/justification for recommended action
11.	State a recommended course of action	<p>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken</p> <p>Outcome 2: Adjustments to remove barriers – Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</p> <p>Outcome 3: Continue with proposal - Despite having identified some potential for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have 'due regard'.</p> <p>Outcome 4: Stop and rethink – EIA has identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified</p>	✓	Some impacts relating to the economy have been identified and therefore it is proposed that the base budget for the English Riviera Tourism Company be reduced to £250,000 rather than ceasing the grant altogether. The provision of a further £100,000 of transitional funding will further mitigate the impacts of the grant reduction pending the outcome of the TRBID ballot.

Budget Proposals 2015/16: Equality Impact Assessment (EIA) – One centralised connections office

Officer Name:	Alison Whittaker	Position:	Customer Services Manager
Business Unit:	Customer Services	Directorate:	Information Services
Executive Lead(s):	Cllr Beryl McPhail	Date:	October 2014

The council and its partners are facing a significant challenge in the savings it needs to make over the next couple of years. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of their proposals on the community. As a council we need to ensure that we are able to deliver the savings that we need to make while mitigating against any negative or adverse impacts on particular groups across our communities.

This EIA will evidence that the Council have fully considered the impact of the proposed changes and has carried out appropriate consultation on those changes with the key stakeholders. This EIA and the evidence provided within it will allow Councillors to make informed decisions as part of the decision-making process regarding the council's budget.

Executive Lead / Head Sign off:

Executive Lead(s)	Cllr Beryl McPhail	Executive Head:	Bob Clark
Date:	October 2014	Date:	October 2014

Summary from Overall Budget Proposals:

Proposals - Outline	Savings for 2014/15 and 2015/16		Implementation Cost <i>Include brief outline + year incurred</i>	Delivery <i>When will this proposal realise income / savings</i>	Risks / impact of proposals <ul style="list-style-type: none"> ▪ <i>Potential risks</i> ▪ <i>Impact on community</i> ▪ <i>Knock on impact to other agencies</i> ▪ <i>If statutory service please state relevant legislation section and Act together with any statutory guidance issued.</i> 	Type of decision		
	Income £ 000's	Budget reduction £ 000's				Internal	Minor	Major
<p>One centralised Connections office:</p> <p>Close Brixham and Torquay Connections Offices and centralise the "Connections" service in Paignton Library And Information Centre (PLAIC)</p>		2015/16 £102k	There will be additional costs associated with this proposal (to be researched).	01/04/2015 2015/16	<ul style="list-style-type: none"> ▪ The location within PLAIC needs to be able to accommodate a significant increase in footfall ▪ Age UK would no longer be able to use the meeting room in Torquay Connections and would have to make alternative arrangements ▪ There is a need to ensure that the Main Reception at Torquay Town Hall does not become a face to face enquiry point ▪ Customers that currently use Brixham & Torquay Connections would either have to travel to Paignton or make use of the alternative facilities. ▪ Appointments may have to continue to be facilitated in Torquay due to meeting room space & staff travel costs to PLAIC <p>Proposed Amendment September 2014: it is proposed that £48,000 of transitional funding is applied to extend the implementation date of this proposal</p> <p>Proposed Amendment October 2014: it is proposed that £102,000 of transitional funding is applied in 2015/16 to enable further work to be undertaken to review the Connections operating model and having a centralised office</p>			X

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the proposal and what is the intended outcome.	<p>Customer Services currently manages four face to face offices:</p> <ul style="list-style-type: none"> ▪ Torquay Connections located at Town Hall Torquay ▪ Paignton Connections located within Paignton Library and Information Centre ▪ Brixham Connections located with Brixham Library ▪ Main Reception located at the Town Hall <p>The proposal is to close two of the Connections Offices in Torquay & Brixham and centralise the Connections face to face service in PLAIC.</p> <p>The intended outcome is that Customer Services will have one centralised face to face office within Torbay (excluding Main Reception). At the same time the operating model of the Connections service will be reviewed and amended to provide customers with a variety of contact channels within the one remaining office.</p>
2.	Who is intended to benefit / who will be affected?	<p>Negative impact</p> <ul style="list-style-type: none"> ▪ Customers that currently use the Torquay or Brixham office will no longer be offered a face to face service by Customer Services. (Provision will be made for customers in Torquay & Brixham to contact Customer Services using alternative channels) ▪ The remaining office may experience high customer demand if other contact channels are not effective. ▪ Potential increase in complaints e.g. waiting times, quality of service ▪ The operating model in PLAIC will be significantly different to the current operating model, this may cause some customer confusion until the new way of working becomes familiar with our customers. ▪ Potential increase in transport costs for some customers travelling to remaining location, although this may be mitigated by implementing increased online transactions. ▪ All back office service areas will need to be consulted if it is identified that face to face enquiries are dealt with in the offices that are closing. ▪ Negative public perception

No	Question	Details
		<p>Positive impact</p> <ul style="list-style-type: none"> ▪ The level of savings identified will allow for additional staff to be transferred to the remaining office and call centre in addition to realising benefits ▪ Streamlining of service attributing to savings target ▪ Torquay Connections could generate income for Torbay Council ▪ The central office will have a security presence. (Currently a member of the Security Team is present at the Torquay Office only) ▪ Saving of Qmatic (customer queuing system) annual licence. Currently used in Torquay Connections (£4,800) ▪ An increase in channel shift - a percentage of face to face customers will choose to contact using the telephone or website rather than travel to the central Connections office ▪ Opportunity to re-engineer customer contact and ensure that it is future proof ▪ Reduction in below the line accommodation costs (2013/14 Torquay Connections 45k, Paignton Connections 18k, Brixham Connections nil) ▪ Improved scheduling of resource (staff) and increased flexibility ▪ Consistency of service

Section 2: Equalities, Consultation and Engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **Equalities, Consultation and Engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions/proposals on the Torbay community.

Evidence, Consultation and Engagement

No	Question	Details
3.	Have you considered the available evidence?	<p>In 2013/14 Customer Services dealt with 88,000 face to face enquires. By centralising at one location and changing the way the service operates the savings identified can be achieved.</p> <p>2013/14 Face to face volumes Torquay Connections – 50,296 Paignton Connections (Including Reception Desk) - 29,515 Brixham Connections – 8,249</p> <p>Many Councils already have only one face to face office. In addition to being the most expensive contact channel to provide there is a national agenda to move towards digital channels of contact. http://digital.cabinetoffice.gov.uk/about/. As well as being cost effective, online transactions enable customers to self serve at a time that is convenient to them.</p>

No	Question	Details															
4.	How will consult on the proposal?	<p>A specific 'Review of Connections Services' consultation questionnaire was produced to capture views regarding this proposal.</p> <p>The survey was open from Friday 4 July to Friday 29 August 2014.</p> <p>Paper copies were made available at the Connections Offices at Brixham, Paignton and Torquay; in the four libraries at Brixham, Churston, Paignton and Torquay. An online survey was open on the Torbay Council website for the same period.</p> <p>The Results from this survey can be found at appendix one at the end of this report.</p> <p>The Council also produced a 'General Budget Questionnaire' in which the following question was asked:</p> <p>"Do you support the proposal to centralise the Connections Service?"</p> <p>This questionnaire was open from Friday 4 July to Friday 29 August and was made available in the same locations as stated above, and also online. The results from this survey can be found in section 5 below.</p>															
5.	Outline the key findings	<p>The Council produced a 'General Budget Questionnaire' in which the following question was asked:</p> <p>One centralised Connections service: Close Brixham and Torquay Connections Offices and centralise the Connections service in Paignton Library and Information Centre. This is expected to save £102,000.</p> <table border="1" data-bbox="938 622 1241 1160"> <thead> <tr> <th>Do you support this proposal?</th> <th>Number</th> <th>Percent</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>642</td> <td>51.9%</td> </tr> <tr> <td>No</td> <td>533</td> <td>43.1%</td> </tr> <tr> <td>No answer</td> <td>63</td> <td>5.1%</td> </tr> <tr> <td>Total</td> <td>1238</td> <td>100%</td> </tr> </tbody> </table> <p>A specific 'Review of Connections Services' consultation questionnaire was produced to capture views regarding this proposal – the</p>	Do you support this proposal?	Number	Percent	Yes	642	51.9%	No	533	43.1%	No answer	63	5.1%	Total	1238	100%
Do you support this proposal?	Number	Percent															
Yes	642	51.9%															
No	533	43.1%															
No answer	63	5.1%															
Total	1238	100%															

No	Question	Details
		<p>results of this consultation can be found at appendix one at the end of this report.</p>
6.	<p>What amendments may be required as a result of the consultation?</p>	<p>Following the public consultation and feedback from the Priorities and Resources meetings that took place throughout September 2014 it is apparent that the centralisation of Connections has an impact not only upon residents of the Bay and the Customer Services department but also upon a number of other services within the council. It is essential that such a significant change is carefully planned and fully costed taking into account all issues. To ensure this happens it is proposed that one year's transitional funding of £102,000 is applied to ensure a full review is undertaken to ensure the centralisation to one office is completed in a cost efficient and effective way.</p>

Positive and Negative Equality Impacts

		Details		
No	Question	Positive Impact	Negative Impact	Neutral Impact
7.	Identify the potential positive and negative impacts on specific groups			
	Older or younger people	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	People with caring responsibilities	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	People with a disability	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Customers with a disability may have difficulty travelling to a central location.	Neutral impact on people who do not use the face to face offices
	Women or men	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	People who are black or from a minority ethnic background (BME)	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week . The website can be translated into 51 different languages using Google translate.	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices

No	Question	Details		
	Religion or belief (including lack of belief)	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	People who are lesbian, gay or bisexual	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	People who are transgendered	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	People who are in a marriage or civil partnership	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	Women who are pregnant / on maternity leave	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users	Neutral impact on people who do not use the face to face offices

No		Question	Details	
		Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Positive impact on those customers with online capabilities due to increased facilities - 24/7 365 days per week	Anyone who prefers face to face facility and non online users Neutral impact on people who do not use the face to face offices
8a.		Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	<ul style="list-style-type: none"> Reduced funding of Supporting People. The impact of the reduction of the funding for Supporting People is unknown. Potentially, there may be an increase in demand for some services areas eg <ul style="list-style-type: none"> Housing - potential increase in homelessness or increase in homeless prevention work Debt Advice - potential increase in debts such as Council Tax and rent arrears due to increased waiting lists and fewer resources to assist with budgeting 	
8b.		Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	<ul style="list-style-type: none"> Impact of Welfare Reform - The introduction of Universal Credit and further welfare reform has yet to be clarified both in terms of implementation and procedure within Torbay. 	

Section 3: Mitigating action

No	Action	Details
9.	Summarise any negative impacts and how these will be managed?	<p>There is a potential impact of closing Torquay and Brixham Connections and centralising in Paignton on the following groups that currently use these offices:</p> <ol style="list-style-type: none"> Older or younger people People with caring responsibilities People with a disability Socio-economic impacts (including impact on child poverty issues and deprivation) <p>To mitigate the impact on these groups the following actions are being explored as part of the project:</p>

- Installation of non chargeable telephones lines to enable customers to continue to contact Torbay Council. These could be located either in the Libraries or at other suitable locations. The consultation process with stakeholders will identify potential locations.
- Installation of self service pods for customers to use at the locations identified. This would enable customers that we able to use a computer to contact Torbay Council via the website.
 - The format of the website is currently being reviewed with a view to improve the customer experience, readability, accessibility and access by mobile devices plus a review of current content.
 - The number of online transactions is also being increased to improve self service and allow greater customer interaction with more council services 24/7.
 - Web chat is also being explored. This would be an additional service that would be dealt with by the Customer Service Team. This would allow Customer Services to support customers to self serve by signposting to the appropriate web page or answer simple queries.
- Identify services that are or could be delivered by the Library Service in Brixham and Torquay.
- Explore how the number of documents required to be scanned could be reduced. In addition, consider alternative methods of providing documentation.

It is proposed that one year's transitional funding of £102,000 is applied to ensure a full review is undertaken to ensure the centralisation to one office is completed in a cost efficient and effective way. It is essential that such a significant change is carefully planned and fully costed taking into account all issues.

Section 4: Monitoring

Details	
No	Action
10.	<p>A full review will be undertaken to ensure that the centralisation to one office is completed in a cost efficient and effective way.</p> <ul style="list-style-type: none"> • Periodic customer satisfaction surveys - This will include accessibility questions • Internal surveys with back office services – This will include identifying issues regarding accessibility for customers from a back office perspective. • Corporate complaints monitoring – These are dealt with on a case by case basis. Overall analysis would identify trends/issues that will then be addressed

Section 5: Recommended course of action

No	Action	Outcome	Tick ✓	Reasons/justification for recommended action
11.	State a recommended course of action	<p>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken</p> <p>Outcome 2: Adjustments to remove barriers – Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality</p>	✓	

Page 124

Outcome 3: Continue with proposal -
 Despite having identified some potential for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have 'due regard'.

It is proposed that one year's transitional funding of £102,000 is applied to ensure a full review is undertaken to ensure the centralisation to one office is completed in a cost efficient and effective way. It is essential that such a significant change is carefully planned and fully costed taking into account and minimising all issues including those identified below:

There is a potential impact on the following groups –

1. Older or younger people
2. People with caring responsibilities
3. People with a disability
4. Socio-economic impacts (including impact on child poverty issues and deprivation)

Action will be taken to minimise this (section 3)

The impact in terms of customer volumes is unidentifiable but will be closely monitored (section 10)



The consultation has identified that there is a demand for alternative contact channels in Torquay & Brixham –

“If a self service computer and a free phone to various council services was available for you to use at a location in Torquay or Brixham, would you use these to make your enquiries?”

	Number	Percent
Yes	279	33.4%
No	331	39.6%
Don't know	199	23.8%
No response	27	3.2%
Total	836	100%

The consultation has identified that there is a demand for a range of contact channels
 “How likely are you to use each of the following methods of contact with Torbay Council?”

	Very likely		Fairly likely		Not very likely		Never	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Internet	231	27.6%	178	21.2%	139	16.6%	153	18.3%
Email	207	24.7%	168	20.0%	144	17.2%	175	20.9%
Web Chat	43	5.1%	46	5.5%	151	18.0%	370	44.2%
Text	71	8.4%	78	9.3%	169	20.2%	301	36.0%
Telephone	419	50.1%	225	26.9%	71	8.4%	35	4.1%
Postal	185	22.1%	204	24.4%	151	18.0%	115	13.7%
In person	523	62.5%	134	16.0%	62	7.4%	24	2.8%

Outcome 4: Stop and rethink – EIA
 has identified actual or potential
 unlawful discrimination in relation to
 equalities or adverse impact has been
 identified



Review of Connections Services

Consultation Report

September 2014

Method	Number of questionnaires returned	Percent of questionnaires returned
Paper	720	86.1%
Online	116	13.9%
Total	836	100%

This survey was open between 4 July and 29 August 2014



1. Introduction

Torbay Council, along with other local authorities, continues to face reductions in the level of funding it receives.

The council has to make extremely tough decisions and needs to reduce costs and deliver services in new ways so it can maintain as many services as possible that Torbay residents value.

In setting a budget for the next financial year, Torbay Council faces an unprecedented challenge. Savings of over £30 million in the last three financial years have already been made and further reductions estimated at more than £14 million are needed in 2015/16. The majority of this has already been identified.

In July 2014 remaining saving proposals of £3.8 million were published, one of the proposals was to reduce and centralise the Connections service to the office at Paignton Library and Information Centre.

The closure of Torquay and Brixham Connections would mean that there will no longer be a facility to undertake face to face enquiries in these two towns. However, the Council is looking to make better use of new technology to help its customers to make enquiries and receive help and advice. This proposal would save £102,000.

2. Methodology

A specific 'Review of Connections Services' consultation questionnaire was produced to capture views regarding this proposal.

The survey was open from Friday 4 July to Friday 29 August 2014.

Paper copies were made available at the Connections Offices at Brixham, Paignton and Torquay; in the four libraries at Brixham, Churston, Paignton and Torquay.

An online survey was open on the Torbay Council website for the same period.

The Council also produced a 'General Budget Questionnaire' in which the following question was asked:

"Do you support the proposal to centralise the Connections Service?"

This questionnaire was open from Friday 4 July to Friday 29 August and was made available in the same locations as stated above, and also online. The results for this question within the General Budget Questionnaire can also be found at the end of this report.

An internal consultation was also undertaken by the manager of the Connections Service asking other service managers across the Council what the impact of the proposal to centralise the Connections Service would be on their service. The results from this consultation can also be found at the end of this report.

3. Quality Assurance

To ensure the quality of data provided, all information received through both the online and paper surveys have been verified and moderated. This provides assurance that the results presented overleaf are an accurate representation of respondent's views.

4. Key Findings

- 561 respondents (67.1%) do not support the proposal to centralise the Connections Service at Paignton.
- 463 of respondents (55.4%) most frequently use the Torquay Office.
- Council Tax and Housing Benefit were the main services that respondents used at Connections within the last two years.

5. Results

Q1) Do you support the proposal to centralise the Connections Service at Paignton?

	Number	Percent
Yes	195	23.3%
No	561	67.1%
No response	80	9.6%
Total	836	100%

Q2) How often do you visit the Connections Offices in Torbay?

	Number	Percent
Every day	15	1.8%
Once a week	91	10.9%
At least once a month	190	22.7%
A few times a year	361	43.2%
Never	157	18.8%
No response	22	2.6%
Total	836	100%

Q3) Which Connections Office do you currently use most frequently?

	Number	Percent
Brixham	92	11.0%
Paignton	115	13.8%
Torquay	463	55.4%
No response	166	19.8%
Total	836	100%

Q4) *Do you ever visit a different Connections Office in Torbay?

** This is a multi-choice question so respondents could tick one than one box. Therefore percentages have been calculated from the total number of respondents (836).*

	Number	Percent
Brixham	29	3.4%
Paignton	62	7.4%
Torquay	110	13.1%

Q5) *What form of travel do you most regularly use when visiting a Connections Office?

* This is a multi-choice question so respondents could tick one than one box. Therefore percentages have been calculated from the total number of respondents (836).

	Number	Percent
Walk	407	48.6%
Car	193	23.0%
Bus	119	14.2%
Cycle	139	16.6%
Taxi	7	0.8%
Train	1	0.1%

Q6) *What services have you used at Connections in the last 2 years?

* This is a multi-choice question so respondents could tick one than one box. Therefore percentages have been calculated from the total number of respondents (836).

	Number	Percent
Council Tax	469	56.1%
Housing Benefit	453	54.1%
Bus Passes	171	20.4%
Homelessness Advice	124	14.8%
Housing Standards	116	13.8%
Crisis Support	105	12.5%
Parking	86	10.2%
*Other	59	7.0%
Devon Home Choice	54	6.4%
Planning	53	6.3%
Community Safety	28	3.3%
Business Rates	22	2.6%
Licensing	17	2.0%

***Examples of comments provided:**

- General Enquiries (20)
- Recycling/Waste (13)
- Environmental issues i.e. noise, fly tipping, street cleansing (6)
- Advice for elderly (inc Age UK) (5)

Q7) During recent visits to a Connections Office, have you used the self service computers in the office to make your enquiry?

	Number	Percent
Yes	200	23.9%
No	468	56.0%
No response	168	20.1%
Total	836	100%

Q7a) If you answered No, what are your reasons for not using the computer?

- Prefer to speak to the staff / to deal with enquiry face to face (136)
- Don't / can't use a computer (90)
- Have no need to use the computer (57)
- Use my own computer at home (28)
- Did not know a computer facility was available (22)

Q8) In the absence of a Connections Office in Torquay or Brixham would you travel to a new centralised office at Paignton Library and Information Centre?

	Number	Percent
Yes	265	31.7%
No	326	39.0%
Don't know	205	24.5%
No response	40	4.8%
Total	836	100%

Q9) If a self service computer and a freephone to various council services was available for you to use at a location in Torquay or Brixham, would you use these to make your enquiries?

	Number	Percent
Yes	279	33.4%
No	331	39.6%
Don't know	199	23.8%
No response	27	3.2%
Total	836	100%

Q10) *How likely are you to use each of the following methods of contact with Torbay Council?

** This is a multi-choice question so respondents could tick one than one box. Therefore percentages have been calculated from the total number of respondents (836).*

	Very likely		Fairly likely		Not very likely		Never	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Internet	231	27.6%	178	21.2%	139	16.6%	153	18.3%
Email	207	24.7%	168	20.0%	144	17.2%	175	20.9%
Web Chat	43	5.1%	46	5.5%	151	18.0%	370	44.2%
Text	71	8.4%	78	9.3%	169	20.2%	301	36.0%
Telephone	419	50.1%	225	26.9%	71	8.4%	35	4.1%
Postal	185	22.1%	204	24.4%	151	18.0%	115	13.7%
In person	523	62.5%	134	16.0%	62	7.4%	24	2.8%

Q11) Are there any enquiries that you consider it absolutely essential to have face to face contact with an advisor?

	Number	Percent
Yes	492	58.9%
No	136	16.3%
Don't know	186	22.2%
No response	22	2.6%
Total	836	100%

Q11a) If yes please state what type of enquires you consider to be essential for face to face contact and the reasons for this?

- Prefer face to face (126)
- Benefit enquiries (inc Council Tax & Housing Benefit) (91)
- General enquiries (inc Planning/Parking enquiries, Community Safety, Waste) (85)
- Housing/Homeless enquiries (69)
- Council Tax/Business Rate enquiries (52)

Q12) Would you like to access your Council records (e.g. Council Tax, Housing Benefit records) yourself via the internet?

	Number	Percent
Yes	413	49.4%
No	243	29.1%
Don't know	158	18.9%
No response	22	2.5%
Total	836	100%

Q12a) If you answered No, please explain why in the box below:

- Don't use the internet/computer – Have no internet/computer (100)
- Concerned about details being on the internet/security (42)
- No need/not interested in my council records (30)
- Prefer to speak to someone in person (26)

Q13) *If you had to submit documents for scanning which of the following alternative options would you use to provide your information?

** This is a multi-choice question so respondents could tick one than one box. Therefore percentages have been calculated from the total number of respondents (836).*

	Number	Percent
Visit Paignton Connections	278	33.2%
Deposit documents in a secure box at an office location in Torquay or Brixham, where the originals would be returned by post without charge	283	33.8%
Submit documents via a picture / scanned image from your own device	197	23.6%
Post via Royal Mail to the Town Hall in Torquay	255	30.5%

Q14) The current opening times for Paignton Connections are 9.00am to 5.00pm. If the opening times were extended would you choose to visit after 5.00pm?

	Number	Percent
Yes	243	29.1%
No	383	45.8%
Don't know	173	20.7%
No response	37	4.4%
Total	836	100%

6. Respondent Profile

Q15) Gender

	Number	Percent
Female	319	38.2%
Male	491	58.7%
No response	26	3.1%
Total	836	100%

Q16) Age

	Number	Percent
0 – 15	0	0.0%
16 – 24	89	10.6%
25 – 34	114	13.6%
35 – 44	126	15.1%
45 – 54	161	19.3%
55 – 64	137	16.4%
65 – 74	120	14.4%
75+	67	8.0%
No response	22	2.7%
Total	836	100%

Q17) Do you consider yourself to be disabled in any way?

	Number	Percent
Yes	172	20.6%
No	598	71.5%
No response	66	7.9%
Total	836	100%

Q17a) If yes, please tell us how it affects you:
(respondents could tick more than one box)

	Number	Percent
Mobility	120	14.3%
Hearing	32	3.8%
Vision	34	4.0%
Other	73	8.7%

Q18) How would you describe your ethnic origin?

	Number	Percent
White	762	91.1%
Mixed ethnicity	6	0.7%
Asian or Asian British	3	0.4%
Black or Black British	6	0.7%
Chinese	0	0.0%
Other	9	1.1%
No response	50	5.9%
Total	836	100%

Q19) What is your postcode?

	Number	Percent
TQ1 (Torquay)	219	26.1%
TQ2 (Torquay)	229	27.3%
TQ3 (Preston/Paignton)	107	12.7%
TQ4 (Paignton)	79	9.4%
TQ5 (Brixham)	124	14.8%
TQ6 (Dartmouth)	1	0.1%
TQ7 (Kingsbridge)	1	0.1%
TQ9 (Totnes)	3	0.3%
TQ12 (Newton Abbot/Teignmouth)	2	0.2%
BS39 (Clutton)	1	0.1%
EX4 (North Exeter)	1	0.1%
PL7 (Plympton)	1	0.1%
No response	68	8.1%
Total	836	100%

7. Other Consultations

General Budget Questionnaire

One centralised Connections service. Close Brixham and Torquay Connections Offices and centralise the Connections service in Paignton Library and Information Centre. This is expected to save £102,000.

Do you support this proposal?	Number	Percent
Yes	642	51.9%
No	533	43.1%
No answer	63	5.1%
Total	1238	100.0%

Written representations:

Three written representations were received - one in favour of the proposal to centralise Connections to Paignton, two were against the proposal.

Details of the written representations have been made available to the Mayor.

Internal Survey

A internal survey was undertaken by the manager of the Connections Service asking service areas what the impact would be on their service if the Connection Service was centralised to Paignton.

The following key themes have been identified from the feedback received:

Key Themes

- **Reduced customer service especially to vulnerable groups**
A percentage of customers who use the Connections office are older or vulnerable. Centralising in Paignton would have a detrimental effect upon these residents of Torquay and Brixham.
- **Increase in costs**
Increased costs such as higher postage costs to send out forms and booklets, increased phone calls and increased travel assistance to vulnerable citizens who need to use the face to face service.
- **Inability to discharge statutory duties**
The changes may have an impact on our housing and homeless service which would hinder the ability to provide our statutory duties and homeless prevention work which would lead to increased temporary housing.

For further information please contact the Policy Performance and Review team on 01803 207227 or email consultation@torbay.gov.uk

The information used to collate this report has been collected and processed in accordance with the Data Protection Act, 1998.

shortfalls, costs for restructuring due to budget reductions, the approved Childrens Services Cost Reduction Plan and any delays in implementing savings.

- 4.2 As part of the Childrens Services 5 Year Cost Reduction Plan, due to be approved by Council in October 2014, it is recommended that Council approve the transfer of £3.4m from a number of reserves to fund planned spend in Childrens with Children's Services repaying the reserve in 2017/18 & 2015/19. It is important that these reserves are repaid or there will be additional budget pressures for other services within the Council.
- 4.3 As part of the 2014/15 Review of Reserves Council approved "the transfer of £1.5m from the PFI Sinking Fund to Childrens Services on an "invest to save" basis. Childrens Services to repay the reserve in future years". The use of this £1.5m is expected to be substantially used during 2014/15. This repayment is in addition to the £3.4m required as part of the Childrens Services 5 year Cost Reduction Plan.
- 4.4 As an implication of the in year budget pressures and estimated future costs of budget reductions additional funds it is recommended that Members consider during the 2015/16 budget process the allocation of additional funds to the Comprehensive Spending Review Reserve and/or the General Fund Reserve.
- 4.5 Members are reminded of the advice previously given by The Chief Finance Officer that reserves should not be used for supporting ongoing recurring expenditure. This is not financially sustainable as reserves can only be spent once.

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

Paul Looby
Chief Finance Officer

Supporting information

A1. Introduction

A1.1 A Review of Reserves is part of the Council's annual budget process.

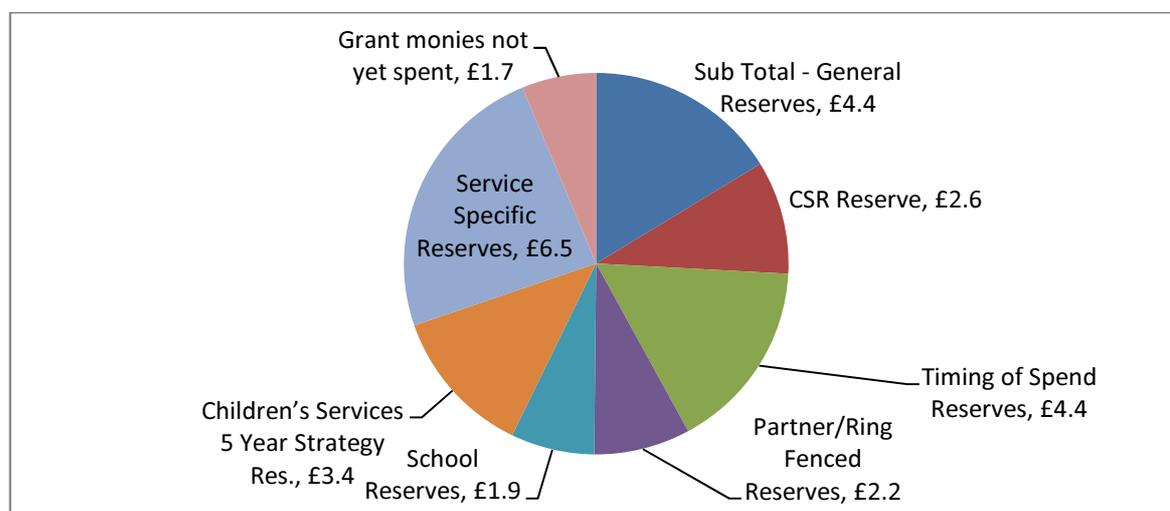
A2 Review of Reserves 2015/16

A2.1 Overview

A2.2 As at 31/03/2014 Torbay Council's reserves were as follows:-

	31/3/13 actual	Change in year	31/3/14 actual	31/3/15 estimate
	£m	£m	£m	£m
General Fund Reserve	4.4	0	4.4	4.4
Sub Total - General Reserves	4.4	0	4.4	4.4
Comprehensive Spending Review Reserve	3.1	0.7	3.8	2.6
Timing of Spend Reserves	10.0	(3.2)	6.8	4.4
Partner/Ring Fenced Reserves	3.2	0.6	3.8	2.2
School Reserves	3.2	(0.4)	2.8	1.9
Children's Services 5 Year Strategy Res.	0	0	0	3.4
Other Service Specific Reserves	10.2	2.4	12.6	6.5
Grant monies not yet spent	2.0	1.1	3.1	1.7
Sub Total – Earmarked Reserves	31.7	1.2	32.9	22.7
Total Reserves	36.1	1.2	37.3	27.1

A2.3 From the table above, the estimated balances (in £m) as at 31/3/15 after the allocation of £3.4m to Childrens Services is as follows:



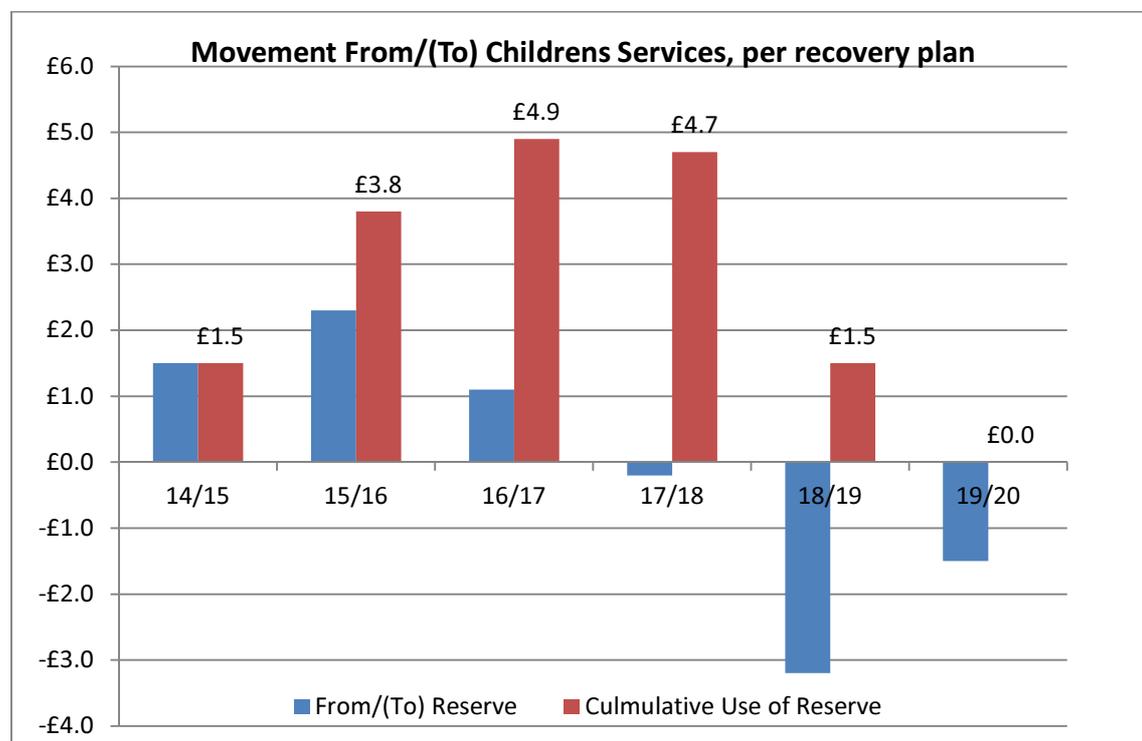
A2.4 A list of the Council's Reserves as at 31/03/2014 is attached at Appendix 1.

A2.5 The table in A2.2 shows that the total reserves held by the Council increased by £1.2m during 2013/14. The General Fund Reserve remained at £4.4 million during the same period. This is discussed in more detail below.

A2.6 Included in this agenda Council is asked to approve a five year cost reduction plan for Childrens Services which requires the use of £3.4m of reserves to fund children services budget pressures in 2015/16 and 2016/17 before the service will have introduced and embedded service changes which will result in savings compared the current level of spend which will enable children's services to repay the reserves used to fund the £3.4m. The Plan identified that £0.2m will be repaid in 2017/18 and £3.2m will be repaid in 2018/19. The £3.4m will be re allocated to service reserves by the Chief Finance Officer if there is still an expenditure pressure on these reserves in the future.

A2.7 The £3.4m is in addition to the previously approved use of £1.5m from the PFI Sinking Reserve which is also to be repaid by Children's Services, with the assumption that this £1.5m will be used in 2014/15 with repayment in 2019/20.

A2.8 The use of these reserves to support Childrens Services and their repayment is shown in the bar chart below.



A2.9 The reserves identified to fund the £3.4m required for Childrens' Services are shown in the table below. The reserves have been selected where there are not any definite expenditure commitments or expenditure is expected in future years. In addition a 20% general reduction over a number of reserves has also been made. It is expected that these reserves will be repaid by Children's services in future years. The risk and potential implication of reducing these reserves is summarised below:

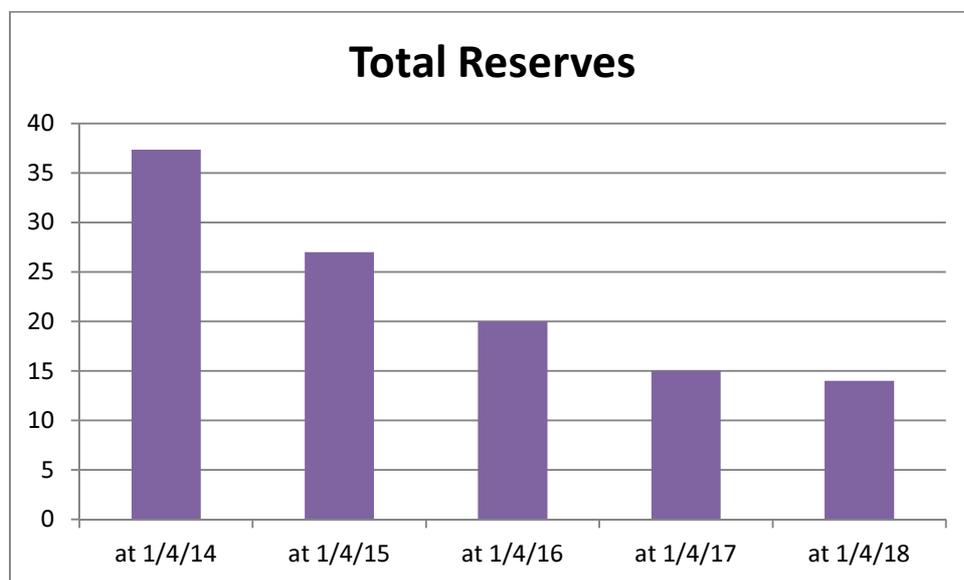
Reserve	Reduction £000's	Reduction %	Implication if reserve NOT repaid
Office Rationalisation	55	20	Budget pressure if future revenue costs of office rationalisation exceed available reserve
Crematorium	5	20	Budget pressure if future costs of Council responsibility re churchyards exceed available reserve
Asset Issues	45	20	Budget pressure if future costs of asset disposals exceed available reserve
Employment Issues	50	36	No commitments on this reserve, however no funds for re skilling and training of staff
Education Early Retirement	34	20	Budget pressure if future costs of teacher redundancy exceed available reserve
Insurance	750	18	Less reserve for potential insurance costs
Harbours	86	10	Reduced spend on Harbour estate and equipment
Equipment Fund	31	12	Budget pressure if future costs of IT and other system replacement exceed available reserve
PFI Sinking Fund	896	28	Budget pressure within Childrens Services to meet ongoing increased PFI contract annual costs
Public Health – Disease Outbreak	435	100	Any costs to be funded from the ring fenced public health reserve or a budget pressure
Prudential Borrowing Reserve	180	19	Future year budget pressure and premiums paid, if any, on repayment of borrowing will be a budget pressure.

Regeneration	35	100	Reduced funds to progress future regeneration schemes
South Devon Link Road	252	27	Higher ongoing prudential borrowing costs which will be a cost to the service
Taxi Reserve	7	20	Budget pressure if future costs of taxi license costs exceed available reserve
Universal Credit	449	100	Budget pressure if Universal Credit introduced with no central government funding
Waste Strategy	90	20	Budget pressure if future costs of EFW and waste tonnages exceed available reserve
Total Identified	3,400		

A2.10 This report has assumed that the 2014/15 budget breaks even and that budget pressures currently forecast in social care, both Adults and Childrens, and in Residents and Visitor services can be offset by savings elsewhere combined with the achievement of in year recovery plans such as the £1.8m savings already identified for Childrens Services.

A2.11 If there is an overspend in 2014/15 this will be funded from the Comprehensive Spending Review Reserve which, if significant, will deplete the reserve earlier than predicted which will result in a budget pressure for the Council in future years to support budget reductions such as restructuring costs. If such an event occurs then the Chief Finance Officer will give consideration to transferring the remaining balance on the prudential borrowing reserve of £0.752m to the Comprehensive Spending Review Reserve. The consequence of this action will be to create an ongoing budget pressure (approx £0.040m p.a) and premiums paid, if any, on repayment of borrowing will be a budget pressure.

A2.12 Each reserve has been assessed for its estimated balance as at 31st March 2015 and for the estimated additions or withdrawals from the reserve during 2015/16 and future years. This is included in the table at Appendix 1. This table is shown after the recommendations arising from this report, but excludes the £4.9m repayments (£3.4m + £1.5m) by Childrens Services.



A2.13 The table in A2.2, (based on this review of reserves), shows that the level of reserves is expected to decrease by £10m during 2014/15 to £27m. The actual balance at year end will depend on spend during the year and any year end service carry forwards from unspent revenue funds and/or unspent grant allocations.

A3.0 Guidance on the Management of Reserves

A3.1 The CIPFA guidance on Reserves and Balances (LAAP bulletin 99 issued July 2014) advises that “Chief Finance Officers should take account of the strategic, operational and financial risks facing the authority. The assessment of risks should include external risks, such as flooding, as well as internal risks, such as the ability to deliver planned efficiency savings”.

- A3.2 The CIFPA guidance lists a number of assumptions to be considered when forming a budget, which although these directly link to the setting of a budget, the level of risk and uncertainty of these assumptions are be relevant in determining an appropriate level of reserves. Assumptions to consider include inflation, demand led pressures, delivery of planned savings and risks from new partnerships or ways of working.
- A3.3 The Audit Commission in December 2012 issued a report “Striking a Balance” seeking to improve Council’s decision making on reserves.
<http://www.audit-commission.gov.uk/wp-content/uploads/2012/12/strikingabalance.pdf>
- A3.4 In undertaking a detailed annual review of reserves that is presented to both Overview and Scrutiny Board and Council, Torbay Council is largely complying with most of the recommendations in this report.
- A3.5 It is important to differentiate between general and uncommitted reserves and reserves held for a specific purpose. It is only the general and uncommitted reserves that could be used to support “short term costs”. As shown in the table above, the Council’s uncommitted reserves was the Comprehensive Spending Review reserve (£3.8m) which is expected to be used to support redundancy costs arising from future reductions in government funding to Councils and £4.4m is the Council’s general fund balance which is discussed later. The Council does not have a large value of unallocated reserves compared to its overall budget or compared to the value of budget reductions required over the next few years or compared to the value of the 2014/15 in year pressures for social care.
- A3.6 The Chief Finance Officer is reluctant to use any reserve funds, which can only be spent once, to support ongoing expenditure as that is not financially sustainable as it only delays the impact of the required budget reductions. Any use of reserves for ongoing spend by a service on an invest to save basis or as a short term strategy such as the 5 Year Childrens Services Cost Reduction Plan which must be repaid by the same service and will become a call on future year’s budgets.
- A3.7 This position taken by the Chief Finance Officer is similar to CIPFA guidance which says “Councils should be particularly wary about using one off reserves to deal with shortfalls in current funding. Where such action is to be taken, this should be made explicit, and an explanation given as how such expenditure will be funded in the medium to long term”.
- A4 Earmarked Reserves
- A4.1 The proposed changes to earmarked reserves are outlined in paragraph A2.9 above. The following paragraphs make specific comments on a number of reserves. A summary of each reserve and their purpose is included as Appendix Two. Further information on all Council Reserves is available that shows details about each reserve, including the reason/purpose of the reserve, how and when the reserve can be used and the process for retention of each reserve to ensure continuing relevance and adequacy.
- A4.2 Comprehensive Spending Review Reserve – balance £3.8m 31/3/14 (£2.6m 31/3/15)
- A4.3 The Comprehensive Spending Review Reserve was originally established in 2010/11. The purpose of this reserve was identified as follows:
- short term support for the (revenue) budget while services adjust spending to new levels
 - financing of any costs in relation to reducing services and therefore staff numbers
 - to support any initial costs of changing service delivery that will result in future savings
- Any use of this reserve for invest to save schemes must be supported by a robust business case and signed off by the Chief Finance Officer.
- A4.4 As part of the 2014/15 review of reserves an additional £0.6m was transferred to this reserve from other reserves. During 2012/13 £0.8m was used to fund the costs of staff reductions for the 2014/15 budget.
- A4.5 The cost of severance packages for staff as the Council faces budget reductions are an ongoing significant budget pressure. The highest cost of “exit packages” over the past three years was £1.5m however £1.0m has been assumed for 2014/15 and £1.0m assumed for subsequent years.
- A4.6 This reserve will also be used to support any transitional funding offered as part of the 2015/16 budget and if there is an overspend in 2014/15, as currently predicted, this will have to be funded from this reserve if compensating savings cannot be found. This report assumes that 2014/15 will break even and the transitional funding is as per the 2015/16 budget reduction proposals.

A4.7 Assuming no use of this reserve in 2014/15 to support any in year overspend this reserve will be fully committed in 2017/18, which means that the Council will have to identify additional resources to fund any costs of making the expected budget reductions in 2018/19 and future years. Given the in year budget pressures and estimated future costs of budget reductions it is recommended that Members consider during the 2015/16 budget process the allocation of additional funds to the Comprehensive Spending Review Reserve and/or the General Fund Reserve or establish a contingency within the Revenue budget.

A4.8 Timing of Expenditure Reserves – balance £9.9m 31/3/14 (£6.1m 31/3/15)

A4.9 These reserves arise as a result of differences in timing between the reserve being established and the expenditure being incurred. Some of these are short term, such as service carry forwards, unspent revenue grants and the collection fund, where the expenditure should be incurred within 12 months. Other reserves are spreading costs over a number of years, such as the PFI sinking fund that equalises the costs of the annual unitary charge over the 25 years of the contract.

A4.10 PFI Sinking Fund

As part of the 2014/15 Review of Reserves Council approved; “the transfer of £1.5m from the PFI Sinking Fund to Childrens Services on an “invest to save” basis. Childrens Services to repay the reserve in future years”. The use of this £1.5m is expected to be substantially used during 2014/15; however the terms of repayment have yet to be agreed with the Director of Childrens Services. This repayment is in addition to the £3.4m required as part of the Childrens Services 5 year Cost Reduction Plan.

To support the Plan an additional £0.9m is proposed to be withdrawn from this reserves (see para A2.9) which will reduce the reserve to be equal to the expected revenue shortfall on the Council’s PFI contract for the next three years (£0.6m) until Childrens Services start to repay reserves in 2018/19.

It is important that this reserve is repaid as the PFI contract has steadily increasing costs over the 25 life of the contract to 2027. If the reserve is not repaid, then Childrens Services will have to reduce other service budgets to fund these increased costs.

A4.11 Collection Fund

The Collection Fund Adjustment Account (formally Collection Fund Reserve) is slightly different from all other reserves and includes both Council Tax and NNDR. For Council Tax, legislation requires any balance (surplus or deficit) to be applied at the next Council Tax setting to the three major precepting authorities (Torbay, Devon & Cornwall Police Authority and Devon and Somerset Fire Authority). (Note Brixham Town Council as a minor precepting body does not bear any share of surplus or deficit). For NNDR, as a result of the introduction of the new Local Government funding arrangements from April 2013, the Council bears a 49% share of the risk and reward of changes in the level of National Non Domestic Rate income. Changes from the Council’s initial National Non Domestic Rate income estimate arising from changes in yield and collection will now also result in a Collection Fund surplus or deficit. The Council’s share of any surplus or deficit will impact on the forthcoming year.

Estimates of future year surpluses will be included in the 2015/16 Budget Setting process and reflected in the Medium Term Resource Plan.

A4.12 Partner/Ring Fenced Reserves – balance £6.6m 31/3/14 (£4.1m 31/3/15)

A4.13 These reserves are outside the Council’s direct control in that the reserves are linked to funds held by partner organisations, schools, Economic Development Company or ring fenced Council services such as public health. The harbour reserves have been included in this category as the Council in the past has chosen to operate this Council service as if it were ring fenced. As per the table (A2.9) it is proposed that there are reductions to support Childrens Services pending repayment in future years.

A4.14 The balance of £2.8m held by schools as at 31st March 2014 under delegated funds will change based on expenditure in schools and are likely to continue to reduce as more Council schools become academies. As a result a reduction in the balances held by schools has been shown in Appendix 1.

A4.15 Specific Issue Reserves - balance £12.7m 31/3/14 (£9.9m 31/3/15)

These are reserves set aside for specific expenditure purposes.

A4.16 Insurance Reserve

The balance as at March 2014 for both the insurance reserve and the insurance provision before the addition of any current year surplus due to timing of claims was approximately £4.6 million. The Council's insurance team in consultation with the Chief Finance Officer review the earmarked amounts on an annual basis and take advice from an insurance actuary to ensure the adequacy of the reserves. The last actuarial review was a review as at March 2014.

As the 2014/15 budget included a reduction to the annual revenue contribution to the reserve for claims and a reduction in the total reserve of £0.250m to be released over the next five years, this increases the risk of the reserve being inadequate in the longer term from both changes in premiums and the number and value of claims. Given the potential long lead in time for certain insurance claims, such as those relating to children and certain types of industrial diseases, any shortfall in this reserve may not be realised for a number of years.

In the light of the above risks the proposal in paragraph A2.9 to use of £0.750m from the reserve to support the Childrens Services Reserve in the short term, the repayment in future years will be important.

A4.17 Potential Liabilities

The Council, as identified in its Statement of Accounts, has given a number of guarantees. The Council has also entered a number of contracts which could lead to a future liability such as dilapidation costs on leased in buildings. In particular the Council has provided a guarantee to bankers to the Torbay Coast and Countryside Trust for £975,000 to provide cover for the Trust's loan and overdraft facility. If the bankers call the guarantee the Council will have to fund the £975,000 from its own resources which will probably result in the use of, as yet unidentified, reserves.

In addition the Council has provided a number of guarantees for pension liabilities to services now outsourced, such as Provider Trust and the Economic Development Company, however it is unlikely that these guarantees will result in a cash payment from the Council.

A5 Review of Provisions and other Potential Liabilities

A5.1 In addition to earmarked and general reserves the Council also holds provisions for a number of issues where the Council has a clear liability which is probable to result in a payment but the amount and timing of the potential payment is uncertain.

A5.2 As at 31/03/2014 Torbay Council's provisions were as follows:-

12/13		13/14	Change
£m		£m	£m
0.7	Insurance Provision	0.5	(0.2)
0	NNDR Appeals	1.2	1.2
0.4	Restructure/Budget Reductions	0.1	(0.3)
0.8	Other Provisions	0.4	(0.4)
1.9	Total Provisions	2.2	0.3

A5.3 The provisions above were based on the latest information as to the value of the potential liability, as such no changes in the value of these are proposed. It is expected that the majority of these provisions will be used within 2014/15 except insurance where the "time lag" on claims being notified and settled is often over one year. Other provisions tend to be linked to specific issues such as carbon allowances.

A5.4 The provision for NNDR appeals as at 31st March 2014 is new as a result of the introduction of the NNDR Business Rates Retention Scheme and forms part of the Collection Fund – see para A4.12 above. When the scheme was introduced in April 2013 the Council now gains or loses a 49% share of any movements in NNDR income. This includes the ongoing impact and repayment from any successful NNDR appeals made. This includes a 49% share of any costs paid since April 2013 arising from refunds relating to financial years before April 2013 which were previously fully funded from central government.

A6 General Fund Reserve - Risk Assessment and Sensitivity/Scenario Appraisal

A6.1 The Councils General Fund Reserves of £4.4 million represents 3.8% of the Council's net 2014/15 budget. This level of "unallocated financial reserves" is lower than average compared to other unitary Councils. (see para A7.2).

- A6.2 The CIPFA guidance on reserves does not recommend a statutory minimum level of reserves. It states that “Local Authorities should make their own judgements on such matters taking into account all the relevant local circumstances which will vary between Authorities”. CIPFA also state that “a well managed authority with a prudent approach to budgeting should be able to operate with a relatively low level of reserves”.
- A6.3 A risk assessment of all 2014/15 budgets suggest that the maximum overspend in any year, if all services were subject to adverse pressures and where there isn't any specific service related earmarked reserve, would be £8.8 million or 7% of 2014/15 net revenue budget. An estimate should be added to reflect any, as yet unknown, in year budget pressures, potential Bellwin scheme claims (emergency planning) and to reflect the financial risks inherent in any significant new partnerships, outsourcing or capital developments, say £1.0 million. This would result in a required General Fund reserve of £9.8 million or 8% of net budget. The current level of General Fund Reserve will cover just under 45% of this sum.
- A6.4 This risk assessment overall is similar to the previous year as the higher value areas of volatility that were identified as a high risk last year have continued to cause pressures on the Council's revenue budget still exist. In addition the challenges of achieving the ongoing significant budget reductions from central government create a major risk of budget variations.
- A6.5 A continuing key consideration within this risk assessment is the level of the risk of budget variances passed to partners or other suppliers via service delivery contracts. A key partner for the Council is the Torbay and Southern Devon Health and Care NHS Trust as the level of funding to the Trust is over £43 million per annum. For 2014/15 the Care Trust and Council have not agreed to share the risk of any over or under spends on the most volatile budget area. Although the Council and Trust (and the new provider after the acquisition process due to be completed during 2015/16) are discussing risk share arrangements for 2015/16 as part of the 2015/16 budget process. The expectation is there will be a risk share as part of the ICO, however for the purposes of this report until this has been finalised it is considered a risk.
- A6.6 A prudent risk based approach to budget setting and reserve levels will have mitigated some risks of an overspend, although it should be noted that in areas of high risk such as, Childrens Social Care, have already declared a significant budget pressures over the past few years. The Childrens Service 5 Year Cost Reduction Plan should help to mitigate some of the risks associated with this service.
- However it is unlikely that all budgets will be adversely affected in the same year or that there will be no underspend arising from savings or additional income. Therefore the General Fund Reserve should be equal to 50% of the total assessed risk in any financial year (which equals to 4.2% of 2014/15 net revenue budget). This for 2015/16 will result in a required general fund reserve balance of £4.9 million. At this stage the current general fund balance of £4.4 million is £0.5 million below the target level.
- A6.7 Following consideration of the above, in the opinion of the Chief Finance Officer, the current level of general fund reserve should not be reduced and ideally increased to reflect the higher level of risk, as balances would fall below a prudent minimum level. Therefore it is recommended that Members give consideration to increase the level of this reserve as part of its Medium Term Resource Plan.
- A6.8 The 2015/16 budget to be presented in February 2015 to Members will also include an assurance statement from the Chief Finance Officer about the adequacy of the proposed financial reserves, in accordance with the requirements of section 25 of the Local Government Act 2003.

Capital Investment Plan

- A6.9 It is assumed that in the circumstances of a significant overspend within the Council's capital programme this will be covered by alterations to the timing of the Council's capital investment plan; use of the capital contingency or from additional borrowing within the Council's approved Prudential Indicators. Any additional borrowing costs would have to be met from the Council's revenue budget.
- A6.10 The Council's capital plan has a contingency of £0.6 million – this is approximately 1% of the current four year capital plan. It should be noted that all capital projects should have contingencies within the individual project costs.
- A6.11 The capital resources that the Council has available is reducing from central government grants and capital income from contributions such as S106 developer agreements and the delays in establishing a Community Infrastructure Levy. In addition as revenue budget cuts are made the affordability of prudential borrowing is more limited. This gives fewer options to allocate funding for any urgent capital projects such as infrastructure works. Members could give consideration to allocating reserves to support capital expenditure.

A7 Comparison with Other Councils:

- A7.1 The Audit Commission Report, (paragraph A3.3 above) does state that the amount that Councils need or choose to hold in reserve varies due to local circumstances. This does make any comparison with other Council's to contain a "health warning".
- A7.2 A comparison of Torbay Council reserves as at 31/3/13 with data for 9 other similar unitary authorities and Torbay's "local" neighbours of Cornwall, Devon and Plymouth using a CIPFA comparison site is shown below:

	Torbay	Group Average	
Financial Reserves as a % of net revenue expenditure	25% (9th/13)	30%	
Earmarked Reserves divided by net revenue expenditure	£188k (7th/13)	£177k	
Unallocated (General) Reserves divided by net revenue expenditure	£31k (11th/13)	£68k	

Note – Audit Commission data excludes school and public health reserves.

- A7.3 This results shows that the profile of Torbay's total reserves are lower than average, however within that total Torbay's earmarked reserves were slightly higher than average, but more than offset by below average on general reserve. This shows that Torbay's general fund reserve is on the lower limit of being reasonable. The Audit Commission report (see para A3.3) found that general fund reserve levels were typically between 3% and 5% of net budget. Torbay's general reserve is 3.8%.

A8 Chief Finance Officer Statement.

- A8.1 On the assumption that a balanced budget can be achieved for 2014/15 and a robust budget set and realistic savings are identified and delivered for 2015/16, I am satisfied that the Council's General Fund and Earmarked Reserves, including Insurance Reserves, are adequate for the Council's Financial Plans for 2015/16 and to meet any known or predicted liabilities over the period in which the liabilities are expected to become due for payment.
- A8.2 To support the statement in A8.1 above, it is important to keep the achievement of savings within the Childrens 5 Year Cost Reduction Plan under review to ensure the repayment of £3.4m to other service reserves in future years.

A9 Governance of Reserves.

- A9.1 Appendix 1 shows the projected balances of the reserves at the end of the current financial year and future years. These balances are based upon planned levels of spending. In the event of any unplanned expenditure occurring in the financial year current Standing Orders and Financial Regulations will apply.
- A9.2 The Reserves will continue to be reported as part of the Council's Statement of Accounts and subject to a formal annual review and challenge as part of the budget process by both members and senior officers. Councillors should consider the Council's General Fund Reserve as part of the annual budget setting process.
- A9.3 Any quarterly reporting of issues relevant to earmarked reserves will be on an exception basis. Where appropriate a "withdrawal from reserve" form is completed and signed by the Chief Finance Officer and the Mayor.
- A9.4 Any budget variations that are reported to Council which cannot be funded from existing revenue resources will then, as a consequence, impact on the projected balance on the General Fund Reserve.
- A9.5 Schools reserves are part of the delegated schools funding and these reserves remain at the discretion of the Head Teachers and Governing Bodies.

A10 Risk assessment of preferred option

A10.1 Outline of significant key risks

A10.2 It is important that the issues raised in this report are considered by Members and appropriate action is taken, where necessary, to ensure that the Council has adequate reserves in the short and medium term. Failure to consider the issues raised within this report and take appropriate action could result in the Council having insufficient reserves that could adversely impact on the revenue budget and the longer term financial viability of the Council.

A10.3 The two major risks facing the Council at present are the extremely challenging budget reductions as part of the Government's Comprehensive Spending Review and ongoing financial pressures from childrens social care and the achievement of the 5 Year Cost Reduction Plan and the repayment of reserves from future year savings.

Appendices

Appendix 1	Review of Reserves 2015/16
Appendix 2	Summary of Council Reserves

2015/16 - Review of Reserves

<u>Reserves</u>	Balance as at 1/4/14 £'000	Balance as at 1/4/15 £'000	Balance as at 1/4/16 £'000	Balance as at 1/4/17 £'000	Balance as at 1/4/18 £'000
General Reserves					
General Fund	4,356	4,356	4,356	4,356	4,356
	4,356	4,356	4,356	4,356	4,356
Earmarked Reserves:					
Uncommitted Reserves:					
Comprehensive Spending Review Reserve	3,761	2,639	1,382	382	0
	3,761	2,639	1,382	382	0
Timing of Expenditure:					
Capital Funding Reserve	1,611	1,700	1,560	200	100
Collection Fund Reserve	-1,076	700	700	700	700
Council Elections	113	161	0	42	83
Prudential Borrowing	953	753	712	667	657
PFI Sinking Fund	3,196	600	400	200	0
NNDR Collection Fund	1,199	0	0	0	0
Service C/fds	752	509	315	243	186
Unspent Grants c/fd	3,124	1,654	1,414	1,414	1,414
	9,873	6,077	5,101	3,465	3,140
Partner/Ring Fenced Reserves					
Devon Audit Partnership	17	17	17	17	17
EDC Reserves (paid in advance)	1,365	395	0	0	0
School Balances	2,832	1,903	1,403	1,403	1,403
Harbours Reserves	860	416	203	92	3
Public Health - Disease Outbreak	436	0	0	0	0
Public Health - Ring fenced	769	1,019	1,019	1,019	1,019
Education Schools Redundancy/Retirement	323	300	280	260	240
	6,602	4,050	2,922	2,792	2,683
Specific issues					
Art Objects Purchased Fund	29	25	25	25	25
Budget Pressures	472	0	0	0	0
Childrens Services 5 Year Strategy Reserve	0	3,400	1,100	0	0
Crematorium	25	20	19	17	15
Asset Issues & Disposal Costs	224	139	139	139	139
Social Fund (Crisis Support)	351	351	176	0	0
Growth Fund	952	752	352	0	0
Equipment Reserves	361	88	70	70	20
Employment Issues	138	64	39	14	14
Education Early Retirement	169	106	96	86	76
Geopark Conference Reserve	100	100	100	0	0
Highways Reserves	625	625	600	575	550
Insurance Reserves	4,102	3,302	3,252	3,202	3,152
IT Equipment Reserve	550	0	0	0	0
Land Charges	266	41	41	41	41
Office Rationalisation	278	123	123	123	123
Planning Reserve	669	159	0	0	0
Public Health - Domestic Abuse	287	152	47	0	0
Regeneration Reserve	35	0	0	0	0
Supporting People Commissioning	842	0	0	0	0
Tourism (Strategic Events)	107	37	37	37	37
Local Enterprise Partnership	20	0	0	0	0
South Devon Link Road	912	224	0	0	0
Community Development Trust	300	200	100	0	0
Taxi Reserve	36	29	29	0	0
Universal Credit	449	0	0	0	0
Waste Strategy	450	0	0	0	0
	12,748	9,938	6,345	4,330	4,193
Total Earmarked Reserves	32,984	22,704	15,750	10,968	10,016
TOTAL RESERVES	37,340	27,060	20,106	15,324	14,372

<u>Name of Reserve</u>	<u>Description of Reserve</u>
Asset Disposal Costs and Property Issues Reserve	To support the revenue costs associated with the rationalisation of the Council's assets
Budget Issues Reserve	To support future budgetary pressures facing the Council in the medium term.
Capital Funding	To reserve funding for items in the approved Capital Plan Budget.
Carry Forwards	Service Carry Forwards
Childrens Services 5 Year Strategy	Per Council approval to support Childrens Services in the short term by £3.4m.
Comprehensive Spending Review Reserve	To fund costs associated with meeting budget reductions as a result of the Government's comprehensive spending review.
Community Development Trust Reserve	Reserve established by support the creation and three year support for a Community Development Trust.
Early Retirement Reserve	To enable the Council to meet childrens' redundancy related liabilities as they fall due. Built up from annual budgets for new redundancies.
EDC Reserve	Reflects the value of funds awarded to the Torbay Economic Development Company where the work has yet to be completed.
Employment Issues Reserve	To support employment related issues, such as implication of pay modernisation, equal pay and payroll related issues.
Equipment Fund	To facilitate renewal of equipment within services where the replacement is at irregular periods.
Geo Park Conference	To support costs of Geo Park Conference
Grants recognised but not used	Reflects the value of revenue grants (without conditions) received by 31 st March but not yet used to support expenditure
Growth Fund Reserve	Reserve established from the New Homes Bonus grant to create a Growth Fund to support employment opportunities.
Harbours	Torquay, Paignton and Brixham Harbours – To finance Harbour expenditure schemes for the purpose of Harbour Users.
Highways Act Reserves	Reserve holding funds received under Highways Acts and other legislation where the Council holds funds to do works.
Insurance Reserve	To set aside amounts to cover the future cost of past uninsured events which result in a loss to the Council. This reserve covers potential future liabilities arising from the Council's previous insurers Municipal Mutual Insurance Ltd not having sufficient solvency, to meet pre 1998 claims from Devon County Council, amounts for specific uninsured risks and a general reserve to meet as yet unknown insurance claims
IT Equipment Reserve	To provide funds for priority driven replacements of IT equipment.
Land Charges Reserve	Reserve to fund any potential costs arising from changes in the charging regulations in relation to land charges.
NNDR Rates Retention	Reserve to fund the one off costs of the 2014/15 NNDR deficit resulting from the Council's share of the costs of backdated NNDR appeals.
Office Accommodation Reserve	Reserve to help meet the short term revenue costs of the implementation of this major project.
Misc. Specific Reserves	Includes: Council Elections, Taxi Survey, Art Objects, Local Enterprise Partnership, Devon Audit Partnership and Cemeteries.

PFI Sinking Fund	To provide funds to meet the liabilities under the PFI agreement over 25 years (Westlands and Homelands Schools) and to provide funding towards Paignton Community College expansion project.
Planning Reserve	To provide for costs of Local Plan Inquiry held every 4/5 years.
Public Health – Domestic Abuse	To provide for costs of supporting people in the short term.
Public Health	Reflects carry forward of ring fenced funds for Public Health
Regeneration Reserve	A reserve to support economic regeneration and employment initiatives
School Balances	Reflects the carry forward by schools of their delegated school budget share.
School Redundancy Reserve	Reserve to support the costs of redundancies for schools based staff
Social Fund	Reserve to support the costs of social fund and exceptional hardship
South Devon Link Road	To support the development of the South Devon Link Road
Supporting People Re provision Reserve	To set aside monies to help in the commissioning of services for the re provision of the supporting people function
Tourism (Strategic Events) Reserve	Reserve established in 2012/13 to support tourism and events.
Universal Credit Reserve	Reserve to meet implementation costs associated with the introduction of the Universal Credit
Unsupported Borrowing Equalisation Reserve	Reflects the temporary surplus/deficit arising from the charges to services for the repayment of expenditure under Prudential Borrowing compared to actual interest and Revenue Provision.
Waste Disposal Strategy Reserve	Reflects the reclassification of part of the equipment fund as a specific reserve for Waste Disposal Initiatives.



Meeting: Council

Date: 25th September 2014

Wards Affected: All

Report Title: Children's Services 5 Year Cost Reduction Plan

Is the decision a key decision? Yes

Executive Lead Contact Details: Mayor Oliver – Executive Lead Finance, Councillor Pritchard, Executive Lead Children's Services

Supporting Officer Contact Details: Lisa Finn, Finance Manager – People; Tel 01803 208283; email lisa.finn@torbay.gov.uk

1. Purpose and Introduction

- 1.1 Torbay Council's Children's Services has faced a number of challenges over the last few years. In addition to increased demands, the service has been subject to significant budget pressures which have had to be managed in the context of reducing financial resources for all council services.
- 1.2 Torbay Council received an Ofsted judgement of inadequate in October 2010 which was in a period of uncertainty within Children Services due to the full impact of the deaths of both Victoria Climbié in 2000 and Baby Peter in 2007. After this social care across the UK became increasingly risk averse. This was borne out by the increasing number of looked after children both nationally and within the Bay: as at March 2010 there were 180 looked after children which increased to 305 by March 2013. Due to this uncertainty and disruption within the service a number of practitioners left the profession which placed an unprecedented pressure on Council budgets to fund increasing costs of care and the employment of agency social workers to manage increasing caseloads.
- 1.3 Children's Services is currently forecast to spend £28.5m by the end of March 2015. This will result in an overspend of £3.2m against the approved budget of £25.3m. This is after the application of £2m from a social care contingency and £1m from the PFI sinking reserve – both of which were approved by Council in February 2014. The Director of Children's Services is forecasting at outturn an overspend of £1.4m due to the impact of the new work packages that are currently being implemented within the service
- 1.4 Following a period of sustained improvement Torbay Council Children's Services received an adequate judgement from Ofsted in March 2013. In the subsequent

months the service has experienced a considerable increase in demand but has sustained a strong base of quality social work practice and effective arrangements with partners. This will ensure that it has both the capacity to improve outcomes for children and young people and respond to the budgetary pressures highlighted in the report.

- 1.5 The Children's Services Budget over the last 3 years and the current year is as follows:

Table 1 – Summary of Children's Services Budget 2011 to 2015

Service Area	2011/12	2012/13	2013/14	2014/15
Schools (excluding Dedicated Schools Grant(DSG))*	£6.4m	£4.4m	£8.8m (including Families Services)	£2.8m
Commissioning & Performance	£3.3m	£2.7m	£0.9m	£1.8m
Safeguarding & Wellbeing	£11.4m	£13.3m \$	£18.8m \$	£20.6m **
Total Net Budget	£21.1m	£20.4m	£28.5m	£25.2m

*DSG is a ringfenced grant for the funding of schools and pupil related services.

** This figure excludes £2m from contingency and £1m from reserves.

\$ The £5.5m increase in budget from 2012/13 to 2/13/14 is mainly due to service reorganisation.

- 1.6 Within Safeguarding and Wellbeing, the majority of the expenditure is in the placement of children in either:-
- an in-house foster care placement where the carer is registered with Torbay Council.
 - an independent sector foster carer (fostering ISP) where the carer is registered with a private sector provider agency and the contract is with the provider agency.
 - a residential placement where Torbay Council commissions the independent sector to provide round the clock care and in some cases education.

Table 2

Placement Type	2012/13 Spend	2013/14 Spend	2014/15 forecast
Fostering – in house	£2.25m	£2.22m	£2.81m
Fostering – ISP	£3.31m	£4.09m	£3.43m
Residential	£3.80m	£5.47m	£5.87m
Total Spend	£9.36m	£11.78m	£12.11m

Looked After Numbers	305	314	305
-----------------------------	------------	------------	------------

1.7 Audit Commission benchmarking has demonstrated that Torbay’s Children’s Services is out of line with its statistical neighbours in terms of the number of looked after children (LAC) per 10,000 child population.

Table 3

Local Authority	LAC Rate/10,000 based on 2012/13 data
Blackpool	166
Torbay	121 (134 for 2013/14)
Telford & Wrekin	82
Bournemouth	82
Portsmouth	73
Plymouth	73
Isle of Wight	69
Southend –on-Sea	62
Poole	49
North Lincolnshire	46
Cornwall	45
Statistical Neighbour Average	75
Average Bournemouth/Southend/Plymouth	72

- 1.8 Therefore the Director of Children’s Services commissioned Social Finance to support the service in identifying a number of work packages to reduce the costs within the Safeguarding and Wellbeing Service. This has enabled the service to begin the process of a fundamental cultural shift and challenge to current practice whereby social workers are able to balance risk and improve outcomes within a different set of procedures and a reshaped footprint of service provision.
- 1.9 The purpose of this report is to set out a 5 year cost reduction plan which includes new ways of working that will reduce the numbers and costs for children looked after. As this will need investment it is recommended that earmarked reserves of up to £5.1m are used to fund these new initiatives. However this could be in excess of £5.1m if the forecast spend for Safeguarding and Wellbeing for the current financial year cannot be managed within the Council’s overall budget.
- 1.10 These reserves are not uncommitted funds and will be required in future years. It is essential that the reserves used are replenished as set out within this report. Members will be fully aware of the financial challenges faced by Torbay due to the continuing austerity measures and the coalition government’s public sector deficit reduction

plans. If the expected cost reductions within Safeguarding and Wellbeing are not delivered it will have a major impact upon the financial resource base for the council and its Medium Term Resource Plan and will affect the resources available to deliver all other priority services.

2. Proposed Decision

2.1 Council agree to:

- a) approve the 5 year financial strategy for Children's Services – Safeguarding and Wellbeing.
- b) fund the projected overspend: in 2015/16 (£2.3m) and 2016/17 (£1.1m) from reserves as set out in within the report.
- c) note the forecast overspend of £1.4m in 2014/15 which will be managed by in-year savings.
- d) move the £2 million social care contingency into the Children's Services base budget (Safeguarding & Wellbeing) in 2014/15 and future years.
- e) the improvement actions as recommended by Social Finance as set out within the report.
- f) the Director of Children's Services and the Children's Services Finance Manager reporting back to the Mayor and the Executive Lead for Children's on a quarterly basis and present updated reports to the Overview and Scrutiny Board on performance both operational and financial.
- g) the repayment of reserves as set out within the report.
- h) the strict performance management mechanism for the changes as set out in this report.
- i) the new Head of Safeguarding Children is a joint appointment with Health and Torbay Council. This post will be funded from within existing resources but will link together the two key providers of safeguarding services and extend the scope to shape new alternative options for children in the statutory system in the future.
- j) The implementation of Family Functional Therapy (FFT) using a special purpose vehicle (SPV) and the associated setup costs of approximately £0.2m funded from corporate reserves. See appendix 4

2.2 The final budget for 2015/16 for Children's Services will be agreed in February 2015 and will, in part, be influenced by the short term delivery of the cost reduction plan.

Reason for Decision

- 2.3 Children's have had significant budget pressures for a number of years and this financial strategy has been proposed to address these issues ensuring the best use of resources is achieved and that children are adequately safeguarded.
- 2.4 The delivery of the service within its approved budget is essential for the council's medium term financial strategy.

Paul Looby

Executive Head Finance and Chief Finance Officer

Supporting Information

3. Position

Summary Budget and Spend for the previous 4 years

- 3.1 The table below lays out the budget for **Safeguarding and Wellbeing** over the last 4 years.

Table 4

	2010/11	2011/12*	2012/13	2013/14	2014/15 forecast
	£m	£m	£m	£m	£m
Net Budget	9.9	11.4	13.3	18.8	20.6
Spend	10.9	15.8	16.6	23.4	26.6
Net Growth in S&W	0.8	0.3	1.4	1.7	2.5
Overspend	1.0	4.4	3.3	4.6	6.0

*net budget changed to reflect funding changes and reorganisation of services

- 3.2 In overall terms the Safeguarding and Wellbeing Service has received Member approved growth of approx £6.7m over the last 5 years plus other one off funding totalling £3m which was also approved by Members. Although more financial resources have been applied to the service over this period to mitigate the increasing expenditure this has not kept pace with the increasing number of children being placed in care for long periods and the corresponding cost.
- 3.3 Since 2010/11 the number of children with at least one care placement has increased steadily from 243 children to 393 children. At the end of 2013/14 the number of children in care stood at 314.

- 3.4 Over the last 4 years, expenditure on placements for LAC has increased by £8.4m (average 43% p.a). Safeguarding and Wellbeing has accounted for almost all of the budget pressure in these years starting from £1m in 2010/11 increasing to £5.6m in 2013/14.
- 3.5 The main contributor to increasing spend is the length of stay in a placement which is measured in *bed weeks*; which counts the total number of weeks that any child is in a placement. The table below shows that the number of bed weeks in an independent sector foster care and residential placement has steadily increased whereas the number of bed weeks for Torbay's in-house foster carers has decreased over the same period. This has led to significant cost pressure due to the premium of placing children in the independent sector as opposed to in-house fostering.

Table 5

Placement Type	Number of Bed Weeks			
	2010/11	2011/12	2012/13	2013/14
In-house fostering	6,396	6,442	6,096	5,818
Independent Sector Fostering	2,860	2,748	4,226	4,840
Residential Placements	349	791	1,204	1,694

PROPOSED COST REDUCTIONS

1. Looked After Children (LAC) Target

- 3.6 As stated in paragraph 1.7 above; Torbay's LAC per 10,000 child population was 121 in 2012/13. This is significantly higher than our statistical neighbours and the latest figures show this number has increased to 134 in 2013/14. A key requirement to the delivery of the cost reductions to support the 5 year plan is the setting of challenging but realistic targets for the number of looked after children. It is proposed that a LAC target of 72 per 10,000 child population is set for 2018/19 as this is the average for similar seaside towns. Translated in to the number of LAC the target is 180. The work packages described below are key to this target being achieved. See Appendix 1
- 3.7 Converting this into actual LAC numbers is dynamic as it will change to reflect the average LAC per 10,000 over the lifetime of this plan. The current target for LAC over the next 5 years is shown below:-

Table 6

Year	5 year Plan	Number of LAC at	LAC rate /10,000

		end of year	
2012/13		305	121
2013/14		314	134
2014/15	Year 1	305	122
2015/16	Year 2	274	109
2016/17	Year 3	242	97
2017/18	Year 4	211	84
2018/19	Year 5	180	72

- 3.8 It is estimated that the reduction of LAC over the next 5 years will remove £7.1m of expenditure from the system which is essential if the cost reduction strategy is to be successful: this is profiled in the table below and in Appendix 2:-

Table 7

Year	Total LAC placement Cost	Reduction in spend compared to 2013/14	Forecast Under/Overspend p.a
2013/14	£12.4m		
2014/15	£10.9m	£1.1m	£1.4m
2015/16	£9.4m	£1.6m	£2.3m
2016/17	£8.0m	£3.0m	£1.1m
2017/18	£6.6m	£4.3m	£0.2m underspend
2018/19	£5.4m	£7.1m	£3.2m underspend

Work Packages to Support Cost Reduction Plan

2. Fostering campaign

- 3.9 Since October 2013, a campaign to recruit more foster carers was launched together with the introduction of a new flat fee for in-house foster carers. The fee is set at £400 per child and is part professional fee and part resources for the child. This has been a successful campaign with the number of foster carers standing at 96 as at July 2014 providing 189 beds. As a result the number of in-house placements has increased from 116 in October 2013 to 125 at the end of June 2014
- 3.10 The new flat fee and the more professional image of a foster carer has already resulted in a number of former independent sector foster carers transferring to in-house. The reductions in spend is in the region of £0.6m for 2014/15 on a budget for

all fostering placements of £5.4m. However, this does still leave a forecast overspend of £1.8m by March 2015. Therefore it is important that the momentum of this campaign is maintained

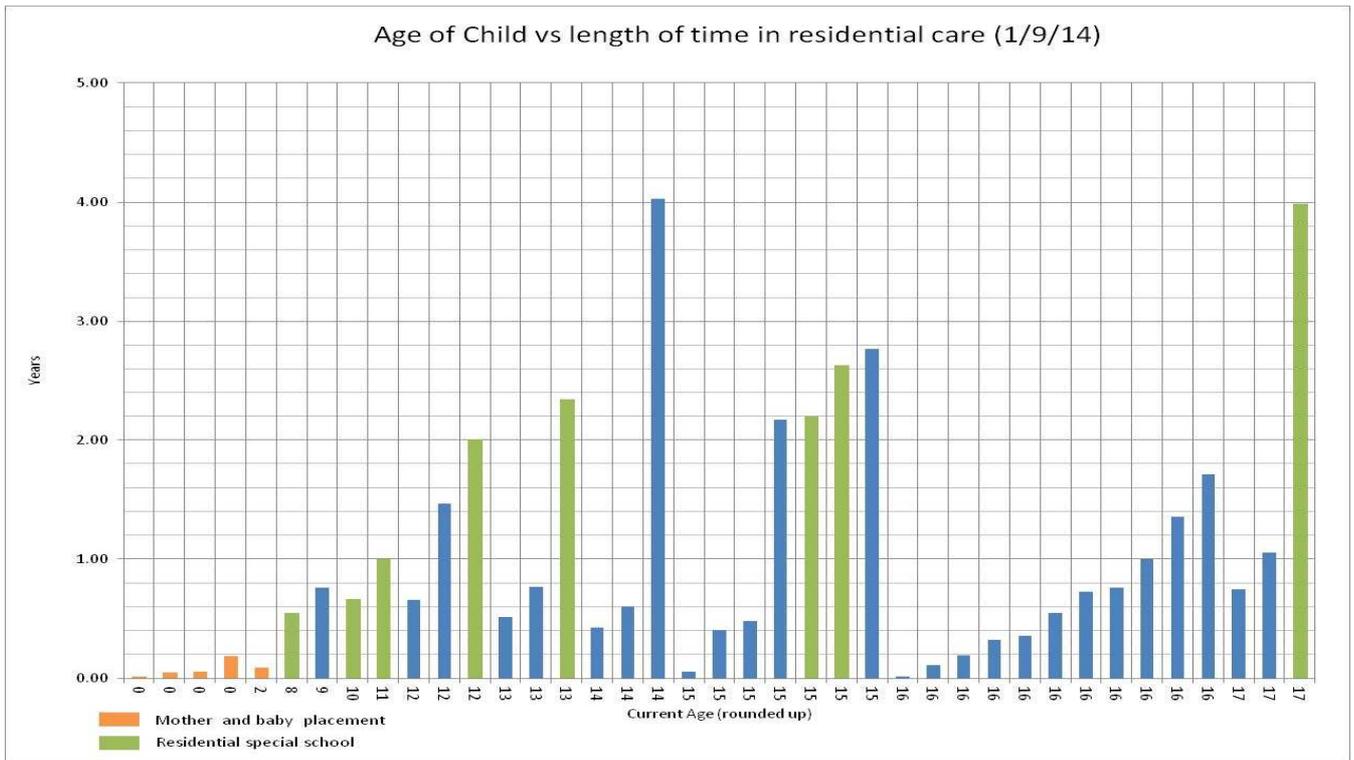
3 Migration from Residential and ISP Fostering Placements to In-house

- 3.11 This work package as proposed by Social Finance puts in place a strategy which migrates expensive residential placements to less expensive ISP fostering placements or to more cost effective in-house fostering carers. Not only will this reduce costs placing children with in-house foster carers but will provide significantly better outcomes for children in care.
- 3.12 The LAC placement mix is one of the main reasons for the increased in spend over the last 4 years. The table below profiles how this strategy will change the percentage of placement weeks over the next 5 years:-

Table 8

Placement Type	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19
	%	%	%	%	%	%	%	%	%
In-house fostering	51	40	36	36	40	43	47	51	55
ISP fostering	19	24	27	20	18	16	14	12	10
Residential	8	10	11	17	15	14	13	11	10
Other	22	26	26	27	27	27	26	26	25

- 3.13 The reduction in the number of bed weeks spent in an independent sector placement will be achieved by a combination of the weekly demand and care management meetings which are chaired by the Director of Children's Services who also authorises placement requests. These panels have been operational since June 2014. The Scheme of Delegation has also been revised, setting out how all placements are authorised to support this new process. It should also be noted from the bar chart below that due to the age profile of the current cohort of children in residential care, there will be a natural reduction of approximately 50% within the 5 year time frame of this report.



4 Therapeutic Intervention – Keeping Foster and Kinship Carers Supported (KEEP)

- 3.14 This proposal is still in its infancy but it is built upon evidence that has shown that it is effective in working with children already in care. The specific therapy is called KEEP and whose target population is those children in care who are displaying aggressive and non complaint behaviours
- 3.15 For KEEP therapy to be implemented there would need to a staffing requirement of 3.5 fte social workers plus 2 fte therapists and a 0.5 fte child psychiatrist. This would be an invest to save initiative costing approximately £220,000 per annum.

5 Development of in-house Parent and Child Assessment Placements

- 3.16 Torbay had 22 parent and child placements in 2013/14. Of these, 11 (55%) were in an independent sector placement at a cost of £12,000 for a 12 weeks assessment and 10 (45%) were placed in a residential setting at a cost of £20,000 for a 12 week assessment. Together the total cost was £0.8m in 2013/14.
- 3.17 The migration of 11 independent foster care placements to an in house placement could reduce spend by a net £74,000 per year after the employment of a social worker

and a community care worker at the Assessment and Resource Centre in Brixham (ARC).

- 3.18 The reduction in spend could be increased if parent and child assessments currently in residential settings are also brought in-house. These typically cost £20,000 for a 12 week assessment.

6 Adoption campaign

- 3.19 On average, children in Torbay are adopted 5 years after entering care. However, in the last 18 months Torbay's adoption service has doubled the number of children adopted and has moved up the national league tables as a result. In 2012/13, 10 children were adopted and in 2013/14 25 were adopted.
- 3.20 The proposal is that 25 adoptions are made each year. This will result in savings on placement costs of a net £1.2m over the remaining care journey assuming that these children are in care for 1.3 years as opposed to 5 years

7. Family Functional Therapy (FFT)

- 3.21 This is a service that can sit alongside existing early intervention services such as the integrated family support service (IFSS) which tackles immediate crises with a solution-based response but may not tackle the underlying issues. FFT would enable families to reframe their issues and change their behaviour to prevent crises arising in the future. FFT could be used to target children on the edge of care, LAC with a plan to return home, children at risk of offending and children with mental health problems. Preventing entry to care and enabling LAC to return home would represent significant savings in the region of £500,000 in avoided placement costs
- 3.22 The proposal is for this therapy to be delivered via a Social Impact Bond special purpose vehicle which would require access to £0.2m of investment to set up the arrangement. Appendix 4 to this report gives more detail on the proposal.

The Cultural Change in Children's Services

- 3.23 The Director of Children's Services has advised that the cultural change required in Children's Services – Safeguarding and Wellbeing to successfully implement this strategy is being embedded through a series of team meetings and focussed work groups. Individual team meetings provide an honest appraisal of the current financial situation, comparators with other Local Authorities and targets for the future. The focus being on the critical balance between cost and outcomes and the benefits to both from a different approach. In addition to this a set of focussed work groups are working on the current management of our existing care population (care management) and the reduction of future demand (demand management) within the statutory sector. These two groups will closely scrutinise and monitor performance and be supplemented with implementation groups for each of the projects outlined in the report.

3.24 Through this approach a large number of staff within Children's Services will not only be involved in reshaping social work practice but they will begin to own it, and it is only through this that the Director of Children's Services believes the service can ensure sustainability. The long term sustainability of the new model is also dependent on the continuing development of partnership approaches with key agencies within Torbay. Central to this will be a new shared post between Torbay South Devon Health Care Trust and the Local Authority at a senior strategic level for safeguarding children. This post will be funded from within existing resources but will link together the two key providers of safeguarding services and extend the scope to shape new alternative options for children in the statutory system in the future.

Cost Reduction Strategy and Impact upon Reserves

- 3.25 The work packages described above will remove over £1m of costs in 2014/15 and a further £600,000 in 2015/16. This is detailed in Appendix 3.
- 3.26 Members will have received the quarter 1 budget monitoring report. This identified a forecast budget pressure of £1.4m in 2014/15. To ensure the council declares a balanced budget at year end, where possible this projected position will be managed within the overall Council budget with all services identifying savings.
- 3.27 Part of the 5 year cost reduction plan is a recognition that the new work packages will require time to deliver savings and as such there is still a need to fund £2.3m of spend in 2015/16 and £1.1m in 2016/17 (see attached graph) plus £0.2m for FFT. This will be funded from earmarked reserves. This is in addition to the £1.5m of resources allocated from the PFI Sinking Reserve to fund Social Finance and associated invest to schemes and one off support for any pressures that emerge during 2014/15. Therefore Children's Services are forecast to receive £5.1m of resources from reserves. However this could increase if the current year projection cannot be managed.
- 3.28 Assuming the operational delivery of this plan is achieved by the Director of Children's Services real cost reductions will start to be delivered in 2017/18 of £0.2m and £3.2m in 2018/19. These cost reductions will be used to "pay back" the earmarked reserves. Members are asked to approve this approach and strategy and monitor the delivery of the operational changes. The delivery of these financial projections will be monitored on a quarterly basis and the Director of Children's Services will report to the Overview and Scrutiny each quarter on performance. In approving this strategy Members are accepting the risks of non delivery of the plan i.e. if the earmarked reserves cannot be replenished there will need to cost reductions to all other services. In addition Children's Services will have to budget to repay the PFI Sinking Fund approximately £200,000 per annum from 2018/19.
- 3.29 Officers are currently in the process of undertaking the annual review of reserves and a report will be presented to Members as part of the 2015/16 budget. In addition to the existing use of the PFI Sinking Reserve, the report will set out the reserves that will be earmarked to fund the forecast expenditure in 2015/16 and 2016/17 and the

risks and impact of Children's Services not delivering the required forecast cost reductions.

- 3.30 Due to the existing pressures within Children's Services it is recommended that the £2m social care base budget contingency is allocated to the Safeguarding and Wellbeing base budget in the current and future years.
- 3.31 Members will be fully aware of the financial challenges faced by Torbay due to the continuing austerity measures and the coalition government's public sector deficit reduction plans. Whilst the coalition government has made no announcements as to local government grant allocation after 2015/16 and is unlikely to do so before the General Election in May 2015, further cuts to local government are expected and it is unlikely that there will be any real terms growth in funding until the end of this decade. This has been substantiated by the Institute of Fiscal Studies who have said by the end of the current parliamentary term the coalition government would have achieved only 50% of its deficit reduction plans
- 3.32 The delivery of the forecast cost reductions within this plan by Safeguarding and Wellbeing are essential. If they not delivered it will have a major impact upon the financial resource base for the council and its Medium Term Resource Plan and will affect the resources available to deliver all other priority services. Torbay is expecting further reductions to its grant income which will also have to be managed over the short to medium term.

Performance Management

- 3.33 The Director of Children's Services has commissioned Social Finance to develop a performance management tool to ensure that progress towards the strategic goals are tracked and delivered. Details of this tool will be reported to the Children's Services Project Board (chaired by the Executive Lead for Children's Services) in September 2014 and shared with all Members. It is envisaged that this will take the form of a "dashboard" of key indicators and real time progress of their achievement.

4. Possibilities and Options

- 4.1 The alternative to using reserves is to make budget reductions to other council services to fund work packages and existing budget pressures.

5. Risks

- 5.1 Safeguarding and Wellbeing are forecast to overspend by £1.4m in the current financial year. However existing commitments indicate there are budget pressures amounting to £3.2m. Cost reductions of at least £1.8m must be achieved over the next 6 months and there is a risk this may not be achieved.

- 5.2 The existing forecast overspend is to be managed by identifying in year savings as set out in the quarter one budget monitoring report. There is a risk that these savings will not be delivered.
- 5.3 If either of the outcomes in paragraph 5.1 or 5.2 materialise these budget pressures will have to be funded from reserves which will place further strain on the council's overall financial resources.
- 5.4 The key risk with respect to the 5 year cost reduction plan is the delivery and timing of the work packages and the profile of the cost reductions. Any delay in their implementation will have a detrimental impact upon the level of earmarked reserves and the timing for replenishing those reserves. This will have a significant impact upon the council's Medium Term Resources Plan and will mean there will have to be service reductions to all other Business Units.
- 5.5 The Director of Children's Services must continue to maintain robust financial control across all other budgets within Children's Services to ensure spend is maintained within the approved budget.
- 5.6 Any Increase numbers of looked after children over the period of the plan may offset the impact of the cost reduction measures.

Appendices

Appendix 1 – Spend estimates based upon lower LAC rates and the shift in placements to in-house fostering

Appendix 2 – LAC target – to estimate future spend

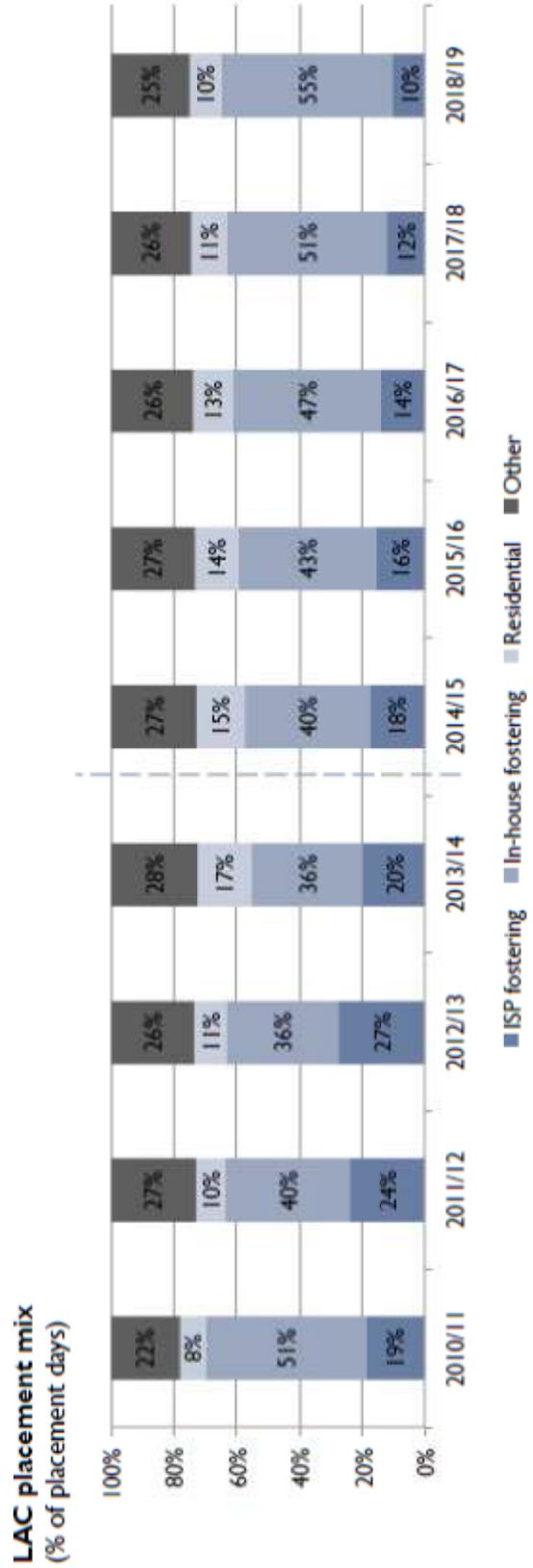
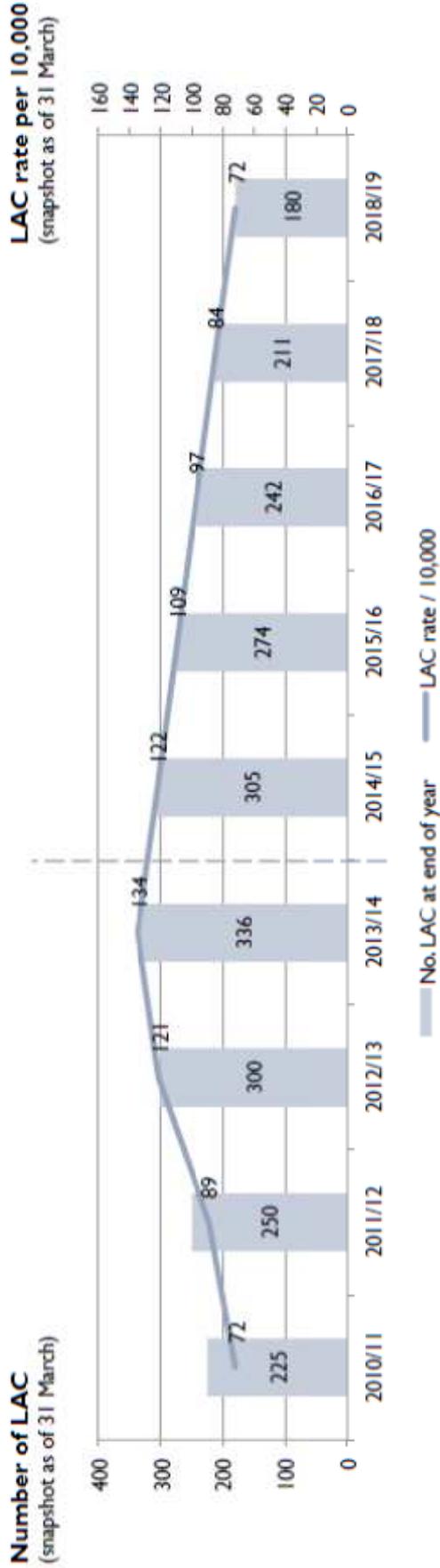
Appendix 3 – Aim to Achieve - £1.1 m savings from 8 initiatives

Appendix 4 – Family Functional Therapy Special Purpose Vehicle Proposal

Additional Information

NONE

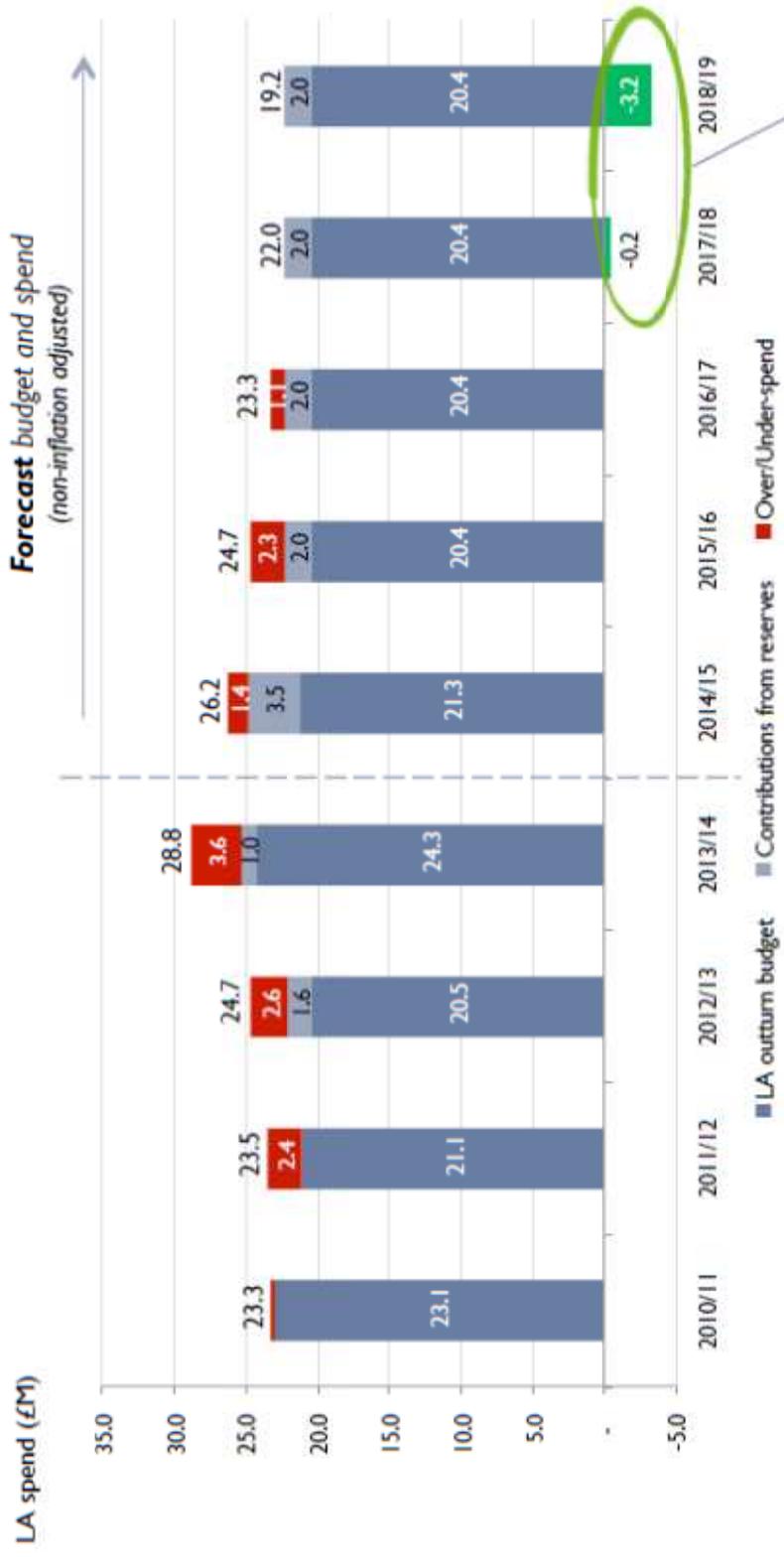
**BACKUP: SPEND ESTIMATES BASED ON LOWER LAC RATE AND
SHIFT IN PLACEMENTS TO IN-HOUSE FOSTERING** 10



Source: Torbay Section 903 returns, DyE Characteristics of LAC, Social Finance analysis

STEP III: USED LAC TARGET TO ESTIMATE FUTURE SPEND

5-year forecast for LA spend



Under-spend forecast to rise to £3.0M by 2018/19

IN THIS YEAR, AIM TO ACHIEVE ~£1.1M SAVINGS FROM EIGHT INITIATIVES

14

	Initiative	Saving (£k) 2014/15 (2 nd half yr)	Saving (£k) 2015/16 (full yr)	Status
Right Child, Right Place, Right Time	LAC population management	£316k	£405.8k	In progress - Weekly Demand and Care Management meetings began from June 1 st . LAC population reduction of 10% over next 2 years.
	Increase and sustain high adoption rates	-	-	In progress - Savings begin to accrue 3-4 years after children adopted. Increased adoption in 2012/13 will generate savings in 2015/16.
	Substitute foster care placements for residential placements	£663k	£869k	Actively in development –through active population management and use of specialist adolescent fostering (Contract Carers)
	Introduce Functional Family Therapy	-	-	In development – further evaluation June-September. Cashable savings begin to accrue in Yr 3
Better Outcomes in the Community	Recruit education social workers	Not cashable	Not cashable	Live (START DATE)
	Increase use of in-house foster carers	£99k	£229k	In progress – introduction of flat fee of £400 pw has led to recruitment of more active in-house foster carers
Efficiency and Effectiveness	Recruit more specialist foster carers for parent & child placements	£31.5k	£74.4k	Actively in development - 1 approved carer and FTE Social Worker with relevant experience
	Recruit more specialist foster carers for disabled child respite placements	-	£50k	In development - Ramp up in 2015. At steady state, savings of c. £106,000. Current spend of disability respite is £326k.
Total		£1,110k	£1,629k	



Appendix 4 - Functional Family Therapy Special Purpose Vehicle Proposal

Report Title: Torbay Council funding to support Torbay Children Services to deliver Functional Family Therapy

Executive Lead Contact Details: Councillor Ken Pritchard, Executive Lead for Children Schools and Families

Report Author: Richard Sutton, Project Manager (Peninsula LIST Project) Torbay Development Agency, for Torbay Children Services.

1. Purpose and Introduction

- 1.1 Torbay Council has the opportunity to advance an ambitious and innovative partnership structure that will deliver a therapeutic intervention for Childrens Services (TCS) across Torbay, which will reduce the risk of children entering the care system.
- 1.2 A dedicated report for Torbay is due to deliver a business case in October 2014 focussing on the delivery of an intervention that has an evidence base indicating a potential range of improved outcomes for families and children on the edge of care living in Torbay and the immediate area.
- 1.3 The report will outline the potential for future cashable savings to TCS and the scope for them to meet outcomes payments to be made to the delivery vehicle.
- 1.4 Torbay Council will have the opportunity to have a minority financial stake in a new delivery vehicle. The existence of this stake during the next stage of development could lever the necessary scale of service and external funding.
- 1.5 In the event that a viable model is then developed a separate approval would be sought from the Council. Although an immediate commitment to the funding is required now it would not be spent until after the service commences, at the earliest April 2015. As an investment the Councils financial commitment would be structured to be repaid over a fixed period.
- 1.6 This proposal seeks to deliver a therapeutic intervention to address entrenched systemic issues within the family, in a way that does not currently exist in Torbay and thereby reduce future costs of children entering the care system.

2. Proposed Decision

- 2.1 The Implementation of Functional Family Therapy (FFT) using a special purpose vehicle (SPV) and the associated set-up costs of approximately £200k funded from corporate reserves.
- 2.2 It is proposed that the sum be allocated to the Torbay Director of Children Services in consultation with the Mayor and the Executive Lead for Children Schools and Families and be authorised to progress negotiations to development the funding model.
- 2.3 The model to be based on the factors outlined in section 4 requiring an additional Council approval to progress to contract.

3. Reason for Decision

- 3.1 The decision needs to be made at this time as TCS has a unique opportunity to benefit from a dedicated piece of research being undertaken by social investment experts Social Finance which is due to report in October 2014.
- 3.2 The opportunity exists for the Council to act on the knowledge, experience and funding it has gained from the Peninsula LIST project.
- 3.3 Early indications show that the viability for this ambitious model is marginal in terms of the level of referrals TCS could make to the service as a single agency and the level of external investment that could be generated. To maximise the potential to lever the necessary scale and funding Torbay Council requires a potential investment stake to promote early funding.
- 3.4 The proposed model is ambitious and potentially innovative. The investment will provide an opportunity to deliver the service to approximately 400 children and their families over the proposed 5 years duration of the service.
- 3.5 The key positive impacts to the residents of Torbay are;
 - TCS will have the opportunity to provide a significant programme it could not otherwise afford.
 - Evidence indicates that the targeted cohort will experience significant improved outcomes with a primary indicator being a reduction in time spent in care. State care is linked to poor outcomes for children and poor outcomes experienced in later life.
 - The intervention has the potential to provide a further range of secondary outcomes to participants such as family cohesion and educational attainment.
 - The programme will be designed to incorporate robust performance management which will enable TCS to track positive outcomes, track cashable savings and pay for successful outcomes.

- The programme has the ambition to provide a 'step down' to local voluntary sector services and the development of a 'Data Capture Platform'.
- The programme is innovative, potentially replicable and groundbreaking. It could be recognised and supported by the Big Lottery Fund's and Cabinet Office's 'Commissioning for Better Outcomes Fund'.

3.6 More traditional models and those options outlined in section 5 will not benefit from the impact outlined in 3.5.

Supporting Information

4. Position

- 4.1 The intervention is an evidence based programme known as Functional Family Therapy (FFT). TCS proposes to integrate FFT into their core service offer, to improve outcomes for children and families living in Torbay and potentially the Torbay & South Devon Care Trust area.
- 4.2 Torbay has a range of services notably to those families in or on the edge of crisis. However the lack of an earlier therapeutic service to target the adolescent dysfunctional family population has been identified by Social Finance as a significant gap. It is this cohort that potentially generates unpredictable high cost care placements.
- 4.3 Based on the data and modelling which has been undertaken it is not a viable option for Torbay Council to build a new internal FFT service due to high cost and risk. Therefore the delivery and funding model seeks to offer the service through an external organisation accredited to deliver FFT. Licensing for FFT is provided via two organisations in the UK & Ireland, however a new licence would be required for Torbay and this stake will facilitate the required investment.
- 4.4 If the service can be generated at the appropriate scale it is likely to be delivered within the boundary of the Torbay & South Devon Care Trust. Although partially outside of the Council's administrative boundary there would be the potential for Torbay to benefit from secondary outcomes such as a reduction in cross border youth offending and the risk of homelessness. Also this wider source of referrals will potentially be on a 'fee for service' basis enhancing the viability of the scheme and mitigating investment risk.
- 4.5 The FFT service would be targeted at families with children at risk of entering care aged between 11 and 15. In 2013 / 14 there were 126 looked after children aged 11 – 15, of whom 47 were new entrants to care. This age group cost Torbay approx £5.2 m last year in care costs alone. As a comparison in 2011 / 12 there were 96 looked after children of whom 26 were new entrants to care.

- 4.6 The proposition to use FFT as an intervention and place it within the existing services offered by Torbay Council has already been approved by TCS. In 2013 Social Finance completed a study across the peninsula authorities for the Peninsula LIST project, including Torbay. This looked at the characteristics of a potential cohort and considered it against a dedicated review of evidence based interventions by the National Childrens Bureau, again commissioned for the project.
- 4.7 The work being currently undertaken by Social Finance is focused on Torbay and will develop the proposed cohort to enter the service and their current baseline risk and potential costs of care. This will then indicate the level of potential cost savings for TCS against which a tariff mechanism can be structured and payments made for future successful outcomes resulting from FFT.
- 4.8 A Social Finance fact sheet outlining FFT is a supporting document. The international evidence for FFT is strong notably from studies in the US. Social Finance is undertaking a study of UK FFT live and proposed schemes including Brighton & Hove and Southwark where early results are encouraging.
- 4.9 It is anticipated that a new Special Purpose Vehicle (SPV) would be created providing the necessary external framework for a funding and delivery model. Advice relating to the development of this structure is being provided by Bevan Brittan through the Peninsula LIST project.
- 4.10 The SPV would be owned by the investors and potentially Torbay Council with this investment stake. The SPV would be responsible for;
- The governance structure.
 - Commissioning the provider to run the accredited FFT service
 - Monitoring performance, income and outcomes payments.
- 4.11 It is anticipated that the SPV will enable the service to operate for a period of approximately 5 years.
- 4.12 Torbay Council has been engaged in the Peninsula LIST project (LIST) since 2011 which is managed by the Torbay Development Agency and funded by the Big Lottery Fund. Part of the project was aimed at developing the business case to implement a model across the 4 peninsula authorities (Torbay, Devon, Plymouth and Cornwall) to deliver an intervention targeted at improving outcomes for children at the margins of care. It was proposed to be funded by the emerging social investment market via a Social Impact Bond model similar to that being operated at Essex Council which incorporates robust performance management and outcomes monitoring. In Essex the intervention Multi Systemic Therapy (MST) is being delivered to a similar cohort. It has not been possible to implement the peninsula model although Cornwall is funding an 'in house' FFT service.

- 4.13 Since May 2014 funding has been secured from the LIST project to develop the business case for a Torbay model. The outline of this business case is to be reported in October.
- 4.14 Early indications are that the viability of this model will be marginal both in terms of the scale to attract external funding (especially via the emerging social investment market) and the number of referrals that TCS could contract into the service over a 5 year period. However the report is expected to indicate the potential level of positive outcomes and cashable savings.
- 4.15 A proposed investment stake in the model in the next stage of development would lever the required scale in the following ways;
- a) Ongoing discussions with local potential referral routes such as CAMHS (Torbay & South Devon care Trust) and neighbouring Children Services.
 - b) Ongoing negotiations with potential provider / investors. The TDA and Torbay Council are managing responses to a recent Prior Information Notice (PIN) submitted to the European Journal seeking to develop the market for organisations that would invest in the model and deliver the service.
 - c) Negotiations with broader funding sources such as social investment
- 4.16 In recent years Torbay Council has been managing increasing numbers of children at risk of entering care. When in care the costs to the authority are high, difficult to estimate and provide a particular problem in decreasing budgets.
- 4.17 If the proposal is implemented either using social investment or through the investor / provider model then the following additional benefits will have been achieved;
- The programme will have been implemented substantially using external finance
 - The substantial risk will be held with the SPV within which Torbay Council will have a minority stake.
 - The model will be innovative and potentially replicable, either in other locations and / or in other service areas where there is a demand for improved outcomes.
 - The programme will provide a legacy to the Peninsula LIST project within which Torbay Council are the lead authority.
 - The Cabinet Office is supporting and encouraging this form of innovative structure. The model has the potential to be recognised within the Cabinet Office's Commissioning for Better Outcomes Fund.

5. Possibilities and Options

- 5.1 The cost of this programme is anticipated to be approximately £2.25m over 5 years. It is probable that traditional internal and departmental finance sources would not fund this opportunity.
- 5.2 The business case being undertaken by Social Finance is exploring a number of options and with the investment stake can both lever other partners producing additional income sources and external funding.
- 5.3 All options gravitate to a new SPV that would be responsible for
- Managing funding sources
 - Governance structure
 - Commissioning the provider of FFT
 - Receiving performance management
 - Receiving a return on the investment when agreed outcomes are achieved and outcomes payments are made by TCS.

This SPV would provide the main advantage that the substantial funding stake would come from an external source. This model will also have a significant emphasis on being outcomes motivated and tracking the success of the service against those families and children that enter the service. The SPV will also be able to focus on other matters such as step down to local services provided by the voluntary sector and investment into a 'Data Capture Platform' that seeks to build an evidence base for earlier intervention.

The option of the SPV also includes a potential 'Investor Provider Model' whereby an external organisation, such as a large charitable children services supplier, partners the Council. Their unique sources of funding would be invested into the model with their return being achieved upon the achievement of successful pre determined outcomes.

- 5.4 Other options include;
- Fee for service. Unless a substantial alternative referral basis can be found this would place a substantial responsibility for the schemes funding on Torbay Council.
 - In house. A new department and staff financed by Torbay Council
 - Hybrid Model. Whereby a service provider covers some of the of an in house service e.g by covering the cost of some of the new therapists.

6. Fair Decision Making

- 6.1 The LIST project has an Equality Impact Assessment.
- 6.2 The structure of the LIST project includes a project board with representatives from each partner authority chaired by the Torbay Council Director of Place. The project

has regularly updated senior finance, legal and Childrens Services officers, including those from Torbay Council.

- 6.3 A sub meeting to the LIST project meets to consider the Torbay only work consisting of representatives of Torbay Council Procurement, Children Services, the Torbay Director for Place and the TDA.
- 6.4 The LIST project incorporates a VCS (Voluntary and Community Sector) Advisory group chaired by the South West Forum and consisting of VCS representatives across the peninsula. The Group have been responsible for many aspects of the LIST project including mapping services and building capacity.
- 6.5 The VCS advisory group commissioned two phases of beneficiary engagement seeking the views of young people with experience of being on the edge of care and the characteristics of the intervention FFT. The work was been undertaken by the organisation Young Devon who will provide assistance to the next stage of the Torbay model to consider and incorporate the views of young people.

7. Public Services (Social Value) Act 2012

- 7.1 The proposal will require the procurement of services.
- 7.2 Torbay Council Procurement are represented on the Torbay sub board to the LIST project
- 7.3 The Social Finance business case reporting in October will set the scene for how a model could improve the social and environmental well being of Torbay
- 7.4 The consultation by Young Devon outlined above provides a form of direct engagement with ultimate beneficiaries.

8. Risks

- 8.1 The proposal is for a minority investment stake in the model with the funding at risk if the intervention is unsuccessful and outcomes payments are not paid back to the SPV. However at this stage there is the potential for a high degree of risk mitigation from the following;
 - If the business case is not viable then the model will not progress to implementation.
 - Torbay Council is making an application to the Big Lottery Fund's and Cabinet Office's joint programme Commissioning for Better Outcomes (CBO) which seeks to support innovative outcomes-based investment. If the application is successful then there is the potential for development funding and possibly a 'top up' to outcomes payments back to investors.

- The improved prospect of a viable model would improve the opportunity for referrals from neighbouring sources such as Devon Council (a partner to the Peninsula LIST project) and CAMHS. These referrals are anticipated to be on a fee for service basis and would provide a low risk return to the SPV.
- A viable and successful service would also provide TCS with its local stakeholders (E.g Check Point) the opportunity to pay the SPV for spot purchase referrals.

8.2 The Peninsula LIST project had a specific requirement that such a model should look to avoid perverse incentives, for example seeking outcomes that encourage the avoidance of care as in certain circumstances care is the best option. Therefore the anticipated metric against which outcomes would be paid would be a tariff mechanism linked to a reduction in the numbers of overall days spent in care for the cohort.

8.3 It should be noted that although the evidence for FFT is strong internationally there is only an emerging evidence base from the UK. FFT has a strong evidence base in the area of criminal justice however the evidence is only emerging for looked after children.

8.4 If the proposal is not implemented;

- Torbay Council will have to attempt to create a model whereby it does not have a stake in the SPV
- TCS will have to look at providing a therapeutic service to families and children aged 11 – 15 substantially using their own resources



Meeting: Council

Date: 30 October 2014

Wards Affected: All Wards

Report Title: Parking Charges and Enforcement Activity

Is the decision a key decision? Yes – General Exception

When does the decision need to be implemented? As soon as possible

Director Lead Contact: Charles Uzzell – Director of Place

Supporting Officer Contact Details: Steve Hurley, Commissioning, Partnerships and Business Development Group Manager, 01803 207680, steve.hurley@torbay.gov.uk

1. Purpose and Introduction

- 1.1 To review Parking Charges and Enforcement activity and the consequences of any amendments in relation to the projected end of year budget outturn for 2014/15.

Members should be aware that implementation of options which relate to parking charges requires legal notices to be produced and sealed, Records of Decision drafted and signed and then Notices to be published within the local press and advertised for a period 21 days prior to implementation.

- 1.2 Members have been informed that the Parking and Enforcement account is projecting an end of year budget deficit of £361,000.

The total deficit figure of £361,000 comprises of the following:

£200,000 due to reduced enforcement activity
£91,000 due to the removal of the camera car enforcement
£30,000 due to shortfall in Off Street parking income
£40,000 shortfall in On Street parking income

- 1.3 The Director of Place was instructed to report back to the Administration with options to recover this budget deficit before the year end. This report recommends the most appropriate options to recover this deficit.

Note: These options do not to include the reintroduction of the camera car for parking enforcement.

- 1.4 In response to the reported impact of reduced enforcement activity the Director of Place has authorised the reinstatement of deployed Civil Enforcement Officers to the level originally agreed within the business plan produced at the time the Council approved the in house delivery of this service. The number of Officers on patrol had previously been reduced following discussions with Members who had concerns about the level of enforcement activity and wished to see what the consequences of reduced enforcement might be.

- 1.5 In addition to the recommendations proposed to recover the potential budget deficit, the Executive Lead with responsibility for the Parking and Enforcement Service has requested Officers to consider reducing Off Street parking charges during the winter months. Recommendations cannot be made to introduce off-street parking reductions as this would increase the budget deficit by an additional £85,000 based on the pricing bands proposed in Option 3.
- 1.6 The budget set by the Council for 2014/15 does not include the cost of providing this reduction in parking charges. In the event that reduced off-street parking charges are introduced the total project deficit would then be £446,700.
- 1.7 If compensating reductions to the Resident and Visitor Services budget or additional income is not approved to offset the reduction in the budgeted level of car parking income for 2014/15, Council will have to agree that the Comprehensive Spending Review (CSR) Reserve is used to underwrite any shortfall in income.
- 1.8 Members will be aware that the CSR reserve was set up to meet the financial challenges faced over the next few years with its main purpose to fund the costs of restructuring and any unforeseen events or budget pressures that arise. The CSR reserve had a balance of £3.8m at the start of the financial year. It is estimated that restructuring costs will amount to £1m and transitional funding of £0.5m is estimated to support 15/16 budget (subject to council approval). In addition the Council has a projected overspend of £2.138m – all of these pressures would be funded from the CSR reserve. Members need to take these issues into consideration when making this decision.

2. Proposed Decision

- 2.1 That options 1 and 2 as set out in the submitted report be approved to reduce the current projected budget deficit of £361,000 within the Parking and Enforcement Service.

3. Reason for Decision

- 3.1 Options 1 and 2 as detailed in this report are proposed to respond to the projected end of year deficit in the Parking and Enforcement Service budget.
- 3.2 These options are proposed to recover the projected budget deficit which will assist the Council in delivering a balanced budget position and remove the risk of further reductions in other services areas or use of the Council Reserve fund. However, the continuation of the summer parking charges as proposed in these options may impact on the number of residents and visitors prepared to park in the town centre areas during the winter months with a consequential impact on the local economy.
- 3.3 Option 3 has been considered by officers but cannot be recommended due to the budget deficit which is projected. This option may encourage use of town centre car

parks, however there is a potential cost to the Council of £85,700 in lost income which may put other Council services at risk.

Supporting Information

4. Position

- 4.1 Members have been informed that the Parking and Enforcement account is projecting an end of year budget deficit of £361,000.

The total deficit figure of £361,000 comprises of the following:

£200,000 due to reduced enforcement activity
£91,000 due to the removal of the camera car enforcement
£30,000 due to shortfall in Off Street parking income
£40,000 shortfall in On Street parking income

- 4.2 The Director of Place was instructed to report back to the Administration with options to recover this budget deficit before the year end. These options are now presented to Council for consideration.

5. Possibilities and Options

5.1 Option 1

To retain the existing Off Street parking charges until the end of the financial year, this will limit the loss to the existing projection of £30,000 with the potential to further reduce this figure however this cannot be accurately calculated due to the lack of data relating to variable winter charges as a fixed £2 charge was in operation last year.

To assist Members in assessing this option it should be noted that compared to the 2012/13 variable winter Off Street parking charges the £2 promotion in operation last winter 2013/14 resulted in **£95,800** (excluding VAT) less income being collected. This may give some indication of the potential additional income that might be achieved if the variable summer charges are continued throughout the winter period.

Details of the existing summer Off Street parking charges are given at **Appendix 1**.

5.2 Option 2

To retain the summer On Street parking charges until the financial year end and not to introduce the winter charges as currently schedule from 1 November 2014.

This is anticipated to generate an **additional £150,000** allowing for a 20% customer resistance.

See **Appendix 2** which compares the current summer On Street parking charges with the scheduled reduced winter charges.

5.3 Option 3

The administration has explored the following option: to introduce a reduced parking charge for Off Street parking from December 2014 until April 2015, as shown below.

50p 30mins (limited sites as detailed below)
£2 up to 4 hrs
£3 up to 24hrs

Limited sites for 30 minute charge:

These sites have been selected to provide short stay parking Off Street where access to short stay On Street is limited

Torquay	Paignton	Brixham
Abbey Park	Victoria	Brixham Central
Harbour	Roundham	
Meadfoot Road	Youngs Park	
Lower union Lane Shoppers	Great Western	
Union Square	Broadsands	
Brunswick Square		
Princes Street		
St Marychurch		
Hampton Ave		
Chilcote Close		

These reduced charges when compared to the variable charges in place for winter 2012/13 will potentially increase the existing budget deficit for Parking and Enforcement by a further £85,700 excluding VAT and this money will need to be recovered from elsewhere within the Council's budget. There may also be further loss of income due to customers exchanging tickets. Therefore this option is not recommended by officers.

6. Fair Decision Making

Consultation has taken place with internal Council Officers and Members

7. Public Services (Social Value) Act 2012

There are no procurement of services requires as a result of the recommendations.

8. Risks

8.1 The risks associated with this report are financial and identified within each of the proposed options. Failure to make a decision may impact on the Councils end of year budget position.

Appendices

Appendix 1 Off Street Parking charges

Appendix 2 Comparison of summer On Street parking charges with the scheduled reduced winter charges.

Torbay has three classifications of car parks, Beach, Town Centre and Leisure.

Beach Car Parks: Abbey Park, Breakwater, Broadsands, Cliff Park Road, Colin Road, Kilmorie, Meadfoot Beach, Quaywest, Roundham, Shedden Hill, Shoalstone, Torre Valley, Walls Hill and Youngs Park.

Town Centre Car Parks: Brixham Central, Chilcote Close, Churchward Road, Crown & Anchor, Great Western, Hampton Avenue, Lower Union Lane, Lymington Road Coach Station, Meadfoot Road, Melville Street, Preston Gardens, Shoppers, Station Lane, St. Marychurch, Town Hall and Union Square.

Leisure Car Parks: Beacon Quay, Brunswick Square, Clennon Valley, Freshwater, Harbour, Oxen Cove, Princes Street and Victoria.

Time Period	Beach	Town Centre	Leisure
Up to 30 minutes*	N/A	£0.70*	£0.70*
Up to 1 hour	£1.50	£1.30	£1.30
Up to 1.5 hours	£2.00	£1.80	£1.80
Up to 2 hours	£2.50	£2.30	£2.30
Up to 3 hours	£4.00	£3.30	£3.30
Up to 4 hours	£4.50	£4.00	£4.00
Up to 5 hours	£5.50	£5.00	£5.00
Up to 24 hours	£8.00	£8.00	£8.00
Night time charge (available 6pm until 10am)	£2.20	£2.20	£2.20

*Only available in the following car parks:

- Brixham - Brixham Central.
- Paignton - Colin Road, Great Western, Preston Gardens.
- Torquay - Brunswick Square, Chilcote Close, Princes Street, Shoppers, St Marychurch.

Normal charges apply to blue badge holders.

Pay and Display tickets are transferable between all long stay car parks.

Torbay has three classifications of On Street Parking sites, Prime Sites, Town Centre sites and Commuter sites.

Prime Sites:

Adelphi Road, Babbacombe Road, Eastern Esplanade, Rock Walk, Torre Abbey Meadow and Sands.

Town Centre sites:

Abbey Road, Castle Road, Dendy Road, Hyde Road, Lymington Road (by library) Market Street, Parkhill Road, Palace Avenue, Pimlico, Queens Road, The Terrace, Torbay Road, Torquay Road, Torwood Gardens Road, Torwood Street and Union Street

Commuter sites:

Lymington Road, Magdalene Road, Sands Road and Steartfield Road.

Daily Parking Charges

	Prime Sites		Town Centre Sites	
	Summer	Winter	Summer	Winter
Up to 30 minutes	£1.00	£0.20	£0.70	£0.50
Up to 1 hour	£1.50	£0.50	£1.30	£1.00
Up to 1.5 hours	£2.20	£1.00	£2.00	£1.50
Up to 2 hours	£3.00	£1.50	£2.50	£2.00
Up to 3 hours	£4.00	£2.00	£3.50	£3.00
Up to 4 hours	£5.00	£2.50	£4.50	£4.00
All day	£10.00	£10.00	£10.00	£10.00
Night time charge*	£2.50*	£1.50*	N/A	N/A

Commuter Charges

Apply All Year (except Christmas Day, Boxing Day and New Years Day)

Lymington Road	4 hours £1.00	8 hours £2.00
Magdalene Road	4 hours N/A	8 hours £1.00
Newton Road	4 hours £1.00	10 hours £2.00



Meeting: Council

Date: 30 October 2014

Wards Affected: All Wards in Torbay

Report Title: Review of Enforcement and Prosecution Policy for Environmental Health, Trading Standards, Licensing and Housing Standards

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Executive Lead Contact Details: Councillor Robert Excell, Executive Lead for Safer Communities; Email: Robert.excell@torbay.gov.uk; Telephone 01803 212377

Supporting Officer Contact Details: Frances Hughes, Executive Head, Community Safety; Email: frances.hughes@torbay.gov.uk; Telephone 208002

1. Purpose and Introduction

- 1.1 The Community Safety Business Unit has had an Enforcement and Prosecution Policy for many years. This policy has been reviewed in light of recent statutory guidance.
- 1.2 The purpose of our regulatory activities is to protect the safety and health of residents and visitors in Torbay, to reduce crime and the fear of crime and to protect consumers. Enforcement is one of the ways we achieve these goals. However, enforcement is a very broad term which covers a large spectrum of work and includes offering advice and information through to bringing prosecutions for more serious offences.
- 1.3 Fair and effective enforcement is essential to protect the economic interests and health, safety and welfare of the public, businesses and the environment. Decisions about enforcement action and in particular the decision to prosecute has serious implications for all involved. The revised Enforcement & Prosecution Policy will be applied to ensure that:
 - Decisions about enforcement action are fair, proportionate and consistent; and
 - Everyone understands what principles are applied when enforcement action is considered.
 - By applying the same principles we can ensure that decisions mean fair and effective treatment for everyone.
 - That each case will be considered on its own merits, and a blanket approach will not be applied.

2. Proposed decision

- 2.1 That the Enforcement and Prosecution Policy set out at Appendix 1 to the submitted report be approved.

3. Reason for decision

- 3.1 The previous Enforcement and Prosecution Policy was reviewed in 2008. In light of recent legislative requirements and new guidance to local authorities the policy has been reviewed to take the new information into account. Local authorities are required to prepare and publish an enforcement policy for all their duties covered by the Compliance Code.
- 3.2 An important element of applying enforcement options to any situation is to have a clear policy in place to ensure that the decision making process is transparent, fair, consistent and proportionate to the risks created by the offence.
- 3.3 The new Regulators Code issued under the Legislative and Regulatory Reform Act 2006 requires regulators to have regard to the Code when developing policies and operational procedures that guide their regulatory activities.

The key principles of the Code are:

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views;
3. Regulators should base their regulatory activities on risk;
4. Regulators should share information about compliance and risk;
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
6. Regulators should ensure that their approach to their regulatory activities is transparent.

4. Position

- 4.1 The new Enforcement and Prosecution Policy will update the existing requirements and ensure that the Council has taken account of the most up to date statutory requirements. There are no costs associated with this change.

5. Possibilities and Options

- 5.1 The new Enforcement and Prosecution Policy has been consulted on and meets the requirements of the new Regulators Code. If an alternative is to be considered, further consultation will be required.

6. Fair Decision Making

6.1 A six week consultation was carried out over the summer 2014 with key stakeholders as detailed in Appendix 2. From this consultation there were only 2 responses. An equality impact assessment for this policy is included at Appendix 3.

7. Public Services (Social Value) Act 2012

7.1 This proposal is not procuring a service and therefore the Public Services (Social Value) Act does not apply.

8. Risks

8.1 There are no significant risks if the proposed decision is implemented. However, if the new Enforcement and Prosecution Policy is not implemented the Community Safety Team will not be able to demonstrate it has appropriately taken account of the Regulators Code.

Appendices

Appendix 1 New Enforcement and Prosecution Policy

Appendix 2 List of stakeholders consulted with

Appendix 3 Equality Impact Assessment 2014

Background Papers:

- Regulators code

COMMUNITY SAFETY **ENFORCEMENT POLICY & PROSECUTION POLICY**

Introduction

One of the many functions of Torbay Council is to act as a regulator and enforcer for a wide range of legal duties and powers contained in Acts of Parliament, Regulations and Orders (including various byelaws).

The purpose of enforcement is to protect the safety and health of residents and visitors in Torbay, to reduce crime and the fear of crime and to protect consumers and the environment. Enforcement is a very broad term which covers a large spectrum of work and includes offering advice and information through to bringing prosecutions for more serious offences.

The Community Safety Unit is responsible for an extensive range of legislation. This policy details the standards and guidance that will apply when the officers undertake their regulatory duties.

Aims

The Council will:

- Take an evidence based approach to determining the priority risks;
- Seek to achieve compliance in a fair, consistent, proportional, transparent and targeted manner;
- Seek to be clear, open and helpful in its approach to enforcement;
- Seek to target enforcement resources at areas of highest risk, including non-compliant businesses and individuals;
- Carry out its activities in a way that supports those they regulate to comply and grow.

In doing so it will act in accordance with national guidance and standards and any supplementary local policies.

The Council has an obligation to have regard to the Regulators Code 2014 when exercising its regulatory duties. This Code forms part of the Government's better regulation agenda. It aims to deliver significant benefits to low risk and compliant

businesses, through better-focussed inspection activity and an increased emphasis on advice for businesses.

Guiding Principles

The Guiding Principles that the Council will have regard to when undertaking their regulatory and enforcement role are:-

- Any decision regarding enforcement action will be impartial and objective, and will not be influenced by race, gender, politics, sexual orientation, disability or religious beliefs of any alleged offender, victim or witness. Such decisions will not be affected by improper or undue pressure from any source.
- We do not routinely launch an investigation into every report which is made to us. Each case is assessed and prioritised based on a range of risk factors, so that resources are directed at the areas with the highest risk. However we do monitor all information given to us and use it to inform the wider concerns which may exist.
- The Council believes that the majority of individuals and businesses wish to comply with legal requirements, and should be assisted to do so;
- We will give positive feedback, wherever possible, to encourage and reinforce good practices.
- In dealing with any enforcement situation, the Council's actions will be proportionate to the scale, seriousness and intention of any non-compliance;
- There will be consistency of enforcement, whilst recognising that there are different, satisfactory solutions to each issue. We will refrain from being over-prescriptive whenever possible.
- We will provide a variety of opportunities for those we regulate to engage with us.
- This policy is built around a process of escalation. Except in the most serious cases such as a serious breach or where advice/warnings have not been heeded, adequate opportunity will be given to rectify non-compliance before formal legal action commences;
- Prosecution will normally only be considered where it is in the public interest to do so and where there have been serious breaches or where other enforcement measures have failed;

- Regard shall be had to the relevant legislation and codes of practice which protect the rights of the individual and guide enforcement action (e.g. Human Rights Act, Code for Crown Prosecutors, Regulators Code);
- Regard shall be had to the Council's own policies in respect of Customer Care, Equal Opportunities, etc.

Clear Standards

- Matters relating to enforcement and regulation will be dealt with promptly. We have set response times for dealing with complaints and requests for advice or assistance and aim to achieve those targets;
- Officers will announce themselves on arrival at a premises, and show identification (unless they are already well known to the person). Officers will always explain the purpose of their visit;
- Officers will provide their name and contact details to those persons or businesses with whom they are in contact concerning a regulatory or enforcement matter;
- Complaints relating to enforcement or regulatory matters will normally only be dealt with if the name and address of the complainant is given. Any such identification will be treated in confidence, but may need to be disclosed (with prior consent) should formal legal proceedings be taken against the person or business to which the complaint relates. Anonymous complaints will form part of the wider intelligence which guides the allocation of resources;
- Officers will not be able to act as consultants or legal advisors to individuals or businesses, but will be available (by appointment if necessary) to discuss general issues or matters of specific enforcement with the aim of assisting or guiding compliance;
- Officers will be professional, courteous and helpful in their conduct of regulatory or enforcement matters, and wherever possible will seek to work with individuals and businesses towards compliance;
- Officers will endeavour to provide advice in a clear and simple manner and where any corrective or remedial work is necessary, an explanation will be given as to why it is necessary, and over what timescale it is required. Where non-compliance may result in further enforcement action or prosecution the

matter will normally be confirmed in writing within ten working days, and any legal requirements will be identified separately from best practice advice;

- Where necessary, we will provide leaflets and other information in languages other than English to assist individuals in complying with our requirements and recommendations;
- Officers will generally seek an informal resolution to cases of non-compliance except where immediate formal enforcement action is required (eg serious issues relating to Health and Safety, Environmental Protection, evidence gathering etc);
- Where there are rights of appeal against formal action, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken (eg when the enforcement notice is served);
- Where no statutory provisions apply you may have the right of appeal via an internal Council process. We will inform you of that process.
- Where there is known to be an involvement of any other enforcement agency, or any case involves joint enforcement arrangements, the Council will consult and share intelligence with that other agency prior to taking any formal enforcement action;
- Where any charges or fees are to be levied for a service, individuals and businesses will be informed of the cost or rate of charge prior to the service being provided. All fees and charges are published on the Council's website;
- Any dissatisfaction with the quality and/or advice given or any complaint concerning the team's failure to comply with procedures, rules, statutory obligation or published service standards will be dealt with under the Councils Corporate Complaint procedure. Copies of this procedure are available from offices of the Council, or by accessing the Council's Website (www.torbay.gov.uk) .

Consistency

Consistent enforcement action is desirable, but uniformity in approach would not always recognise individual circumstances. We will encourage consistency of approach by:-

- Providing appropriate training and supervision of officers;

- Ensuring compliance with the standards set out in this policy;
- Recognising that we should not normally take formal enforcement action or prosecution in the case of minor infringements;
- Recognising that in some situations, we have no legal discretion but to serve a formal legal notice or pursue the collection of a fine;
- Taking into consideration the guidance issued by Government Departments and other national agencies, eg Food Standards Agency, Health and Safety Executive, Gambling Commission, etc.

Targeting and Proportionality

We will not initiate formal enforcement procedures without a clear need to do so. We believe that through a positive, proactive approach, we can achieve higher compliance rates and better overall outcome than by using reactive enforcement action.

Any formal enforcement procedures will:

- Aim to change the behaviour of the offender;
- Aim to eliminate any financial gain or benefit to the individual or business from non-compliance;
- Be responsive and consider what is the most appropriate sanction for the particular offender and regulatory issue;
- Be proportionate to the nature of the offence and the harm caused;
- Aim to address the harm caused by regulatory non-compliance, where appropriate;
- Aim to deter future non-compliance.

Our greatest inspection effort will be where risk assessment shows that both:

- (i) A compliance breach or breaches would pose a serious risk; and
- (ii) There is a high likelihood of non-compliance.

We will use a comprehensive risk assessment to concentrate our resources on the areas of highest risk. Businesses and individuals we deem to be low risk or compliant with legislative requirements will have less intervention.

Monitoring

To ensure that this policy is effective, a number of monitoring and feedback mechanisms will be utilised:-

- Opportunities for businesses and members of the public to comment on the policy;
- Feedback welcomed through the Council's website;
- Periodic consultation with business representatives, eg Licensees Forum and the Torbay Development Agency.
- Through open discussion with the public and elected members as part of the Council's ongoing local engagement processes.
- We will publish information on our regulatory activities on the Council's website.

Working With Others

We work closely with other Council services and our aim is to provide a streamlined service to you.

We are part of a much wider regulatory system in Torbay and have good working relationships with other regulators such as the Fire Service, Environment Agency, Police, etc and this enables us to have a much more joined up and consistent service. This includes sharing information and data on compliance and risk, where the law allows, to help target regulatory resources.

Prosecution Policy

The decision to prosecute is a serious one, having implications for the defendant, for witnesses, sometimes for the Council and wider still, for the consistent and effective maintenance of standards. Prosecution will be considered only when:-

- There is sufficient admissible and reliable evidence to provide a realistic prospect of conviction; and

- It is in the public interest to do so.

Prosecution will normally be in the public interest when one or more of the following criteria are satisfied:-

- (i) Unlawful acts or omissions have seriously or repeatedly compromised public health, safety or the environment;
- (ii) The offending created/posed a risk to public health, safety or to the environment;
- (iii) Through blatant action or inaction risks causing suffering or increased risk of the spread of disease or pollution have been exacerbated;
- (iv) Where there is disregard for safe practice;
- (v) The offence involves a failure to comply in full or in part with a statutory notice;
- (vi) Practices that cause, potentially cause or involve significant economic disadvantage to consumers or businesses or significant gain to the offender;
- (vii) The public have been or potentially could be misled by a false or misleading statement or the offence involves dishonesty;
- (viii) The offender has relevant previous convictions or has been cautioned for a relevant matter;
- (ix) The offender has flagrantly breached the law or has ignored advice or requests to remedy breaches of legal requirements;
- (x) The offender obstructs an Officer of the Authority carrying out statutory duties or where the offence involves the failure to supply information or the supply of false or misleading information upon lawful request;
- (xi) The victim is vulnerable, eg a child or elderly person;
- (xii) The offence, whether or not serious in itself, is widespread in Torbay;
- (xiii) The Council is under a statutory duty to enforce legislation.

The above list is not exhaustive and the decision whether to prosecute will be taken having regard to the legal proceedings sheet and the individual circumstances of each case.

Regard will be had to the Code for Crown Prosecutors at all stages of proceedings.

Legal Proceedings Decision Sheet

	For Prosecution	Against Prosecution	Score
1.	Serious Incident	Minor Incident	
2.	Deliberate act or potential to cause injury or damage through reckless disregard.	Unforeseeable/Accidental / Minor error of judgement	
3.	Inadequate control systems in place.	Adequate control systems in place.	
4.	Previous advice already given to the company / individual.	No precise information given by regulator previously.	
5.	Company/individual aware of the risk involved in their action.	Company/individual could not have been aware of the risk involved in their action.	
6.	Management/supervisor responsible for the incident.	Employee or supplier responsible for the incident.	
7.	Poor confidence in management / individual.	Good confidence in management / individual.	
8.	Previous prosecution for a similar offence.	First offence.	
9.	No remedial action taken / proposed.	Remedial action already taken.	
10.	Management / individual obstructive in the investigation.	Management / individual co-operative with the investigation.	
11.	Attempt to cover up the true facts.	Attitude open and honest.	
12.	Council reputation tarnished if prosecution is not pursued.	Prosecution may be seen as over zealous enforcement.	

13.	Prosecution will secure definite results, e.g. protection of workforce.	No obvious improvements in standards will result from prosecution.	
14.	Prosecution will resolve an important legal issue.	Prosecution will not clarify a legal issue.	
15.	Regulator identified problems on a previous occasion.	Regulator did not identify problems on a previous occasion.	

If statements in column 1 are true, score -1.

If statements in column 2 are true, score +1.

If neither statements are true, or not applicable, score nil.

A total minus score will favour a prosecution.

However, a prosecution must be justifiable by a logical argument, including such reasons as:-

- (i) the protection of employees or members of the public;
- (ii) to remedy deficiencies due to incompetent or irresponsible activities.

For further information on the work of Community Safety please go to www.torbay.gov.uk

We welcome your feedback at any time. You can provide feedback in the following ways:

Website: www.torbay.gov.uk/feedback

Email: complaints@torbay.gov.uk

List of consultees for the Community Safety Enforcement Policy review – Summer 2014

Torbay Development Agency

Public Health England

Torquay Chamber of Trade

Paignton Chamber of Trade

Brixham Chamber of Trade

Town Centres Company

Torbay Harbours

Torbay Coast and Countryside

English Riviera International Centre

Devon Landlords' Association

Tourism Company

Devon and Somerset Fire & Rescue Service

Devon and Cornwall Police

Turn Around

Federation of small businesses

Her Majesty's Court Service

Food Standards Agency

Health and Safety Executive

LACORS

Torbay Community Development Trust

Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Community Safety Enforcement and Prosecution Policy
Name (Key Officer/Author):	Fran Hughes Executive Head Community Safety
Position:	8002
Date:	August 2014 Email: Frances.hughes@torbay.gov.uk

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

1)	Does this report relate to a key decision?	Y <input type="checkbox"/>	N <input type="checkbox"/>
2)	Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following: <ul style="list-style-type: none"> The Community (including specific impacts upon the vulnerable or equality groups) Our Partners The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision) 	Y <input type="checkbox"/> Y <input type="checkbox"/> Y <input type="checkbox"/>	N <input type="checkbox"/> N <input type="checkbox"/> N <input type="checkbox"/>

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>Outline exactly what the proposal is / whether there is any change including reasons for the change. List the key objectives of the proposal/strategy.</p> <p>The new Community Safety Enforcement and Prosecution Policy is being implemented to ensure that the council is compliant with the Regulators Code.</p> <p>The Community Safety Business Unit has had an Enforcement and Prosecution Policy for many years. This policy has been reviewed in light of recent statutory guidance.</p> <p>The purpose of our regulatory activities is to protect the safety and health of residents and visitors in Torbay, to reduce crime and the fear of crime and to protect consumers. Enforcement is one of the ways we achieve these goals. However, enforcement is a very broad term which covers a large spectrum of work and includes offering advice and information through to bringing prosecutions for more serious offences.</p>
2.	Who is intended to benefit / who will be affected?	<p>Who are the key stakeholders / which individuals / specific groups may benefit from the proposal or who will be most affected?</p> <p>The intended beneficiaries are:</p> <p>Businesses operating in Torbay – who can be assured that the council has a transparent and proportionate approach to its enforcement activities and the right balance of support is provided to ensure compliance and where proportionate formal enforcement is undertaken;</p> <p>Consumers and the public within Torbay – who can be assured that those trading in Torbay are being appropriately regulated and therefore public health, safety and welfare in Torbay is not compromised.</p> <p>Torbay Council as the regulator – this will ensure that the councils policies are compliant with the national Regulators Code.</p>

No	Question	Details
3.	What is the intended outcome?	<p><i>It is important to identify the specific outcomes that this proposal intends to deliver.</i></p> <p><i>The previous Enforcement and Prosecution Policy was reviewed in 2008. In light of recent legislative requirements and new guidance to local authorities the policy has been reviewed to take the new information into account. Local authorities are required to prepare and publish an enforcement policy for all their duties covered by the Compliance Code.</i></p> <p><i>An important element of applying enforcement options to any situation is to have a clear policy in place to ensure that the decision making process is transparent, fair, consistent and proportionate to the risks created by the offence.</i></p> <p><i>The new Regulators Code issued under the Legislative and Regulatory Reform Act 2006 required regulators to have regard to the Code when developing policies and operational procedures that guide their regulatory activities.</i></p> <p><i>The key priorities of the Code are:</i></p> <ol style="list-style-type: none"> <i>1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow;</i> <i>2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views;</i> <i>3. Regulators should base their regulatory activities on risk;</i> <i>4. Regulators should share information and compliance and risk;</i> <i>5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply;</i> <i>6. Regulators should ensure that their approach to their regulatory activities is transparent.</i>

Section 2: Equalities, consultation and engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

Evidence, consultation and engagement

No	Question	Details
4.	Have you considered the available evidence?	<i>The policy is a refresh of a previously existing policy. It has been subject to consultation for 6 weeks, 14 July – 24 August 2014.</i>
5.	How have you consulted on the proposal?	<i>Consultees were written to inviting their comments on key areas of the policy, namely its aims and guiding principles. General feedback about the policy was also sought. The consultation was ran online for 6 weeks from 14 July – 24 August 2014.</i>
6.	Outline the key findings	<i>Consultees agreed that the aims and guiding principles of the policy reflected the needs of the bay.</i>
7.	What amendments may be required as a result of the consultation?	<i>No amendment necessary.</i>

Positive and negative equality impacts

No	Question	Details		
8.	Identify the potential positive and negative impacts on specific groups	<i>It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the ‘neutral’ column to explain why.</i>		
		Positive Impact	Negative Impact	Neutral Impact
	All groups in society generally	The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.		
	Older or younger people			The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.
	People with caring			The policy has been developed to

No	Question	Details
	responsibilities	ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.
	People with a disability	The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.
	Women or men	The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the

No	Question	Details
		Regulators Code. This is a transparent, risk based approach.
	People who are black or from a minority ethnic background (BME)	<p><i>(please note Gypsies / Roma are within this community)</i></p> <p>The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.</p>
	Religion or belief (including lack of belief)	The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.
	People who are lesbian, gay or bisexual	The policy has been developed to ensure that businesses are appropriately supported, and that

No	Question	Details
		<p>were there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.</p>
	<p>People who are transgendered</p>	<p>The policy has been developed to ensure that businesses are appropriately supported, and that were there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.</p>
	<p>People who are in a marriage or civil partnership</p>	<p>The policy has been developed to ensure that businesses are appropriately supported, and that were there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a</p>

No	Question	Details	
			transparent, risk based approach.
	Women who are pregnant / on maternity leave		The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.
	Socio-economic impacts (including impact on child poverty issues and deprivation)	The policy has been developed to ensure that businesses are appropriately supported, and that there are no compliance concerns that regulators apply a light touch approach. For those businesses which are high risk, a more targeted approach will be appropriate in accordance with the Regulators Code. This is a transparent, risk based approach.	
9.	Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?		<i>The council is committed to ensuring that we meet the diverse needs of our community. As part of the Equality Act there is a <u>general duty as well as our moral obligation</u> where we are required to have 'due regard' to eliminating unlawful discrimination, advancing equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. Outline how your proposal meets the general duty.</i>

No	Question	Details
		<p>The Community Safety Business Unit has been working to the Regulators Code since April 2014 and prior to that was compliant with previous government standards on enforcement including the Hampton principles and the Regulators compliance Code. The unit has a range of engagement activities in place to positively support businesses across Torbay, including approaches such as the licencees forum, Mayors ASB/Landlords forum etc</p>

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	<p>Summarise any positive impacts and how they will be realised most effectively?</p>	<p>Outline any positive impacts that you have identified relating to equalities and how these impacts will be realised most effectively. What ways can the positive impacts be maximised? Use the action plan (after section 5) to outline actions, responsible officers and timescales.</p> <p>There are no anticipated negative impacts from this policy.</p>
11.	<p>Summarise any negative impacts and how these will be managed?</p>	<p>Outline any negative impacts that you have identified relating to equalities and how these impacts will be managed / monitored so that they are reduced / eliminated or mitigated. What ways can the negative impact be minimised? Use the action plan (after section 5) to outline actions, responsible officers and timescales.</p> <p>There are no anticipated negative impacts from this policy.</p>

Section 4: Recommended course of action

No	Action	Details
12.	<p>State a recommended course of action</p>	<p>Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes below and justify reasons for your decision - If '3' please provide full justification :</p>

	[please refer to action after section 5]	<p>Where: -</p> <p>Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken.</p> <p>Outcome 2: Adjustments to remove barriers – Action to remove the barriers identified in relation to equalities have been taken or actions identified to better promote equality.</p> <p>Outcome 3: Continue with proposal - Despite having identified some potential for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have ‘due regard’.</p> <p>Outcome 4: Stop and rethink – EIA has identified actual or potential unlawful discrimination in relation to equalities or adverse impact has been identified.</p>
--	--	--

Section 5: Monitoring and action plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	The full impact of decisions will only be known once it is introduced. Identify arrangements for reviewing the actual impact of proposals once they have been implemented. Please also use the action plan below.

Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	This should include actions highlighted from the sections 3, 4 & 5				

2									
3									
4									
5									



Meeting: Council

Date: 30 October 2014

Wards Affected: All Wards in Torbay

Report Title: Review of Polling Districts, Polling Places and Polling Stations 2014

Is the decision a key decision? No

When does the decision need to be implemented? By 1 December 2014

Executive Lead Contact Details: Councillor McPhail, Executive Lead for Business Planning and Governance, beryl.mcphail@torbay.gov.uk

Supporting Officer Contact Details: Teresa Buckley, Governance Team Leader, (01803) 207013/teresa.buckley@torbay.gov.uk

1. Purpose and Introduction

- 1.1 Local Authorities are required by law to divide their area into polling districts, to designate polling places/polling stations for those districts and to keep the polling districts and polling places under review. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This must take place between 1 October 2013 and 31 January 2015. The last comprehensive review of polling districts and polling stations was carried out in 2007 with interim reviews carried out in 2010 and 2011.
- 1.2 In order to complete the review in time to make the changes for the next published register on 1 December 2014 the review commenced on 16 June 2014.

2. Proposed Decision

- 2.1 That the recommendations of the Electoral Registration Officer and Polling Review Working Group as set out below be approved:
 - (i) That the following polling stations be amended as stated:
 - (a) that a replacement polling place/polling station be created at St Mathews Church, top of Walnut Road, Torquay, TQ2 6JA for polling district BB and the boundary of BB be moved to include St Matthews Road (49 properties), Vicarage Road (26 properties), Brooklands Lane (3 properties) and Rawlyn Road (68 properties) (from BE);
 - (b) that a replacement polling place/polling station be created at Brunel Manor, Teignmouth Road, Torquay, TQ1 4SF for polling district HA;

- (c) that a replacement polling place/polling station be created at the rear of Dunboyne Court, 170 St Marychurch Road, Torquay, TQ1 3AB for polling district HC;
 - (d) that Riviera Life Church becomes the permanent polling place/polling station for polling districts MC and MD;
 - (e) that St Boniface Church Hall, Belfield Road, Paignton, TQ3 3UY becomes a new double polling place/polling station for polling districts AA and AB;
 - (f) that the Old Monastery, Berry Drive, Paignton be reinstated as a polling place/polling station for polling district CB;
 - (g) that Time Out Coffee Shop becomes the permanent polling place/polling station for polling district IA;
 - (h) that the Paignton Club becomes the permanent polling place/polling station for polling districts RB and RC;
 - (i) that Brixham Rugby Club becomes the permanent polling place/polling station for polling districts JA and JB and that the Returning Officer ensures that both sides of the bar are used for large elections;
 - (j) that a replacement polling place/polling station be created in the Lecture Room, Brixham Hospital, Greenswood Road, Brixham, TQ5 9XW for polling district SC.
 - (k) that a replacement polling place/polling station be created at St Mary's Park Bowling Club, St Marys Park, Upton Manor Road, Brixham, TQ5 9RD for polling district SD and the boundary of SD be moved to include Pensilva Park (11 properties), Stoneacre Close (21 properties) and Vicarage Road (11 properties) (from SC); and
 - (l) that a replacement mobile polling place/polling station be created in the DFS car park at the Willows Retail Park, Nicholson Road, Torquay, TQ2 7TD for polling district TB;
- (ii) That the following polling districts be combined into a single polling district:
 - AE and AE A – become AE;
 - CA and CA A – become CA; and
 - CC and CC A – become CC;
 - (iii) that for Parliamentary Elections the Church Hall at St George's Hall, Barn Road, Paignton be used as a polling station for polling district IB – Torbay

Constituency and the side accessible entrance of St George's Church be used as a polling station for polling district GA – Totnes Constituency to prevent ballot papers being placed in the wrong ballot boxes, for all other elections the Church Hall be used as a double polling station; and

- (iv) that the changes to polling districts, polling places and polling stations be implemented from 1 December 2014 when the new electoral register is published.

2.2 Reason for Decision

To ensure that all polling stations are suitable for all types of elections in the future and comply with the requirements of the Electoral Registration and Administration Act 2013.

Supporting Information

4. Position

- 4.1 A **polling district** is the area created by the division of a constituency, ward or division into smaller parts within which a polling place can be determined which is convenient to electors.
- 4.2 A **polling place** is an area within a polling district in which a polling station is located. There is no legal definition of a polling place so it could be defined very widely (perhaps the whole polling district) or quite narrowly (the building concerned). The guidance from the Electoral Commission discourages local authorities to use the wider definition of a polling place. Therefore a polling place has been defined as the building within which the voting takes place.
- 4.3 A **polling station** is the actual room or part of the building where voting takes place. So for example, where voting takes place at a school, the polling station is the room in which the voting takes place, the polling place is the building in which the room is located and the polling district is the wider area within which the building is located.
- 4.4 The main principles considered appropriate for the designation of polling districts and polling places/stations are as follows:
- That every polling place/polling station is, so far as is reasonable and practicable, accessible to electors who are disabled (this is a legal requirement).
 - Ideally the polling place/polling station should be within the district area concerned.
 - On average, a polling place/polling station would normally serve around 1500 electors.
 - Where possible 'natural boundaries' should be used for polling districts e.g. major roads, railway lines etc.
 - Polling places/polling stations should be 'logical', that is electors should not have to pass another polling station to get to their own polling station.
- 4.5 The review can only address polling issues within the current ward structure of the Borough. It cannot make changes to the ward (or Borough) boundaries. There are

some areas where moving a ward boundary might resolve an anomaly concerning the allocation of voters to polling stations, but this cannot be achieved as part of the review.

- 4.6 The Council published its consultation proposals on the review of polling districts, polling places and polling stations on its website on 16 June 2014 at <http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview.htm>.
- 4.7 Following conclusion of the review certain people (as listed below) are entitled to make representations to the Electoral Commission who may direct the Council to make alterations to the polling places that they think necessary, and if the alterations are not made within two months the Electoral Commission has authority to make the changes themselves if they find that the review did not:
- (a) meet the reasonable requirements of the electors in the constituency, or a body of them, or
 - (b) take sufficient account of the accessibility for disabled persons of a polling station/polling stations within a designated polling place

The Following people may make representations:

- Any parish Council which is wholly or partly situated within each constituency, or parish meeting where there is no such Council;
 - Thirty or more registered electors in each constituency (although electors registered anonymously cannot make a representation);
 - A person (except the (Acting) Returning Officer) who made representations to the authority when the review was being undertaken;
 - Any person who is not an elector in a constituency in the authority's area but who the Electoral Commission thinks has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to the premises or facilities of disabled persons.
 - In addition the (Acting) Returning Officer may make observations on any representations made to the Electoral Commission.
- 4.8 There are some situations which were already known and formed the basis of the consultation and are shown below, with a suggestion where solutions have already been considered.

Torquay:

1. Cockington with Chelston Ward

Polling district BB – Chelston Methodist Church, Old Mill Road, Torquay is being sold and will not be available for future elections. It is proposed to establish a new polling place/polling station at St Mathews Church, top of Walnut Road, Torquay, TQ2 6JA for polling district BB and move the boundary

of BB to include St Matthews Road (49 properties), Vicarage Road (26 properties), Brooklands Lane (3 properties) and Rawlyn Road (68 properties) (from BE) to prevent electors walking past this polling station to get to their current polling station.

2. St Marychurch

Polling district HA – Flat at Crossways, Maidencombe Cross, Torquay has been used as a polling place/polling station for this ward for many years but is on the far boundary of the polling district and is not best placed to meet the needs of voters in this area. It is proposed to create a new polling place/polling station Brunel Manor, Teignmouth Road, Torquay, TQ1 4SF for polling district HA. This venue has a separate room which can be used as a polling station, with good disabled access, has parking, bus stops outside and is more central within the polling district than the former polling station.

Polling district HC – Homelands Primary School, Westhill Road, Torquay, TQ1 4LJ. The Chair of Governors has vigorously expressed their desire for Homelands Primary School not to be used as a polling place/polling station due to the disruption to the children as they have to close part or the whole school for the day. Feedback from the European Election held on 22 May 2014 confirmed that parking is difficult near the polling station and is only available on the roads nearby. It is proposed to create a new polling place/polling station at the rear of Dunboyne Court, 170 St Marychurch Road, Torquay, TQ1 3AB for polling district HC. This venue has a room with its own access to the rear of the building with good disabled access, parking on the road outside and a drop of zone outside the front of the building. It is on the boundary of the polling district just up the road from the current polling station and the only other suitable venues in the area would be schools.

3. Wellswood

Polling districts MC and MD – Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG was trialled as a polling place/polling station for the European Election on 22 May 2014 due to the normal polling station Torquay Museum, Local Studies Room, Museum Road, Torquay having limited space. Feedback from the election was that the facilities at the church were more suitable than those at the Museum. It is proposed therefore that Riviera Life Church be used as the permanent polling place/polling station for polling districts MC and MD. It has a small number of parking spaces on site, is close to the local bus route and has good disabled access.

Paignton:

1. Blatchcombe

Polling District AA – Sanctuary Housing Office (Foxhole Parade), 103 Foxhole Road, Paignton. This polling place/polling station is very small which could cause issues on busy polling days. It is also not within the polling district of AA. It is proposed to make St Boniface Church Hall, Belfield Road, Paignton, TQ3 3UY a double polling place/polling station for polling districts AA and AB. This polling place/polling station is on the boundary of the two polling districts and better serves the votes in these two areas. There is parking on site and on street outside the polling station, disabled access and it is fairly close to the local bus route.

2. Clifton with Maidenway

Polling district CB – Palace Avenue Methodist Church Hall, Palace Avenue, Paignton has been used for the last few elections due to the unsuitable condition of former polling place/polling station The Old Monastery, Berry Drive, Paignton, TQ3 3RD as this was the closest suitable location available. The Old Monastery has been taken over by Anode and is now available to be used as a polling place/polling station and is located within the polling district. Due to the location of the area to be used as a polling station it would be necessary to close the building for the day a ramp will also be required to the entrance of the building. It is proposed to use The Old Monastery as a polling place/polling station for polling district CB for future elections.

3. Goodrington with Roselands

Polling district IA – Time Out Coffee Shop, 6 Sturcombe Avenue, Paignton, TQ4 7EB. The venue was trialled as a polling place/polling station for the European Election on 22 May 2014, due to Roselands Primary School, Lynmouth Avenue, Paignton and Roselands Community Nursery and Playschool, Porlock Way, Paignton being no longer available for use as a polling place/polling station. The coffee shop is the most suitable alternative location within the polling district. It has disabled access, parking and is close to the local bus route. It is proposed that Time Out Coffee Shop becomes the permanent polling place/polling station for Polling District IA.

4. Roundham with Hyde

Polling districts RB and RC – the Paignton Club, the Garden Room, Esplanade Road, Paignton, TQ4 6ED. The venue was trialled as a polling place/polling station for the European Election on 22 May 2014 due to the unavailability of the normal polling place/polling station Queens Park Pavilion, Queens Park, Paignton, TQ4 6AT. The Paignton Club was the most suitable venue available for the European Election and is on the boundary of the two polling districts. Feedback from the Election is that this is a larger more suitable venue than the normal polling station, with good disabled access, parking and is close to the

local bus route. It is therefore proposed to use Paignton Club as the permanent polling place/polling station for polling districts RB and RC.

Brixham:

1. Berry Head with Furzeham

Polling districts JA and JB – Brixham Rugby Club, Astley Park, Rea Barn Road, Brixham, TQ5 9ED. The venue was trialled as a polling place/polling station for the European Election on 22 May 2014 due to the number of complaints received at the Police and Crime Commissioner Election held on 15 November 2012 regarding access to the former site Brixham Community College, Higher Ranscombe Road, Brixham. One side of the bottom bar was used for the double polling station for the European Election and is sufficient for a single election but both sides of the bar will be needed for larger elections. There is good parking on site, disabled access and it is close to local bus routes. It is proposed to use Brixham Rugby Club as the permanent polling place/polling station for polling districts JA and JB.

2. St Marys with Summercombe

Polling district SC – Brixham Sea Anglers Club Association, Castor Road, Brixham, TQ5 9PY has been used as a polling place/polling station for a number of years but is on a small site and is not suitable for larger elections. It is proposed to create a new polling place/polling station in the Lecture Room, Brixham Hospital, Greenwood Road, Brixham, TQ5 9XW for polling district SC. This is a landmark local building with good disabled access. There is limited parking on site but on street parking is available on nearby roads and it is close to the local bus route.

Polling district SD – St Marys Hall (next to St Marys Church), St Marys Square, Drew Street, Brixham, TQ5 9JY. The venue has been used as a polling place/polling station for the last few years due to the former polling place/polling station Eden Park Primary School requiring closure of the school for polling day. Feedback from the European Election held on 22 May 2014 was that the slope up to the building is too steep and parking is difficult in the area and that an alternative venue should be found. It is proposed to create a new polling place/polling station at St Mary's Park Bowling Club, St Marys Park, Upton Manor Road, Brixham, TQ5 9RD for polling district SD and move the boundary of SD to include Pensilva Park (11 properties), Stoneacre Close (21 properties), Vicarage Road (11 properties) (from SC). This venue has good disabled access, parking and is close to the local bus route.

5. Possibilities, Options and Fair Decision Making

5.1 Public consultation ran from 16 June until 29 August 2014 and the following people and organisations were invited to respond to the consultation.

- The Acting Returning Officer, Torbay Council
- The Acting Returning Officer, South Hams District Council
- All Torbay Councillors and the Mayor of Torbay
- Brixham Town Councillors
- Adrian Sanders MP
- Sarah Wollaston MP
- Torbay Conservative Association
- Torbay Liberal Democrats
- Torbay Labour Party
- Torbay Green Party
- Torbay UKIP
- Age UK Torbay
- Action on Hearing Loss (former RNID South West)
- RNIB South West
- Scope
- Action for Blind People
- South West Multiple Sclerosis Centre
- Torbay Disability Information Service
- Speaking Out in Torbay (SPOT)
- Shopmobility

5.2 Responses to the consultation were published on the Council's website at http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponse_torbay.htm and http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponse_totnes.htm and are summarised below:

- Report of the Acting Returning Officer for Torbay concerning the existing arrangements in the Totnes Constituency – supporting the issues raised in the consultation and proposed solutions;
- Email from Liz Tucker, Electoral Administrator for South Hams District Council on behalf of the Acting Returning Officer for the Totnes Constituency suggesting that polling districts AD and ADA should be amalgamated into one polling district AD and polling districts AE and AEA should be amalgamated into one polling district AE. She has also requested that procedures are put in place for St George's Hall, Paignton to ensure that no cross-over of ballot papers should occur between the two Parliamentary constituencies.

Response these issues have been addressed in the recommendations.

- Councillor Ellery – requesting moving the St Marys Hall polling station to St Marys Park and moving the Sea Anglers Polling Station in Castor Road to the Brixham Hospital site.

Response these issues have been addressed in the recommendations.

- Report of the Acting Returning Officer for Torbay concerning the existing arrangements in the Torbay Constituency – supporting the issues raised in the consultation and proposed solutions;
- Homelands Primary School – requesting that they no longer be used as a polling station due to disruption to the children.

Response this has been addressed in the recommendations.

- Councillor Kingscote – suggesting the willow tree pub becomes a double polling station for polling districts TA and TB.

Response the Council has not been able to secure the room adjacent to the Willow Tree pub for community use and therefore this is no longer a suitable venue for a polling station.

- Councillors Kingscote and Hernandez – suggesting a double polling station for polling districts TA and TB and that the polling station for this polling district be Sainsburys supermarket at the Willows.

Response having visited Sainsburys supermarket the only suitable space would be to section off an area in the cafe and use the exit located in the centre of the store as an entrance and exit to the polling station. It was hoped that we could use the door to the side of the cafe as an entrance to the polling station, although this is not possible as it is a fire door and must be kept shut at all times. We also explored using the exit in the middle of the building but this was not suitable for use as an entrance. Otherwise electors would need to come in the main entrance and walk past all the tills and cafe to get to the area to be used as a polling station which is not suitable. Marks & Spencer and DFS were also approached but had no suitable space or were not willing to allocate space in their store for use as a polling station. Due to the new development at Beechfield Avenue and number of new electors in polling district TA it would not be appropriate to have a double polling station for TA and TB (approximately 1500 electors voted at the last General Election for these two polling districts). Also the new venues being explored for polling district TB would not be large enough to accommodate two polling stations. It is therefore proposed to put a mobile station in the car park near to DFS similar to the one used in the past outside Comet. This has been addressed in the recommendations.

5.3 The Polling Review Working Group met on 6 October 2014 to consider the proposals and their recommendations are set out together with the recommendations of the Electoral Registration Officer in paragraph 2.

6. Public Services (Social Value) Act 2012

6.1 The venues used as polling stations are allocated to meet the needs of the electors within the polling district. In many cases there are no suitable alternative locations within or close to the polling district. The venues receive a modest fee for hire of the room, and heating and lighting.

7. Risks

7.1 If the recommendations are not approved there is a risk that the Returning Officer will not be able to secure suitable accommodation for use as polling stations in the future.

7.2 By changing the location of some of the polling stations it is anticipated that these will provide long term venues for these polling stations and limit the amount of disruption caused to electors in continuously changing the location of their polling station.

7.3 If the recommendations are approved there is potential for disruption to some electors whose polling stations will change, this will be mitigated through clear instruction on poll cards, press releases and working with the local media to raise awareness of the changes and signposting electors to the website to see the changes. Public notices will also be displayed outside Council buildings. The outcome of the review of polling districts and polling places will also be published on the Council's website so the people will know in November what the changes will be.

Appendices

Appendix 1 – Report of the Returning Officer on the suitability of Polling Stations in the Torbay Constituency

Appendix 2 – Map showing proposed changes to boundary of BB and BE

Appendix 3 - Report of the Returning Officer on the suitability of Polling Stations in the Totnes Constituency

Appendix 4 – Map showing proposed changes to boundary of SC and SD

Appendix 5 – Equality Impact Assessment

Additional Information

Background information file is available to view upon request at the Governance Support Office, Town Hall, Castle Circus, Torquay, telephone 207013.

Electoral Registration and Administration Act 2013

Review of Parliamentary Polling Districts and Polling Places 2014

Report of the Acting Returning Officer for Torbay concerning existing polling arrangements in the Torbay Constituency

*= double polling station

Polling District	Polling Place	Station	Comments	Proposals
BA	Cockington with Chelston	Mobile station at Preston Primary School, Old Paignton Road, Torquay, TQ2 6UY	Satisfactory	None
BB	Cockington with Chelston	Chelston Methodist Church, Old Mill Road, Torquay, TQ2 6HJ	It ceased being a place of worship and services ended at Christmas 2013. Church 'rules' state that the building must not have any religious observation in them for one year before the building can be sold/leased etc etc. The church hall is taking bookings for 2014 but is not sure of the future use of the site for the elections in 2015.	To establish a new polling station at St Mathews Church, top of Walnut Road, Torquay, TQ2 6JA for Polling District BB and move the boundary of BB to include St Mathews Road (49 properties), Vicarage Road (26 properties), Brooklands Lane (3 properties) and Rawlyn Road (68 properties) (from BE).
BC	Cockington with Chelston	St Peters Church Hall, Queensway, Torquay, TQ2 6BP*	Satisfactory	None
BD	Cockington with Chelston	Sherwell Valley Primary School, Hawkins Avenue, Torquay, TQ2 6ES	Satisfactory	None
BE	Cockington with Chelston	St Peters Church Hall, Queensway, Torquay, TQ2 6BP*	Satisfactory	None
CA, CAA	Clifton with Maidenway	Catholic Church Rooms Sacred Heart Church, Cecil Road, Paignton, TQ3 2SH*	Satisfactory	None

Polling District	Polling Place	Station	Comments	Proposals
CB	Clifton with Maidenway	Palace Avenue Methodist Church Hall, Palace Avenue, Paignton, TQ3 3EQ	This polling station is outside of the Polling District and was used as a temporary measure as the previous polling station (The Old Monastery) was not fit for purpose. The Old Monastery has been taken over by Anode and is now available to be used as a polling station and is located within the Polling District. However, due to the location of the area to be used as a polling station it would be necessary to close the building for the day.	To change this polling station back to the Old Monastery, Berry Drive, Paignton, TQ3 3RD.
CC, CCA	Clifton with Maidenway	Catholic Church Rooms Sacred Heart Church, Cecil Road, Paignton, TQ3 2SH*	Satisfactory	None
CD	Clifton with Maidenway	Cross Link Hall (formerly Baptist Youth Hall), Winner Street, Paignton, TQ3 3LN*	Slight raised door frame, alternative disabled access not obvious.	Hazard tape for trip hazards. Additional signage for disabled entrance.
DA	Eilacombe	Hall at Salvation Army, Castle Lane Entrance, Torquay, TQ1 3AF	Satisfactory	None
DB	Eilacombe	Eilacombe Academy (prev. Eilacombe Primary School), Eilacombe Church Road, Torquay, TQ1 1TG*	Raised threshold. Some confusion finding entrance to station. No disabled entrance. Poorly lit at night.	Hazard tape for raised threshold. Ramp to be fitted. Poll cards to specify more clearly where the entrance is to the polling station. Improve lighting.
DC	Eilacombe	Eilacombe Academy (prev. Eilacombe Primary School), Eilacombe Church Road, Torquay, TQ1 1TG*	Raised threshold. Some confusion finding entrance to station. No disabled entrance. No alternative station in the area.	Hazard tape for raised threshold. Ramp to be fitted. Poll cards to specify more clearly where the entrance is to the polling station.
FA	Preston	Mobile Station, Preston Down Road, Shopping Parade, Paignton, TQ3 1DS	Satisfactory	None

Polling District	Polling Place	Station	Comments	Proposals
FB	Preston	St Pauls Church - Francis Norrish Room, Torquay Road, Paignton, TQ3 2DH	Satisfactory	None
FC	Preston	Mobile Station, Albany Road/Lacy Road, Paignton, TQ3 1BU	Satisfactory	None
FD	Preston	Paignton Spiritualist Church Hall, Manor Corner, Torquay Road, Paignton, TQ3 1JB	Satisfactory.	None.
HA	St Marychurch	Flat at Crossways, Maidencombe Cross, Torquay, TQ1 4TH	This is a small polling station at the far boundary of the Polling District and it not best placed to meet the needs of the voters.	To create a new polling station Brunel Manor, Teignmouth Road, Torquay, TQ1 4SF. This venue has a separate room which can be used as a polling station, with good disabled access, has parking, bus stops outside and is more central within the Polling District than the former polling station.
HB	St Marychurch	St Marychurch C of E Primary Nursery School, Hartop Road, Torquay, TQ1 4QH	Satisfactory	None
HC	St Marychurch	Homelands Primary School, Westhill Road, Torquay, TQ1 4LJ	Complaints received from electors at European Parliamentary Election on 22 May 2014 regarding parking. Chair of Governors requested the school be no longer used due to disruption to the children as some or all of the school has to be closed.	To create a new polling station at the rear of Dunboyne Court, 170 St Marychurch Road, Torquay, TQ1 3AB for Polling District HC. This venue has a room with its own access to the rear of the building with good disabled access, parking on the road outside and a drop of zone outside the front of the building.
HD	St Marychurch	Plainmoor Swimming Pool, Plainmoor, Torquay, TQ1 3QP	Satisfactory	None
HE	St Marychurch	Furrough Cross Church Hall, Babbacombe Road, Torquay, TQ1 3SE	Satisfactory	None
HF	St Marychurch	St Annes Hall, Babbacombe Road, Torquay, TQ1 3UH	Satisfactory	None

Polling District	Polling Place	Station	Comments	Proposals
IA	Goodrington with Roselands	Time Out Coffee Shop, 6 Sturcombe Avenue, Paignton, TQ4 7EB	The nursery and Roselands Primary School are no longer available for use as a polling station. Time Out Coffee Shop, 6 Sturcombe Avenue, Paignton, TQ4 7EB was trialled as a polling station for the European Election on 22 May 2014.	To create a new polling station at Time Out Coffee Shop, 6 Sturcombe Avenue, Paignton, TQ4 7EB. It has disabled access, parking and is close to the local bus route.
IB	Goodrington with Roselands	St Georges Hall, Barn Road, Paignton, TQ4 6NG*	Satisfactory	None
IC	Goodrington with Roselands	Hall at Entrance Clennon Rise, Romaleyn Gardens, Entrance Clennon Rise, Paignton, TQ4 5HN	Satisfactory	None
TD	Goodrington with Roselands	Torbay Leisure Centre, Penwill Way, Paignton, TQ4 5JR	Satisfactory	None
LA	Tormohun	Central Church Hall, Central Church, Tor Hill Road, Torquay, TQ2 5RS*	Satisfactory	None
LB	Tormohun	Central Church Hall, Central Church, Tor Hill Road, Torquay, TQ2 5RS*	Satisfactory	None
LC	Tormohun	Echo Building, Echo Childrens Centre, St James Road, Torquay, TQ1 4AZ	Satisfactory	None
LD	Tormohun	Torre Primary School, Barton Road, Torquay, TQ1 4DN	Satisfactory	None
LE	Tormohun	Windmill Community Centre, Pendennis Road, Torquay, TQ2 7QR	Satisfactory	None
MA	Wellswood	St Matthias Church Hall, Babbacombe Road, Torquay, TQ1 1HW*	Satisfactory	None
MB	Wellswood	St Matthias Church Hall, Babbacombe Road, Torquay, TQ1 1HW*	Satisfactory	None

Polling District	Polling Place	Station	Comments	Proposals
MC	Wellswood	Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG*	Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG was trialled as a polling station for the European Election on 22 May 2014 due to the normal polling station Torquay Museum, Local Studies Room, Museum Road, Torquay having limited space. Feedback from the election was that the facilities at the church were more suitable than those at the Museum.	To create a new polling station at Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG. It has a small number of parking spaces on site, close to the local bus route and good disabled access.
PMD	Wellswood	Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG*	Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG was trialled as a polling station for the European Election on 22 May 2014 due to the normal polling station Torquay Museum, Local Studies Room, Museum Road, Torquay having limited space. Feedback from the election was that the facilities at the church were more suitable than those at the Museum.	To create a new polling station at Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG. It has a small number of parking spaces on site, close to the local bus route and good disabled access.
RA	Roundham with Hyde	Christ Church Hall, Torquay Road, Paignton, TQ3 2DH	Satisfactory	None

Polling District	Polling Place	Station	Comments	Proposals
RB	Roundham with Hyde	Paignton Club, The Garden Room, Esplanade Road, Paignton, TQ4 6ED*	<p>Back entrance was used at local elections rather than front. Disabled access poor at back of building.</p> <p>Paignton Club, The Garden Room, Esplanade Road, Paignton, TQ4 6ED was trialled as a polling station for the European Election on 22 May 2014 due to the unavailability of the normal polling station Queens Park Pavilion, Queens Park, Paignton, TQ4 6AT as the most suitable venue available for the Election on the boundary of these two Polling Districts. Feedback from the Election is that this is a larger more suitable venue than the normal polling station.</p>	<p>To create a new polling station at Paignton Club, The Garden Room, Esplanade Road, Paignton, TQ4 6ED.</p> <p>The site has good disabled access, parking and is close to the local bus route.</p>

Polling District	Polling Place	Station	Comments	Proposals
RC	Roundham with Hyde	Paignton Club, The Garden Room, Esplanade Road, Paignton, TQ4 6ED*	<p>Back entrance was used at local elections rather than front. Disabled access poor at back of building.</p> <p>Paignton Club, The Garden Room, Esplanade Road, Paignton, TQ4 6ED was trialled as a polling station for the European Election on 22 May 2014 due to the unavailability of the normal polling station Queens Park Pavilion, Queens Park, Paignton, TQ4 6AT as the most suitable venue available for the Election on the boundary of these two Polling Districts. Feedback from the Election is that this is a larger more suitable venue than the normal polling station.</p>	<p>To create a new polling station at Paignton Club, The Garden Room, Esplanade Road, Paignton, TQ4 6ED.</p> <p>The site has good disabled access, parking and is close to the local bus route.</p>
RD	Roundham with Hyde	Cross Link Hall (formerly Baptist Youth Hall), Winner Street, Paignton, TQ3 3LN*	Satisfactory	None
TA	Shiphay with the Willows	Rear of St Martins Church, Barton Hill Road, Torquay, TQ2 8JA	Satisfactory	None.
TB	Shiphay with the Willows	The Willow Tree Pub, Condor Drive, The Willows, Torquay, TQ2 7TG	Satisfactory. The large room adjacent to the pub is in the process of being transferred to the Council for use by the Community use and will make an ideal polling station in future years. The area between the pub and the large room was used at the European Election and will not be large enough for the elections in 2015.	To explore alternative venues for the 2015 election if the large room adjacent to the Willow Tree Pub is not available.

Polling District	Polling Place	Station	Comments	Proposals
TC	Shiphay with the Willows	St Andrews Church Hall, Exe Hill, Torquay, TQ2 7NF*	Satisfactory	None
TD	Shiphay with the Willows	St Andrews Church Hall, Exe Hill, Torquay, TQ2 7NF*	Satisfactory	None
WA	Watcombe	Watcombe Children's Centre, Moor Lane, Torquay, TQ2 8NU	Satisfactory	None
WB	Watcombe	Watcombe Community Centre, Medway Road, Barton, Torquay, TQ2 8SA	Satisfactory	None
WC	Watcombe	Acorn Community Centre, Lummaton Cross, Torquay, TQ2 8ET	Satisfactory	None
WD	Watcombe	Hele Road Baptist Church, Hele Road, Torquay, TQ2 7PP	Satisfactory	None

Appendices – available at <http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponseforbay.htm>

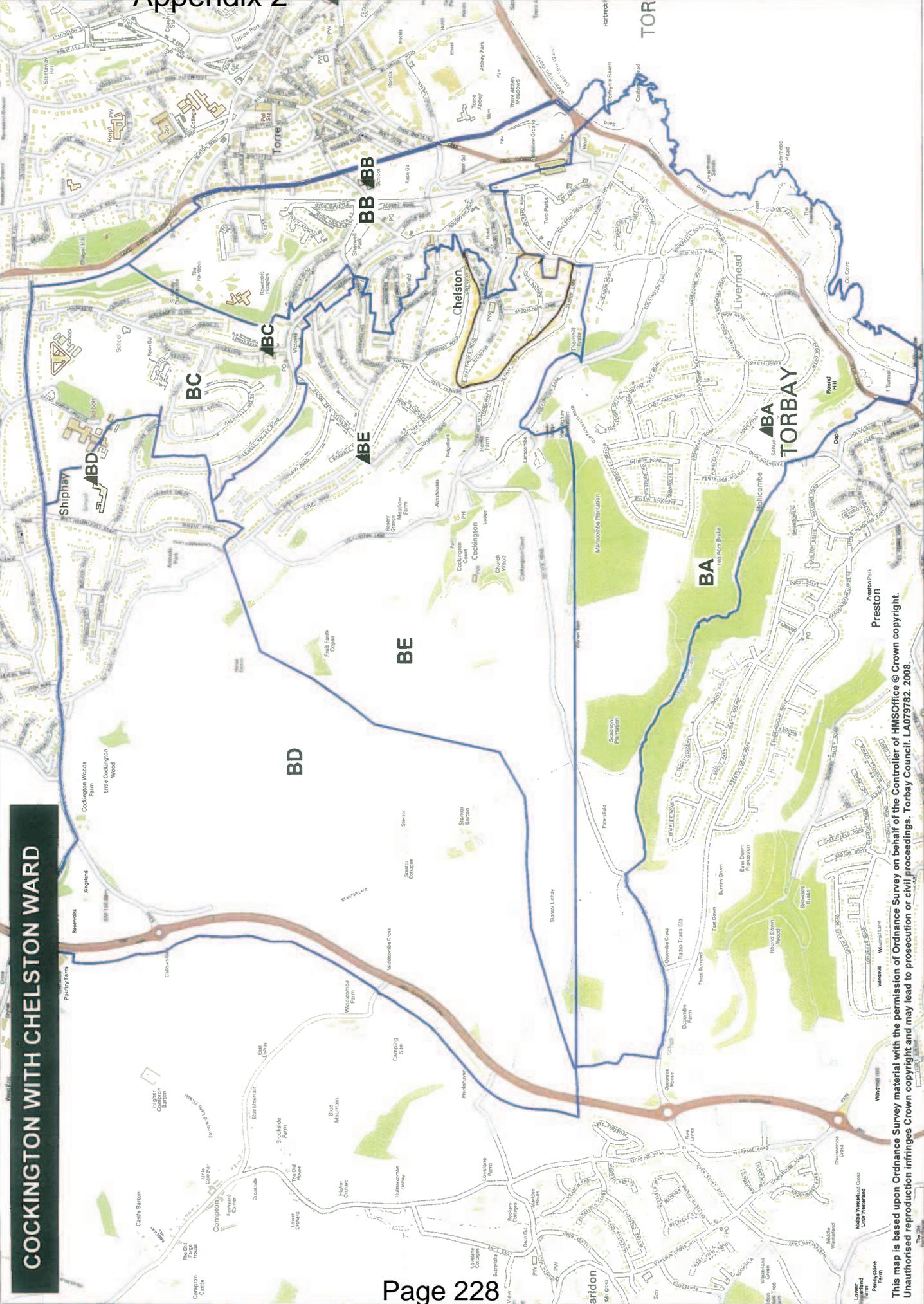
T
a
o

- Appendix 1 – Street Index with Statistics Torbay Constituency
- Appendix 2 – Ward Maps for Torbay Constituency
- Appendix 3 – Photos of St Matthews Church – Polling District BB
- Appendix 4 – Photos of The Old Monastery – Polling District CB
- Appendix 5 – Photos of Rear of Dunboyne Court – Polling District HC
- Appendix 6 – Photos of Time Out Coffee Shop – Polling District IA
- Appendix 7 – Photos of Riviera Life Church – Polling Districts MC and MD
- Appendix 8 – Photos of The Paignton Club – Polling Districts RB and RC

Caroline Taylor, Acting Returning Officer

Agenda Item 18 Appendix 2

proposed boundary change highlighted orange



COCKINGTON WITH CHELSTON WARD

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. LA079782. 2008.

Electoral Registration and Administration Act 2013

Review of Parliamentary Polling Districts and Polling Places 2014

Report of the Acting Returning Officer for Torbay concerning existing polling arrangements in the Totnes Constituency

*= double polling station

Polling District	Polling Place	Station	Comments	Proposals
AA	Blatchcombe	Sanctuary Housing Office (Foxhole Parade), 103 Foxhole Road, Paignton, TQ3 3SU	Is a very small station and outside the polling district. Have previously sited a mobile station at the junction of Smallcombe and Foxhole Road.	To create a new polling station at St Boniface Church Hall, Belfield Road, Paignton, TQ3 3UY making this a double polling station for Polling Districts AA and AB. This polling station is on the boundary of the two Polling Districts and better serves the votes in these two areas.
AB	Blatchcombe	St Boniface Church Hall, Belfield Road, Paignton, TQ3 3UY	Satisfactory	There is parking on site and on street outside the polling station, disabled access and it is fairly close to the local bus route. See comments in AA above.
AC	Blatchcombe	Great Parks, Community Centre, Queen Elizabeth Drive, Paignton, TQ3 3YS*	Satisfactory	None
AD, AD A	Blatchcombe	Paignton Community and Sports Academy, Waterleat Road Centre, Paignton, TQ3 3WA	Satisfactory	None
AE, AE A	Blatchcombe	Paignton Community and Sports Academy, Borough Road Centre, Paignton, TQ4 7DH	Satisfactory	None
AF	Blatchcombe	Great Parks, Community Centre, Queen Elizabeth Drive, Paignton, TQ3 3YS*	Satisfactory	None

Polling District	Polling Place	Station	Comments	Proposals
GA	Churston with Galmpton	St Georges Hall, Barn Road, Paignton, TQ4 6NG*	Satisfactory	None
GB	Churston with Galmpton	Hookhills Community Centre, Freshwater Drive, Paignton, TQ4 7SB	Satisfactory	None
GC	Churston with Galmpton	Mobile station at Davies Avenue, Davies Avenue, Paignton, TQ4 7AW	Previously used Whiterock Primary School but changed to a mobile to prevent closing the school. This is a small polling station approx 781 electors.	None
GD	Churston with Galmpton	Galmpton Village Hall, Greenway Road, Galmpton, Brixham, TQ5 0LT	Satisfactory	None
GE	Churston with Galmpton	Churston Branch Library Office, Broadlands Road, Paignton, TQ4 6LL	Satisfactory	None
PA	Berry Head with Furzeham	Brixham Rugby Club, Astley Park, Rea Barn Road, Brixham, TQ5 9ED*	Previously used Brixham Community College, Higher Ranscombe Road, Brixham, TQ5 9HF but received complaints regarding security and access to the polling station at the Police and Crime Commissioner Elections held on 12 November 2012. Brixham Rugby Club at European Election on 22 May 2014 using a single room on the ground floor one side of the bar. This was suitable for a small election for the double polling station but the two rooms either side of the bar would be needed for larger elections.	To create a new double polling station for Polling Districts JA and JB at Brixham Rugby Club, Astley Park, Rea Barn Road, Brixham, TQ5 9ED There is good parking on site, disabled access and it is close to local bus routes.
JB	Berry Head with Furzeham	Brixham Rugby Club, Astley Park, Rea Barn Road, Brixham, TQ5 9ED*	Previously used Brixham Community College, Higher	To create a new double polling station for Polling

Polling District	Polling Place	Station	Comments	Proposals
			Ranscombe Road, Brixham, TQ5 9HF but received complaints regarding security and access to the polling station at the Police and Crime Commissioner Elections held on 12 November 2012. Brixham Rugby Club at European Election on 22 May 2014 using a single room on the ground floor one side of the bar. This was suitable for a small election for the double polling station but the two rooms either side of the bar would be needed for larger elections.	Districts JA and JB at Brixham Rugby Club, Astley Park, Rea Barn Road, Brixham, TQ5 9ED There is good parking on site, disabled access and it is close to local bus routes.
	Berry Head with Furzeham	Scala Hall (Market Street entrance), Brixham Town Hall, Market Street, Brixham, TQ5 8EU*	Satisfactory	None
	Berry Head with Furzeham	Scala Hall (Market Street entrance), Brixham Town Hall, Market Street, Brixham, TQ5 8EU*	Satisfactory	None
	Berry Head with Furzeham	Brixham Bowling Club Pavilion, Nelson Road, Furzeham, Brixham, TQ5 8BH	Satisfactory	None
	Berry Head with Furzeham	Brixham Cricket Club Pavilion, North Boundary Road, Brixham, TQ5 8RH	Satisfactory	None
	St Marys with Summercombe	Higher Brixham Community Centre, 1-3 Poplar Close, Brixham, TQ5 0SA	Satisfactory	None
	St Marys with Summercombe	Central Garage Showroom, Milton Street, Brixham, TQ5 0BY	Satisfactory	None
	St Marys with Summercombe	Brixham Sea Anglers Club Association, Castor Road, Brixham, TQ5 9PY	This is a small site and not suitable for larger elections.	To create a new polling station in the Lecture Room, Brixham Hospital, Greenswood Road, Brixham, TQ5 9XW.

Polling District	Polling Place	Station	Comments	Proposals
SD	St Marys with Summercombe	St Marys Hall, (next to St Marys Church), St Marys Square, Drew Street, Brixham, TQ5 9JY	<p>Previously used Eden Park Junior School but moved to St Mary's Church Hall for Police and Crime Commissioner Election on 12 November 2012.</p> <p>Feedback from the European Election held on 22 May 2014 was that the slop up to the building is too steep and parking was difficult in the area and that an alternative venue should be found.</p>	<p>This is a landmark local building with good disabled access. There is limited parking on site but on street parking is available on nearby roads and it is close to the local bus route.</p> <p>To create a new polling station at St Mary's Park Bowling Club, St Marys Park, Upton Manor Road, Brixham, TQ5 9RD and move the boundary of Polling District SD to include Pensilva Park (11 properties), Stoneacre Close (21 properties), Vicarage Road (11 properties) (from SC).</p> <p>This venue has good disabled access, parking and it close to the local bus route.</p>

Appendices – available at <http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponses/totnes.htm>

- Appendix 1 – Street Index with Statistics Torbay Constituency
- Appendix 2 – Ward Maps for Torbay Constituency
- Appendix 3 – Photos of St Boniface Church Hall – Polling Districts AA and AB
- Appendix 4 – Photos of Brixham Rugby Club – Polling Districts JA and JB
- Appendix 5 – Photos of Brixham Hospital – Polling District SC
- Appendix 6 – Photos of St Mary’s Hall and St Mary’s Park Bowling Club – Polling District SD

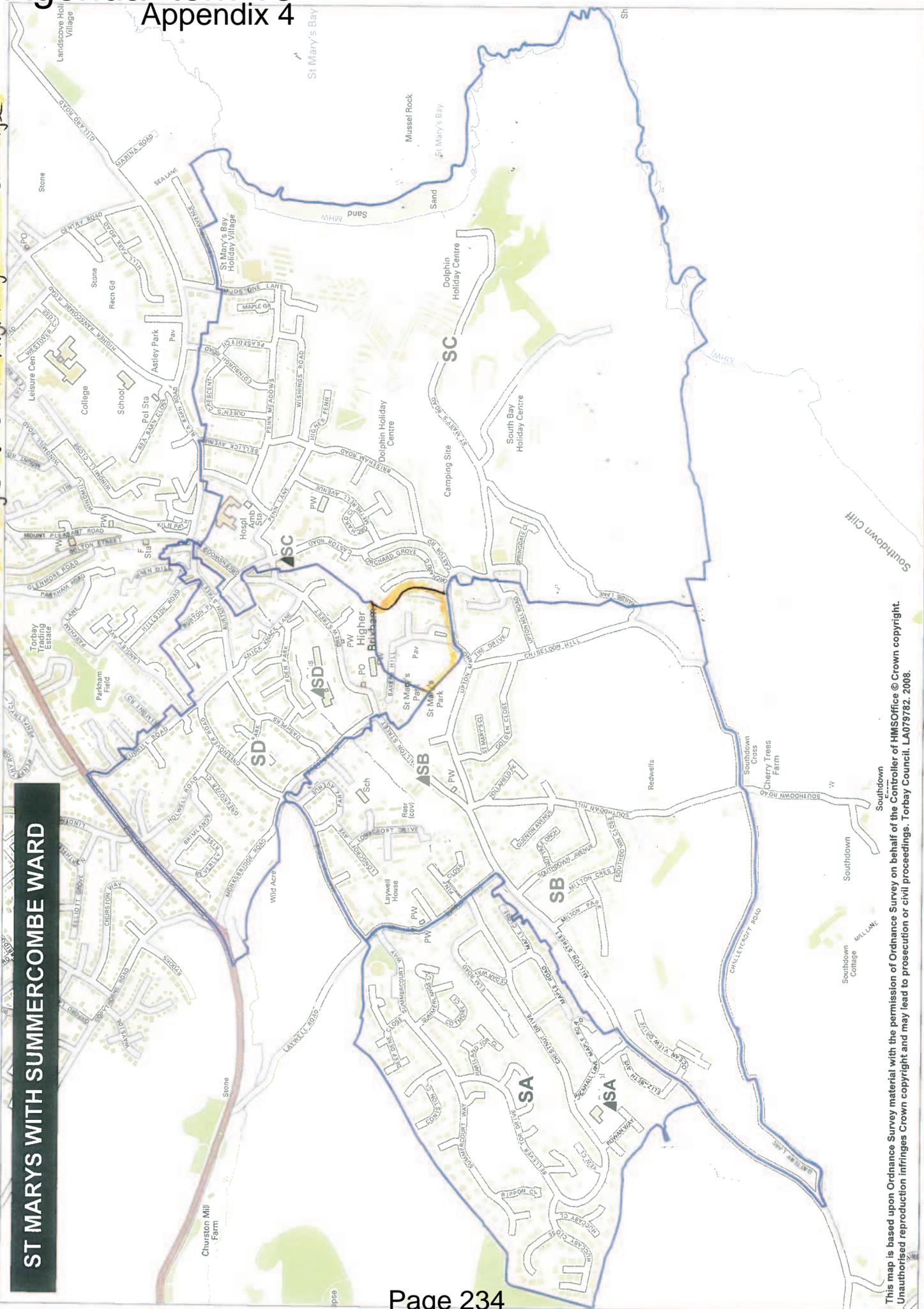
Caroline Taylor, Acting Returning Officer

Agenda Item 18

Appendix 4

Proposed boundary change shown highlighted orange

ST MARYS WITH SUMMERCOMBE WARD



Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Review of Polling Districts, Polling Places and Polling Stations 2014
Name (Key Officer/Author):	Teresa Buckley Commercial Services
Position:	Governance Team Leader (01803) 207013
Date:	25 September 2014 teresa.buckley@torbay.gov.uk

Since the Equality Act 2010 came into force the council has continued to be committed to ensuring we provide services that meet the diverse needs of our community as well as ensure we are an organisation that is sensitive to the needs of individuals within our workforce. This Equality Impact Assessment (EIA) has been developed as a tool to enable business units to fully consider the impact of proposed decisions on the community.

This EIA will evidence that you have fully considered the impact of your proposal / strategy and carried out appropriate consultation with key stakeholders. The EIA will allow Councillors and Senior Officers to make informed decisions as part of the council's decision-making process.

Relevance Test – ‘A Proportionate Approach’

Not all of the proposals or strategies we put forward will be ‘relevant’ in terms of the actual or potential impact on the community in relation to equality and vulnerable groups. For instance, a report on changing a supplier of copier paper may not require an EIA to be completed whereas a report outlining a proposal for a new community swimming pool or a report proposing a closure of a service would.

Therefore before completing the EIA please answer the following questions. If you answer ‘yes’ to any of the questions below you must complete a full EIA.

	Does this report relate to a key decision?	Y <input type="checkbox"/>	N <input type="checkbox"/>
1)	Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following:	<input type="checkbox"/>	<input type="checkbox"/>
2)	<ul style="list-style-type: none"> • The Community (including specific impacts upon the vulnerable or equality groups) • Our Partners • The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision) 	<input type="checkbox"/>	<input type="checkbox"/> N <input type="checkbox"/> N

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p><i>Outline exactly what the proposal is / whether there is any change including reasons for the change. List the key objectives of the proposal/strategy.</i></p> <p>Local Authorities are required by law to divide their area into polling districts, to designate polling places/polling stations for those districts and to keep the polling districts and polling places under review. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This must take place between 1 October 2013 and 31 January 2015. The last comprehensive review of polling districts and polling stations was carried out in 2007 with interim reviews carried out in 2010 and 2011. In order to complete the review in time to make the changes for the next published register on 1 December 2014 the review commenced on 16 June 2014.</p>
2.	Who is intended to benefit / who will be affected?	<p><i>Who are the key stakeholders / which individuals / specific groups may benefit from the proposal or who will be most affected?</i></p> <p>Electors within Torbay</p>
3.	What is the intended outcome?	<p><i>It is important to identify the specific outcomes that this proposal intends to deliver.</i></p> <p>To ensure that all polling stations are suitable for all types of elections in the future and comply with the requirements of the Electoral Registration and Administration Act 2013.</p>

Section 2: Equalities, consultation and engagement

Torbay Council has a moral obligation as well as a duty under the Equality Act 2010 to eliminate discrimination, promote good relations and advance equality of opportunity between people who share a protected characteristic and people who do not.

The **equalities, consultation and engagement** section ensures that, as a council, we take into account the Public Sector Equality Duty at an early stage and provide evidence to ensure that we fully consider the impact of our decisions / proposals on the Torbay community.

Evidence, consultation and engagement

No	Question	Details
4.	Have you considered the available evidence?	<p><i>Consider data and research already available locally and nationally. Your assessment should be under-pinned by up-to-date and reliable information about the different groups the proposal is likely to affect. For instance, population profile, satisfaction data, deprivation statistics and how this helps to build a picture around your proposal.</i></p> <p>Background research was undertaken in respect of future demographics and growth population in Torbay using local statistics produced by the Council and information from the Local Plan.</p>

No	Question	Details
5.	How have you consulted on the proposal?	<p><i>Have you carried out any consultation on your proposal and if so how? Focus groups / survey / events? Remember that it may be important to also consult on any alternative options. Also include who you have consulted with and if applicable which specific groups you have consulted with (i.e. groups who may be specifically affected by your proposal, specific equality or hard to reach groups).</i></p> <p>Public consultation was undertaken between 14 June and 29 August via the Council's website at http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview.htm with relevant statutory notices being placed outside Council buildings such as Torquay Town Hall. The following groups/people were consulted via email and invited to give their views:</p> <ul style="list-style-type: none"> • The Acting Returning Officer, Torbay Council • The Acting Returning Officer, South Hams District Council • All Torbay Councillors and the Mayor of Torbay • Brixham Town Councillors • Adrian Sanders MP • Sarah Wollaston MP • Torbay Conservative Association • Torbay Liberal Democrats • Torbay Labour Party • Torbay Green Party • Torbay UKIP • Age UK Torbay • Action on Hearing Loss (former RNID South West) • RNIB South West • Scope • Action for Blind People • South West Multiple Sclerosis Centre • Torbay Disability Information Service • Speaking Out in Torbay (SPOT) • Shopmobility

No	Question	Details
6.	Outline the key findings	<p><i>Include feedback on your proposal including where you have consulted on any alternative options. Also include response rates, number of attendees to events / focus groups, outline of specific interest groups consulted. Use bullet points to summarise the key conclusions.</i></p> <p>Responses to the consultation were published on the Council's website at http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponseforbay.htm and http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponseforbay.htm and are summarised below together with the proposed response:</p> <ul style="list-style-type: none"> • Report of the Acting Returning Officer for Torbay concerning the existing arrangements in the Totnes Constituency – supporting the issues raised in the consultation and proposed solutions; • Email from Liz Tucker, Electoral Administrator for South Hams District Council on behalf of the Acting Returning Officer for the Totnes Constituency suggesting that polling districts AD and ADA should be amalgamated into one polling district AD and polling districts AE and AEA should be amalgamated into one polling district AE. She has also requested that procedures are put in place for St George's Hall, Paignton to ensure that no cross-over of ballot papers should occur between the two Parliamentary constituencies. <p>Response these issues have been addressed in the recommendations.</p> <ul style="list-style-type: none"> • Councillor Ellery – requesting moving the St Marys Hall polling station to St Marys Park and moving the Sea Anglers Polling Station in Castor Road to the Brixham Hospital site. <p>Response these issues have been addressed in the recommendations.</p> <ul style="list-style-type: none"> • Report of the Acting Returning Officer for Torbay concerning the existing arrangements in the Torbay Constituency – supporting the issues raised in the consultation and proposed solutions; • Homelands Primary School – requesting that they no longer be used as a polling station due to disruption to the children.

No	Question	Details
		<p>Response this has been addressed in the recommendations.</p> <ul style="list-style-type: none"> • Councillor Kingscote – suggesting the willow tree pub becomes a double polling station for polling districts TA and TB. • Response the Council has not been able to secure the room adjacent to the Willow Tree pub for community use and therefore this is no longer a suitable venue for a polling station. • Councillors Kingscote and Hernandez – suggesting a double polling station for polling districts TA and TB and that the polling station for this polling district be Sainsburys supermarket at the Willows. <p>Response having visited Sainsburys supermarket the only suitable space would be to section off an area in the cafe and use the exit located in the centre of the store as an entrance and exit to the polling station. It was hoped that we could use the door to the side of the cafe as an entrance to the polling station, although this is not possible as it is a fire door and must be kept shut at all times. We also explored using the exit in the middle of the building but this was not suitable for use as an entrance. Otherwise electors would need to come in the main entrance and walk past all the tills and cafe to get to the area to be used as a polling station which is not suitable. Marks & Spencer and DFS were also approached but had no suitable space or were not willing to allocate space in their store for use as a polling station. Due to the new development at Beechfield Avenue and number of new electors in polling district TA it would not be appropriate to have a double polling station for TA and TB (approximately 1500 electors voted at the last General Election for these two polling districts). Also the new venues being explored for polling district TB would not be large enough to accommodate two polling stations. It is therefore proposed to put a mobile station in the car park near to DFS similar to the one used in the past outside Comet. This has been addressed in the recommendations.</p>
7.	<p>What amendments may be required as a result of the consultation?</p>	<p><i>Has feedback from the consultation and engagement process identified any changes required to the proposal? Have you had to alter your decision and look at alternative options?</i></p> <p>Please see responses above under each consultation response.</p>

Positive and negative equality impacts

No	Question	Details		
8.	Identify the potential positive and negative impacts on specific groups	<i>It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the 'neutral' column to explain why.</i>		
		Positive Impact	Negative Impact	Neutral Impact
	All groups in society generally	Yes, the review has resulted in the designation of polling districts and polling places/stations that meet the main principles in the requirements of the Electoral Registration and Administration Act 2013 in terms of accessibility and location		
	Older or younger people	Yes, the review has resulted in the designation of polling districts and polling places/stations that meet the main principles in the requirements of the Electoral Registration and Administration Act 2013 in terms of accessibility and location		
	People with caring responsibilities	Yes, the review has resulted in the designation of polling districts and polling places/stations that meet the main principles in the requirements of the Electoral Registration and Administration Act 2013 in terms of accessibility and location		
	People with a disability	Yes, the review has resulted in the designation of polling districts and polling places/stations that meet the main principles in the requirements		

No	Question	Details
	of the Electoral Registration and Administration Act 2013 in terms of accessibility and location	
Women or men		Yes – the proposals treat every elector as equal
People who are black or from a minority ethnic background (BME)	<i>(please note Gypsies / Roma are within this community)</i>	Yes – the proposals treat every elector as equal
Religion or belief (including lack of belief)		Yes – the proposals treat every elector as equal, although some of the venues are within churches or church buildings
People who are lesbian, gay or bisexual		Yes – the proposals treat every elector as equal
People who are transgendered		Yes – the proposals treat every elector as equal
People who are in a marriage or civil partnership		Yes – the proposals treat every elector as equal
Women who are pregnant / on maternity leave		Yes – the proposals treat every elector as equal
Socio-economic impacts (including impact on child poverty issues and deprivation)		Yes – the proposals treat every elector as equal
9. Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?	<p><i>The council is committed to ensuring that we meet the diverse needs of our community. As part of the Equality Act there is a general duty as well as our moral obligation where we are required to have 'due regard' to eliminating unlawful discrimination, advancing equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. Outline how your proposal meets the general duty.</i></p> <p>Polling stations are all assessed to ensure, where possible, they have suitable disabled access which also helps elderly and other electors within limited mobility to be able to vote in a dignified way.</p>	

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	Summarise any positive impacts and how they will be realised most effectively?	Outline any positive impacts that you have identified relating to equalities and how these impacts will be realised most effectively. What ways can the positive impacts be maximised? Use the action plan (after section 5) to outline actions, responsible officers and timescales. By ensuring that the polling stations are accessible with enable electors to vote in a dignified way.
11.	Summarise any negative impacts and how these will be managed?	Outline any negative impacts that you have identified relating to equalities and how these impacts will be managed / monitored so that they are reduced / eliminated or mitigated. What ways can the negative impact be minimised? Use the action plan (after section 5) to outline actions, responsible officers and timescales. N/A

Section 4: Recommended course of action

No	Action	Details
12.	State a recommended course of action	Clearly identify an option and justify reasons for this decision. The following four outcomes are possible from an assessment (and more than one may apply to a single proposal). Please select from the 4 outcomes below and justify reasons for your decision - If '3' please provide full justification : Outcome 1: No major change required - EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken. All steps have been taken when identifying new polling stations and reviewing existing polling stations to ensure that they meet the needs of all electors and are located within or close to the vicinity of the polling district they serve and are accessible.

Section 5: Monitoring and action plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	The full impact of decisions will only be known once it is introduced. Identify arrangements for reviewing the actual impact of proposals once they have been implemented. Please also use the action plan below. Monitor effectiveness of polling stations at elections on 7 May 2015.

Please use the action plan below to summarise all of the key actions, responsible officers and timescales as a result of this impact assessment

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Monitor feedback from polling staff and electors at elections on 7 May 2015	To monitor the effectiveness of the replacement and combined polling stations	Complaints form and feedback forms	Cath Hayden	29 May 2015



Meeting: Council

Date: 30 October 2014

Wards Affected: All wards in Torbay

Report Title: Review of Political Balance

Is the decision a key decision? No

When does the decision need to be implemented? Immediately

Executive Lead Contact Details: Councillor Beryl McPhail, Executive Lead for Business Planning and Governance, email beryl.mcphail@torbay.gov.uk

Supporting Officer Contact Details: Teresa Buckley, Governance Team Leader, telephone 01803 207013 number and email teresa.buckley@torbay.gov.uk

1. Purpose and Introduction

- 1.1 To ensure that the places on committees are allocated in accordance with the relevant statutory requirements.

2. Proposed Decision

- 2.1 **That the overall political balance of the committees, as set out in Appendix 1 to this report, be approved.**

3. Reason for Decision

- 3.1 Following notification from Councillor Andrew Baldrey that he wishes to be a Member of the Non-Coalition Group, the political balance for the Council needs amending.
-

Supporting Information

4. Position

- 4.1 Following notification from Councillor Andrew Baldrey that with effect from 9 October 2014, he now wishes to be a Member of the Non-Coalition Group this has resulted in changes to the political make-up of the Council. There are now 21 members of the Conservative Group (including the elected Mayor), 8 members of the Liberal Democrat Group, 7 members of the Non-Coalition Group and 1 Labour member. The political balance is now:

Conservative Group	21 seats	= 56.8%
Liberal Democrat Group	8 seats	= 21.6%
Non-Coalition Group	7 seats	= 18.9%
Labour	1 seat	= 2.7%

- 4.2 The change in the political make-up of the Council has resulted in two seats on committees being transferred from the Liberal Democrat Group to the Non-Coalition Group. Proportional distribution of seats on committees is set out in Appendix 1.
- 4.3 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group as a whole, unless alternative arrangements are notified to all members and agreed without any councillor voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:
- (a) that not all seats on the body are allocated to the same group;
 - (b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of Members of that group to the membership of the authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that group to the membership of the authority.
- 4.4 The Executive is excluded from the requirements of political balance.
- 4.5 The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups and the independent members. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the distribution of seats (attached in the table set out in Appendix 1) would be proportional (co-opted members are not included in the calculation for proportionality purposes).
- 4.6 Members are asked to note that any decision to waive the requirements of political balance will require a resolution of the Council with no member voting against.

5. Possibilities and Options

- 5.1 The allocation of seats on committees must be proportional to the political composition of the Council unless the Council resolves otherwise with no member voting against.

6. Fair Decision Making

6.1 The appointments have regard to equal opportunities.

7. Public Services (Social Value) Act 2012

7.1 The Public Services (Social Value) Act 2012 is not applicable as no procurement is being undertaken.

8. Risks

8.1 There is a statutory requirement to undertake a review of political balance following a change in the political composition of the Council. This review has been completed. Therefore there are no risks unless members fail to determine the matter.

Appendices

Appendix 1 Appointments to Committees

Additional Information

None

Political Balance of Committees

Committee	Conservative Group	Liberal Democrat Group	Non-Coalition Group	Labour Member	Total
Overview and Scrutiny Board	5	2	2		9
Audit Committee	4	1	1		6
Development Management Committee	5	2	2		9
Licensing Committee	8	3(-1)	3(+1)	1	15
Harbour Committee	5	2	2		9
Employment Committee	3	1		1	5
School Transport Appeals Committee	4	1(-1)	2(+1)		7
Civic Committee	4	2	1		7
Standards Committee	4	2	1		7
	42	16	14	2	74

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

This report is presented to the meeting of Council on 30 October 2014 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 to Part 3) of the Constitution of Torbay Council.

1. The names, addresses and wards of the people appointed to the Executive by the Mayor are set out below:

Name	Address	Electoral Ward
Deputy Mayor and Executive Lead for Tourism - Councillor Derek Mills	5 Bascombe Close Churston Brixham TQ5 0JR	Churston with Galmpton
Executive Lead for Strategic Planning, Housing, Energy and Environmental Policy - Councillor David Thomas	54 Lower Fowden Broadsands Paignton TQ4 6HS	Blatchcombe
Executive Lead for Harbours, Culture and the Arts - Councillor Nicole Amil	Flat 6 22 Polsham Park Paignton TQ3 2AD	Cockington with Chelston
Executive Lead for Safer Communities, Highways, Environment and Sport - Councillor Robert Excell	Excell Studio 203 Union Street Torre Torquay TQ1 4BY	Tormohun
Executive Lead for Health and Wellbeing - Councillor Chris Lewis	7 Lutyens Drive Paignton TQ3 3LA	Preston
Executive Lead for Business Planning and Governance - Councillor Beryl McPhail	5 Lydwell Road Wellswood Torquay TQ1 1SN	Wellswood
Executive Lead for Children, Schools and Families - Councillor Ken Pritchard	62 Lower Fowden Elbury Cove Paignton TQ4 6HS	Churston with Galmpton
Executive Lead for Adult Social Care and Older People - Councillor Christine Scouler	4 Merryland Close Preston Paignton TQ3 1HT	Preston

2. The Mayor is responsible for the discharge of all executive functions (except as specified in paragraph 3. below). Executive Leads will have an advisory role in relation to the areas of responsibility set out below.

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Mayor Gordon Oliver</p> <p>(Executive Lead for Employment and Regeneration, Finance and Audit)</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 250</p>	<ul style="list-style-type: none"> • Built Environment • Employment and Skills • Business support • Regeneration • Business Relocation, Creation and Growth (inc. social enterprise/apprenticeships) • Inward Investment • Property (assets) • Estates • (Torbay Economic Development Company) • (Local Enterprise Partnership) • (Events Forum) • Financial (including Capital and Revenue Budget and Budget Monitoring) • Corporate debt and creditor payments • Revenue and Benefits • Business Rates <p><i>(Devon Audit Partnership)</i> <i>(Local Enterprise Partnership)</i></p>	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Job-led regeneration focusing on specific sectors. ■ Create the right environment for inward investment. ■ Continue to progress with the South Devon Link Road. ■ Adhere to sympathetic regeneration. ■ Encourage public and private sectors to develop employment of apprentices. ■ Continued to provide value for money for our communities by: <ul style="list-style-type: none"> ○ Reducing costs/increasing income/improving productivity so increases in council tax are kept low. 	<p>Director of Place</p> <p>Chief Operating Officer Economic Development Company</p> <p>Executive Head Finance</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
Deputy Mayor and Executive Lead for Tourism Councillor Derek Mills	<ul style="list-style-type: none"> • Leisure, beaches, parks and open spaces • Special events • Public toilets <p><i>(English Riviera Tourism Company)</i></p>	<p>Happiness:</p> <ul style="list-style-type: none"> ■ Work towards creating a sustainable and flourishing leisure, culture and tourism sector that is open to residents and visitors. 	Director of Place Executive Head Residents and Visitor Services
Executive Lead for Strategic Planning, Housing, Energy and Environmental Policy Councillor David Thomas	<ul style="list-style-type: none"> • Spatial Planning • Housing Standards • Housing Options • Affordable housing • Facilities management • Energy • Waste disposal (Tor2) • Corporate Lead for monitoring the Tor2 contract for improved recycling, waste and clean streets) <p><i>(Waste Disposal (TOR2))</i></p>	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Support the creation of Town Centres Business Improvement Districts. ■ Revitalise the retail offer in the town centres. ■ Plan for the supply and demand of energy for the Bay. ■ Monitor the TOR2 contract for improved recycling, waste and clean streets. <p>Health:</p> <ul style="list-style-type: none"> ■ Reduce local greenhouse gas emissions. <p>Happiness:</p> <ul style="list-style-type: none"> ■ Ensure an appropriate supply of quality housing within communities. 	Director of Place Executive Head Residents and Visitor Services

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Harbours, Culture and the Arts</p> <p>Councillor Nicole Amil</p>	<ul style="list-style-type: none"> • Culture, museums, archives, theatres, libraries, arts • Libraries supporting education and health • Theatre contracts and arts development grants • Museum grants • Music for schools • Tor Bay Harbour Authority 	<p>Happiness:</p> <ul style="list-style-type: none"> ■ Work towards creating a sustainable and flourishing leisure, culture and tourism sector that is open to residents and visitors. 	<p>Executive Head Residents and Visitor Services</p> <p>Executive Head Tor Bay Harbour Authority</p>
<p>Executive Lead for Safer Communities, Highways, Environment and Sport</p> <p>Councillor Robert Excell</p>	<ul style="list-style-type: none"> • Safer Communities • Food Safety and Standards • Safety and Licensing • Trading Standards • Community Protection • Domestic Abuse Services • Partnerships • Localism • Closing the Gap • Cemeteries and Crematoria • Communication • Consultation • Community Development including Community Partnerships • Voluntary Sector Development • Champion for Volunteers • Emergency Planning • Corporate Health and Safety • Corporate Security - CCTV • Parking 	<p>Health:</p> <ul style="list-style-type: none"> ■ Promote sport and outdoor activity to improve health and wellbeing. ■ Continue to work on the Closing the Gap Strategy and roll out to other areas by involving communities. ■ Reduce the negative impact of alcohol, obesity, tobacco and drugs on our communities. ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities (joint with Councillors Lewis and Scouler). <p>Happiness:</p> <ul style="list-style-type: none"> ■ Work towards keeping crime low by: <ul style="list-style-type: none"> ○ Maintaining focus on the night-time economy; and ○ Working with the Police and Crime Commissioner for 	<p>Director of Public Health</p> <p>Executive Head Community Safety</p> <p>Executive Head Residents and Visitor Services</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
	<ul style="list-style-type: none"> • Sport • Flooding and Drainage • Street Lighting • Strategic Transport • Highways management • Tree Services <p><i>(Torbay Coast and Countryside Trust)</i> <i>(Environment Agency)</i> <i>(Community Safety Partnership)</i> <i>(Riviera International Conference Centre)</i></p>	<p>resources to ensure crime levels remain low and people feel safe.</p> <ul style="list-style-type: none"> ■ Jointly engage and involve communities to resolve local issues in neighbourhoods. ■ Engage with communities in rolling out locality workings and community budgets as part of localism. <p>Prosperity:</p> <ul style="list-style-type: none"> ■ Lobby to improve rail services. ■ Make it easier to get around the Bay by developing integrated transport where feasible. 	<p>Director of Place</p> <p>Executive Head Residents and Visitor Services</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Health and Wellbeing</p> <p>Councillor Chris Lewis</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 254</p>	<ul style="list-style-type: none"> • Public Health <ul style="list-style-type: none"> Health Improvement Health Protection and Infection Control NHS Healthcare (incl GP and Hospitals) Services & Support • Troubled Families (with Councillor Pritchard) • Corporate Health and Safety • Community Health • Corporate Lead for reducing Teenage Pregnancy <p><i>(Health and Wellbeing Board)</i></p>	<p>Health:</p> <ul style="list-style-type: none"> ■ Reduce the negative impact of alcohol, obesity, tobacco and drugs on our communities. ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities. ■ Reduce teenage pregnancy 	<p>Director of Public Health</p> <p>Executive Head Community Safety</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Business Planning and Governance</p> <p>Councillor Beryl McPhail</p>	<ul style="list-style-type: none"> • Performance • Human Resources and Organisational Development (including Payroll) • Business Change and Programme Support • Risk Management • Information Services • Commercial Services • Governance • Local Democracy • Civic engagement 	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Continued to provide value for money for our communities by: <ul style="list-style-type: none"> ○ Reviewing the structures of the Council so they are still fit for purpose. <p>Happiness:</p> <ul style="list-style-type: none"> ■ Promote democracy, transparency and civic engagement, and when able to, re-look at the Mayoral System of Governance 	<p>Director of Adult Services</p> <p>Director of Place</p> <p>Executive Head Information Services</p> <p>Executive Head Commercial Services</p>
<p>Executive Lead for Children, Schools and Families</p> <p>Councillor Ken Pritchard</p>	<ul style="list-style-type: none"> • Safeguarding and wellbeing • Early Intervention • Children in Need • School Improvement • School Leadership • Youth Offending Team • Youth, Children’s and Family Centres • Early Years Services • Family Solutions • Integrated Youth Service • Troubled Families (with Councillor Lewis) • Children’s Commissioning <p><i>(Health and Wellbeing Board)</i> <i>(Torbay Town Centre Development Forum)</i></p>	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Raise skills levels by working with schools and South Devon College to meet the standards set by the Department for Education for attainment and attendance. ■ Tackling child poverty <p>Health:</p> <ul style="list-style-type: none"> ■ Continue to improve Children safeguarding (joint with Councillor Scouler on Adults safeguarding). ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities (joint with Councillors Excell and Scouler). 	<p>Director of Children’s Services</p> <p>Director of Public Health</p> <p>Executive Head Safeguarding and Wellbeing</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Adult Social Care and Older People</p> <p>Councillor Christine Scouler</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 256</p>	<ul style="list-style-type: none"> • Adult Services <ul style="list-style-type: none"> Learning Disabilities Care Homes Domiciliary and Day Care Community Equipment Telecare and Telehealth • Commissioning Older People • Supporting People <ul style="list-style-type: none"> Commissioning Performance Management Community Engagement <p><i>(Torbay and Southern Devon Health and Care NHS Trust)</i> <i>(Health and Wellbeing Board)</i></p>	<p>Health:</p> <ul style="list-style-type: none"> ■ Continue to improve Adults safeguarding (joint with Councillor Lewis on Children safeguarding). ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities (joint with Councillors Lewis and Pritchard) 	<p>Director of Adult Services</p>

3.
 - (i) The Deputy Mayor will be responsible for the discharge of all executive functions relating to the regeneration of the Castle Circus area of Torquay as the Mayor owns properties in this area and has a personal and prejudicial interest;
 - (ii) the Deputy Mayor will be responsible for the discharge of executive functions if the Mayor:
 - (a) is absent (e.g. on holiday) for a period of time or in cases of urgency where the Chief Operating Officer is satisfied that the Mayor cannot be reasonably contacted;
 - (b) is incapacitated through illness; or
 - (c) has a person prejudicial interest in any matter requiring determination.
 - (iii) If the Mayor or the Deputy Mayor (Councillor Derek Mills) are unable to act on a matter requiring a decision then the Chief Operating Officer shall have the power to determine any matter requiring a decision.
4. No executive committees have been appointed at the present time.
5. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
6. The Mayor has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council's Standing Orders in relation to the Executive.
7. So far as the Constitution requires officers to consult with "the relevant member", the areas of responsibility of the Executive Leads are as set out paragraph 2 above.