



Policy Development and Decision Group (Joint Operations Team)

Monday, 6 February 2017 at 1.00 pm
to be held in Meadfoot Room, Town Hall, Castle Circus, Torquay, TQ1 3DR

Membership

Councillor Haddock

Councillor Amil
Councillor Excell
Councillor Haddock
Councillor King

Councillor Manning
Councillor Mills
Councillor Parrott
Mayor Oliver

Agenda

1. **Apologies**
To receive apologies for absence.
2. **Disclosure of Interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

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

**Teresa Buckley, Town Hall, Castle Circus, Torquay, TQ1 3DR
(01803) 207013**

Email: governance.support@torbay.gov.uk

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

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

3. **Minutes** (Pages 3 - 12)
To confirm as a correct record the Minutes of the meeting of the Policy Development and Decision Group held on 18 January 2017.
 4. **Urgent Items**
To consider any other items the Chairman decides are urgent.
- Mayoral Decisions**
5. **Proposed Disposal of Surplus Assets** (Pages 13 - 38)
To consider the submitted report on the proposed disposal of four assets which have been deemed surplus to operational requirements.
 6. **Extension of the Devon Audit Partnership April 2017 to March 2024** (Pages 39 - 46)
To consider the submitted report on the above.



Notes of the Policy Development and Decision Group (Joint Operations Team)

18 January 2017

-: Present :-

Councillor King (Vice-Chairman)

Councillors Amil, Excell, King, Mills and Parrott

(Also in attendance: Councillors Brooks, Darling (S), Doggett, Ellery, Lewis and Morey)

21. Apologies

Apologies for absence were received from the Chairman (Councillor Haddock) and Councillor Manning.

Vice-Chair in the Chair.

22. Minutes

The Minutes of the meeting of the Policy Development and Decision Group (Joint Operations Team) held on 23 November 2016 were confirmed as a correct record and signed by the Chairman.

23. Communications

The Mayor confirmed that he had withdrawn his original decision in respect of consultation on Bylaws, homeless people and begging in light of the successful £400,000 grant from the Government to support rough sleepers over the next two years which had enabled him to rethink the direction of travel on this matter.

The Mayor thanked the churches, voluntary groups and volunteers for all the work they were doing to help homeless people in Torbay but agreed that there needed to be a co-ordinated and joined up approach working in partnership with all groups concerned to achieve the best outcomes. He announced that he would be taking a further decision on this issue next week.

24. Notice of Motion - King George V Memorial Playing Fields - Fields in Trust

At the Council Meeting on 27 October 2016 the Mayor referred a motion regarding King George V Playing Fields being registered with Fields in Trust to the Policy Development and Decision Group (Joint Operations) for consideration with public consultation (to include Torbay Sports Council and Torquay Golf Club). Members heard oral representations from Tim Aggett from Torquay Golf Club (in support of protecting the fields for use for sport) and Robert Loxton from SPORT TORBAY

(formerly known as Torbay Sports Council), Tracey Dawson and David Ward (members of the public) against the proposal to take no action at this time to register the fields as a Field in Trust.

The Policy Development and Decision Group (Joint Operations Team) made the following (unanimous) recommendation to the Mayor:

That the Council should not, at this time, pursue a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields from development as it would be contrary to existing Council policy (namely the Corporate Asset Management Plan) by restricting and/or reducing the current or future value of the asset.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

25. Transformation Project - Trading Standards Shared Service

The Policy Development and Decision Group (Joint Operations Team) made the following (unanimous) recommendation to the Mayor:

- (i) that the Trading Standards Service be transferred to Devon County Council from the 1 April 2017 (or as soon as practicable afterwards) with the Assistant Director (Community and Customer Services) being given delegated authority to give effect to the transfer; and
- (ii) that the Chief Executive be recommended to appoint the Assistant Director (Community and Customer Services) and the Executive Lead for Environment as the Council's representatives on the Devon and Somerset Trading Standards Partnership Board in accordance with paragraph 1.21 of the Officer Scheme of Delegation.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

26. Transformation Project - Building Control Shared Service

The Policy Development and Decision Group (Joint Operations Team) made the following (unanimous) recommendation to the Mayor:

- (i) that Torbay Council's Building Control Service join and become part of the Devon Building Control Partnership with staff TUPE transferred to the host Authority, Teignbridge District Council from the 1 April 2017; and
- (ii) that the Assistant Director (Communities and Customer Services), in consultation with the Executive Lead for Planning, Transport and

Housing, be give delegated authority to finalise the arrangements of the transfer of the Building Control Service.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) set out above at the meeting and the record of his decision, together with further information is attached to these Minutes.

Record of Decision

Notice of Motion - King George V Memorial Playing Fields - Fields in Trust

Decision Taker

Mayor on 18 January 2017

Decision

That the Council should not, at this time, pursue a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields from development as it would be contrary to existing Council policy (namely the Corporate Asset Management Plan) by restricting and/or reducing the current or future value of the asset.

Reason for the Decision

Placing a Deed of Dedication on King George V Playing Fields, Watcombe with a Fields in Trust would be contrary to the Council's Policy Framework i.e. the Corporate Asset Management Plan 2015-2019 which states that the Council will not restrict or reduce the current or future value of its assets through the use of contractual restrictions, covenants or peppercorn rents.

Implementation

This decision will come into force and may be implemented on Tuesday, 31 January 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report provided background information in respect of a notice of motion submitted to the Council on 27 October 2016 asking the Mayor to instruct officers to investigate the logistics and process to undertake a Deed of Dedication with the Fields in Trust to protect the King George V Playing Fields in Watcombe. The Mayor had referred the motion to the Policy Development and Decision Group (Joint Operations Team) for consideration with public consultation (to include Torbay Sports Council and Torquay Golf Club).

The Notice of Motion set out that in 1936 land was purchased adjoining Easterfield Lane with funds from the Department of Health amounting to £19,000. At the time the King George V (KGV) Foundation was set up, the Council decided to set aside two of the purchased acres specifically as part of the Torquay National Memorial to his late Majesty King George V. It was the intention the land was to be adopted and that the two fields in question be allocated and dedicated for ever as playing fields for young children and organised games.

The land in question is not currently protected by the Fields in Trust charity and was therefore never properly "allocated and dedicated for ever as playing fields for young children and organised games".

On 25 February 2016 the Council approved the Corporate Asset Management Plan for 2015 ~ 2019 which set out a number of 'Asset Management Principles' that ensures the Council will manage its assets strategically, look to continuously maintain and improve assets, release value and minimise cost and provide accurate data for informed decision making.

The Corporate Asset Management Plan is explicit and states that due to the current financial challenges facing the Council that unless there is specific approval at Full Council to the contrary, the Council will not restrict or reduce the current or future value of its assets through the use of contractual restrictions, covenants or peppercorn rents.

Oral representations were heard from Tim Aggett from Torquay Golf Club (in support of protecting the fields for use for sport) and Robert Loxton from SPORT TORBAY (formerly known as Torbay Sports Council), Tracey Dawson and David Ward (members of the public) against the proposal to take no action at this time to register the fields as a Field in Trust.

The Mayor considered the oral representations made at the meeting and the recommendation of the Policy Development and Decision Group (Joint Operations Team) made on 18 January 2017 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)

None

Published

23 January 2017

Signed: _____
Mayor of Torbay

Date: 23 January 2017

Record of Decision

Transformation Project - Transfer of Trading Standards to Devon

Decision Taker

Mayor on 18 January 2017

Decision

- (i) that the Trading Standards Service be transferred to Devon County Council from the 1 April 2017 (or as soon as practicable afterwards) with the Assistant Director (Community and Customer Services) being given delegated authority to give effect to the transfer; and
- (ii) that the Chief Executive be recommended to appoint the Assistant Director (Community and Customer Services) and the Executive Lead for Environment as the Council's representatives on the Devon and Somerset Trading Standards Partnership Board in accordance with paragraph 1.21 of the Officer Scheme of Delegation.

Reason for the Decision

Transferring the Trading Standards Service to Devon County Council will give the Service resilience and consistency and will provide the residents of Torbay with better and future proofed services.

The current size of the Devon and Somerset Trading Standards Partnership allows innovation and prevention to form part of their work, so in time reducing the demands on the service. It should also raise additional income for the Council.

Implementation

This decision will come into force and may be implemented on Tuesday, 31 January 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report set out a proposal to transfer the current Torbay Council Trading Standards Service to Devon County Council to join the existing Devon and Somerset Trading Standards Partnership, run by Devon County Council. There was no resilience with the current team and therefore it was becoming increasingly difficult for the Service to meet Torbay Council's statutory obligations and a long term solution was required.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) made on 18 January 2017 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

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

Is this a Key Decision?

Yes – Reference Number: I027562

Does the call-in procedure apply?

Yes

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

None

Published

23 January 2017

Signed: _____
Mayor of Torbay

Date: 23 January 2017

Record of Decision

Transformation Project - Building Control Shared Service

Decision Taker

Mayor on 18 January 2017

Decision

- (i) that Torbay Council's Building Control Service join and become part of the Devon Building Control Partnership with staff TUPE transferred to the host Authority, Teignbridge District Council from the 1 April 2017; and
- (ii) that the Assistant Director (Communities and Customer Services), in consultation with the Executive Lead for Planning, Transport and Housing, be give delegated authority to finalise the arrangements of the transfer of the Building Control Service.

Reason for the Decision

The joining and transfer of the Building Control Service to the Devon Building Control Partnership, will provide the Council with a sustainable and resilient service for the residents of Torbay.

Implementation

This decision will come into force and may be implemented on Tuesday, 31 January 2017 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The submitted report set out a proposal for the Council's Building Control Service to join and form part of an existing shared Building Control Service known as the Devon Building Control Partnership with neighbouring local Authorities. The overarching aim of the proposal was to maintain effective and efficient Building Control Services meeting statutory requirements whilst satisfying customers' needs.

The Mayor considered the recommendations of the Policy Development and Decision Group (Joint Operations Team) made on 18 January 2017 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

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

Is this a Key Decision?

Yes – Reference Number: I027222

Does the call-in procedure apply?

Yes

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

None

Published

23 January 2017

Signed: _____
Mayor of Torbay

Date: 23 January 2017



Meeting: Policy Development and Decision Group (Joint Operations Team)

Date: 6 February 2017

Wards Affected: Berry Head with Furzeham, Preston and Tormohun

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: Kevin Mowat, Executive Head of Business Services, 01803 208428, kevin.mowat@torbay.gov.uk / 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 four surplus assets to achieve capital receipts and cost savings.

2. Proposed Decision

2.1. That the Mayor be recommended:

- (i) to consider any feedback received before the 6th Feb 2017, from the Local Access Forum, Ward Councillors and Council officers to the disposal of the four assets listed in Appendix 1;
- (ii) that, subject to any feedback identified in (i) above, to accept that the four assets listed in Appendix 1 should be declared as no longer required for service delivery and that the Assistant Director Corporate and Business Services be requested to where appropriate advertise their intended individual disposal in accordance with the Section 123(2A) of the Local Government Act 1972;
- (iii) that, subject to 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 be individually disposed on such terms as are acceptable to the Assistant Director Corporate and Business Services in consultation

with the Executive Head of Business Services and the Chief Executive of the Torbay Development Agency; and

- (iv) that, the Assistant Director Corporate and Business Services in consultation with the Executive Head of Business Services and 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. Council services supported by the Torbay Development Agency (TDA) continue to review the suitability and challenge the present use of assets. Working together the TDA and Council officers have 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 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 as set out in the Council's Corporate Plan and the Corporate Asset Management Plan. Consequently the recommended decision falls within the Council's Policy Framework.
- 3.4. The reduction of the number of assets held is seen as an important element to achieving a sustainable maintenance regime for future generations.
- 3.5. At this point it is neither possible nor desirable to publicly quantify the expected total receipt.
- 3.6. 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 the funding for the Capital Programme which will be met in part from asset disposals.
- 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. Three of the four sites are deemed to be open space (Land adj. No. 4, Berry Head Road, Land at Green Park Road and North Boundary Road Play Park). 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. The disposal of public open space is likely to require some form of mitigation, if so required, as indicated in Policy R5 'Protection of public open spaces and playing fields', as set out in the Local Plan. However, this requirement would be identified as part of the asset review process and planning policy would need to be followed in any event. As such any decision to dispose of public open space is within Council policy, so long as other associated policies are followed.
- 4.5. If deemed appropriate, architects will be instructed to obtain planning consent for the sites so that the final disposal value can be maximised.
- 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. If the assets are retained the ongoing maintenance burden and repair liability would most likely remain with the Council. Also, if the assets are retained then the anticipated capital receipt income will be lost and this will have a negative impact on the Council's capital budget/plan.
- 5.2. It would be possible to consider transferring some of these assets under the Council's Community Asset Transfer Policy but this option would not produce the anticipated capital receipt.

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 the Secretary for the Torbay Local Access Forum and comments received in respect of these proposals are attached to this report as Appendix 7.

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 backlog of urgent land and building maintenance, as well as providing much needed 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 EM2670 – Land adj. to no. 4 Berry Head Road
Appendix 4 EM2814a – North Boundary Road Play Park
Appendix 5 EM2653 – Land at Green Park Road
Appendix 6 EM2637 – Bay Tree House
Appendix 7 - Comments from Consultation

11. Additional Information

- 11.1. None

Appendix 1

Site	Asset Ref	Asset Name	Ward	Plan Ref	Approx Area	Description	Comments
1	B0061	Land adj. no.4 Berry Head Road	Berry Head with Furzeham	EM2670	868.24m ²	Open space	No longer required for service delivery
2	B0327	North Boundary Road Playpark	Berry Head with Furzeham	EM2814a	725.43m ²	Playpark/open space	Underused play facility
3	P0953AB	Land at Green Park Road	Preston	EM2653	971.27m ²	Open space	No longer required for service delivery
4	T3027	Bay Tree House, Croft Rd	Tormohun	EM2637	1,226.13m ²	Ex care home	No longer required for service delivery

Supporting Information and Impact Assessment

Service / Policy:	TDA
Executive Lead:	Mayor
Director / Assistant Director:	Steve Parrock

Version:	1	Date:	11.01.17	Author:	Susanne Lang
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Section 1: Background Information	
1.	<p>What is the proposal / issue?</p> <p>That four Council Real Estate Assets be declared no longer required for service delivery. The four assets are:</p> <ul style="list-style-type: none"> • Land adj. no4. Berry Head Road • North Boundary Road Play Park • Land at Green Park Road • Bay Tree House
2.	<p>What is the current situation?</p> <p><u>Land adj. no.4 Berry Head Road</u> This piece of amenity land is currently subject to ongoing maintenance liabilities for the Council. Natural Environment have highlighted this site as a 'high Value public Space similar to Shoalstone, breakwater and the south West Coast Path'. If sold it has the potential of generating income for the Council which contributes to Council's Capital Programme.</p> <p><u>North Boundary Road Play Park</u> The site (as a play area) is not well overlooked and has minimal play value and is currently subject to ongoing maintenance liabilities for the Council. If sold, this could provide a capital receipt for the Council.</p> <p><u>Land at Green Park Road</u> This site was highlighted as a possible asset disposal site by the SLTG. It is currently subject to ongoing ground maintenance liabilities. If sold it has the potential of providing a capital receipt for the Council.</p> <p><u>Bay Tree House</u> Bay Tree House has previously been leased to the Care Trust who has recently declared the property surplus to operational requirements and will be returning the property to the Council in January 2017. In order to maintain the integrity of the vacant building programme of planned maintenance would be required to prevent deterioration. Otherwise the asset will quickly become a maintenance liability. In addition to the repair and maintenance liabilities the</p>

	<p>Council will be liable for Business Rate until an alternative use is established or the property is disposed of.</p>
<p>3.</p>	<p>What options have been considered?</p> <p>The assets could be retained and the repair and maintenance of the sites carried out by the Council.</p> <p><u>Land adj. no.4 Berry Head Road</u> Maintain as open space</p> <p><u>North Boundary Road Play Park</u> Retain as a play park</p> <p><u>Land at Green Park Road</u> Maintain as open space</p> <p><u>Bay Tree House</u> Property has been advertised for lease on Right Move since September 2016 with minimal interest. If retained it would become a liability for the Council.</p>
<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>The effective use of assets is a key factor in delivering to the community of Torbay the objectives and priorities they have set for the Council.</p> <p>The Council's Corporate Asset Management Plan (CAMP) 2015-2019 sets out the strategies to achieve the most efficient use of assets.</p> <p>The principle aim of 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>
<p>5.</p>	<p>Who will be affected by this proposal and who do you need to consult with?</p> <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 benefitting the residents of Torbay.</p> <p>Consultation with Council service areas, Ward Cllr's and the Local Access Forum is underway and any comments that are received will be included in the final report as an additional appendix item.</p> <p>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</p>

	<p>Programme. Inevitably, there may be some objections to the disposal of one of more of the assets. Failure to consult adequately may lead to abortive disposal work should some of the disposals not proceed. The risk has been mitigated by consulting adequately and by advertising prior to any marketing taking place.</p>
6.	<p>How will you propose to consult?</p> <p>The above groups and organisations have been contacted and will be asked to comment on the proposal to dispose of the asset.</p>

Section 2: Implications and Impact Assessment	
7.	<p>What are the financial and legal implications?</p> <p>When an asset is considered to be available for sale, either with or without planning consent, an external agent (as deemed appropriate) will be instructed to sell the asset in accordance with the Council Standing Orders.</p> <p>The net proceeds of sale are then transferred to the Corporate Centre for distribution and prioritisation.</p>
8.	<p>What are the risks?</p> <p>Failure to consult adequately may lead to abortive disposal work should some of the disposals not proceed.</p>
9.	<p>Public Services Value (Social Value) Act 2012</p> <p>Not applicable</p>
10.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>Evidence would suggest that disposal of the sites and subsequent sale of the land/building would provide a capital receipt for the Council.</p>
11.	<p>What are key findings from the consultation you have carried out?</p> <p>Consultation is currently being undertaken and any feedback will be provided in an additional appendix in the final report.</p>

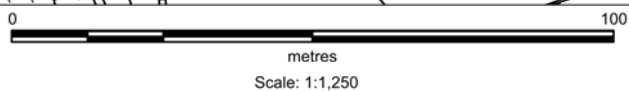
12.	Amendments to Proposal / Mitigating Actions In reaching a decision on the proposals, the Mayor will consider any comments or observations received and if appropriate amend the proposals.

Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact	
Older or younger people			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 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) <i>(Please note Gypsies / Roma are within this community)</i>			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			There is no differential impact	

lack of belief)			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 three Council Real Estate Assets that are being declared no longer required for service delivery will enable the capital receipts to be reinvested into the Councils existing programme, which will contribute to the Councils objectives and therefore benefitting the residents of Torbay.		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			The asset is being returned to the Council from the Care Trust due to the fact it is no longer required for service delivery. It is through this action that the Council have determined the disposal of Bay

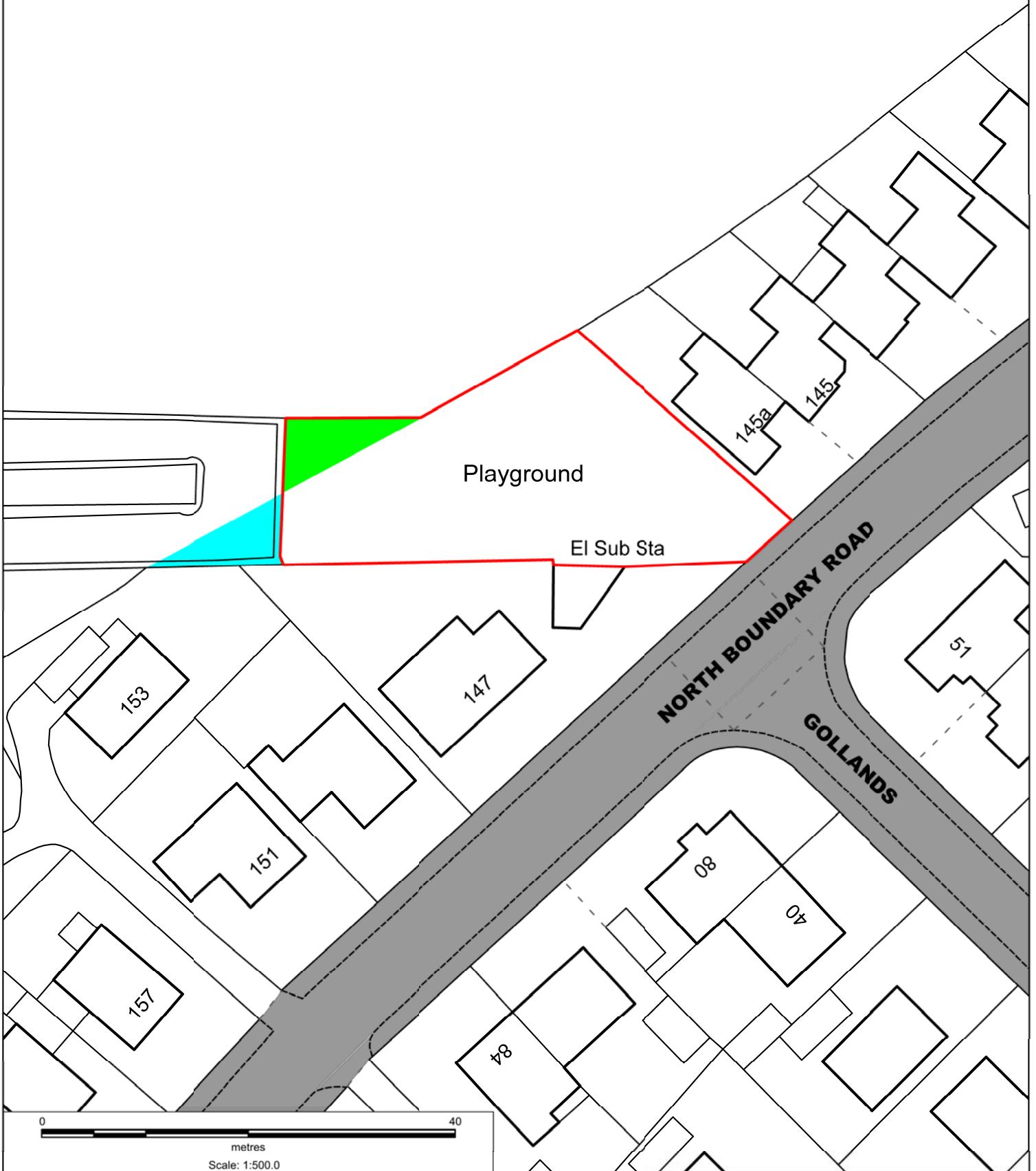
			Tree House will have no differential impact on Public Health.
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)		
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)		



EM Plan No: EM2670
Date: 18th January 2016
Title: Land adj No 4 Berry Head Road, Brixham.

Asset No: B0061
LR Title No: DN510943
Scale: 1:1250
Area: 868.24m²

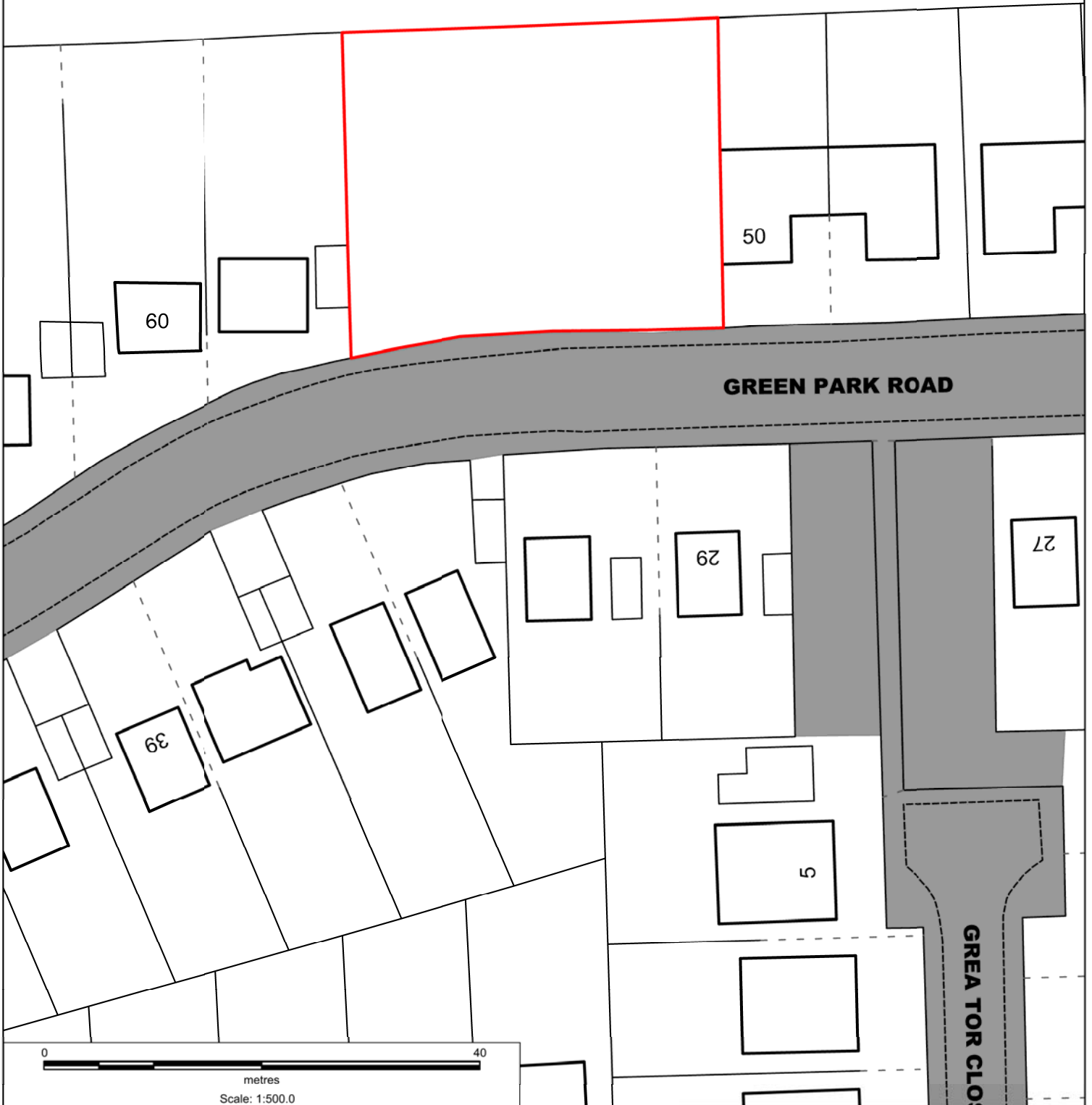




EM Plan No: EM2814a
Date: 2nd November 2016
Title: North Boundary Road Playground, Brixham.

Asset No: B0327
LR Title No: DN511016
Scale: 1:500
Area: 725.43m²



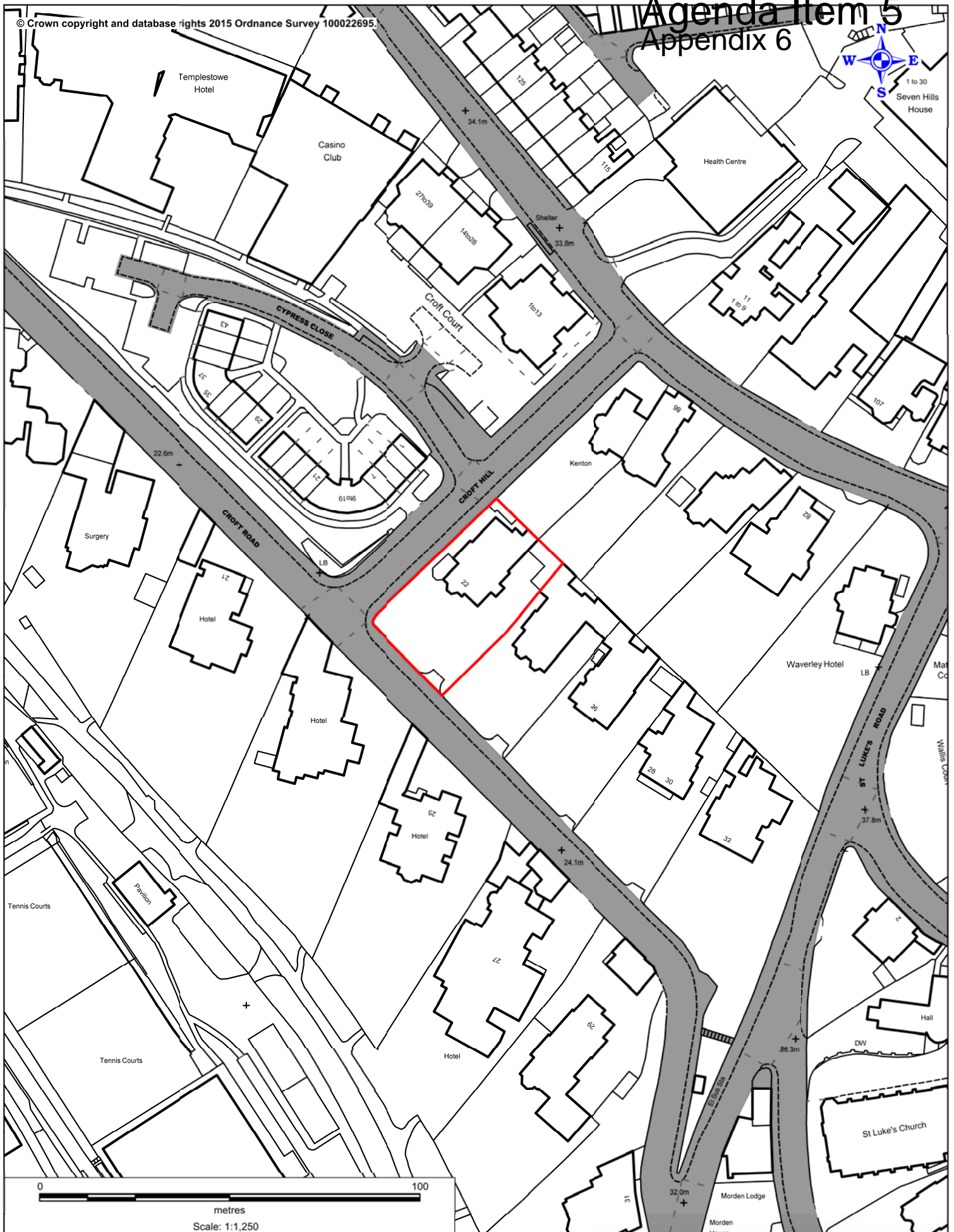


EM Plan No: EM2653
Date: 6th November 2015
Title: Land at Green Park Road, Paignton.

Asset No: P0953AB
LR Title No: DN521239
Scale: 1:1250
Area: 971.27m²



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EM Plan No: EM2637
Date: 16th September 2015
Title: Bay Tree House, Croft Road, Torquay.

Asset No: T3027
LR Title No: DN551577
Scale: 1:1250
Area: 1,226.13m²



Appendix 7

Proposed disposal of surplus assets

Results from consultation

Asset Ref	Asset name	Members	Service Areas	L.A.F	Other
EM2670	Land adj. to no. 4 Berry Head Road	<p>We are writing to request that you do not place Jubilee Gardens, land adjacent to 4 Berry Head Road on the Disposal of Assets Lists for the following reasons:-</p> <ol style="list-style-type: none"> 1) It is a Green Space much loved and used by both the local community and visitors alike. 2) It is used by Green Tourists walking the South West Coastal Path for rest and recreation. 3) It is a safe area being surrounded by ancient rock walls in a sheltered position. 4) It is an amazing vantage point for both residents and visitors, to appreciate the views and vistas. 5) It has been identified as a Local Green Space by the community to be included in the Brixham Peninsula Neighbourhood Plan. This Plan starts a six week public consultation period on the 28th January 2017 <p>In support of our above submission, we would like to draw your attention to the following.</p>	<p><u>Natural Environment</u></p> <p>We can confirm that the site is suitable for disposal and have not raised any objections to this. They are surplus to our requirements.</p> <p>I think the Jubilee Garden site would benefit from disposal, as it has little public value on the wider neighbourhood and very little use. The capital investment from the disposal through the planning system would benefit the surrounding more valuable open spaces such as Shoalstone Pool and associated picnic area.</p> <p>We are aware of covenants on the site but assume this can be negated? A high value public space similar to Shoalstone, breakwater and the South West Coast Path but the surrounding site could benefit from</p>	<p>Could you please advise if the first piece of land is that commonly known as Jubilee Gardens? If so, as it is part of the Coastal Path, surely there is a public footpath that needs to be protected.</p> <hr/> <p>I share the concern of Margaret Forbes Hamilton (above) re the public footpath status of the Jubilee Gardens, and note that there has been a well supported local campaign against any sell of Jubilee Gardens . If the coast path status is correct then presumably the South West Coast Path Association , and Natural England (who are planning to adopt the SW coast path as part of their England Coast path route), should be aware of any plans</p>	<p><u>Brixham Town Council</u></p> <p>We have been made aware through our ward councillors of two locations in Brixham that have been proposed for dispersal by Torbay Council at the PDDG on the 6th February 2017.</p> <p>Brixham Town Council makes the following objection and requests that Brixham Town Council are notified of ALL Brixham assets prior to being added to the dispersal list.</p> <p>That the Mayor does not place the proposed assets located at North Boundary Road play park and Land adj. No.4 Berry Head Road (Jubilee Gardens) on the Asset dispersal list for the following reasons:</p> <p><u>Jubilee Gardens (Land adj. No.4 Berry Head Road).</u></p> <p>These gardens have been designated in the emerging neighbourhood plan as a green space. The Brixham Peninsular Neighbourhood Forum</p>

		<p><u>Corporate Plan</u> Delivering for the Future - Ensuring Torbay remains an attractive and safe place to live, visit and work.</p> <p>Target Action 3 - Promoting Healthy Lifestyles across Torbay Paragraph 3. "We will improve accessibility to Leisure, sports, and GREEN SPACES and promote increased physical activity through the use of Council Assets and the Natural Environment."</p> <p>Our comment - We believe the current proposal is contrary to the above Target.</p> <p>Target Action 4 Safe Attractive Place to live and visit - Where we aim to be : Torbay Council will ensure there is focus on PROTECTING and RETAINING the Quality of our Natural and built Environment. Maintaining a safe and secure place for Torbay's residents, businesses and visitors, including the provision and maintenance of infrastructure (including Marine, Road, Rail, Walking and GREEN SPACES)</p> <p>Our Comment - We believe the current proposal is contrary to the above Target.</p> <p><u>Torbay Local Plan</u> The adopted plan for Torbay has stressed the importance of the Natural Environment for the Economy and for the Health and</p>	<p>investment in accordance with Policy R5.</p> <p>A number of arboricultural constraints arise, principally from the large, recently pollarded Holm Oak, however a number of other visually prominent trees are also present along the boundary to the road. The seaward side of the land is clear of other of tree constraints other than a small hedge. A professionally prepared BS5837:2012 methodology would be required to indicate tree quality and to support any development of the space prior to any commencement of sale or transfer.</p>	<p>for disposal . I attended a detailed briefing meeting by Natural England on the proposed England Coast Path and there was no mention of any issue relating to sale of land in the Brixham area that might affect the coast path route. Alan Robinson, Footpath officer, South Devon Ramblers.</p>	<p>(BPNF) have worked tirelessly for the past 7 years to protect our green spaces, highlighting the important link between health and green spaces.</p> <p>If Torbay Council proceed to sell our green spaces it will not only nullify the work and importance of the Neighbourhood plan but have a detrimental effect on the residents and visitors to Brixham.</p> <p>Jubilee Gardens is protected under the covenants listed below:</p> <ol style="list-style-type: none"> 1) All mineral rights under the foreshore are reserved to the Duchy of Cornwall 2) The land to be preserved as an open space. 3) No building to be erected on the land. 4) During the vendors occupation of her residence,("Wolborough"), the Council will maintain the land in good condition, and will not give right of access to the public. (This covenant released June 1984, vendor ceased occupation of "Wolborough".) <p>These sites are valued by the community of Brixham and should be retained for the benefits of the community. It is also disappointing</p>
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	<p>Wellbeing of its residents. 1.1.7 Crucially the Plan recognises the unique quality of the Bays environment both Natural and Built. 1.1.8 Indicates concerns over the risks of eroding the balance of the Environmental Capacity.</p> <p>We refer you to Policy SS8 Natural Environment and SS9 Green Infrastructure : this particularly comments on the pressure on the Berry Head area including the South Hams SAC and therefore any GREEN SPACES in close proximity will assist in removing some of this pressure.</p> <p>There are many more Policies and Statements relating to the Natural Environment contained within Torbay's Local Plan which we are happy to discuss with you if you wish. 3.1.5 Sustainable Communities and Places- where people want to be, include OPEN SPACES, PARKS, VIEWS etc.</p> <p>Our Comment - We believe that the current proposal is contrary to the adopted Local Plan.</p> <p><u>Brixham Urban Landscape Character Study June 2011</u> (a document included in the Local Plan) states:- Page 84 Objectives 6) Local People and Visitors should be made more aware of the Natural and</p>			<p>that Torbay Council did not see fit to include Brixham Town Council as part of the notification process. Brixham Town Council is an elected corporate body which is here to represent the residents of Brixham. Torbay Council should be notifying BTC of important aspects such as this if only out of common decency and recognition of its work and status.</p> <hr/> <p>As a member of Brixham Town Council & Pride in Brixham I try to work hard to make Brixham a better & pleasant place for people to live. I have done my best to support you in your ideas i.e. the Brixham railway link and to bring in & support events in the bay as a whole.</p> <p>May I ask you to please consider carefully the disposal of the two open spaces in Brixham? Negotiations between Torbay Council and Brixham Town Council have been ongoing for some time now in connection with the land at North Boundary Rd. The Town Council wanted to retain the land as open space allowing it to still be an access point to the old tracks and turn it into a Community Orchard by planting fruit trees etc.</p> <p>The land along Berry Head Rd is used</p>
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		<p>Cultural Heritage of the Area and encouraged to take pride in the local environment.</p> <p>7) Local Communities should be better connected to the Countryside to develop a stronger sense of place.</p> <p>8) Sufficient Recreation and sporting facilities should be provided for local people and visitors to maintain a healthy life style, whilst protecting other environmental resources.</p> <p>It is recognised the people of Brixham prides itself on its community spirit with a great sense of place and a huge pride and love of the Natural Environment that surrounds the Town. To support the aims above a grant application will shortly be made to the Heritage Lottery Fund in order to introduce a year round Heritage Trail which will have many aspects to it including the very unique Brixham Culture and guiding residents and visitors around our beautiful Coastal Walks.</p> <p>We would ask you not to undermine our Communities wish to designate this exceptional area of Natural Beauty and Tranquillity as Local Green Space and therefore to withdraw the Land Adjacent to 4 Berry Head Road as a Disposal of Asset.</p> <hr/> <p>I am responding to this as both a Ward Councillor of Brixham Town Council and Torbay Council and also as the Chair of the Brixham Peninsula Neighbourhood Forum.</p>			<p>all the time in the summer by families having a picnic or just sat reading / enjoying the view in what is the last small but open space in the centre of Brixham. I brought this up at a Pride in Brixham meeting on Wednesday & as a member of the group I can say that this small area would be looked after & improved with no cost of incumbents to Torbay Council.</p> <p>I hope you will see the long term benefits over the short term financial gain these areas would bring.</p>
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		I wish to advise you that the land next to 4 Berry Head Road appears to be the area locally known as Jubilee Gardens which has been designated as a Local Green Space in the Neighbourhood Plan and we believe fully meets the criteria. This would severely restrict what would be allowed on that piece of land. The Plan is out for consultation this month and when our referendum is held I cannot think of one person who will not agree that this area is unique and cannot be replaced.			
EM2814a	North Boundary Rd Play park	<p>I am responding to this as both a Ward Councillor of Brixham Town Council and Torbay Council and also as the Chair of the Brixham Peninsula Neighbourhood Forum.</p> <p>There seems to be some confusion regarding the North Boundary Road Play Park as Brixham Town Council I am sure will confirm we have been in negotiation of a transfer of asset and indeed we believed that agreement had been made.</p>	<p><u>Natural Environment</u></p> <p>We can confirm that the site is suitable for disposal and have not raised any objections to this. They are surplus to our requirements.</p> <p>I can confirm that the play area is not fit for purpose and the demographics age range indicators for the area shows that a play facility in the location is not of high value, or demand; this is why the play area has not received any investment on our priority list. (Council policy Play Risk Management Strategy).</p> <p>I cannot I am afraid say the same for the loss of the public open space (Green space), this is important as the area shows a low provision of open space, this</p>		<p><u>Brixham Town Council</u></p> <p>We have been made aware through our ward councillors of two locations in Brixham that have been proposed for dispersal by Torbay Council at the PDDG on the 6th February 2017.</p> <p>Brixham Town Council makes the following objection and requests that Brixham Town Council are notified of ALL Brixham assets prior to being added to the dispersal list.</p> <p>That the Mayor does not place the proposed assets located at North Boundary Road play park and Land adj. No.4 Berry Head Road (Jubilee Gardens) on the Asset dispersal list for the following reasons:</p> <p><u>1. North Boundary Road play park.</u> Brixham Town Council has been in email negotiations for a considerable time regarding the asset transfer of</p>

			<p>is where mitigation would have to be identified are part of the asset review. If this process is followed the below planning policy should in our view have little impact.</p> <p>R5 Protection of public open spaces and playing fields</p> <p>Changes of use or development involving the loss of public open space, playing fields and sports pitches will only be permitted if:-</p> <p>(1) an alternative provision in the vicinity of the public open space, playing fields or sports pitches is made available to serve the existing demand and, where possible, alternative provision should be available for use before the existing facility is removed from use;</p> <p>(2) it can be demonstrated that the existing provision is redundant and no longer required for school or community use and has no visual amenity, landscape importance or informal</p>		<p>North Boundary Road. During October 2016 we had reached the stage where Natural Environment Services had said they were happy to transfer at nil cost subject to agreement that all costs associated with the removal, clearance and making good of existing play facilities were met by BTC. This was subject to agreement by Torbay Council to a Community Asset Transfer. BTC were also advised that a deed of exchange was required between Torbay Council and Churston Barony to rectify a small boundary issue, BTC would be expected to cover the legal fees. BTC agreed to cover legal fees for all parties.</p> <p>Following these discussions we received notification on the 25th October 2016 that the area would not be offered through the CAT process. The Strategic Land Task Group met and decided the asset would not be offered to BTC through asset transfer. We were notified of this decision on the 28th November 2016.</p> <p>BTC made it clear from the outset that our plans were to retain the area as open space by removing the tired play equipment and making a community orchard.</p>
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			<p>amenity value; or</p> <p>(3) it is ancillary development which is necessary to enhance the existing sports and recreation facilities or meet other community needs.</p> <p>Explanation:</p> <p>8.42 An independent playing pitch study in 1995 (see paragraphs 8.14 and 8.15) highlighted a shortfall of sports pitches in Torbay. Such facilities therefore need to be safeguarded. Open spaces can also have importance for wildlife and contribute to visual amenity, an asset which is not easily replaced and likely to be a permanent loss (see also Policies NC3 and NC4 relating to nature conservation and Policy L6 which refers to urban green spaces). The long term impact of the loss of such space in a locality and whether it will be replaced will therefore be a material consideration in the determination of development proposals. It should be noted that PPG3 'Housing' (2000) defines playing fields as greenfield sites.</p>		
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			<p>8.43 School and college playing fields also form an integral part of Torbay's playing field provision and these sites are therefore also subject to this policy.</p>		
EM2653	Land at Green Park Road	Thank you from Cllr's for keeping them informed	<p><u>Natural Environment</u></p> <p>Would appear to make a good building plot although seems odd that it was not built in before? Ocombe Valley Woods could benefit from access improvements and or investment in accordance with Policy R5.</p> <p>TPO 1971.05 Windmill Lane, Paignton commences just East of the site then runs along the rear of residential gardens and acts as a buffer to Ocombe Valley Woods (Browes Brake) to the North. The mature dominant woodland arises to the rear of the site and what appears to be a younger lower shrub layer ends halfway across the site with amenity grass then present. Residential gardens either side of the site have pushed the woodland back and controlled the emerging lower shrub layer.</p> <p>A professionally prepared</p>	No comments received	No comments received

			BS5837:2012 methodology would be required to indicate tree quality and to support any development of the space prior to any commencement of sale or transfer.		
EM2637	Bay tree House	None received	None received	None received	None received



Meeting: Policy Development and Decision Group (Joint Operations Team)

Date: 6 February 2017

Wards Affected: All Wards

Report Title: Extension of the Devon Audit Partnership – April 2017 to March 2024

Is the decision a key decision? No

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

Executive Lead Contact Details: Councillor Derek Mills, Derek.Mills@torbay.gov.uk

Supporting Officer Contact Details: Martin Phillips, Head of Finance, (01803) 207285, martin.phillips@torbay.gov.uk

1. Proposal and Introduction

- 1.1 Devon Audit Partnership (DAP) was created in April 2009. It originally had an agreement to run for three years, but the success of the Partnership has meant that the agreement has been extended for further periods, up to 31 March 2017.
- 1.2 The Partnership Management Board and Partnership Committee are satisfied that the Partnership continues to meet its aims and objectives, and discharges the role of Internal Audit in an effective and professional manner. Both Board and Committee have recommended that the Partnership agreement be extended for a further 7 years (April 2017 to March 2024), subject to appropriate "release" clauses to reflect the uncertainty facing public sector, and in particular public sector finances.
- 1.3 The Partnership has proved to be most successful in meeting these objectives and more recent challenges. In particular, the Partnership has delivered substantial financial savings to all partners, whilst still providing a robust, professional and reliable internal audit function that meets the requirements of the Public Sector Internal Audit Standards.
- 1.4 It is proposed that the Partnership be extended for a further 7 years (from April 2017 to March 2024) and that a Deed of Variation be agreed between the Partners to permit this.
- 1.5 This Deed of Variation recognises the continuing financial uncertainty affecting the public sector; internal audit requirements and the contribution from each Partner will be re-assessed on an annual basis to reflect each Partners' requirement.

forward thinking, people orientated, adaptable - always with integrity.

- 1.6 The agreement expects that, by 31 December every year, an internal audit budget for each Partner Council will be agreed for the next Financial Year. The agreed budgets shall then be reported to the Management Board and thereafter submitted for approval to the February/March meeting of the Partnership. In the spirit of collaborative working, and with the purpose of trying to maintain stability and continuity of service, each Council shall use reasonable endeavours to avoid significant fluctuations and/or significant reductions in its budget between Financial Years.
- 1.7 There is financial uncertainty facing the Partnership, and this will need to be managed through continued modernisation of working practices and through effective wider partnership working.

2. Reason for Proposal

- 2.1 It is recognised that the achievement of the objectives and benefits of the Partnership to the Partnership Members is strongly linked to an effective employee base and staff skill mix from this base. The maintenance of the size of the work base is a balance supported by investment made by *external* partners; this helps maintain skill levels, supports sharing of best practice and maintains flexibility.
- 2.2 In order to continue to achieve the objectives set, Partnership management recognise that other, external partners, should be beneficial in generating income that would replace some (if not all) of the budget reductions made by the Partners. Such income generation would then allow the experienced, effective, knowledgeable and valued workforce to be retained, providing a high quality and sustainable service.
- 2.3 The Partnership agreement recognises the desire to attract new partners, and to enable new partners to join with the minimum of bureaucracy.

3. Recommendation(s) / Proposed Decision

- 3.1 That the extension of the Devon Audit Partnership for a further 7 years (April 2017 to March 2024) and a Deed of Variation be approved.

Appendices

Appendix 1: Supporting Information and Impact Assessment

Background Documents

None

Supporting Information and Impact Assessment

Service / Policy:	Finance - Internal Audit
Executive Lead:	Councillor Mills
Director / Assistant Director:	Asst Director Corporate and Business Services

Version:	1	Date:	23.12.2016	Author:	Robert Hutchins
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Section 1: Background Information

1.	<p>What is the proposal / issue?</p> <p>Devon Audit Partnership (DAP) was created in April 2009 to discharge the Internal Audit responsibilities for Torbay, Plymouth and Devon Councils by way of a partnership arrangement. It originally had an agreement to run for three years, but the success of the Partnership has meant that the agreement has been extended for further periods, up to 31 March 2017.</p> <p>The Partnership Management Board and Partnership Committee are satisfied that the Partnership continues to meet its aims and objectives, and discharges the role of Internal Audit in an effective and professional manner. Both Board and Committee have recommended that the Partnership agreement be extended for a further 7 years (April 2017 to March 2024), subject to appropriate "release" clauses to reflect the uncertainty facing public sector, and in particular public sector finances.</p> <p>It is proposed that the Partnership be extended for a further 7 years (from April 2017 to March 2024) and that a Deed of Variation be agreed between the Partners to permit this. This Deed of Variation recognises the continuing financial uncertainty affecting the public sector; internal audit requirements and the contribution from each Partner will be re-assessed on an annual basis to reflect each Partners' requirement.</p> <p>The agreement expects that, by 31 December every year, an internal audit budget for each Partner Council will be agreed for the next Financial Year. The agreed budgets shall then be reported to the Management Board and thereafter submitted for approval to the February/March meeting of the Partnership. In the spirit of collaborative working, and with the purpose of trying to maintain stability and continuity of service, each Council shall use reasonable endeavours to avoid significant fluctuations and/or significant reductions in its budget between Financial Years.</p> <p>There is financial uncertainty facing the Partnership, and this will need to be managed through continued modernisation of working practices and through effective wider partnership working.</p>
2.	<p>What is the current situation?</p> <p>As outlined above, Internal Audit for Torbay is currently provided as a partnership</p>

	<p>arrangement with Plymouth and Devon councils via the Devon Audit Partnership.</p> <p>Devon Audit Partnership is governed by a Management Board, comprising of the Section 151 officers from Torbay, Plymouth and Devon Council, which then reports to the Devon Audit Partnership Committee which comprises of two members from Torbay, Plymouth and Devon Councils. For Torbay, the Management Board is attended by the Chief Accountant (Martin Phillips) and the Partnership Committee is attended by the Chair of the Torbay Audit Committee (Cllr Alan Tyerman) and Vice Chair (Cllr James O'Dwyer).</p>
<p>3.</p>	<p>What options have been considered?</p> <p>The Partnership Management Board and Partnership Committee are satisfied that the Partnership continues to meet its aims and objectives, and discharges the role of Internal Audit in an effective and professional manner. Both Board and Committee have recommended that the Partnership agreement be extended for a further 7 years (April 2017 to March 2024), subject to appropriate "release" clauses to reflect the uncertainty facing public sector, and in particular public sector finances.</p> <p>The Partnership has proved to be most successful in meeting these objectives and more recent challenges. In particular, the Partnership has delivered substantial financial savings to all partners, whilst still providing a robust, professional and reliable internal audit function that meets the requirements of the Public Sector Internal Audit Standards.</p> <p>Should the partnership arrangement not be extended then Torbay would need to consider</p> <ul style="list-style-type: none"> a) reverting to an in-house internal audit team; or b) tendering for an external provider for the service. <p>Both options would need to take account of probable TUPE implications.</p>
<p>4.</p>	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</p> <p>The role of internal audit is to ensure that the organisation identifies and understands its risks, and puts in place suitable measures to control these risks. Internal audit will test the suitability, reliability and compliance to controls, to help ensure risks are mitigated.</p> <p>As such Internal Audit supports the Council in meeting the key objectives in the Corporate Plan effectively.</p>
<p>5.</p>	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>Internal Audit is an independent function that support management and those charged with governance.</p> <p>The extension has been discussed and agreed with the Head of Finance (Martin Phillips), Assistant Director Corporate and Business Services (Anne Marie Bond), Chair of Audit Committee (Alan Tyerman) Vice Chair of Audit Committee (James</p>

	<p>O'Dwyer), Senior Leadership Team (SLT) and Joint Operations Team Management Meeting.</p> <p>The Councils external auditors (Grant Thornton) also rely upon the work of internal audit when planning and scoping their assurance work.</p>
6.	<p>How will you propose to consult?</p> <p>The above have been consulted on the proposals to extend the Partnership arrangement.</p>

Section 2: Implications and Impact Assessment

7.	<p>What are the financial and legal implications?</p> <p>A Deed of Variation has been prepared and agreed between the legal representatives of the Partners (Plymouth, Devon and Torbay councils) to permit this.</p> <p>This Deed of Variation recognises the continuing financial uncertainty affecting the public sector; internal audit requirements and the contribution from each Partner will be re-assessed on an annual basis to reflect each Partners' requirement.</p> <p>The agreement expects that, by 31 December every year, an internal audit budget for each Partner Council will be agreed for the next Financial Year. The agreed budgets shall then be reported to the Management Board and thereafter submitted for approval to the February/March meeting of the Partnership. In the spirit of collaborative working, and with the purpose of trying to maintain stability and continuity of service, each Council shall use reasonable endeavours to avoid significant fluctuations and/or significant reductions in its budget between Financial Years.</p> <p>There is financial uncertainty facing the Partnership, and this will need to be managed through continued modernisation of working practices and through effective wider partnership working.</p> <p>Internal Audit is a statutory service in the context of The Accounts and Audit (England) Regulations 2015, which state:</p> <p>“A relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance”.</p> <p>From April 2013, organisations in the UK public sector are required to adhere to the Public Sector Internal Audit Standards (the Standards).</p>
8.	<p>What are the risks?</p> <p>The current Partnership arrangement ends on the 31 March 2017. If Torbay does not wish to extend the Partnership arrangement then alternative means of delivery</p>

	will need to be considered and put in place for the 1st April 2017.
9.	<p>Public Services Value (Social Value) Act 2012</p> <p>Torbay Council currently discharge the statutory function of Internal Audit via a Partnership arrangement.</p> <p>The Partnership is governed as a Joint Committee under Section 20 of the Local Government Act 2000. The Joint Committee has two Members from each of the three Councils, supported by a Management Board comprising the three Directors of Finance (Section 151 Officers) and the Head of Partnership.</p>
10.	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>We have sought the views of the Partnership Management Board (which includes the Chief Accountant for Torbay) and the Partnership Committee (which is attended by the Chair and Vice Chair of the Torbay Audit Committee).</p>
11.	<p>What are key findings from the consultation you have carried out?</p> <p>Both Management Board and Partnership are satisfied that the Partnership meets the aims and targets set for it, and continues to provide a professional and cost effective internal audit service.</p> <p>At the meeting of the Devon Audit Partnership Committee in August 2016 it was "MOVED by Councillor Tyerman, SECONDED by Councillor Clatworthy and RESOLVED that the Head of Devon Audit Partnership progress the extension of the partnership agreement...".</p>
12.	<p>Amendments to Proposal / Mitigating Actions</p> <p>No changes have been required.</p>

Equality Impacts

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

	Socio-economic impacts (Including impact on child poverty issues and deprivation)			Yes
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			Yes
14	Cumulative Impacts – Council wide (proposed changes elsewhere which might worsen the impacts identified above)	None known		
15	Cumulative Impacts – Other public services (proposed changes elsewhere which might worsen the impacts identified above)	None known		