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Date: Monday, 24 July 2017

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Dear Member

**AUDIT COMMITTEE - WEDNESDAY, 26 JULY 2017**

I am now able to enclose, for consideration at the Wednesday, 26 July 2017 meeting of the Audit Committee, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>	<b>Page</b>
5.	<b>The Audit Findings for Torbay Council</b>	(Pages 86 - 128)
6.	<b>Statement of Accounts and Annual Governance Statement 2016/17</b>	(Pages 129 - 274)

Yours sincerely

Lisa Antrobus  
Clerk

# The Audit Findings for Torbay Council

Year ended 31 March 2017

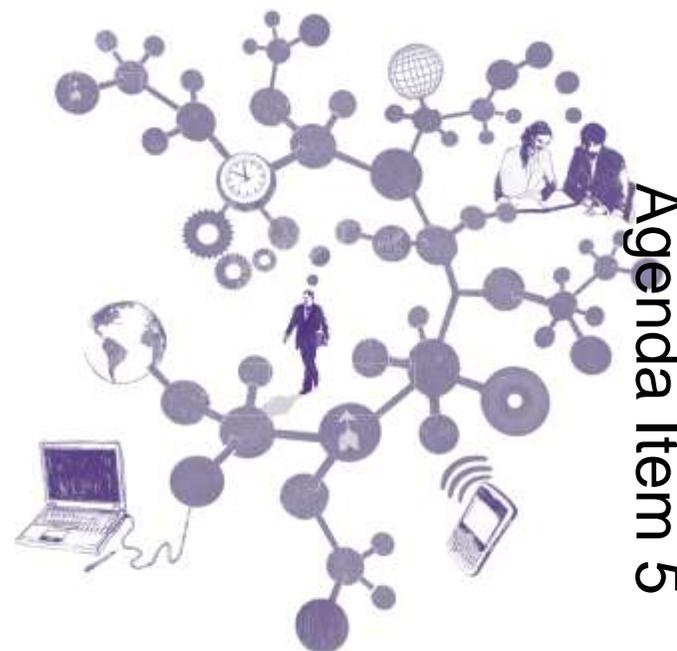
July 2017

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26 July 2017

Dear Members of the Audit Committee

**Audit Findings for Torbay Council for the year ending 31 March 2017**

This Audit Findings report highlights the key findings arising from the audit that are significant to the responsibility of those charged with governance (in the case of Torbay Council, the Audit Committee), to oversee the financial reporting process, as required by International Standard on Auditing (UK & Ireland) 260, the Local Audit and Accountability Act 2014 and the National Audit Office Code of Audit Practice. Its contents have been discussed with officers.

As auditor we are responsible for performing the audit, in accordance with International Standards on Auditing (UK & Ireland) ('ISA (UK&I)'), which is directed towards forming and expressing an opinion on the financial statements that have been prepared by management with the oversight of those charged with governance. The audit of the financial statements does not relieve management or those charged with governance of their responsibilities for the preparation of the financial statements.

The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed primarily for the purpose of expressing our opinion on the financial statements and giving a value for money conclusion. Our audit is not designed to test all internal controls or identify all areas of control weakness. However, where, as part of our testing, we identify any control weaknesses, we will report these to you. In consequence, our work cannot be relied upon to disclose defalcations or other irregularities, or to include all possible improvements in internal control that a more extensive special examination might identify. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

We would like to take this opportunity to record our appreciation for the kind assistance provided by the finance team and other staff during our audit.

Yours sincerely

Alex Walling

Engagement lead

**Chartered Accountants**

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# Section 1: Executive summary

01. Executive summary

02. Audit findings

03. Value for Money

04. Other statutory powers and duties

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06. Communication of audit matters

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## Purpose of this report

This report highlights the key issues affecting the results of Torbay Council ('the Council') and the preparation of the Council's financial statements for the year ended 31 March 2017. It is also used to report our audit findings to management and those charged with governance in accordance with the requirements of ISA (UK&I) 260, and the Local Audit and Accountability Act 2014 ('the Act').

Under the National Audit Office (NAO) Code of Audit Practice ('the Code'), we are required to report whether, in our opinion, the Council's financial statements give a true and fair view of the financial position of the Council and its income and expenditure for the year and whether they have been properly prepared in accordance with the CIPFA Code of Practice on Local Authority Accounting.

We are also required to consider other information published together with the audited financial statements (including the Annual Governance Statement (AGS) and Narrative Report, whether it is consistent with the financial statements, apparently materially incorrect based on, or materially inconsistent with, our knowledge of the Council acquired in the course of performing our audit; or otherwise misleading.

We are required to carry out sufficient work to satisfy ourselves on whether the Council has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources ('the value for money (VFM) conclusion'). Auditor Guidance Note 7 (AGN07) clarifies our reporting requirements in the Code and the Act. We are required to provide a conclusion whether in all significant respects, the Council has put in place proper arrangements to secure value for money through economic, efficient and effective use of its resources for the year.

The Act also details the following additional powers and duties for local government auditors, which we are required to report to you if applied:

- a public interest report if we identify any matter that comes to our attention in the course of the audit that in our opinion should be considered by the Council or brought to the public's attention (section 24 of the Act);
- written recommendations which should be considered by the Council and responded to publicly (section 24 of the Act);
- application to the court for a declaration that an item of account is contrary to law (section 28 of the Act);
- issue of an advisory notice (section 29 of the Act); and
- application for judicial review (section 31 of the Act).

We are also required to give electors the opportunity to raise questions about the accounts and consider and decide upon objections received in relation to the accounts under sections 26 and 27 of the Act.

## Introduction

In the conduct of our audit we have not had to alter or change our audit approach, which we communicated to you in our Audit Plan dated 22 March 2017.

Our audit is substantially complete although we are finalising our procedures in the following areas:

- review of the final version of the financial statements;
- obtaining and reviewing the management letter of representation;
- review of revised versions of the Annual Governance Statement;
- updating our post balance sheet events review, to the date of signing the opinion; and
- Whole of Government Accounts.

We received draft financial statements and accompanying working papers at the commencement of our work, in accordance with the agreed timetable. As with previous years we also had a number of helpful early discussions with the Finance team around key technical issues. This enabled the early resolution of issues that would have been difficult to resolve promptly once the audit was in progress.

## Key audit and financial reporting issues

### Financial statements opinion

We have not identified any adjustments affecting the Council's reported financial position. We identified an amendment to the gross expenditure and income in the Comprehensive Income and Expenditure Statement and have also recommended a small number of adjustments to improve the presentation of the financial statements.

The key messages arising from our audit of the Council's financial statements are:

- the draft accounts were again produced to a good standard
- the audit has been facilitated by good supporting working papers and excellent assistance from the finance team.

Further details are set out in section two of this report.

We anticipate providing a unqualified audit opinion in respect of the financial statements (see Appendix B).

### Other financial statement responsibilities

As well as an opinion on the financial statements, we are required to give an opinion on whether other information published together with the audited financial statements is consistent with the financial statements. This includes if the AGS and Narrative Report is misleading or inconsistent with the information of which we are aware from our audit.

Based on our review of the Council's Narrative Report and AGS we are satisfied that they are consistent with the audited financial statements. We are also satisfied that the AGS meets the requirements set out in the CIPFA/SOLACE guidance and that the disclosures included in the Narrative Report are in line with the requirements of the CIPFA Code of Practice.

## Controls

### Roles and responsibilities

The Council's management is responsible for the identification, assessment, management and monitoring of risk, and for developing, operating and monitoring the system of internal control.

Our audit is not designed to test all internal controls or identify all areas of control weakness. However, where, as part of our testing, we identify any control weaknesses, we report these to the Council.

### Findings

Our work has not identified any control weaknesses which we wish to highlight for your attention.

Further details are provided within section two of this report.

## Value for Money

Our review of the Council's arrangements to secure economy, efficiency and effectiveness has highlighted the following issues which will give rise to a qualified VFM conclusion.

We concluded that the matters reported in the Ofsted report on the Council's Children's Services issued in January 2016 were weaknesses in proper arrangements for understanding and using appropriate and reliable financial and performance information to support informed decision making and performance management, and for planning, organising and developing the workforce effectively to deliver strategic priorities.

Further detail of our work on Value for Money are set out in section three of this report.

## Other statutory powers and duties

We have not identified any issues that have required us to apply our statutory powers and duties under the Act.

We have received an objection to the 2016/17 accounts and we will not be able to conclude the audit and issue the audit certificate until we have completed our consideration of this. This does not impact on our audit opinion.

## Grant certification

In addition to our responsibilities under the Code, we are required to certify the Council's Housing Benefit subsidy claim on behalf of the Department for Work and Pensions. At present our work on this claim is in progress and is not due to be finalised until 30 November 2017. We will report the outcome of this certification work through a separate report to the Audit Committee in January 2018.

## The way forward

Matters arising from the financial statements audit and our review of the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources have been discussed with the Head of Finance.

We have made a number of recommendations, which are set out in the action plan at Appendix A. Recommendations have been discussed and agreed with the Chief Finance Officer and the finance team.

## Acknowledgement

We would like to take this opportunity to record our appreciation for the assistance provided by the finance team and other staff during our audit.

Grant Thornton UK LLP  
July 2017

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## Section 2: Audit findings

01. Executive summary

02. Audit findings

03. Value for Money

04. Other statutory powers and duties

05. Fees, non audit services and independence

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# Materiality

In performing our audit, we apply the concept of materiality, following the requirements of ISA (UK&I) 320: Materiality in planning and performing an audit. The standard states that 'misstatements, including omissions, are considered to be material if they, individually or in the aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements'.

As we reported in our audit plan, we determined overall materiality to be £5,524k (being 1.95% of gross revenue expenditure). We have considered whether this level remained appropriate during the course of the audit and the increase in the level of gross expenditure led us to revise our overall materiality to £5,604k (being 1.95% of gross revenue expenditure).

We also set an amount below which misstatements would be clearly trivial and would not need to be accumulated or reported to those charged with governance because we would not expect that the accumulated effect of such amounts would have a material impact on the financial statements. We have defined the amount below which misstatements would be clearly trivial to be £280k. Our assessment of the value of clearly trivial matters has been adjusted to reflect our revised materiality calculation.

As we reported in our audit plan, we identified the following items where we decided that separate materiality levels were appropriate. These remain the same as reported in our audit plan.

Balance/transaction/disclosure	Explanation	Materiality level
Disclosures of officers' remuneration, salary bandings and exit packages in notes to the statements	Due to public interest in these disclosures and the statutory requirement for them to be made.	£5k

Misstatements, including omissions, are considered to be material if they, individually or in the aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements; Judgments about materiality are made in light of surrounding circumstances, and are affected by the size or nature of a misstatement, or a combination of both; and Judgments about matters that are material to users of the financial statements are based on a consideration of the common financial information needs of users as a group. The possible effect of misstatements on specific individual users, whose needs may vary widely, is not considered. (ISA (UK&I) 320)

# Audit findings against significant risks

In this section we detail our response to the significant risks of material misstatement which we identified in the Audit Plan. As we noted in our plan, there are two presumed significant risks which are applicable to all audits under auditing standards.

Risks identified in our audit plan	Work completed	Assurance gained and issues arising
<p><b>The revenue cycle includes fraudulent transactions</b></p> <p>Under ISA (UK&amp;I) 240 there is a presumed risk that revenue may be misstated due to the improper recognition of revenue.</p> <p>This presumption can be rebutted if the auditor concludes that there is no risk of material misstatement due to fraud relating to revenue recognition.</p>	<p>Having considered the risk factors set out in ISA240 and the nature of the revenue streams at Torbay Council, we have determined that the risk of fraud arising from revenue recognition can be rebutted, because:</p> <ul style="list-style-type: none"> <li>• there is little incentive to manipulate revenue recognition;</li> <li>• opportunities to manipulate revenue recognition are very limited; and</li> <li>• the culture and ethical frameworks of local authorities, including Torbay Council, mean that all forms of fraud are seen as unacceptable.</li> </ul>	<p>Our audit work has not identified any issues in respect of revenue recognition.</p>
<p><b>Management over-ride of controls</b></p> <p>Under ISA (UK&amp;I) 240 it is presumed that the risk of management over-ride of controls is present in all entities.</p>	<p><b>Summary of work performed:</b></p> <ul style="list-style-type: none"> <li>• review of journal entry process and selection of unusual journal entries for testing back to supporting documentation</li> <li>• review of accounting estimates, judgements and decisions made by management</li> <li>• review of unusual significant transactions.</li> </ul>	<p>Our audit work has not identified any evidence of management over-ride of controls. In particular the findings of our review of journal controls and testing of journal entries has not identified any significant issues.</p> <p>We set out later in this section of the report our work and findings on key accounting estimates and judgements.</p>

"Significant risks often relate to significant non-routine transactions and judgmental matters. Non-routine transactions are transactions that are unusual, due to either size or nature, and that therefore occur infrequently. Judgmental matters may include the development of accounting estimates for which there is significant measurement uncertainty." (ISA (UK&I) 315) . In making the review of unusual significant transactions "the auditor shall treat identified significant related party transactions outside the entity's normal course of business as giving rise to significant risks." (ISA (UK&I) 550)

# Audit findings against significant risks continued

We have also identified the following significant risks of material misstatement from our understanding of the entity. We set out below the work we have completed to address these risks.

Risks identified in our audit plan	Work completed	Assurance gained and issues arising
<p><b>The expenditure cycle includes fraudulent transactions</b> Practice Note 10 requires us to consider the risk of material misstatement due to fraudulent financial reporting that may arise from manipulation of expenditure recognition, especially where the body is required to meet targets. For your Council, we have concluded that the greatest risk of material misstatement relates to the completeness of operating expenses and creditor balances.</p>	<p>We have considered this risk and do not consider it to require additional audit procedures because of the pattern of expenditure (based on the 2015/16 audited financial statements):</p> <ul style="list-style-type: none"> <li>- 22% relates to employee remuneration, which is addressed by our procedure in response to the identified risk in this area</li> <li>- 72% relates to operating expenditure, which is addressed by our procedure in response to the identified risk in this area.</li> </ul>	<p>Our audit work has not identified any significant issues in relation to expenditure recognition.</p>
<p><b>Valuation of property, plant and equipment</b> The Council revalues its assets on a rolling basis over a five year period. The Code requires that the Council ensures that the carrying value at the balance sheet date is not materially different from the current value. This represents a significant estimate by management in the financial statements.</p>	<p>We have undertaken the following work in relation to this risk:</p> <ul style="list-style-type: none"> <li>• Review of management's processes and assumptions for the calculation of the estimate.</li> <li>• Review of the competence, expertise and objectivity of any management experts used.</li> <li>• Review of the instructions issued to valuation experts and the scope of their work</li> <li>• Discussions with the Council's valuer about the basis on which the valuation was carried out, challenging the key assumptions.</li> <li>• Review and challenge of the information used by the valuer to ensure it was robust and consistent with our understanding.</li> <li>• Testing of revaluations made during the year to ensure they were input correctly into the Council's asset register</li> <li>• Evaluation of the assumptions made by management for those assets not revalued during the year and how management satisfied themselves that these were not materially different to current value.</li> </ul>	<p>Our audit work has not identified any significant issues in relation to the risk identified.</p>

# Audit findings against significant risks continued

Risks identified in our audit plan	Work completed	Assurance gained and issues arising
<p><b>Valuation of pension fund net liability</b></p> <p>The Council's pension fund net liability, as reflected in its balance sheet, represents a significant estimate in the financial statements.</p>	<p>We have undertaken the following work in relation to this risk:</p> <ul style="list-style-type: none"> <li>Identifying the controls put in place by management to ensure that the pension fund net liability is not materially misstated and assessing whether those controls were implemented as expected and whether they were sufficient to mitigate the risk of material misstatement.</li> <li>Review of the competence, expertise and objectivity of the actuary who carried out the Council's pension fund valuation.</li> <li>Gaining an understanding of the basis on which the IAS 19 valuation was carried out, undertaking procedures to confirm the reasonableness of the actuarial assumptions made.</li> <li>Review of the consistency of the pension fund net liability disclosures in notes to the financial statements with the actuarial report from your actuary.</li> </ul>	<p>Our audit work has not identified any significant issues in relation to the risk identified.</p>

# Audit findings against other risks

In this section we detail our response to the other risks of material misstatement which we identified in the Audit Plan. Recommendations, together with management responses are attached at appendix A.

Transaction cycle	Description of risk	Work completed	Assurance gained & issues arising
Operating expenses	<p>Non-pay expenditure represents a significant percentage of the Council's gross expenditure. Management uses judgement to estimate accruals of un-invoiced non-pay costs.</p> <p>We identified the completeness of non-pay expenditure in the financial statements as a risk requiring particular audit attention:</p> <ul style="list-style-type: none"> <li>Creditors understated or not recorded in the correct period (Operating expenses understated)</li> </ul>	<p>We have undertaken the following work in relation to this risk:</p> <ul style="list-style-type: none"> <li>documented our understanding of processes and key controls over the transaction cycle</li> <li>undertaken walkthrough of the key controls to assess the whether those controls were in line with our documented understanding</li> <li>testing of a sample of operating expenses to ensure they have been accurately accounted for and in the correct period</li> <li>cut off testing of expenditure, including a review of payments made after the year end to identify unrecorded liabilities</li> <li>review of estimates, judgements and decisions made by management for unusual and large accruals</li> </ul>	<p>Our audit work has not identified any significant issues in relation to the risk identified.</p>
Employee remuneration	<p>Payroll expenditure represents a significant percentage of the Council's gross expenditure.</p> <p>We identified the completeness of payroll expenditure in the financial statements as a risk requiring particular audit attention:</p> <ul style="list-style-type: none"> <li>Employee remuneration accruals understated (Remuneration expenses not correct)</li> </ul>	<p>We have undertaken the following work in relation to this risk:</p> <ul style="list-style-type: none"> <li>documented our understanding of processes and key controls over the transaction cycle</li> <li>undertaken walkthrough of the key controls to assess the whether those controls were in line with our documented understanding</li> <li>review of monthly trend analysis of employee costs from April 2015 to March 2017</li> <li>substantive testing of employees for accuracy of payment and the agreement of employee remuneration to disclosures of supporting documentation</li> <li>review of the year end payroll reconciliation to ensure that information from the payroll system can be agreed to the ledger and the financial statements</li> </ul>	<p>Our audit work has not identified any significant issues in relation to the risk identified.</p>

"In respect of some risks, the auditor may judge that it is not possible or practicable to obtain sufficient appropriate audit evidence only from substantive procedures. Such risks may relate to the inaccurate or incomplete recording of routine and significant classes of transactions or account balances, the characteristics of which often permit highly automated processing with little or no manual intervention. In such cases, the entity's controls over such risks are relevant to the audit and the auditor shall obtain an understanding of them." (ISA (UK&I) 315)

## Audit findings against other risks (continued)

Transaction cycle	Description of risk	Work completed	Assurance gained & issues arising
<p><b>Changes to the presentation of local authority financial statements</b></p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 99</p>	<p>CIPFA has been working on the 'Telling the Story' project, for which the aim was to streamline the financial statements and improve accessibility to the user and this has resulted in changes to the 2016/17 CIPFA Code of Practice.</p> <p>The changes affect the presentation of income and expenditure in the financial statements and associated disclosure notes. A prior period adjustment (PPA) to restate the 2015/16 comparative figures is also required.</p>	<p>We have undertaken the following work in relation to this risk:</p> <ul style="list-style-type: none"> <li>documented and evaluated the process for the recording the required financial reporting changes to the 2016/17 financial statements</li> <li>reviewed the re-classification of the Comprehensive Income and Expenditure Statement (CIES) comparatives to ensure that they are in line with the Council's internal reporting structure</li> <li>reviewed the appropriateness of the revised grouping of entries within the Movement In Reserves Statement (MIRS)</li> <li>tested the classification of income and expenditure for 2016/17 recorded within the Cost of Services section of the CIES</li> <li>tested the completeness of income and expenditure by reviewing the reconciliation of the CIES to the general ledger</li> <li>tested the classification of income and expenditure reported within the new Expenditure and Funding Analysis (EFA) note to the financial statements</li> <li>reviewed the new segmental reporting disclosures within the 2016/17 financial statements to ensure compliance with the CIPFA Code of Practice.</li> </ul>	<p>Our review of the restated CIES analysis and the EFA and its supporting notes identified the following issue:</p> <ul style="list-style-type: none"> <li>The Council had as a result of the changes in the Code included internal trading recharges in the gross income and expenditure figures for 2016/17 and the 2015/16 restated position. See pages 15 and 22.</li> </ul>

### Going concern

As auditors, we are required to “obtain sufficient appropriate audit evidence about the appropriateness of management's use of the going concern assumption in the preparation and presentation of the financial statements and to conclude whether there is a material uncertainty about the entity's ability to continue as a going concern” (ISA (UK&I) 570).

We reviewed the management's assessment of the going concern assumption and the disclosures in the financial statements and concluded that they were appropriate.

## Significant matters discussed with management

	Significant matter	Commentary	
1.	Discussions or correspondence with management regarding accounting practices, the application of auditing standards, or fees for audit or other services.	We identified that the Council's gross expenditure and income figures had increased in the restated 2015/16 Comprehensive Income and Expenditure Statement. This was due to the inclusion of internal trading recharges between different operating segments of the Council, which were also included in the 2016/17 accounts.	<p><b>Auditor view</b></p> <ul style="list-style-type: none"> <li>Internal trading recharges should be shown net in the Council's accounts as they do not meet the definition of income/expenditure in the Code as they do not impact on the level of the Council's reserves.</li> </ul> <p><b>Management response</b></p> <ul style="list-style-type: none"> <li>We have agreed to amend the accounts, there is no impact on the net reported position.</li> </ul>

# Accounting policies, estimates and judgements

In this section we report on our consideration of accounting policies, in particular revenue recognition policies, and key estimates and judgements made and included with the Council's financial statements.

Accounting area	Summary of policy	Comments	Assessment
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 101</p> <p><b>Revenue recognition</b></p>	<ul style="list-style-type: none"> <li>• Activity is accounted for in the year that it takes place, not simply when cash payments are made or received</li> <li>• Revenue from the sale of goods is recognised when the Council can measure reliably the percentage of completion and it is probable that the economic benefits or service potential will flow to the Council.</li> <li>• Revenue relating to council tax, general rates etc are measured at the full amount receivable (net of any impairment losses) as they are non-contractual, non-exchange transactions and there can be no difference between the delivery and payment dates.</li> </ul>	<p>We have reviewed the Council's recognition of revenue policies and are satisfied that:</p> <ul style="list-style-type: none"> <li>• Appropriate policies have been used</li> <li>• Accounting policies have been adequately disclosed</li> <li>• Revenue had been appropriately recognised</li> </ul>	<p style="text-align: center;">● <b>Green</b></p>
<p><b>Judgements and estimates</b></p>	<ul style="list-style-type: none"> <li>• Key estimates and judgements include:                             <ul style="list-style-type: none"> <li>– Useful life of PPE</li> <li>– Revaluations</li> <li>– Impairments</li> <li>– Accruals</li> <li>– Valuation of pension fund net liability</li> <li>– Provision for NNDR appeals</li> <li>– Other provisions</li> </ul> </li> </ul>	<p>We have reviewed the accounting areas where the Council has exercised judgement and used estimates. We found that:</p> <ul style="list-style-type: none"> <li>• Appropriate policies have been used</li> <li>• Accounting policies have been adequately disclosed</li> <li>• Areas where judgement had been used were supported by the work of an expert or a third party</li> </ul>	<p style="text-align: center;">● <b>Green</b></p>

**Assessment**

● Accounting policy appropriate but scope for improved disclosure

● Accounting policy appropriate and disclosures sufficient

# Accounting policies, estimates and judgements (continued)

Accounting area	Summary of policy	Comments	Assessment
<b>Going concern</b>	The Head of Finance has a reasonable expectation that the services provided by the Council will continue for the foreseeable future. Members concur with this view. For this reason, the Council continue to adopt the going concern basis in preparing the financial statements.	We have reviewed the Council's assessment and are satisfied with management's assessment that the going concern basis is appropriate for the 2016/17 financial statements.	 <b>Green</b>
<b>Other accounting policies</b>	We have reviewed the Council's policies against the requirements of the CIPFA Code and accounting standards.	We have reviewed the Council's policies against the requirements of the CIPFA Code of Practice. The Council's accounting policies are appropriate and consistent with previous years.	 <b>Green</b>

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**Assessment**

● Marginal accounting policy which could potentially attract attention from regulators  
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● Accounting policy appropriate but scope for improved disclosure

● Accounting policy appropriate and disclosures sufficient

# Other communication requirements

We set out below details of other matters which we, as auditors, are required by auditing standards and the Code to communicate to those charged with governance.

	Issue	Commentary
1.	<b>Matters in relation to fraud</b>	<ul style="list-style-type: none"> <li>We have previously discussed the risk of fraud with the Audit Committee. We have not been made aware of any incidents in the period and no other issues have been identified during the course of our audit procedures.</li> </ul>
2.	<b>Matters in relation to related parties</b>	<ul style="list-style-type: none"> <li>From the work we carried out, we have not identified any related party transactions which have not been disclosed.</li> </ul>
3.	<b>Matters in relation to laws and regulations</b>	<ul style="list-style-type: none"> <li>You have not made us aware of any significant incidences of non-compliance with relevant laws and regulations and we have not identified any incidences from our audit work.</li> </ul>
4.	<b>Written representations</b>	<ul style="list-style-type: none"> <li>A standard letter of representation has been requested from the Council, which is included in the Audit Committee papers.</li> </ul>
5.	<b>Confirmation requests from third parties</b>	<ul style="list-style-type: none"> <li>We requested from management permission to send confirmation requests to the Council's bankers and institutions where the Council has funds invested. This permission was granted and the requests were sent. All of these requests were returned with positive confirmation.</li> </ul>
6.	<b>Disclosures</b>	<ul style="list-style-type: none"> <li>Our review found no material omissions in the financial statements.</li> </ul>

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## Other communication requirements (continued)

	Issue	Commentary
7.	<b>Matters on which we report by exception</b>	<p>We are required to report on a number of matters by exception in a number of areas:</p> <ul style="list-style-type: none"> <li>• If the Annual Governance Statement does not meet the disclosure requirements set out in the CIPFA/SOLACE guidance or is misleading or inconsistent with the information of which we are aware from our audit</li> <li>• If the information in the Narrative Report is materially inconsistent with the information in the audited financial statements or our knowledge of the Council acquired in the course of performing our audit, or otherwise misleading.</li> </ul> <p>We have not identified any issues.</p>
8.	<b>Specified procedures for Whole of Government Accounts</b>	<p>We are not required to carry out specified procedures (on behalf of the NAO) on the Whole of Government Accounts (WGA) consolidation pack under WGA group audit instructions as the Council is below the £350m threshold</p>

# Internal controls

The controls were found to be operating effectively and we have no matters to report to the Audit Committee

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"The purpose of an audit is for the auditor to express an opinion on the financial statements.

Our audit included consideration of internal control relevant to the preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of internal control.

The matters being reported are limited to those deficiencies that the auditor has identified during the audit and that the auditor has concluded are of sufficient importance to merit being reported to those charged with governance." (ISA (UK&I) 265)

# Internal controls – review of issues raised in prior year

	Assessment	Issue and risk previously communicated	Update on actions taken to address the issue
1.	X	We recommended that the Council consider implementing a review of security logs relating to information security events on each system and that the network should be formally reviewed for the purpose of detecting inappropriate or anomalous activity.	<ul style="list-style-type: none"> <li>The Council have decided not to implement this recommendation as staffing levels do not allow for the routine examination of logs.</li> </ul>
2.	X	We recommended that the Council consider removing administrative access from those responsible for payroll management in line with good practice.	<ul style="list-style-type: none"> <li>The Council have stated that due to the size of the team it is not feasible to remove system administration from the Payroll Manager responsibilities.</li> </ul>
3.	X	We recommended that passwords on the payroll system should be set to renew between 30 - 60 days in line with good practice to ensure a robust protection against unauthorised access.	<ul style="list-style-type: none"> <li>The Council have not agreed this recommendation. They have stated that the system is set up to force a password change after 90 days, disable a user after 21 days of inactivity and time out after 30 minutes (as recommended by supplier due to core running of tasks).</li> </ul>
4.	✓	We recommended that the Council introduced an active directory screensaver policy which should be enabled to automatically lock the user screens after a period of inactivity i.e. a maximum period of 15 minutes. Users should not be relied on to manually lock out screens.	<ul style="list-style-type: none"> <li>A 15 minute screensaver policy has been implemented by the Council.</li> </ul>

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**Assessment**

- ✓ Action completed
- X Not yet addressed

# Adjusted misstatements

A number of adjustments to the draft accounts have been identified during the audit process. We are required to report all non trivial misstatements to those charged with governance, whether or not the accounts have been adjusted by management. The table below summarises the adjustments arising from the audit which have been processed by management.

## Impact of adjusted misstatements

All adjusted misstatements are set out in detail below along with the impact on the key statements and the reported net expenditure for the year.

Detail	Comprehensive Income and Expenditure Statement £'000	Balance Sheet £'000	Impact on total net expenditure £000
<b>1 Comprehensive Income and Expenditure Statement:</b> Internal trading recharges were included gross in the cost of services expenditure and income totals. The Code requires these to be accounted for net. Dr Gross expenditure 6,700 Cr Gross income 6,700			
<b>Overall impact</b>	<b>£Nil</b>	<b>£Nil</b>	<b>£Nil</b>

## Unadjusted misstatements

The table below provides details of adjustments identified during the audit which have not been made within the final set of financial statements. The Audit Committee is required to approve management's proposed treatment of all items recorded within the table below:

Detail	Comprehensive Income and Expenditure Statement £'000	Balance Sheet £'000	Reason for not adjusting
1 Heritage assets are understated, due to a revaluation not being recognised in year.	-	645	Not material
<b>Overall impact</b>	-	<b>645</b>	

# Misclassifications and disclosure changes

The table below provides details of misclassification and disclosure changes identified during the audit which have been made in the final set of financial statements.

Adjustment type	Value £'000	Account balance	Impact on the financial statements
1 Misclassification	2,500	Note 16 Financial Instruments – Short Term Investments Loans and Receivables	Short term investments available for sale misclassified as short term investments loans and receivables. Movement in loans and receivables -£2,500k. Movement in investments available for sale to be +£2,500k.  <b>No overall impact on the financial statements</b>
2 Disclosure	300	Note 16 Financial Instruments – Short Term Cash in Hand and Bank	Short term cash in hand and bank incorrectly includes short term loans and receivables cash equivalents. Movement in short term cash in hand and bank - £300k.  <b>No overall impact on the financial statements</b>
3 Disclosure	500	Note 23 Borrowing– Carrying Amount of Long Term Borrowing	Long term borrowings' carrying amount as at 31 March 2017 has been overstated. Movement in carrying amount of long term borrowing - £500k.  <b>No overall impact on the financial statements.</b>
4 Disclosure	4,100	Note 23 Borrowing – Fair Value of Borrowing	Fair value of borrowing as at 31 March 2017 has been overstated. Movement in fair value of borrowing - £4,100k.  <b>No overall impact on the financial statements.</b>
5 Disclosure	N/A	General	A number of amendments have been made to the draft accounts to correct minor disclosure and presentational issues that do not warrant being individually reported to Those Charged with Governance.  <b>No overall impact on the financial statements.</b>

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## Section 3: Value for Money

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01.	Executive summary
02.	Audit findings
03.	<b>Value for Money</b>
04.	Other statutory powers and duties
05.	Fees, non-audit services and independence
06.	Communication of audit matters

## Background

We are required by section 21 of the Local Audit and Accountability Act 2014 (the Act) and the NAO Code of Audit Practice (the Code) to satisfy ourselves that the Council has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This is known as the Value for Money (VFM) conclusion.

We are required to carry out sufficient work to satisfy ourselves that proper arrangements are in place at the Council. The Act and NAO guidance state that for local government bodies, auditors are required to give a conclusion on whether the Council has put proper arrangements in place.

When carrying out this work, we are required to follow the NAO's Auditor Guidance Note 3 (AGN 03) issued in November 2016. AGN 03 identifies one single criterion for auditors to evaluate:

*In all significant respects, the audited body takes properly informed decisions and deploys resources to achieve planned and sustainable outcomes for taxpayers and local people.*

AGN03 provides examples of proper arrangements against three sub-criteria but specifically states that these are not separate criteria for assessment purposes and that auditors are not required to reach a distinct judgement against each of these.

## Risk assessment

We carried out an initial risk assessment in January 2017 and identified a number of significant risks in respect of specific areas of proper arrangements using the guidance contained in AGN03. We communicated these risks to you in our Audit Plan dated March 2017.

We have continued our review of relevant documents up to the date of giving our report, and have not identified any further significant risks where we need to perform further work.

We carried out further work only in respect of the significant risks we identified from our initial and ongoing risk assessment. Where our consideration of the significant risks determined that arrangements were not operating effectively, we have used the examples of proper arrangements from AGN 03 to explain the gaps in proper arrangements that we have reported in our VFM conclusion.

## Significant qualitative aspects

AGN 03 requires us to disclose our views on significant qualitative aspects of the Council's arrangements for delivering economy, efficiency and effectiveness.

We have focused our work on the significant risks that we identified in the Council's arrangements. In arriving at our conclusion, our main considerations were:

- The further progress made by the Council in addressing the issues raised in the January 2016 Ofsted report which rated the Council's Children's Services as inadequate
- How reasonable the assumptions made by the Council were in its latest Medium Term Resource Plan
- The progress made by the Council in addressing the action plan in response to the original CPC report and the actions agreed in response to the follow up report
- What options were being considered by the Council in the light of the Integrated Care Organisation's (ICO) decision to withdraw from the risk share agreement and the potential impact of these on the Council
- The arrangements being put in place by the Council for the new transformation projects, including whether appropriate advice has been taken.

We have set out more detail on the risks we identified, the results of the work we performed and the conclusions we drew from this work on pages 28 to 32.

## Overall conclusion

Based on the work we performed to address the significant risks, we concluded that:

- except for the matter we identified in respect of the Ofsted report on Children's Services, the Council had proper arrangements in all significant respects. We therefore propose to give a qualified 'except for' conclusion on your arrangements for securing economy, efficiency and effectiveness in your use of resources.

The text of our proposed report can be found at Appendix B.

## Recommendations for improvement

We discussed findings arising from our work with management and have agreed recommendations for improvement as follows.

1. The Council must develop realistic savings plans to bridge the budget gap in 2018/19 to 2020/21
2. The Council must continue its work to implement the changes to its decision making and prioritisation process in line with the Local Government Associations (LGA) Corporate Peer Challenges recommendations, and embed these changes by ensuring that Members clearly understand the decision making process.
3. The Council must urgently agree a financial position with the other parties in the ICO that will give it financial certainty while supporting the integrated care model.
4. The Council must ensure that it monitors and reviews its transformation projects carefully to ensure that they deliver the service improvements and savings anticipated.

Management's response to these can be found in the Action Plan at Appendix A.

## Key findings

We set out below our key findings against the significant risks we identified through our initial risk assessment and further risks identified through our ongoing review of documents.

Significant risk	Work to address	Findings and conclusions
<p><b>Ofsted inspection of children's services</b></p> <p>Ofsted issued a report on the Council's children's services in 2015/16 which rated these as 'inadequate' and the Council is currently subject to follow up review. Until such time as Ofsted has confirmed that adequate arrangements are in place this remains a significant risk to the Council's arrangements.</p>	<p>We reviewed the action being taken by the Council in response to the issues in the Ofsted report.</p>	<p>We have reviewed the progress made by the Council since 2015/16, where we reported that there was not a formal action plan in place to address the issues identified in the OFSTED report. In July 2016 the Council appointed a new Interim Director of Children's Services, who was tasked with reviewing the existing 5 year Financial Strategy for Children's Services to determine whether the targets were realistic and achievable in the light of continuing overspends in the area. His review concluded that the savings envisaged in the original report were not achievable for a range of factors set out in the report to Council in February 2017. The report also presented a revised Children's Services Medium Term Financial Strategy (MTFS) for 2017-2021. The plan aims to align activity to reduce costs with improvement activity, bringing social care staffing and support costs more in line with statistical comparators. The MTFS includes an action plan with a range of actions, the pace and scale of which have been aligned with a measured journey towards the performance of statistical comparators.</p> <p>The MTFS takes into account that the service remains in intervention and is likely to transfer to an alternative delivery model in the next 12-18 months and savings of £1.55m have been identified for 2017/18.</p> <p>The Council appears to be making more positive progress towards addressing the issues raised in the OFSTED report, with an revised MTFS for the service and an agreed action plan that has been approved by members.</p> <p>However, we concluded that there remain weaknesses in proper arrangements for understanding and using appropriate and reliable financial and performance information to support informed decision making and performance management, and for planning, organising and developing the workforce effectively to deliver strategic priorities.</p>

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## Key findings

We set out below our key findings against the significant risks we identified through our initial risk assessment and further risks identified through our ongoing review of documents.

Significant risk	Work to address	Findings and conclusions
<p><b>Medium Term Financial Planning</b> The Council's Efficiency Plan shows that the Council needs to identify further savings £21.5m over the 2017/18-2019/20 period. This includes £9.8m of savings in the 2017/18 budget. The Chief Financial Officer gave a qualified opinion on whether the 2017/18 budget was based on robust budget estimates due to the significant risks the Council faces in respect of adult social care expenditure due to the ICO risk share agreement and the withdrawal of the ICO from the agreement on 31/12/17.</p>	<p>We reviewed the Council's latest MTRP, Efficiency Plan and the 2017/18 budget, considering the assumptions that underpin the figures within them. We also reviewed the 2016/17 savings achieved against those originally planned.</p>	<p>The Efficiency Plan published in September 2016 showed the savings gap in 2017/18 to 2019/20, including £9.8m for 2017/18. When the 2017/18 budget was set in February 2017 it included £7.6m of reductions to achieve a balanced budget, which reflected 2017/18 updated forecast information. The qualified opinion from the Chief Finance Officer on the robustness of budget estimates related to the two pressures areas of Adult Social Care and the Risk Share Agreement (RSA) with the ICO (both the exposure of the Council to its share of the ICO overspend (9%) and the ICO's notice to withdraw from the RSA, leaving the Council without a contract or a cost for the service for the final quarter of 2017/18). In between the Efficiency Plan being published and the Budget being set there were two reviews carried out on the Council's finances in November 2016. The LGA carried out a Finance Review and CIPFA reported the results of its Financial Resilience Review. The LGA raised particular concerns about the Council's exposure in the ICO RSA, a message repeated in the CIPFA report.</p> <p>The Council's latest update to the Medium Term Resource Plan was in April 2017. This shows the budget gap in 2018/19 to 2020/21 to be £17.4m. The reported gap in 18/19 and 19/20 in the Efficiency Plan was £11.6m, this has now increased to £15.7m. There are a number of reasons for this, part of it being an estimate of additional costs for Adult Social Care post the risk share agreement of £1.2m. The MTRP is a public document and is updated regularly to reflect changes as they are known. It is a comprehensive document with robust assumptions that clearly sets out the financial challenges facing Torbay over the next three years. The Council are working on the development of the 2018/19 and 2019/20 budget over the summer 2017 to Dec 2017 period, with proposals for the 2018/19 budget due in October 2017.</p> <p>On that basis we concluded that while the level of savings needed represents a significant challenge for the Council, the risk was sufficiently mitigated and the Council has proper arrangements in place for planning finances effectively to support the sustainable delivery of strategic priorities and using appropriate cost and performance information to support informed decision making.</p>

### Key findings

We set out below our key findings against the significant risks we identified through our initial risk assessment and further risks identified through our ongoing review of documents.

Significant risk	Work to address	Findings and conclusions
<p><b>Informed decision making</b>                      The Local Government Association Corporate Peer Challenge (CPC) report in 2015/16 made recommendations around more effective working practices are implemented in respect of transparency and political decision making. The follow up report concludes that there remains work to be done in this area.</p>	<p>We reviewed the Council's progress with the action plan in response to the original CPC report and the actions agreed in response to the follow up report.</p>	<p>The original LGA Corporate Peer Challenge (CPC) report in December 2015 recommended that the Council undertook a review of its decision making process considering eight specific points. The follow-up report dated September 2016 comments that, despite good work being undertaken since the original visit, some members remain unclear as to the role of the Policy Framework and the difference between Council and Executive decision making. It goes on to comment that the speed and nature of decision making is not helping the Council tackle the issues it faces. The Council has produced a position statement against the original recommendations which has then been superseded by the new Strategic Action Plan which collates the original actions plus new actions arising from the Follow up report and the separate LGA Financial Review and the CIPFA Financial Resilience Review. The updated action plan shows that the new process for the Speedier decision making and Prioritisation Process has been approved by Senior Leadership Team and the revised process and guidance has been rolled out.</p> <p>The Council has made progress in this area and we do not consider that this is a significant issue that impacts on our VFM conclusion. The Council must continue its work to embed the revised streamlined decision making and prioritisation process.</p>

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## Key findings

We set out below our key findings against the significant risks we identified through our initial risk assessment and further risks identified through our ongoing review of documents.

Significant risk	Work to address	Findings and conclusions
<p><b>Integrated Care Organisation</b>                      The Council is exposed to a 9% share of any ICO deficit under the risk sharing agreement in place. The financial position of the ICO currently shows an increasing deficit with planned savings not being delivered. The ICO gave notice on 31/12/16 that it is withdrawing from the current risk sharing agreement, meaning that the Council does not have a contract in place for the last three months of the 2017/18 financial year. The CIPFA financial resilience review raised concerns about the risk share agreement.</p>	<p>We reviewed the arrangements in place for the ICO and in particular the options being considered by the Council in the light of the ICO's decision to withdraw from the risk share agreement and the potential impact of these on the Council.</p>	<p>The Risk Share Agreement (RSA) for the Integrated Care Organisation makes the Council liable for 9% of any deficit that the ICO may incur. The financial position of the ICO has been deteriorating significantly with planned CIP savings not being achieved. CIPFA's Financial Resilience review of the Council raised particular concerns over the RSA stating that it means that the Council are subject to the overall financial pressures from the NHS in the whole of the Torbay and South Devon area with no ability to control or influence them. Torbay and South Devon FT gave notice on 31/12/16 that it was withdrawing from the current RSA, meaning that the Council has no contract in place for the final quarter of 2017/18. The Council also did not have a clear picture of what the potential costs would be for January to March 2018.</p> <p>The Annual Strategic Agreement (ASA) for the 9 months to 31 December 2017 was approved by Council in February 2017. An Adult Services and Public Health Monitoring working party was set up to monitor and consider all of the issues, including understanding the key priorities for Adult Services and Public Health, be fully briefed on the changes in this area and to understand the financial position. The Council put staff into the ICO to understand what the cost of adult social are so that they can estimate the potential impact of potential post December 2017 scenarios.</p> <p>The Council is working with its partners in the ICO to negotiate solution from January 2018 and have developed proposals for a way forward which are not yet in the public domain. These have been considered by each of the partners in July 2017.</p> <p>The Council's work on this area is in progress and we do not consider that this is an issue that impacts on our VFM conclusion, but the Council must urgently agree a financial position with the other parties in the ICO that will give it financial certainty while supporting the integrated care model.</p>

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## Key findings

We set out below our key findings against the significant risks we identified through our initial risk assessment and further risks identified through our ongoing review of documents.

Significant risk	Work to address	Findings and conclusions
<p><b>Transformation Projects</b>                      The Council is progressing a number of transformation projects as it seeks alternative methods of delivery and increased rates of return on investment. It has established an Investment Fund, and has recently completed the purchase of Wren Park retail park of approximately £20m. It is also developing plans to create a Housing Company to generate income through housing. The CMA financial resilience review has raised issues about some of the proposed projects and the Council's capacity to deliver them.</p>	<p>We reviewed the arrangements being put in place by the Council for these new initiatives, including whether appropriate advice has been taken.</p>	<p>The Council has a number of transformation projects in progress as it seeks to aid its financial position with alternative methods of service delivery and achieving increased rates of return on investment. It established an Investment Fund of £50m in 2016/17 and purchased Wren Park retail park in Torquay, with a further similar purchase planned in 2017/18. The Council have also entered into shared service arrangements with other councils for Building Control and Trading Standards.</p> <p>The Council is also looking to set up a housing company. There are two elements being considered:</p> <ul style="list-style-type: none"> <li>• The company develops properties on land acquired with the properties developed being sold to third parties</li> <li>• The company retains and rents properties.</li> </ul> <p>The Council has engaged external advisors for the housing company project and has also appointed a Transformation Director and Finance Manager. This follows concerns raised by the LGA peer review team on the Council's capacity to manage and deliver the range of transformation projects that are in progress and planned.</p> <p>The Council is entering into a number of significant new areas as part of their transformation programme and has taken action in response to concerns raised over their capacity to deliver, although the projects remain challenging. The Council is taking appropriate external advice, in particular for the Housing Company, and we do not consider that this is an issue that impacts on our VFM conclusion. The Council will need to keep all of these projects under careful review to ensure that they deliver the service improvements and savings anticipated.</p>

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**Significant difficulties in undertaking our work**

We did not identify any significant difficulties in undertaking our work on your arrangements which we wish to draw to your attention.

**Significant matters discussed with management**

There were no matters where no other evidence was available or matters of such significance to our conclusion or that we required written representation from management or those charged with governance.

**Any other matters**

There were no other matters from our work which were significant to our consideration of your arrangements to secure value for money in your use of resources.

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## Section 4: Fees, non-audit services and independence

01. Executive summary

02. Audit findings

03. Value for Money

04. Other statutory powers and duties

**05. Fees, non audit services and independence**

06. Communication of audit matters

We confirm below our final fees charged for the audit and confirm there were no fees for the provision of non-audit services.

### Fees

	Proposed fee £	Final fee £
Council audit	102,053	102,053
Grant certification	9,630	9,630*
<b>Total audit fees (excluding VAT)</b>	<b>111,683</b>	<b>111,683</b>

\* Indicative fee as work is still in progress

The proposed fees for the year were in line with the scale fee set by Public Sector Audit Appointments Ltd (PSAA).

### Grant certification

Our fees for grant certification above cover only housing benefit subsidy certification, which falls under the remit of Public Sector Audit Appointments Limited. Fees in respect of other grant work, such as reasonable assurance reports, are shown under 'Fees for other services'.

### Independence and ethics

- We confirm that there are no significant facts or matters that impact on our independence as auditors that we are required or wish to draw to your attention. We have complied with the Auditing Practices Board's Ethical Standards and confirm that we are independent and are able to express an objective opinion on the financial statements.
- We confirm that we have implemented policies and procedures to meet the requirements of the Auditing Practices Board's Ethical Standards.
- For the purposes of our audit we have made enquiries of all Grant Thornton UK LLP teams providing services to the Council. The table below summarises all non-audit services which were identified.

### Fees for other services

Service	Fees £
<b>Audit related services:</b>	
• Teachers Pension	<b>3,800</b>
<b>Non-audit services</b>	<b>Nil</b>

# Independence and other services

We have considered whether other services might be perceived as a threat to our independence as the Council's auditor and have ensured that appropriate safeguards are put in place

	Service provided to	Fees	Threat?	Safeguard
<b>Audit related services</b>				
Teachers Pension	Torbay Council	£3,800	Yes	Level of fee is not a significant threat in comparison to the overall fee of £102,053. There is no contingent element to the fee.
	<b>TOTAL</b>	£3,800		

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The above non-audit services are consistent with the Council's policy on the allotment of non-audit work to your auditor.

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## Section 5: Communication of audit matters

01. Executive summary

02. Audit findings

03. Value for Money

04. Other statutory powers and duties

05. Fees, non audit services and independence

**06. Communication of audit matters**

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# Communication to those charged with governance

ISA (UK&I) 260, as well as other ISAs, prescribe matters which we are required to communicate with those charged with governance, and which we set out in the table opposite.

This document, The Audit Findings, outlines those key issues and other matters arising from the audit, which we consider should be communicated in writing rather than orally, together with an explanation as to how these have been resolved.

## Respective responsibilities

The Audit Findings Report has been prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by Public Sector Audit Appointments Limited (<http://www.psa.co.uk/appointing-auditors/terms-of-appointment/>)

We have been appointed as the Council's independent external auditors by the Audit Commission, the body responsible for appointing external auditors to local public bodies in England at the time of our appointment. As external auditors, we have a broad remit covering finance and governance matters.

Our annual work programme is set in accordance with the Code of Audit Practice ('the Code') issued by the NAO (<https://www.nao.org.uk/code-audit-practice/about-code/>). Our work considers the Council's key risks when reaching our conclusions under the Code.

It is the responsibility of the Council to ensure that proper arrangements are in place for the conduct of its business, and that public money is safeguarded and properly accounted for. We have considered how the Council is fulfilling these responsibilities.

Our communication plan	Audit Plan	Audit Findings
Respective responsibilities of auditor and management/those charged with governance	✓	
Overview of the planned scope and timing of the audit. Form, timing and expected general content of communications	✓	
Views about the qualitative aspects of the entity's accounting and financial reporting practices, significant matters and issues arising during the audit and written representations that have been sought		✓
Confirmation of independence and objectivity	✓	✓
A statement that we have complied with relevant ethical requirements regarding independence, relationships and other matters which might be thought to bear on independence. Details of non-audit work performed by Grant Thornton UK LLP and network firms, together with fees charged Details of safeguards applied to threats to independence	✓	✓
Material weaknesses in internal control identified during the audit		✓
Identification or suspicion of fraud involving management and/or others which results in material misstatement of the financial statements		✓
Non compliance with laws and regulations		✓
Expected modifications to auditor's report, or emphasis of matter		✓
Unadjusted misstatements and material disclosure omissions		✓
Significant matters arising in connection with related parties		✓
Significant matters in relation to going concern	✓	✓

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# Appendices

A. Action Plan

B. Audit Opinion

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# A. Action plan

## Priority

Rec no.	Recommendation	Priority	Management response	Implementation date and responsibility
1	The Council must develop realistic savings plans to bridge the budget gap in 2018/19 to 2020/21.	High		
2	The Council must continue its work to embed its revised streamlined decision making and prioritisation process.	Medium		
3	The Council must urgently agree a financial position with the other parties in the ICO that will give it financial certainty while supporting the integrated care model.	High		
4	The Council must ensure that it monitors and reviews its transformations projects carefully to ensure that they deliver the service improvements and savings anticipated.	High		

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# B: Audit opinion

## We anticipate we will provide the Council with a modified audit report

### INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF TORBAY COUNCIL

We have audited the financial statements of Torbay Council (the "Authority") for the year ended 31 March 2017 under the Local Audit and Accountability Act 2014 (the "Act"). The financial statements comprise the Comprehensive Income and Expenditure Statement, the Movement in Reserves Statement, the Balance Sheet, the Cash Flow Statement, the Collection Fund and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2016/17.

This report is made solely to the members of the Authority, as a body, in accordance with Part 5 of the Act and as set out in paragraph 43 of the Statement of Responsibilities of Auditors and Audited Bodies published by Public Sector Audit Appointments Limited. Our audit work has been undertaken so that we might state to the Authority's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Authority and the Authority's members as a body, for our audit work, for this report, or for the opinions we have formed.

#### Respective responsibilities of the Chief Finance Officer and auditor

As explained more fully in the Chief Finance Officer's Responsibilities, the Chief Finance Officer is responsible for the preparation of the Statement of Accounts, which includes the financial statements, in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2016/17, which give a true and fair view. Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law, the Code of Audit Practice published by the National Audit Office on behalf of the Comptroller and Auditor General (the "Code of Audit Practice") and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

#### Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of whether the accounting policies are appropriate to the Authority's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Chief Finance Officer; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the Narrative Report and the Annual Governance Statement to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

### Opinion on financial statements

In our opinion:

- the financial statements present a true and fair view of the financial position of the Authority as at 31 March 2017 and of its expenditure and income for the year then ended; and
- the financial statements have been prepared properly in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2016/17 and applicable law.

### Opinion on other matters

In our opinion, the other information published together with the audited financial statements in the Narrative Report and the Annual Governance Statement for the financial year for which the financial statements are prepared is consistent with the audited financial statements.

Matters on which we are required to report by exception

We are required to report to you if:

- in our opinion the Annual Governance Statement does not comply with the guidance included in 'Delivering Good Governance in Local Government: Framework (2016)' published by CIPFA and SOLACE; or
- we have reported a matter in the public interest under section 24 of the Act in the course of, or at the conclusion of the audit; or
- we have made a written recommendation to the Authority under section 24 of the Act in the course of, or at the conclusion of the audit; or
- we have exercised any other special powers of the auditor under the Act.

We have nothing to report in respect of the above matters.

### Conclusion on the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources

#### Respective responsibilities of the Authority and auditor

The Authority is responsible for putting in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.

We are required under Section 20(1)(c) of the Act to be satisfied that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. We are not required to consider, nor have we considered, whether all aspects of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

**Scope of the review of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources**

We have undertaken our review in accordance with the Code of Audit Practice, having regard to the guidance on the specified criteria issued by the Comptroller and Auditor General in November 2016, as to whether the Authority had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people. The Comptroller and Auditor General determined this criteria as that necessary for us to consider under the Code of Audit Practice in satisfying ourselves whether the Authority put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2017.

We planned our work in accordance with the Code of Audit Practice. Based on our risk assessment, we undertook such work as we considered necessary to form a view on whether in all significant respects the Authority has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

**Basis for qualified conclusion**

In considering the Authority's arrangements for securing economy, efficiency and effectiveness we identified the following matter:

In January 2016, Ofsted issued its report on the inspection of the Authority's services for children in need of help and protection, children looked after and care leavers. The overall judgement was that children's services were rated as inadequate.

The report concluded that:

- turnover within the senior leadership had adversely affected the speed and effectiveness of improvement in response to previous inspection reports;
- performance information was not reliable and quality assurance processes were not embedded to identify improvements across the service;
- there were weaknesses and inconsistencies in social work practice across the service.

A revised Children's Services Improvement Plan was reported to Members in October 2016 and in February 2017 the Council approved a Children's Services revised medium term financial plan. The reporting and monitoring of the actions taken during 2016/17 to address the issues raised in the Ofsted report were an improvement on previous Member reporting, but at the date of our opinion the Authority the Improvement Plan is still in operation and a number of the actions are still being progressed.

These matters are evidence of weaknesses in proper arrangements for understanding and using appropriate and reliable financial and performance information to support informed decision making and performance management, and for planning, organising and developing the workforce effectively to deliver strategic priorities.

**Qualified conclusion**

On the basis of our work, having regard to the guidance on the specified criteria issued by the Comptroller and Auditor General in November 2016, except for the effects of the matters described in the Basis for qualified conclusion paragraphs above, we are satisfied that, in all significant respects, the Authority put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2017.

**Delay in certification of completion of the audit**

We cannot formally conclude the audit and issue an audit certificate for the Authority for the year ended 31 March 2017 in accordance with the requirements of the Act and the Code of Audit Practice until we have completed our consideration of an objection brought to our attention by a local authority elector under Section 27 of the Act. We are satisfied that this matter does not have a material effect on the financial statements or on our conclusion on the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2017.

Alex Walling  
for and on behalf of Grant Thornton UK LLP, Appointed Auditor

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**Meeting:** Audit Committee

**Date:** 26 July 2017

**Wards Affected:** All Wards

**Report Title:** Statement of Accounts and Annual Governance Statement 2016/17

**Executive Lead Contact Details:** Mayor Oliver, Executive Lead for Finance and Regeneration

**Supporting Officer Contact Details:** Martin Phillips – Chief Finance Officer, (01803) 207285, [Martin.phillips@torbay.gov.uk](mailto:Martin.phillips@torbay.gov.uk)

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## **1. Purpose and Introduction**

- 1.1. The Accounts and Audit Regulations 2015 require approval of the Council's Statement of Accounts for the year ended 31 March 2017 by a committee of the Council before 30 September 2017. The Accounts show a true and fair view of the financial position of the Council's income and expenditure for the year 2016/17 and its assets and liabilities as at 31 March 2017.
- 1.2. The same regulations, require approval of an Annual Governance Statement to inform Members of the Council's Governance and Internal Control framework and any significant control issues.

## **2. Proposed Decision**

- 2.1 **That Audit Committee review the accounts including the significant accounting policies and consider the External Auditor's report and opinion on the accounts.**
- 2.2 **That following 2.1, Audit Committee approve the Council's Statement of Accounts for 2016/17, as set out in pages 21 to 112 of Appendix 2 to this report and;**
- 2.3 **That following approval in 2.2 above, the person presiding at this meeting shall sign and date the accounts on behalf of the Council, to represent the completion of the Council's approval process of the accounts, in the "Statement of Responsibilities for the Statement of Accounts" shown on page 23 of the Statement of Accounts.**
- 2.4 **That the Letter of Representation to Grant Thornton from the Council in relation to the 2016/17 Statement of Accounts, as circulated at the meeting, be approved.**

### **3. Reasons for the Decision**

- 3.1 The Account and Audit Regulations 2015 require approval of the 2016/17 Statement of Accounts for the year ended 31 March 2017 by a committee of the Council before 30 September 2017. For Torbay the Audit Committee can “on behalf of the Council approve the annual statement of accounts” – report 156/2008 refers. In addition the Regulations require that the person presiding at the meeting shall sign and date the accounts. As a key part of this process the Audit Committee will consider these Accounts prior to approval, and will also receive and consider the External Auditor’s report and opinion on the accounts.
- 3.2 As required by the Account and Audit Regulations 2015 the Accounts were “authorised for issue” by the Council’s Chief Finance Officer on 2nd June 2017 and have been available on the Council’s website since then. The accounts, as required by the Regulations, were available for public scrutiny for 20 working days during June and July 2017.
- 3.3 The annual external audit of the accounts by the Council’s appointed auditor, Grant Thornton, started in June 2017 and was substantially completed in line with the agreed timetable.
- 3.4 Grant Thornton will report on the Accounts to Audit Committee at this meeting which will enable members to consider the External Auditor’s report in their review and approval of the Accounts.
- 3.5 The Accounts presented to the Audit Committee are the Accounts as authorised for issue in June 2017, updated for any issues raised by the External auditor or any adjustments by Council officers up to mid July 2017. If any subsequent alterations in respect of the accounts, as presented to this Committee, are recommended by the External Auditor these will be updated in the Accounts, along with any minor changes agreed with the External Auditor, prior to publication shortly after approval by Audit Committee and receipt of the external auditors “signed opinion”.
- 3.6 Council, in June 2017, received reports on both revenue and capital spending during the last financial year and those reports are consistent with the financial information in the Statement of Accounts.

## Supporting information

### A1 Introduction and history

- A1.1 The principal legislation relating to the keeping of local authority accounts is contained in the Local Government and Housing Act 1989 and the Accounts and Audit Regulations 2015. Local authority accounts are required to present a “true and fair view” of the financial position of the authority. The audit requirements of accounts are contained in the Local Audit and Accountability Act 2014.
- A1.2 The Account and Audit Regulations 2015 regulations require that the responsible financial officer of the Council shall sign by 30<sup>th</sup> June each year the Statement of Accounts and certify that it presents a “true and fair” view of both the financial position of the Council at the end of the year to which it relates and its income and expenditure. The Council’s responsible financial officer, Martin Phillips, has certified the Accounts at page 24.
- A1.3 The Regulations also require approval of the Statement of Accounts by a committee of the Council before September 30<sup>th</sup> each year. For Torbay this is the Audit Committee. In addition the Regulations require that the person presiding at this meeting shall sign and date the accounts.
- A1.4 The Statement of Responsibilities for the Statement of Accounts to be signed by the person presiding at this meeting is on page 23 within the Statement of Accounts. The intention behind this requirement is that the signature of the person presiding at the meeting shall formally represent the completion of the Council’s approval process of the accounts.
- A1.5 The Council as part of the process of the external auditor’s opinion on the Accounts is also required to complete a letter of representation to confirm that all relevant information has been disclosed and made available to the auditor. The letter for 2016/17 will be circulated at the meeting.

### A2 Accounts and Audit Regulations 2015

- A2.1 The new accounts and Audit Regulations 2015 came into force on the 1 April 2015. These regulations will require Councils to:-
- From 2017/18, publish the unaudited accounts, signed by the Chief Finance Officer, by the 31<sup>st</sup> May. This is one month earlier than 2016/17.
  - Final publication of the audited accounts by the 31<sup>st</sup> July, this is two months earlier than the 2011 regulations. The 31<sup>st</sup> July deadline will also apply to the Annual Governance Statement.
- A2.3 For 2016/17 the Council issued its Accounts within one week after the (future) end of May deadline. It is challenging for the Council to meet this earlier deadline on a regular basis along with changes in accounting expected in future years and the likely requirement for group accounts as well as single entity accounts. This will inevitably continue to place additional pressure on the finance team between March and July each year. It is also a major challenge for external auditors in providing an appropriate audit service in such a short period of time to all Councils along with other public sector bodies.

### **A3. Whole Government Accounts Agenda**

- A3.1 The requirement of the Accounts and Audit Regulations 2015 to "authorise for issue" a (pre audit) copy of the Council's Accounts by 31<sup>st</sup> May is part of the Whole Government Accounts (WGA) agenda. This is to ensure that all public sector bodies produce their own accounts on a similar timetable each year. From these accounts each body is required to complete an audited WGA return which excludes all transactions and balances with other bodies, so that HM Treasury can produce a set of accounts that represents the income, expenditure, assets and liabilities of the whole public sector.
- A3.2 These requirements place pressures on finance and service staff to produce the information required in a short time period and in particular the pressure tends to fall on a few key individuals in May to produce the statutory accounts. It should be noted that although the Statement of Accounts is produced by Financial Services the support of service staff, who order, authorise and control income and expenditure is vital in this process. The Chief Finance Officer and his staff, again, recognise the support given by service staff and without their support this timetable would not have been met.

### **A4. Group Accounts and Partnership Working**

- A4.1 A key issue that affects the closure of the Council's accounts is the requirement to include the accounts of other bodies where the Council has control or significant control.
- A4.2 The Council owns, or has influence on, a number of companies including TOR2, Careers South West, English Riviera Tourism Company, Torbay Economic Development Company, Oldway Mansion Management Company and Complete Facilities Management Services, a subsidiary of the TDA. These are accounted for, if material, as subsidiary or associate companies depending on the level of Council's control/ownership.
- A4.3 This places additional work on finance staff, both within the Council and within the companies to produce information on an International Financial Reporting Standards (IFRS) basis in a short period to meet the deadline of 30<sup>th</sup> June and in particular the future end of May deadline from 2017/18. This is a particular pressure for the companies as the timetable for Councils to issue accounts is seven months earlier than the timetable for Companies to issue accounts. The Chief Finance Officer and his staff, again, recognise the support given by staff within these companies and without their support this timetable would not have been met. From 2017/18 with the earlier production of Council accounts, by end of May each year, this will also impact on the related companies.
- A4.4 The partnership for Adult Social care with the Torbay and South Devon NHS Foundation Trust requires the Trust to provide final account information to the Council promptly for inclusion within its accounts. The information has always been provided within agreed timetables.
- A4.5 In addition the Council has to disclose details of all arrangements with other bodies that could be classified as a related party or pooled budget arrangement such as the Devon Audit Partnership Joint Committee. It is vital that the Council

has an understanding of all the “partnerships” and joint working arrangements it has entered into, particularly in terms of legal issues, financial control and any risks and/or rewards the Council has from the arrangement.

## **A5 2016/17 Statement of Accounts**

- A5.1 The Accounts are included within the “Financial Reports and Accounts for the Year 2016/17” as shown in appendix 2. The Accounts are produced in line with IFRS and “proper practice” issued by CIPFA. As a result it is a technical document with its content and format largely prescribed by guidance and legislation.
- A5.2 The other information included in the Financial Report, i.e the Narrative Statement and Annual Governance Statement are published with the Accounts.
- A5.3 The Council’s accounting policies, which underpin the information within the Statement of Accounts, are reviewed on an annual basis by the Chief Finance Officer to ensure that the selection of the accounting policies is consistent with the latest guidance and standards (IAS8). The Council’s Accounting Policies that are significant are shown within the Statement of Accounts on pages 84 to 107 and are part of the approval of the Accounts.

## **A6 Annual Governance Statement**

- A6.1 As required by the Accounts and Audit Regulations as part of its annual review of its internal control system, the Council will prepare an Annual Governance Statement which is then approved by a committee of the Council; in this case Audit Committee on 31st May 2017 approved the Statement subject to a meeting with the Assistant Director of Corporate and Business Services. Since that meeting there have been some minor changes to the Statement which have been agreed with the Chair of Audit Committee.
- A6.2 The 2016/17 Annual Governance Statement is included at pages 112 to 125, and is required to be published as part of the Statement of Accounts.

## **A7. Other Final Accounts Requirements**

- A7.1 The Approval of the Council’s statutory Statement of Accounts is an important part of the final accounts process; however there are other requirements that relate to 2016/17 year end. These include:
- WGA Return, subject to a limited external audit
  - Revenue and Capital Central Government returns on 2016/17
  - Schools related “section 252” return
  - Grant claims which will be subject to external audit
  - The publication of the Statement of Accounts
  - Publishing (and advertising) the Accounts and completion of the audit

## **A8 Local Audit and Accountability Act 2014**

- A8.1 In August 2010, the Secretary of State for Communities and Local Government announced plans for new arrangements to audit local public bodies in England

which resulted in January 2014, the Local Audit and Accountability Act receiving Royal Assent.

A8.2 The Audit Commission appointed Grant Thornton as the Council's external auditor for a minimum period of five years from 2012/13. The Council now has to appoint its own External Auditor for the 2018/19 year by the end of December 2017. Members will recall that on 23 February 2017 Council agreed to Opt in to the National Scheme for Auditor Appointments with Public Sector Audit Appointments (PSAA) as the Appointing Person. The Council will receive notice of an external auditor in the autumn. Nationally there is expected to be an 18% reduction in fees from the procurement process.

## **A9 Highway Network Assets**

A9.1 It was anticipated that for the 2016/17 accounts, the accounting of transport infrastructure assets (road, footpaths, traffic signals etc) was to be included. However as previously reported to the Audit Committee this change to the accounts had been withdrawn by CIPFA until further notice.

## **A10 Possibilities and Options**

A10.1 Approval of the Accounts by 30<sup>th</sup> September is a statutory requirement.

## **A.11 Preferred Solution /Option**

A11.1 As set out in the recommendation.

## **A.12 Risks**

A12.1 Impact on Council's reputation and negative external auditor comments if Accounts are not approved by 30<sup>th</sup> September.

## **A13 Consultation**

A13.1 The unaudited Accounts have been on the Council website since early June 2017, together with a public notice advertising the public inspection period. The public notice has also been displayed on the public notice board outside of the Town Hall.

## **Appendices**

Appendix 1 – Financial Reports and Accounts for the year 2016/17

## **Financial Services**



# **FINANCIAL REPORTS & ACCOUNTS FOR THE YEAR 2016/17**

INCLUDING

Narrative Statement 2016/17  
Statement of Accounts 2016/17  
Annual Governance Statement 2016/17

**Torbay Council, Town Hall, Castle Circus, Torquay, Devon TQ1 3DS**

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## Torbay Council

### Statement of Accounts • 2016/2017

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#### Introduction

The purpose of the Statement of Accounts is to present a detailed overview of the Council's financial position as at the end of March 2017. It gives information as to the Council's assets and liabilities at a point in time (31st March 2017) and detail on the Council's financial performance during 2016/17. This information is, where material, supported by notes to the accounts.

The Statement includes the:

- Chief Financial Officer's Narrative Report
- Statement of Accounts including:
  - The Core Financial Statements for 2016/17 including balance sheet and income and expenditure Account
  - Notes to the Core Financial Statements, that provide further detail to the core statements
  - Accounting Policies. The 'rules' adopted in preparing the accounts.
  - The Collection Fund Summary Account (for the accounting for the collection of National Non-Domestic Rates (NNDR) and Council Tax)
- Annual Governance Statement

The form and content of the Statement of Accounts is highly prescribed, by the CIPFA Code of Practice, and is produced on an International Financial Reporting Standards (IFRS) basis. The classification of costs, income and services under IFRS and the "Code of Practice" is different to the Council's internal financial reporting to management.

CIPFA (who provide guidance to councils on the format and content of accounts) are encouraging councils to reduce the length of their accounts by removing unnecessary wording, duplicate information and to remove notes that are "not material". Materiality has been taken to be values under £4m. However, despite this the Accounts are a technical document and due to statutory requirements it is still a lengthy and complicated document. The figures in these accounts are presented to the nearest £100,000.

The Accounts are subject to a detailed audit by the Council's external auditor (Grant Thornton UK LLP). Under the Accounts and Audit Regulations, the Accounts, with its supporting documents, are available for public inspection. Full details are available from Financial Services at Torquay Town Hall or on the Council's website at: <http://www.torbay.gov.uk/council/finance/statement-of-accounts/>

The Narrative Report aims to offer interested parties a concise and easily understandable effective guide to the most significant matters reported in the account.

The Council, under the Accounts and Audit Regulations must approve an Annual Governance Statement which provides an explanation of the Council's governance framework, provides a summary of how the effectiveness of the framework has been reviewed over the course of the year and actions which will be

taken over the coming year to improve the Council's governance. The 2016/17 Statement has been included within this document, but is not part of the Accounts and is outside the external auditor's opinion on the Accounts.

The Statement of Accounts is a key financial document published by the Council. The Council's website contains the Statement of Accounts for previous years and a range of additional financial information: <http://www.torbay.gov.uk/council/finance/statement-of-accounts/>

All financial reports such as monitoring reports and outturn reports are reported on a regular basis to Council Committees and are available at <http://www.torbay.gov.uk/DemocraticServices/uuCoverPage.aspx?bcr=1>

There is a glossary at the back of these documents to help explain the meaning of some of the local government finance and accounting terms.

From 2017/18 financial year the council is required under statute to publish its unaudited accounts by the 31<sup>st</sup> May of the following financial year

## Head of Finance’s Narrative Statement

### Our Place

Torbay offers an unrivalled quality of life for individuals and families – its natural environment, clean air, climate, location, excellent schools, growing arts and cultural sector, low crime rate and wide range of outdoor activities means that Torbay provides everyone with the opportunity to live a healthy and fulfilled life.

Torbay comprises the three coastal towns of Torquay, Paignton and Brixham with a population in excess of 131,000, of which 62,000 are between the ages of 18 and 64. In addition, Torbay attracts around 1.6 million visitor trips each year.

Torbay has established areas of economic success in many industries including fishing, a large social care sector and growing pharmaceutical and tech industries. Our residents have high levels of satisfaction with Torbay as a place to live. However, like many coastal areas, Torbay suffers from high levels of poverty and deprivation with an ageing population and not enough opportunities for young people.

### Our Council

As a unitary authority, Torbay Council is responsible for a wide range of services including social care, transport, culture, housing, parks, beaches and waste.

Torbay Council has an Elected Mayor as well as 36 Councillors representing 15 wards. Local elections are held every four years with the last election being held in May 2015 when Gordon Oliver was re-elected Mayor. Following two by-elections, there are now 24 Conservative Councillors, 8 Liberal Democrats, 3 Independents and 1 UKIP.

A referendum on the governance arrangements for Torbay Council was held in May 2016. As a result of the ballot, from May 2019, the Council will no longer have an Elected Mayor and will instead have a Leader and Cabinet system of governance.

Supporting the work of the Elected Mayor and Councillors is the officer structure of the Council headed by the Senior Leadership Team (SLT). This is made up of the Council’s most senior officers and ensures that the key Statutory Officers are represented at the most senior level of the Council.

Torbay Council employs a total of 1,051 people (excluding schools based employees).

### Our Corporate Plan

The Council’s Corporate Plan sets out its ambition to create a Prosperous and Healthy Torbay. In meeting this ambition we will target out actions in the five areas set out on the following page using the principles below:

- Use reducing resources to best effect
- Reduce demand through prevention and innovation
- Take an integrated and joined up approach

Many of the actions within the Corporate Plan form part of the Council’s Transformation Programme which will transform the way we deliver services and strengthen the way we engage with customers and partners, improving outcomes for our communities. We are continuing to build a Council which is Fit for the Future.

Protecting all children and giving them the best start in life



We are committed to improving outcomes for children and families and we will adopt a child-focused culture across all Council services.

We will develop our partnership working on cross-cutting priorities. We will continue to adopt a collective approach to the development of new services.

We will ensure our children and young people develop the ability and aspiration to maximise their future employment opportunities.

Working towards a more prosperous Torbay



We aim to increase the extent of full time employment in Torbay and increase the level of resident based earnings.

We will maximise opportunities from the Heart of the South West Local Enterprise Partnership and align more closely with the economic growth plans of Greater Exeter.

We will increase the business rate base for Torbay Council, in part through the rapid delivery of the town centre regeneration.

Promoting healthy lifestyles across Torbay



We will improve population health outcomes by preventing ill health and tackling lifestyle issues.

We will focus on areas of inequality across Torbay and on groups where less healthy behaviour is common.

We will encourage cycling and walking and healthy eating options. We will improve accessibility to leisure and sports facilities and green spaces.

Ensuring Torbay remains an attractive and safe place to live and visit



We will focus on protecting and retaining the quality of our built and natural environment.

We will continue to work with partners to identify efficiencies which can be made to improve service delivery and we will act at pace to rationalise and reduce the service we provide directly.

We will maintain a commitment to work together to reduce crime and disorder across all agencies within the Community Safety Partnership.

Protecting and supporting vulnerable adults



We will initiate and support integrated working and developing a seamless system of care and health.

We will ensure people are better informed so they can better access services to help them manage more independently.

We will ensure that people have the right environment in which to stay well with secure homes and fulfilling lives a priority.

## Our Achievements

- We have developed our Children’s Services Improvement Plan which has been approved by Ofsted and the Children’s Improvement Board. The Plan is now being implemented and when Ofsted visited in December 2016 they recognised that the council is making appropriate progress in improving services for children and young people.
- The Council has agreed a revised Medium Term Financial Strategy for Children’s Services which aims to align activity to reduce costs with that underway to improve services and outcomes for children. As a result of agreeing the Strategy, £576,000 of savings was identified for 2017/2018.
- Over 450 members of Children’s Services staff and colleagues from partner agencies have undertaken “Signs of Safety” training as we embed this model into our service delivery.
- Torbay’s schools are performing either at or above national comparators across all Key Stages.
- The Council has approved an Investment Strategy which aims, amongst other things, to invest capital resources within Torbay to stimulate growth through asset purchase, co investment in projects or capital loans.
- The first investment has been agreed – the purchase of Wren Park in Torquay which will generate income of £450,000 per year. This income will be used to support the delivery of Council services.
- A Transformation Strategy for Torbay’s Town Centres has been agreed. This aims to deliver and enable significant and successful regeneration of Torbay’s town centres. The first business case has been agreed – for the creation of student accommodation at Upton Place, Torbay.
- The Strategic Partnership has been established to work together, providing clear and focused place leadership. The Partnership will be a strong, bold, unified voice with a shared narrative for Torbay.
- The Port Masterplan continues to be delivered with improvements to the facilities for passenger boats and the installation of pontoons for fishermen at Torquay Harbour. Options are also being explored for the refurbishment of South Quay and redevelopment of the Harbour Light restaurant at Paignton Harbour.
- Transport improvements continue to be made with the traffic flow reversed in Torre and improvements to the Western Corridor and Edginswell Gateway have been completed.
- Phase 1 of the Healthy Torbay Framework is in place meaning that activity across the Council has been co-ordinated to prevent ill health including a project to reduce isolation and wellbeing at work initiatives.
- Local Partnerships have been established to oversee activity and measure progress in the key areas adult and child healthy weight and physical inactivity.
- The Healthy Torbay Supplementary Planning Guidance has been approved which provides guidance on healthy design, active travel, healthy food environments, green spaces and community investment areas.
- Additional capacity through grant funding has been developed in partnership with the Office of the Police and Crime Commissioner for mental health and vulnerability for the Community Safety Partnership.

- The first Torbay Air Show was successfully delivered in June 2016 and attracted over 100,000 visitors.
- The Council delivered Torbay’s first festival, Grinagog, across multiple venues in April 2017. More than 4000 people attended the festival and feedback from accommodation providers, local bars and restaurants was positive in terms of the business it brought to them.
- The Council saved £225,000 on its TOR2 contract by paying its annual fee in advance – a saving which meant there was no negative impact on service users.
- Shared services have been created with other local authorities for the delivery of trading standards which will mean that the services are more resilient moving forward.
- Reviews of Torre Abbey, Palace Theatre, the Velopark, Riviera International Conference Centre, libraries and Torbay Leisure Centre are in progress under the Transformation Programme.
- Progress has been made in reviewing the different options for the delivery of public toilets in Torbay with a procurement exercise currently underway.
- Local Multi-agency Teams are in place in Torquay and Paignton/Brixham localities aimed at reducing the demand for acute services.
- A Homeless Hospital Discharge Worker has been appointed who works with patients in the Emergency Department or wards of the hospital, who are homeless or vulnerably housed. These patients are supported to find suitable accommodation to ensure timely discharge from hospital and avoid emergency presentations to the Council’s Housing Options service.
- The Council has secured £400,000 from the Government, over the next two years, to help address rough sleeping in Torbay.
- The Council has agreed “in principle” to establish a Housing Company to develop and own homes, with the overarching aim of maximising income back to the Council, as well as supporting the objectives of the Council’s Housing Strategy.
- Additional funding has been made available for the domestic abuse service.
- The Council has devised new ways of working to provide its Crisis Support Scheme. This means that the Council is still able to support those most in need but that the funds available to the Council will last much longer than originally anticipated.
- The Council agreed a policy which changed the amount it sets aside for borrowing meaning that £790,000 of expenditure is reprofiled to future years.
- The establishment of a local lottery has been agreed which will enable local organisations to access a new funding stream given the Council’s reducing resources. There are currently 53 good causes registered.

## Our Performance

### Protecting all children and giving them the best start in life<sup>1</sup>

- The average time for a child entering care to moving in with their adoptive family has increased since 2015/16. This year the average was 381 days compared to last year which was 360.
- Social work staffing vacancies fell by 0.7% on the same period last year to 28.0% at the end of March 2017.
- The number of looked after children rose from 274 at the end of 2015/16 to 283 in March 2017.
- Ninety five per cent of Children Looked After cases were reviewed within timescales during the month of March 2017. This was only 1% less than in March 2016.
- The number of early help referrals received in-month for March 2017 was 88. This is 34 less than at the same time in 2015.

### Working towards a more prosperous Torbay<sup>2</sup>

- Average earnings for Torbay are a way below the target figures (the Great Britain average). For 2016 earnings by residence for full time workers was £443.30 against a target of £541.00 **per week**.
- **Weekly** earnings by workplace were £421.80 against a target of £540.20. Torbay has fallen from the previous year average of £425.20 (in 2015). Great Britain’s average has increased by £11.20.
- The percentage of those claiming out of work benefits at the end of 2016/17 was 2.2% against a target of 2.0%. The lowest figure this performance indicator fell to over the year, was 1.7%. The target is England’s monthly average.
- There were 41 Inward Investment enquiries received by the Torbay Development Agency in the last year which surpassed the target of 25.

### Promoting healthy lifestyles across Torbay<sup>3</sup>

- Excess weight in 4-5 year olds (Per 100,000 population) increased slightly for 2015/16 up to 24.2% compared to the 2014/15 figure which was 24.1%. This indicator is in excess of its target of 22.1%.
- Successful treatment of opiate users fell to 5.9% in 2015 from 7.4% in 2014. This fall in percentage can also be seen in the England figure between 2014 (7.8%) and 2015 (6.7%).
- Admission episodes for alcohol-related conditions increased on the previous year’s total for females as well as males in Torbay, however there was a much larger increase for Torbay’s males. In 2015/16 there were 1147 admissions for men, 182 more than in 2014/15. For women there was an increase to 652, 52 more admissions than the previous year. The targets for these performance indicators for 2015/16 were 830 for males and 483 for females.

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<sup>1</sup> All data for the “Protecting all children and giving them the best start in life” section is generated using a live database that is continually updated and therefore these performance figures could be re-calculated differently at another time.

<sup>2</sup> Source: NOMIS, Office for National Statistics Official Labour Market Statistics website.

<sup>3</sup> Source: Public Health Outcomes Framework published by Public Health England, and is the most recent data available. All targets are the England average figure for the same period.

#### Ensuring Torbay remains an attractive and safe place to live and visit

- Residual household waste for quarter 4 2016/17 was at 131kg per household, an increase on the same period the previous year, 127kg in 2015/16. For each quarter of 2016/17, the figure has been above the target of 120kg.
- Household waste sent for reuse, recycling and composting was at 41.49 % for the last quarter of 2016/17. This is a decrease when compared to the same period the previous year and below the target of 47.00%.
- The average number of people sleeping rough at the end of quarter 4 2016/17 was 22. This number has remained between 21 and 23 for the whole of that year. At the end of quarter four 2015/16 there was an average of 24 people.
- In 2016/17 there were 2,965 recorded domestic violence incidents in Torbay. This is a decrease in the number of incidents of the previous year, 3,043 were recorded in 2015/16.
- There has been an increase in the number of Multi Agency Assessment Conferences (MARAC) since 2015/16. In 2015/16 there were 301 referrals, in 2016/17 there were 344. However the quarterly figure fell towards the end of the last year, from 99 referrals at quarter 1, to 70 at quarter 4.
- The number of repeat MARAC referrals has increased from 112 in 2015/16 to 153 last year.

#### Protecting and supporting vulnerable adults

- The number of permanent care home placements in Torbay has fluctuated between 614 and 649 throughout the last year. At the end of March 2017 it was 642, above the target of 617 for that month.
- The percentage of carers receiving a needs assessment or review, and a specific carer's service or advice and information was 38.34% at the end of March 2016/17. This was slightly less than the target of 40.00%.
- The number of repeat safeguarding referrals in the last 12 months was below the target of 8% for March 2016/17. Although the figure fluctuated over the year it did not exceed the target and ended the year at 7%.

#### Running an Efficient Council

- Stage 1 complaints logged by the Information Compliance team in 2016/17 reached 472. This equates to complaints from 3.5 people per 1000 residents in Torbay. It is less than the previous year when 492 Stage 1 complaints were logged.
- Of the Stage 1 complaints, the percentage each quarter that were dealt with on time, did not exceed 75% and ended the year at quarter 4 on 72%. This is below the target of 90%.
- There were three fewer data breaches (34) in 2016/17 than in the year before (37), though this is one more than our target of 33.

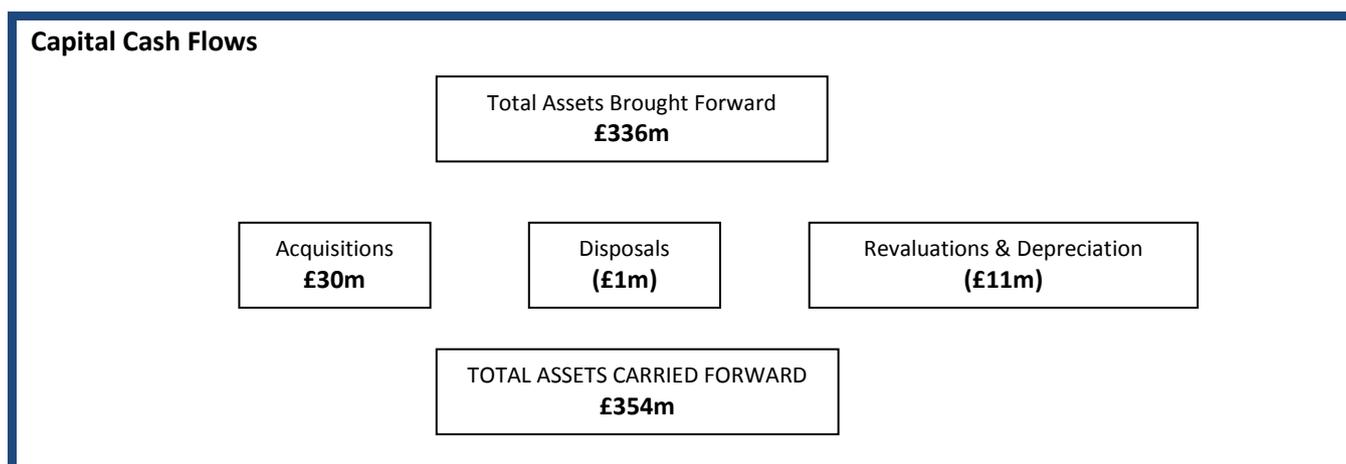
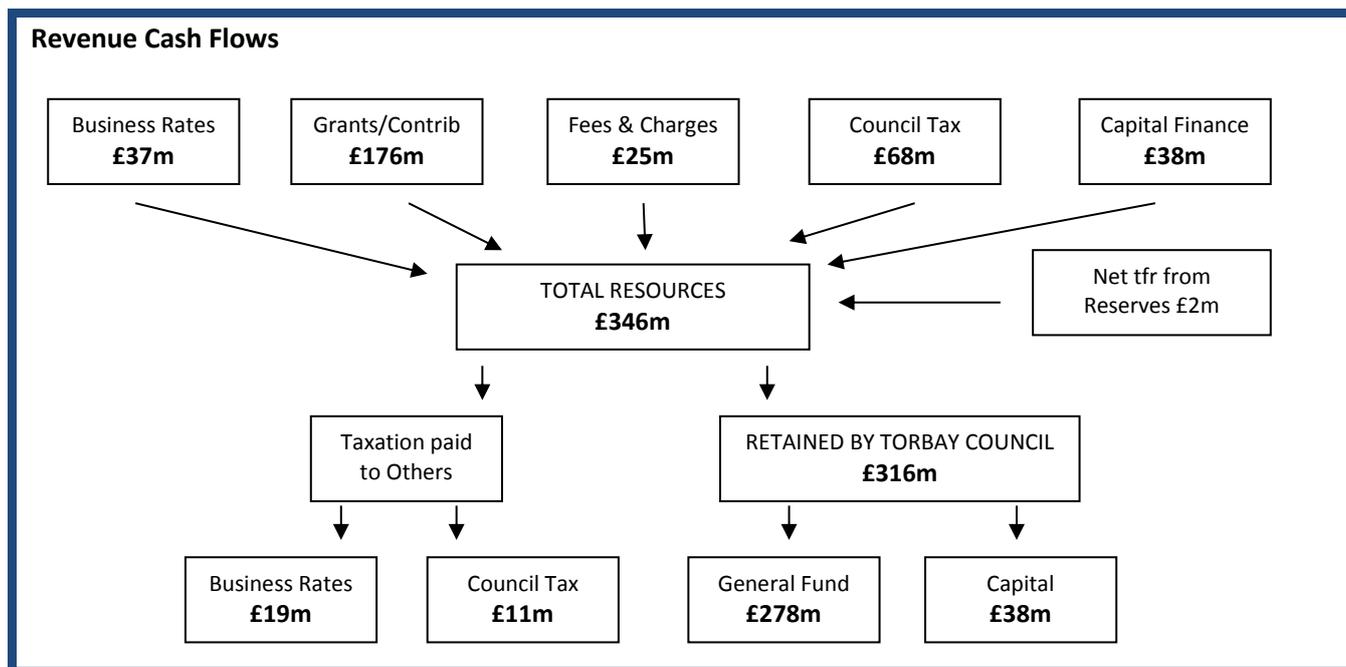
### **Our Financial Performance**

#### Financial Context

Torbay Council is responsible for managing cashflows and assets exceeding £650 million.

The Council:

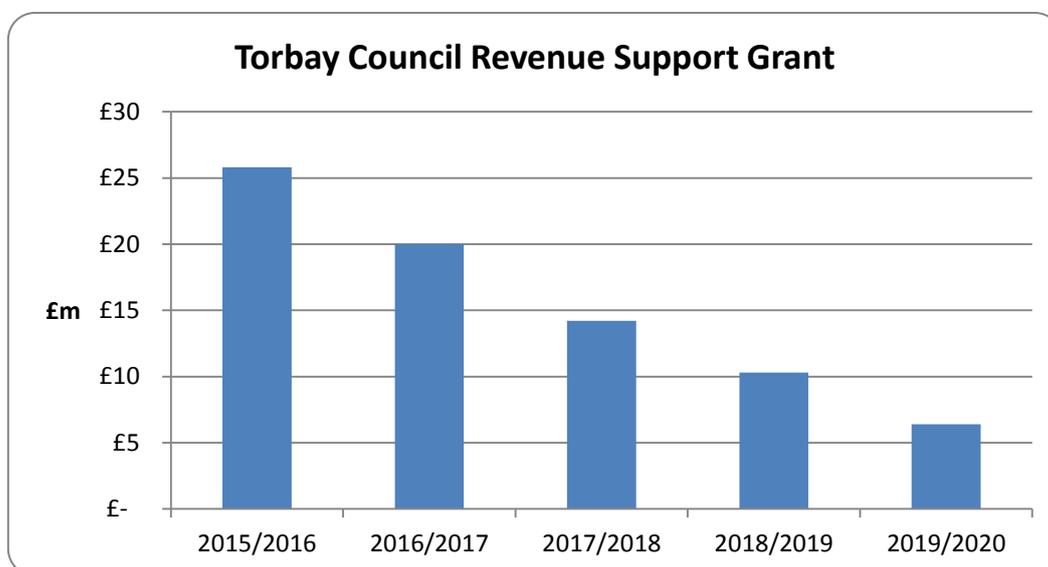
- Collects £68m of Council Tax which is an in-year collection rate of 95.5% and £37m of National Non-Domestic Rates (Business Rates) which is an in-year collection rate of 96.6%
- Holds £354m of fixed assets comprising of £298m operational assets for delivering services, £31m of heritage assets and £25m of investment property. Active management of the asset portfolio is expected to raise £0.7m of capital receipts in 2017/2018 and generates investment income of £3m annually.
- Generates £25m of fees, charges and rental income used to fund the delivery of services



On a national level changes in funding, services and legislation by the Government continue to impact on the Council, its partners and residents.

The Council continued to plan for, and work with, reduced funding levels for both revenue and capital from Central Government for 2016/17 and future financial years as a result on the ongoing “austerity” reductions in public expenditure.

Following the change of Prime Minister in June 2016, the new Chancellor of the Exchequer confirmed the continuation of the austerity reductions within parts of the public sector. Local Government is an “unprotected” department and, at that time, had been identified for further reductions over the next three years until 2019/20. In this period central government funding for local government will reduce by 56% or £6.1 billion. For Torbay Council, this is a reduction in its Revenue Support Grant from £27 million (restated) in 2015/16 to £6 million by 2019/20.



It is uncertain what impact the general election in June 2017 will have on future government policy and funding levels for local government.

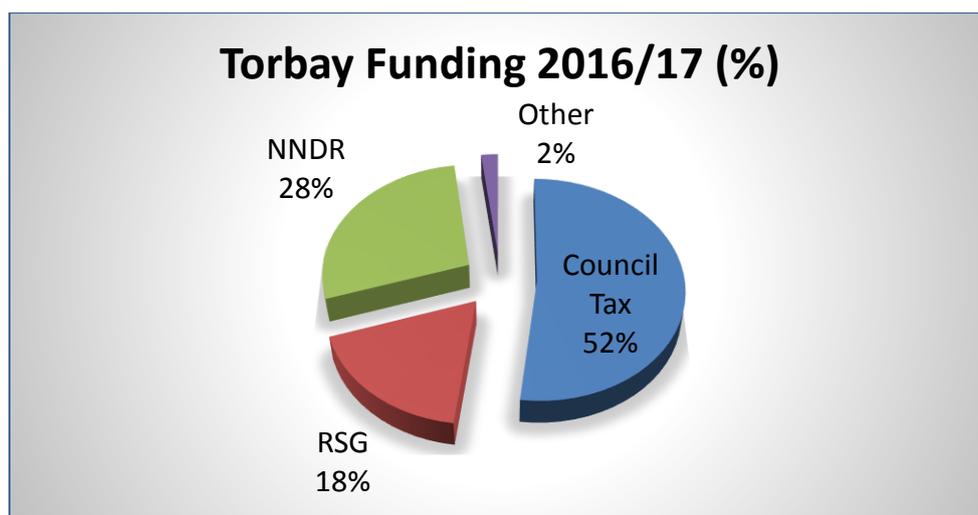
#### Revenue Budget 2016/2017

In February 2016, the Council set a budget for 2016/17 of £109 million (against a budget of £110 million in 2015/16). £13 million of reductions were required to set a balanced budget for 2016/17 and there is also an estimated funding gap up to £21 million for the following three years. The Council is meeting the financial challenges through identifying and implementing service changes and income generation opportunities, and, in some case, service reductions.

The Council, for the first time in a number of years, raised its level of Council Tax by 3.99%, comprising 1.99% for the Council services and 2% specifically for Adult Social Care. This resulted in the Council setting its share of the Council Tax for a Band D property at £1,311.49.

The table below shows how the Council’s revenue budget was funded in 2016/2017.

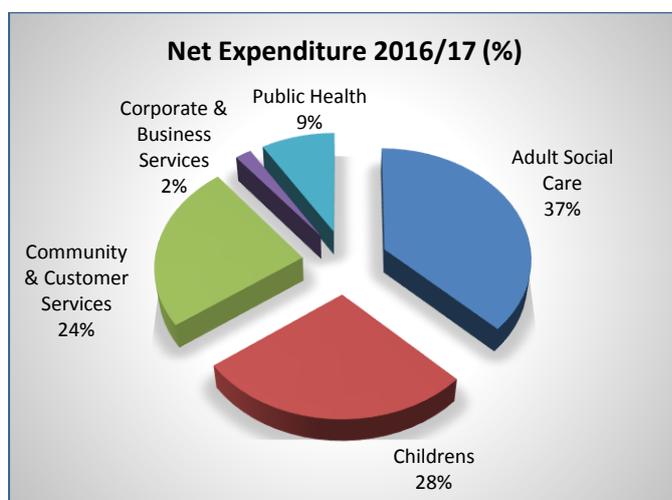
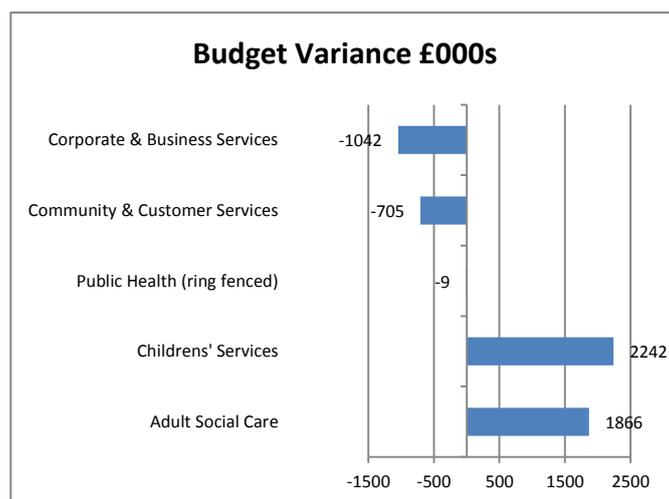
	2015/16	2016/17	
	£ m	£ m	% change
Net Budget Requirement	110	<b>109</b>	(1%)
Local Services Support & Education Services Grant	(1)	<b>(0)</b>	(100%)
NNDR Rate Retention	(29)	<b>(31)</b>	7%
Revenue Support Grant	(26)	<b>(20)</b>	(23%)
Council Tax	(53)	<b>(57)</b>	8%
Collection Fund (surplus)/deficit	(1)	<b>(1)</b>	0



Council Spending in 2016/2017

The table below provides a summary of the budget and expenditure by service in 2016/2017, together with the variances against each budget at the end of the year. The final two columns of the table restate the Council’s management reporting to align with the Expenditure Funding Analysis as required in the Council’s Statement of Accounts. The charts below show the net expenditure by service and the budget variance at 31 March 2017.

Service	2016/17 Budget (revised)			Full Year Variance as at Qtr 4	Restated for SOA	Outturn for SOA
	Expenditure £000s	Income £000s	Net £000s			
<b>Adult Social Care</b>	41,631	(1,583)	40,048	<b>1,866</b>	917	42,831
<b>Children’s Services</b>	77,995	(49,040)	28,955	<b>2,242</b>	(718)	30,479
<b>Public Health</b>	11,184	(1,292)	9,892	<b>(9)</b>	0	9,883
Joint Commissioning	<b>130,810</b>	<b>(51,915)</b>	<b>78,895</b>	<b>4,099</b>	199	83,193
<b>Community Services</b>	30,603	(6,484)	24,119	<b>(301)</b>	0	23,818
<b>Customer Services</b>	73,511	(69,694)	3,817	<b>(404)</b>	0	3,413
AD Community & Customer Services	<b>104,114</b>	<b>(76,178)</b>	<b>27,936</b>	<b>(705)</b>	0	27,231
<b>Commercial Services</b>	6,611	(1,555)	5,056	<b>(87)</b>	0	4,969
<b>Finance</b>	19,342	(19,074)	268	<b>(641)</b>	(3,267)	(3,640)
<b>Business Services</b>	8,687	(12,995)	(4,308)	<b>(325)</b>	0	(4,633)
<b>Regeneration &amp; assets</b>	6,356	(2,050)	4,306	<b>11</b>	0	4,317
AD Corporate & Business Services	<b>40,996</b>	<b>(35,674)</b>	<b>5,322</b>	<b>(1,042)</b>	(3,267)	1,013
Total Expenditure	<b>275,920</b>	<b>(163,767)</b>	<b>112,153</b>	<b>2,352</b>	(3,068)	111,437
<b>Sources of Funding</b>	-	(112,153)	(112,153)	<b>(255)</b>	718	(111,690)
Net Expenditure	<b>275,920</b>	<b>(275,920)</b>	<b>0</b>	<b>2,097</b>	(2,350)	(253)



During the year, there were significant variances within the budgets for both children’s and adult’s social care. The overspend on Children’s Services was £2.2 million (after the application of £1.1 million of reserves) and the overspend on Adult Social Care was £1.9m. These overspends in social care was partly offset by a net underspend and/or additional income across other Council services including the impact of the MRP Review during the year.

Overall, the Council’s financial performance in 2016/17 was an overspend of £2.1 million. This overspend was funded, as planned, from a number of earmarked reserves.

#### Capital Plan

The Council spent £37.7 million on capital expenditure in 2016/17 (compared with £22.6 million in 2015/16), funded as shown in the table below.

	Revised Budget	Outturn	Variation
	£ m	£ m	£ m
Unsupported (Prudential) Borrowing	27.3	26.6	(0.7)
Grants	13.8	10.5	(3.3)
Other Contributions	0.1	0.3	0.2
Revenue and Reserves	0.5	0.2	(0.3)
Capital Receipts	0.6	0.1	(0.5)

<b>Total Funding</b>	<b>42.3</b>	<b>37.7</b>	<b>(4.6)</b>
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Of that £37.7 million, £30.4 million was added to the value of the Council’s non current assets (before any in-year revaluation) – these are primarily land and buildings which are not used for trading purposes. The balance of £7.3 million was capital expenditure on assets the Council does not recognise as its own (such as academy schools), capital grants and loans for a capital purpose. A summary of capital expenditure in 2016/17 is shown below.

<b>Corporate Plan Theme</b>	<b>Examples of 2016/17 Schemes</b>	<b>Spend £m</b>
Protecting all children and given them the best start in life	Includes classrooms at Paignton Community College and the completion of White Rock primary expansion	<b>2.1</b>
Working towards a more prosperous Torbay	Includes transport schemes at Western Corridor and South Devon Highway	<b>31.0</b>
<i>of which Investment Fund</i>	<i>Purchase of Wren Retail Park in Torquay</i>	<b>21.1</b>
Ensuring Torbay remains an attractive and safe place to live and visit	Includes LED street lighting, Freshwater cliff stabilisation and rock armour at Hollicombe Cliffs	<b>2.7</b>
Protecting and supporting vulnerable adults	Includes spend on adult social care with the ICO and Disabled facilities Grants	<b>1.8</b>
Corporate Support		<b>0.1</b>
<b>Total</b>		<b>37.7</b>

#### Torbay “Group” Companies – Overview of Financial Performance

The Council has interests in a number of companies as shown in the table below which also includes an overview of these companies’ financial performance in the year, based on draft 2016/17 accounts.

<b>Entity</b>	<b>Assessed Relationship</b>	<b>Council Shareholding/ Control</b>	<b>Turnover £m</b>	<b>Surplus/ (Deficit) for year £m</b>	<b>Net Equity £m</b>
Torbay Economic Development Company Ltd	Subsidiary	100%	5.6	(1.8)	<b>(0.2)</b>
Complete Cleaning Solutions Limited (not trading in 16/17)	Subsidiary (to TEDC Ltd)	100%	-	-	-
English Riviera Tourism Company Ltd	Subsidiary	100%	0.3	0.2	<b>0</b>
Oldway Mansion Management Co Ltd	Subsidiary	100%	0.1	0	<b>0</b>
TOR2 Ltd (to 30/06/16)	Associate	19.99%	15.1	0.5	(1.0)
CSW Group Ltd (formally Careers SW Ltd) excludes IAS19 pension entries	Associate	25%	7.4	0.2	1.7

### Schools

The Council, as at 31 March 2017, has 12 schools (one fewer than in 2015/16) that are reflected in the Council’s accounts, both within its Income and Expenditure Statement and its Balance Sheet. These are eight primary schools, two secondary schools and two special schools. The 12 schools by “ownership” are six community schools, one voluntary controlled, one voluntary aided and two foundation. Schools are funded by the Dedicated Schools Grant which for 2016/17 is £37 million compared with £39 million in 2015/16. The level of earmarked school reserves as at 31 March 2017 is £1.9 million compare with £2.4 million in 2015/16. Further detail on school asset recognition and the use of Dedicated School Grant in 2016/17 are included in the notes to the accounts.

### Economy, efficiency and effectiveness in its use of resources

The Council reports on its financial performance and economy, efficiency and effectiveness in its use of resources over the financial year in a number of reports. In particular there are a number of reports presented to the Council’s Audit Committee. These include:

- Internal Audit’s Annual Report and mid year review
- Annual Governance Statement
- External Audit’s Audit Findings Report including a value for money conclusion
- Review of risk management
- Review of Council performance based on a basket of indicators.

The link to the Audit Committee agenda and minutes is below.

<http://www.torbay.gov.uk/DemocraticServices/ieListMeetings.aspx?CId=124&Year=0>

The Council publishes extensive information on its expenditure including details of payments in excess of £500 and details of the Council’s pay policy can be found on the council’s web site.

<http://www.torbay.gov.uk/council/finance/expenditure/>

### Overview of Financial Performance in 2016/2017

This was again a very challenging financial year for the Council with the requirement to make reductions of £12 million as well as facing increasing demand for children’s social care services. Children’s safeguarding and wellbeing, due primarily to rising numbers and costs, was significantly over its budget allocation by over £3.3 million before the application of the planned use of £1.1 million of earmarked reserves for Children’s Services.

The Council is a partner in a three way Risk Share Agreement based on the total financial performance of the Torbay and South Devon NHS Foundation Trust (which operates as an Integrated Care Organisation providing adult social care services for Torbay Council as well as community and adult health services). The risk is shared by the ICO (50% share), South Devon and Torbay Clinical Commissioning Group (41% share) and the Council (9% share).

There was additional pressure on the Council’s revenue budget from the ICO’s deteriorating financial position. The ICO’s deficit of over £20 million has resulted in a pressure for the Council of £1.7 million. Further, at the end of December 2016, the ICO gave 12 months’ notice to withdraw from the risk share agreement. This has resulted in significant uncertainty over the future contract for and costs of adult social care.

The Council incurred £0.5 million of costs associated with staff exit packages resulting from

reductions in funding. These costs were offset by reductions in other services including a revised calculation for the costs of borrowing (known as the Minimum Revenue Provision) which resulted in an in-year saving of £0.8m.

The Council has continued to implement its Transformation Programme. In the year the Council established a £50 million Investment Fund and from that fund purchased, for over £20 million, the Wren Retail Park in Torquay.

The Council has also advanced a proposal for the creation of two housing companies, one to build/sell houses and one to buy/rent houses with all Council-owned companies to be owned by a (Council owned) Holding Company. As at end of March 2017 these were not yet formed.

Following a successful ballot for a Tourism Business Improvement District the Council is “winding up” its English Riviera Tourism Company.

Council schools continued to convert to Academy status and are now fully independent of the Council. In Torbay, by 31<sup>st</sup> March 2017, a total of 28 schools had converted with one school converting in 2016/17 and further schools possibly due to convert in 2017/18.

The Council’s gross expenditure in the year was approx. £300m for revenue (day to day) spend and over £37m for capital (spend on long term assets such as roads and schools) of which over £20m was the purchase of Wren Retail Park in Torquay.

No significant liabilities were acquired by the Council in 2016/17. The Council’s contract negotiation in relation to a potential redevelopment of Oldway Mansion was settled during the year.

The Council’s employees can be members of the Devon County Council Local Government Pension Scheme. As a defined benefit scheme the Council is liable for any surplus or deficit on the fund. The Council’s liability is calculated on an annual basis by the fund’s actuary. This value estimates the liability of the Council if all liabilities were to be realised at a point in time. In reality the impact on the Council is spread over a long period of time (i.e. over current and future pensioners lives) with the Council reducing the deficit by its employers’ contributions to the fund over the long term (over 25 years). The triennial review of the fund took place as at 31<sup>st</sup> March 2016 which resulted in an increase in the Council’s employer contribution rate from April 2017.

The Council’s liability as at 31<sup>st</sup> March 2017 is assessed at £202 million which is a £51 million increase over the previous year. This is primarily due to actuarial “remeasurements” of the pension scheme liabilities and assets, offset, in part, by an increased return on those assets.

In addition to the significant change in the pension liability described above, there were a number of other “unusual” costs within the income and expenditure account in 2016/17. These include £0.5 million of costs in relation to a reduction of 43 staff (primarily as a result of the budget reductions); and, during the year, one school converted to Academy status where the transfer for nil consideration resulted in a loss on disposal on those assets of approx £0.7m.

The economic climate continued to have an impact on the Council although there were no significant changes compared to recent years. Income levels on certain services such as planning remained low. Collection rates on NNDR and Council Tax remained at similar levels to prior year levels. As conditions have remained constant there have been no material changes on the value of the Council’s property assets during the year.

For 2016/17 there are no changes in accounting policies relevant to Torbay’s accounts.

The Council’s Comprehensive Income and Expenditure Statement (CIES) is the Councils income and expenditure presented on an IFRS basis. This includes earlier recognition of grants, based on conditions attached to the grant rather than matching the grant to expenditure and a number of “non cash” items such as depreciation and pension assumptions, which should then allow the Council’s accounts to be comparable to other sector accounts. The total for the Provision of Services for 2016/17 is a deficit of £11m. The key reasons for this deficit is a loss on asset disposals of £0.7m arising from the transfer of schools from the Council to become Academy schools combined with depreciation and impairment charges of £14m.

The total from the Comprehensive Income and Expenditure statement is reflected in the Movement of Reserves statement which then adds the impact of any reserve movements to usable reserves and unusable reserves to get to the “bottom line” Council position for 2016/17. Within this is the reversal of a number of accounting entries made under IFRS that appear in the Council’s Comprehensive Income and Expenditure statement such as depreciation and pension assumptions, which are allowed, under statute, to be reversed to ensure that these entries do not have a “cash” impact on the Council Tax payer. After these adjustments the Council’s net outturn for the year was a break even position, which matches the Council’s management financial reporting position. This statement shows that the Council’s usable reserves had a net increase of £2m. This was primarily an increase of £4m from capital grants and capital receipts to fund capital expenditure in future years offset by a net decrease in earmarked revenue reserves of £2m

On the balance sheet there were some significant changes in year. There was a net increase of £18 million in the carrying value of the Council’s property, plant and equipment, heritage assets and investment properties. This increase was offset in part by a reduction in the value of the Council’s property assets related to the transfer of schools to academy status of £0.7 million. Any borrowing or other liability associated with capital expenditure on these assets in previous years remains with the Council. There was a £51 million increase in the Council’s pension liability primarily arising from changes in discount rates used to calculate the liability. The Council’s General Fund reserve increased by £0.2 million to £4.6 million, which is equivalent to 4.2% of the Council’s 2017/18 net revenue budget which is considered to be close to a prudent level.

Overall the Council’s net assets were lower than the previous year by £57m resulting in a negative net worth of £10m.

Torbay, like a number of other councils, has a negative net worth position primarily as a result of the pension liability. This doesn’t mean Torbay is not a going concern. Councils are required to operate within the framework set out in the Local Government Acts and Torbay will continue to budget for a positive General Fund balance, but is not required to maintain a positive net worth. (When a Council has a negative net worth, this indicates that future taxpayers (whether through Council Tax or indirectly through government grants) will be funding some of the cost of providing services in the past.)

Although it may appear that a negative net worth is an immediate concern, it is not as the Pension Liability of £202m does not represent an immediate call on the Authority’s reserves and is a snapshot valuation in time based on assumptions. The true value of the deficit is assessed on a triennial basis with contribution rates set to recover the balance over the longer-term. This ‘snapshot’ approach to valuing the pension deficit is very volatile as the changes in the value of liability over the past few years in the Council’s accounts has illustrated. As an example as at 31<sup>st</sup> March 2015 the deficit reduced by £17m.

In terms of the Council as a going concern, it is expected that future cash flows, aligned with authority’s budget processes, will provide sufficient resources to finance future liabilities.

### Forward Financial look

The Council has a rolling three year Medium Term Resource Plan and an Efficiency Plan which supports service planning for future years. In accepting its Efficiency Plan, the Government has provided details of its Revenue Support Grant to the Council until 2019/2020 which should allow the Council to be able to plan with some certainty its Grant reduces.

However, the Medium Term Resource Plan provides details of the number of significant issues that are impacting on the Council, its finances and its service delivery:

- Significant reductions in the Council’s Revenue Support Grant.
- Over 60% of Council net budget is allocated to social care leading to an immense challenge to set robust budgets which enable the Council to provide its statutory services
- Childrens Services during 2017/18 are likely to have an alternative delivery model as guided by the Department of Education.
- Government reviews, such as a review of national funding distribution between councils and review of school funding, will lead to a very challenging and uncertain period for local government.
- The government intention to allow councils to keep 100% (or 98% for Torbay, 2% for Devon and Somerset Fire and Rescue Authority) of National Non Domestic Rates (NNDR) income (likely to be from April 2019) and consequent reductions in other grant funding such as the Public Health Grant.
- By 2019, it is likely that Torbay Council will be primarily reliant on Council Tax and NNDR income for its funding meaning that there is a risk of potential variations in income but also a very strong incentive to plan for and achieve tax base growth in both these areas.
- It is uncertain what impact the General Election in June 2017 will have on future government policy and funding levels for local government.
- Significant uncertainty over the future contract for and costs of adult social care as a result of the ICO giving 12 months notice to withdraw from the risk share agreement for integrated health and social care.
- Central Government have now recognised, in part, the pressures for adult social care and, in addition to the Council Tax flexibilities, have announced more funding for adult social care – for Torbay Council this is £3.8m in 2017/18 reducing over the next two years.
- Whilst there is evidence of some economic recovery within Torbay, it is likely that the UK economy will continue to experience a reduction in economic growth, linked in part to the world economy. As a result, demand for some council services will increase along with increased volatility of some income streams such as NNDR income – this will become an increasing risk as Council reliance on these income streams increases.
- Ongoing impact of the demographic trends within Torbay, such as an increasing demand for adult social care and, in particular, for children’s social care plus changes in pupil numbers throughout the area increasing demand for school places.

- The impact on the UK and the Council of the decision to “leave” the European Union is unclear at present although there is likely to be period of economic and political uncertainty which could impact on future Council funding and income.

The combination of significantly reducing funding and rising demand is a major challenge for the Council as, to achieve the savings required, there will be a major impact on the quantity and quality of services the Council will be able to provide in the future. The forecast level of savings required to achieve a balanced budget for 2018/19 to 2020/21 is over £17 million. This is in addition to the £7 million of savings required to balance the 2017/18 revenue budget.

The reductions required under the “Austerity” agenda will inevitably impact on the range of services provided and how these services are provided in the future. The Council for 2017/18 has approved over £7 million of reductions. The Medium Term Resource Plan provides a summary of projected revenue income and expenditure for the next three financial years.

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Revenue Support Grant, NNDR & Council Tax	(110)	(109)	(106)	(108)
Estimated Expenditure	110	118	121	125
<b>Total Estimated Cumulative Funding Gap</b>	<b>0</b>	<b>9</b>	<b>15</b>	<b>17</b>
In- year Funding Gap		9	6	2

To meet this challenge the Council has established a Transformation Board to bring forward and implement a range of transformation projects aimed at meeting the required budget reductions but also, where possible, improve service performance. The Transformation Board is likely to consider a wide range of projects which could result in alternative service delivery, alternative levels of service provided and/or service providers. Future service developments are being undertaken including a shared service for trading standards with another Council, retendering of library services and the creation of housing companies.

The Council has an approved Capital Plan that is updated throughout the year with any new funding or schemes. A summary of anticipated capital spend over the next four years, is summarised below.

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Total Capital Expenditure	56	24	7	n/a

### Borrowing and Investments

The Council undertakes borrowing to support its capital expenditure. As at 31 March 2017 the Council had £153 million of borrowing, primarily from the Public Works Loans Board, an increase of £15m in year. In addition, it had a long term liability of £7 million to the PFI contractor for The Spires (formerly Westlands) and Homelands schools and a liability of £12 million in relation to the Council’s share of the Energy from Waste Facility in Plymouth. The Council had £42 million (£55 million in 2015/16) of cash investments at year end with a net debt position of £131 million (compared with £104 million in 2015/16).

The control over the level of Council borrowing is supported by the Prudential Code where the Council has to set limits in relation to its treasury management including limits for long term borrowing and liabilities to ensure that this is prudent and affordable. One of these indicators is a

calculation called the Capital Financing Requirement which shows the Council’s underlying need to borrow based on previous decisions on capital expenditure and borrowing offset by any repayment of principal made or other capital funding used. The key figures, in relation to borrowing and capital financing, are as follows:

	31 March 2016 £m	31 March 2017 £m
<b>Balance Sheet Values: (principal)</b>		
External Borrowing *	138	153
Long Term Liabilities	20	19
External Investments *	(54)	(42)
<b>Net Debt</b>	104	130
<b>Treasury Management Limits:</b>		
Capital Financing Requirement	151	174
Authorised Limit	207	234
Operational Limit	188	207
<b>Revenue Income &amp; Expenditure:</b>	2015/16	2016/17
Interest Receivable	(0.8)	(0.6)
Interest Payable	6.1	6.1
MRP Repayment (including PFI)	4.3	3.4
Ratio of net financing costs to net revenue (excluding revenue contributions to capital).	9%	9%

\* note: these costs are per Treasury Management outturn report which excludes the accounting adjustments required for statutory reporting such as fair value adjustments.

The level of Council borrowing reflects the Council’s capital financing requirement plus the borrowing required by the approved four year Capital Plan. The Council’s investments and other cash holdings are sufficient to meet the Council’s short term cash requirements for revenue expenditure and any “cash backed” balance sheet items such as reserves and working capital. Additional borrowing to finance the council’s approved capital plan will be required as schemes, financed from borrowing, progress. These include further investment fund purchases, regeneration schemes and potential finance required for the Council’s housing strategy.

#### Significant Provisions or contingencies

The Council has provisions at year end of £1.9 million (£2.7 million in 15/16) to meet known liabilities. These are primarily in relation to insurance claims (submitted to the Council but are currently being investigated) and in relation to NNDR appeals submitted to the Valuation Office by 31 March 2017.

The Council has given a number of pension guarantees as Council staff transferred to other bodies such as Torbay Development Agency. These are unlikely to result in a cash payment so are treated as a contingent liability. As owner or part owner of several limited companies the Council has some exposure to risk but this is limited by share or guarantee.

The Council’s policy for setting fees to care home providers was taken to Judicial Review in 2014/15 and the initial judgement was in favour of the care homes. The Council conceded on two issues and

Torbay Council  
2016/17 Statement of Accounts for the year ended 31<sup>st</sup> March 2017 – Head of Finance’s Narrative  
Statement

has made a payment in relation to those issues in 2015/16 of £2.2 million. As at 31 March 2017 the Council had appealed against one aspect of the judgement which is expected to be resolved during 2017/18.

Signed by:

Dated: 2 June 2017

Martin Phillips Head of Finance, Torbay Council

## **STATEMENT OF ACCOUNTS 2016/17**

## STATEMENT OF ACCOUNTS 2016/17

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## **FINANCIAL CERTIFICATES**

The Statement of Responsibilities for the Statement of Accounts

### **The Council's Responsibilities**

The Council is required:-

- ◆ to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In this Council, that officer is the Council's Chief Finance Officer
- ◆ to manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets
- ◆ approve the Statement of Accounts

### **Audit Committee Approval of the Statement of Accounts 2016/17**

I confirm that the Council completed its approval process of the Statement of Accounts 2016/2017 on the 26th July 2017 at a meeting of the Council's Audit Committee.

Councillor Tyerman

Chair of Audit Committee

26th July 2017

### **The Chief Finance Officer's Responsibilities**

The Chief Finance Officer is responsible for the preparation of the Council's statement of accounts in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (Code of Practice).

In preparing this Statement of Accounts, the Chief Finance Officer has:-

- ◆ selected suitable accounting policies and then applied them consistently;
- ◆ made judgements and estimates that were reasonable and prudent;
- ◆ complied with the Code of Practice.

The Chief Finance Officer has also:-

- ◆ kept proper accounting records which were up to date;
  - ◆ taken reasonable steps for the prevention and detection of fraud and other irregularities.
- 

### **The Chief Finance Officer's Statement**

The Statement of Accounts as required by the Accounts and Audit Regulations is set out on pages 28 to page 111 and has been prepared in accordance with the accounting policies which are set out, if significant, on pages 94 to 108. In my opinion it is a true and fair view of the financial position of the Council at 31<sup>st</sup> March 2017 and its income and expenditure for the year ended 31<sup>st</sup> March 2017.

The accounts are audited by the Council's External Auditor, Grant Thornton LLP.

The Statement of Accounts 2016/17 were authorised for issue on the 2<sup>nd</sup> June 2017. This is also the date up to which events after the balance sheet date have been considered.

Martin Phillips  
Chief Finance Officer  
2<sup>nd</sup> June 2017

The Statement of Accounts 2016/17 were authorised for approval by Members on the 26<sup>th</sup> July and for publication once the audit opinion has been received, which will be before the statutory deadline of the 30<sup>th</sup> September 2017. This is also the date up to which events after the balance sheet date will be considered.

Martin Phillips  
Chief Finance Officer  
26<sup>th</sup> July 2017







## Core Financial Statements

### Comprehensive Income and Expenditure Statement

This statement shows the accounting cost in the year of providing services in accordance with generally accepted accounting practices, rather than the amount to be funded from taxation. Authorities raise taxation to cover expenditure in accordance with regulations; this may be different from the “accounting” cost. The taxation position is shown in the Movement in Reserves Statement.

2015/16 restated				2016/17			
Gross Exp £m	Gross Income £m	Net Exp £m	Services	Note	Gross Exp £m	Gross Income £m	Net Exp £m
			<b>Joint Commissioning:-</b>				
44.5	(1.3)	43.2	Adult's Services		46.1	(2.4)	<b>43.7</b>
94.2	(53.1)	41.1	Children's Services		87.0	(52.6)	<b>34.4</b>
9.2	(0.6)	8.6	Public Health		10.6	(0.6)	<b>10.0</b>
			<b>Joint Operations:-</b>				
25.0	(27.5)	(2.5)	Corporate and Business Services		25.4	(29.6)	<b>(4.2)</b>
110.8	(78.7)	32.1	Community and Customer Services		111.8	(76.8)	<b>35.0</b>
283.7	(161.2)	122.5	<b>Cost Of Services</b>		<b>280.9</b>	<b>(162.0)</b>	<b>118.9</b>
1.0	(0.7)	0.3	Other Operating Income & Expenditure	See ** below	0.9	(0.9)	<b>0</b>
14.1	0	14.1	Transfer of schools to academies		0.7	0	<b>0.7</b>
13.8	(2.5)	11.3	Financing and Investment Income and Expenditure	11	14.2	(2.6)	<b>11.6</b>
0	(121.8)	(121.8)	Taxation and Non-Specific Grant Income and expenditure	12	0	(120.2)	<b>(120.2)</b>
312.6	(286.2)	26.4	<b>(Surplus)/Deficit on Provision of Services</b>		<b>296.7</b>	<b>(285.7)</b>	<b>11.0</b>
		(10.7)	(Surplus)/Deficit on revaluation on Non Current Assets (PPE)	26			<b>(6.4)</b>
		3.5	Impairment losses on non current assets charged to the revaluation reserve	26			<b>3.8</b>
		(1.2)	(Surplus)/Deficit on revaluation of available for sale financial assets	See * below			<b>2.3</b>
		(22.7)	Remeasurement of net defined pension liabilities	40			<b>46.2</b>
		(31.1)	<b>Other Comprehensive Income and Expenditure</b>				<b>45.9</b>
		(4.7)	<b>Total (Surplus)/Deficit in Comprehensive Income and Expenditure</b>				<b>56.9</b>

Note \*: There is potential for this item within Other Comprehensive Income and Expenditure (OCIE) to also be within Surplus/Deficit on the Provision of Services in a subsequent year.

Note \*\* - includes Brixham Town Council precept of £223,848.

## Movement in Reserves Statement

This statement shows the movement in the year on the different reserves held by the Council, analysed into 'usable reserves' (i.e. those that can be applied to fund expenditure or reduce local taxation) and other 'unusable' reserves. The Surplus or (Deficit) on the Provision of Services line shows the true economic cost of providing the Council's services, more details of which are shown in the Comprehensive Income and Expenditure Statement. These are different from the statutory amounts required to be charged to the General Fund Balance for council tax setting. The Net Increase /Decrease before Transfers to Earmarked Reserves line shows the statutory General Fund Balance before any discretionary transfers to or from earmarked reserves undertaken by the council.

<b>2015/16</b>	<b>General Fund Balance</b>	<b>Earmarked General Fund Reserves</b>	<b>Sub Total Revenue Reserves</b>	<b>Capital Receipts Reserve</b>	<b>Capital Grants Unapplied Account</b>	<b>Total Usable Reserves</b>	<b>Unusable Reserves</b>	<b>Total Council Reserves</b>
	£m	£m Note 10	£m	£m Note 9	£m Note 9	£m Note 24	£m Note 25	£m
<b>Balance at 31st March 2015 brought forward</b>	<b>4.4</b>	<b>30.9</b>	<b>35.3</b>	<b>3.4</b>	<b>5.2</b>	<b>43.9</b>	<b>(1.3)</b>	<b>42.6</b>
<b>Movement in Reserves during 2015/16</b>								
Surplus or (deficit) on provision of services (accounting basis)	(26.4)	-	(26.4)	-	-	(26.4)	-	(26.4)
Other Comprehensive Expenditure and Income (See C I&E Statement)	-	-	-	-	-	-	31.1	31.1
<b>Total Comprehensive Expenditure and Income</b>	<b>(26.4)</b>	<b>-</b>	<b>(26.4)</b>	<b>-</b>	<b>-</b>	<b>(26.4)</b>	<b>31.1</b>	<b>4.7</b>
Adjustments between accounting basis & funding basis under regulations (Note 7)	20.8	-	20.8	(2.0)	(1.0)	17.8	(17.8)	0
<b>Net Increase/Decrease before Transfers to Earmarked Reserves</b>	<b>(5.6)</b>	<b>-</b>	<b>(5.6)</b>	<b>(2.0)</b>	<b>(1.0)</b>	<b>(8.6)</b>	<b>13.3</b>	<b>4.7</b>
Transfers to/from Earmarked Reserves (Note 8)	5.6	(5.6)	0	-	-	0	0	0
<b>Increase/(Decrease) in Year</b>	<b>0</b>	<b>(5.6)</b>	<b>(5.6)</b>	<b>(2.0)</b>	<b>(1.0)</b>	<b>(8.6)</b>	<b>13.3</b>	<b>4.7</b>
<b>Balance at 31st March 2016 carried forward</b>	<b>4.4</b>	<b>25.3</b>	<b>29.7</b>	<b>1.4</b>	<b>4.2</b>	<b>35.3</b>	<b>12.0</b>	<b>47.3</b>

## Movement in Reserves Statement

<b>2016/17</b>	<b>General Fund Balance</b>	<b>Earmarked General Fund Reserves</b>	<b>Sub Total Revenue Reserves</b>	<b>Capital Receipts Reserve</b>	<b>Capital Grants Unapplied Account</b>	<b>Total Usable Reserves</b>	<b>Unusable Reserves</b>	<b>Total Council Reserves</b>
	£m	£m Note 10	£m	£m Note 9	£m Note 9	£m Note 24	£m Note 25	£m
<b>Balance at 31st March 2016 brought forward</b>	<b>4.4</b>	<b>25.3</b>	<b>29.7</b>	<b>1.4</b>	<b>4.2</b>	<b>35.3</b>	<b>12.0</b>	<b>47.3</b>
<b>Movement in Reserves during 2016/17</b>								
Surplus or (deficit) on provision of services (accounting basis)	(11.0)	-	(11.0)	-	-	(11.0)	-	(11.0)
Other Comprehensive Expenditure and Income (see C I&E Statement)	-	-	-	-	-	-	(45.9)	(45.9)
<b>Total Comprehensive Expenditure and Income</b>	<b>(11.0)</b>	<b>-</b>	<b>(11.0)</b>	<b>-</b>	<b>-</b>	<b>(11.0)</b>	<b>(45.9)</b>	<b>(56.9)</b>
Adjustments between accounting basis & funding basis under regulations (Note 9)	8.9	-	8.9	0.7	3.0	12.6	(12.6)	0
<b>Net Increase/Decrease before Transfers to Earmarked Reserves</b>	<b>(2.1)</b>	<b>-</b>	<b>(2.1)</b>	<b>0.7</b>	<b>3.0</b>	<b>1.6</b>	<b>(58.5)</b>	<b>(56.9)</b>
Transfers to/from Earmarked Reserves (Note 10)	2.3	(2.3)	0	-	-	0	0	0
<b>Increase/(Decrease) in Year</b>	<b>0.2</b>	<b>(2.3)</b>	<b>(2.1)</b>	<b>0.7</b>	<b>3.0</b>	<b>1.6</b>	<b>(58.5)</b>	<b>(56.9)</b>
<b>Balance at 31st March 2017 carried forward</b>	<b>4.6</b>	<b>23.0</b>	<b>27.6</b>	<b>2.1</b>	<b>7.2</b>	<b>36.9</b>	<b>(46.5)</b>	<b>(9.6)</b>

## Balance Sheet

The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the Council. The Net Assets of the Council, (assets less liabilities), are matched by the reserves held by the Council.

Reserves are reported in two categories. The first category of reserves are usable reserves, i.e. those reserves that the Council may use to provide services, subject to the need to maintain a prudent level of reserves and any statutory limitations on their use (for example the Capital Receipts Reserve that may only be used to fund capital expenditure or repay debt). The second category of reserves is those that the Council is not able to use to provide services. This category of reserves includes reserves that hold unrealised gains and losses (for example the Revaluation Reserve), where amounts would only become available to provide services if the assets are sold; and reserves that hold timing differences shown in the Movement in Reserves Statement line 'Adjustments between accounting basis and funding basis under regulations'.

31st March 2016		31 <sup>st</sup> March 2017	
£m		Note	£m
302.7	Property, Plant & Equipment	13	<b>297.9</b>
28.4	Heritage Assets	14	<b>30.6</b>
4.4	Investment Property	15	<b>25.0</b>
0.3	Intangible Assets		<b>0.3</b>
9.4	Long Term Investments	17	<b>15.0</b>
6.1	Long Term Debtors	18	<b>6.5</b>
351.3	<b>Long Term (Non Current) Assets</b>		<b>375.3</b>
47.9	Short Term Investments	18	<b>26.6</b>
1.2	Assets Held for Sale		<b>0.4</b>
0.1	Inventories		<b>0.1</b>
18.1	Short Term Debtors	19	<b>23.9</b>
2.3	Cash and Cash Equivalents	20	<b>1.0</b>
69.6	<b>Current Assets</b>		<b>52.0</b>
(1.3)	Short Term Borrowing	23	<b>(5.8)</b>
(2.3)	Other Short Term Liabilities	24	<b>(2.4)</b>
(24.4)	Short Term Creditors (inc Receipts in Advance)	21	<b>(22.9)</b>
0	Capital Grants/Contributions: Receipts in Advance		<b>(1.1)</b>
(2.6)	Provisions	22	<b>(1.8)</b>
(1.3)	Cash and Cash Equivalents	20	<b>(0.5)</b>
(31.9)	<b>Current Liabilities</b>		<b>(34.5)</b>

31st March 2016		Notes	31st March 2017
£m			£m
(3.7)	Long Term Creditors		<b>(4.9)</b>
(0.1)	Provisions	22	<b>(0.1)</b>
(138.3)	Long Term Borrowing	23	<b>(148.6)</b>
(47.1)	Other Long Term Liabilities	24	<b>(46.0)</b>
(151.0)	Pension Liability	40	<b>(202.1)</b>
(1.5)	Capital Grants/Contributions: Receipts in Advance		<b>(0.7)</b>
(341.7)	<b>Long Term Liabilities</b>		<b>(402.4)</b>
47.3	<b>Net Assets/Liabilities</b>		<b>(9.6)</b>
35.3	Usable reserves	25	<b>36.9</b>
12.0	Unusable Reserves	26	<b>(46.5)</b>
47.3	<b>Total Reserves</b>		<b>(9.6)</b>
<p>M Phillips Chief Finance Officer 2nd June 2017</p> <p>M Phillips Chief Finance Officer 26th July 2017</p>			

## Cash Flow Statement

The Cash Flow Statement shows the changes in cash and cash equivalents of the Council during the reporting period. The statement shows how the Council generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of the extent to which the operations of the Council are funded by way of taxation and grant income or from the recipients of services provided by the Council. Investing activities represent the extent to which cash outflows have been made for resources which are intended to contribute to the Council's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows by providers of capital (i.e. borrowing) to the Council.

2015/16				2016/17	
£m	£m		note	£m	£m
	(26.4)	Net surplus or (deficit) on the provision of services, including £6.1m interest paid and (£0.6m) interest received.			<b>(11.0)</b>
	33.3	Adjustments to net surplus or deficit on the provision of services for non cash movements	See note below	15.1	
	(0.8)	Adjustments for items included in the net surplus or deficit on the provision of services that are investing and financing activities including proceeds of investments and disposal of assets		(1.3)	
	6.1	<b>Net cash inflows/(Outflow) from Operating Activities</b>			2.8
		<b>Investing Activities:</b>			
(21.0)		Purchase of property, plant and equipment, investment property, heritage and intangible assets	37	(30.8)	
0.4		Proceeds from the sale of property, plant and equipment, investment property and intangible assets		0.8	
14.8	(5.8)	Proceeds from short-term and long-term investments	18	13.6	(16.4)
		<b>Financing Activities</b>			
(0.7)		Cash payments for the reduction of the outstanding liabilities relating to transferred debt and on-balance sheet PFI contracts	24	(0.7)	
0.2		Council Tax and NNDR adjustments		(1.2)	
0	(0.5)	New borrowing in year	23	15.0	13.1
	(0.2)	<b>Net increase or (decrease) in cash and cash equivalents</b>			<b>(0.5)</b>

2015/16		2016/17	
£m		Notes	£m
1.2	Cash and cash equivalents * at the beginning of the reporting period	20	1.0
1.0	Cash and cash equivalents at the end of the reporting period	20	0.5
(0.2)	<b>Net increase or (decrease) in cash and cash equivalents</b>		<b>(0.5)</b>
*Cash equivalents are short term cash investments that are held for the purpose of meeting short term cash commitments rather than for investment purposes.			
<b>Note: Adjustments to net surplus or deficit on the provision of services for non cash movements</b>			
The table below lists the adjustments required in the cash flow statement to reverse non cash items accounted for in the Provision of Services in the Comprehensive Income and Expenditure Account			
16.5	Depreciation, Impairment & downward valuations		14.2
0.1	Amortisation of Intangible Assets		0.1
(0.2)	Increase/(Decrease) in Creditors		0.1
(5.1)	(Increase)/Decrease in Debtors including impairment for bad debts		(6.4)
5.2	Movement in pension liability		5.3
14.8	Carrying amount of non-current assets and non-current assets held for sale, sold or derecognised		1.3
2.0	Other non-cash items charged to the net surplus or deficit on the provision of services		0.5
33.3	<b>Total</b>		<b>15.1</b>

## Notes to the Core Financial Statements

### 1. Changes in Accounting Policy

The only change to accounting policies for 2016/17 relates to the presentation change of services income and expenditure.

The main change is on the analysis of service income and expenditure within the Comprehensive Income and Expenditure Statement where the previous service analysis has been replaced by an analysis of income and expenditure in line with the Council's management reporting. The comparative figures for 2015/16 have been restated in the new format and a reconciliation of the previous to new format for 2015/16 for net expenditure is show below:

SERCOP Service Line	As reported in 2015/16 CEIS	Restatement	As Restated 2015/16	Torbay Management reporting
	£m	£m	£m	
Central Services to the public	2.6	(2.6)	-	
Cultural and Related	6.3	(6.3)	-	
Environmental and Regulatory	12.6	(12.6)	-	
Planning	4.3	(4.3)	-	
Children's and Education	43.7	(43.7)		
Highways and Transport	9.3	(9.3)	-	
Housing	2.3	(2.3)	-	
Adult Social Care	40.2	(40.2)	-	
Public Health	0.1	(0.1)	-	
Corporate & Democratic Core	2.4	(2.4)	-	
Non Distributed Costs	(1.3)	1.3	-	
	-	43.2	43.2	Adult Social Care
	-	41.1	41.1	Children's Services
	-	8.6	8.6	Public Health
	-	(2.5)	(2.5)	Corporate & Business Services
	-	32.1	32.1	Community & Customer Services
<b>Cost of Service</b>	<b>122.5</b>	<b>0</b>	<b>122.5</b>	
Other CIES Lines	(96.1)	-	(96.1)	
<b>(Surplus)/Deficit on provision of services</b>	<b>26.4</b>	<b>-</b>	<b>26.4</b>	

### 2. Accounting Standards that have been issued but have not yet been adopted

The standards introduced in the 2017/18 CIPFA 'Code' are only in relation to pension fund accounting so not directly applicable to the Council.

### 3. Critical Judgements in Applying Accounting Policies

In applying the accounting policies set out in the accounting policy note, the Council has had to make certain judgements about complex transactions or those involving uncertainty about future events. The critical judgements, where others may have made a different judgement, made in the statement of accounts are:

- The assets (vehicle & plant) that are leased to TOR2 as part of the contract have been treated as Council assets, while any assets purchased by TOR2 are not recognised as Council assets as these are not classified as infrastructure assets or specified in the contract and are not for the exclusive use of the Council. The Council has considered that there are not any embedded leases within the contract.
- In assessing its existing leases under IFRS guidance the Council has only considered leases where either the value of rent or the value of the asset was material. In addition a ratio of 75% of lease term to asset life has been used as a guide to recognising leases as finance leases.
- In assessing the recognition of grants the Council has determined that if grant conditions have not been met then the grant is not recognised as income, but held as a receipt in advance. If a grant could be used to support capital or revenue spend it has been treated as revenue.
- The recognition of the Council's investment in its subsidiaries is fair value. In particular the fair value of the Council's investment in the Torbay Economic Development Company Limited was taken to be the net equity of the company. As at 31<sup>st</sup> March each year the investment value is adjusted to reflect the movement in the net equity of the company as a revaluation gain or loss, unless the loss falls below the nominal value of the shares when impairment will be recognised.
- In assessing the fair value of its Heritage Assets the Council has used insurance valuations where available or historic cost. The asset lives of heritage assets, by their nature, have been deemed to be infinite.
- The accounting for the recognition of school assets based on the Council's assessment of its control including its residual interest in asset and its control over school admissions and staff employment over these assets is as follows:
  - Community Schools (6 schools) – assets recognised on balance sheet
  - Voluntary Controlled schools (1 schools) – building, but not land, recognised on balance sheet
  - Voluntary Aided Schools (3 schools) – building, but not land, recognised on balance sheet
  - Foundation Schools (2 schools) - assets recognised on balance sheet
  - Academy Schools - assets not recognised on balance sheet

Schools assets converting to Academy status are written out from the Council's balance sheet in year of transfer. The Comprehensive Income and Expenditure statement does not include any income or expenditure associated with Academy schools after date of transfer. There are no significant restrictions or material risks in relation to the schools assets or liabilities.

- The Council has recognised a long term liability for the annual local government reorganisation discretionary pension payment to Devon County Council. This payment is invoiced for in the year that the County Council makes payments to its pensioners.
- The Council has recognised its (£33m/17%) share of the Energy from Waste facility in Plymouth based on estimated tonnages per the business case for the facility and the financial allocation model agreed between Torbay, Plymouth and Devon County Councils. All three Councils have assessed the facility to be "on balance sheet" under IFRIC12 as a service concession arrangement. The Council has recognised a liability to the value of the asset recognised. This liability is apportioned between the Council's own liability to fund the asset based on forecast unitary payments over the life of the facility from the three councils (£12m/37%) and the expected third party income (£21m/63%) based on the business case. The third party income liability has been accounted for as deferred income with the balance allocated to the Council's CI&E statement over the life of the 25 year contract. As a "non cash" transaction this credit will be reversed in the MIRS to the Capital Adjustment Account the asset life of the facility has been assessed at 30 years based on the contract life and the optional 5 year extension period. The Council has assumed all lifecycle costs to be revenue unless evidence that they are capital.
- There is a high degree of uncertainty about future levels of funding for local government. However the Council has determined that this uncertainty is not yet sufficient to provide an indication that the assets of the Council might be impaired as a result of a need to close facilities and reduce levels of service provision.

#### **4. Assumptions Made About the Future and Other Major Sources of Estimation Uncertainty**

The Statement of Accounts contains estimated figures that are based on assumptions made by the Council about the future or that are otherwise uncertain. Estimates are made taking into account historical experience, current trends and other relevant factors. However, because balances can't be determined with certainty, actual results could be materially different from the assumptions and estimates. There were no changes in accounting estimates in 2016/17 or expected in future years.

The only item in the Council's balance sheet at 31<sup>st</sup> March 2017 for which there is a significant risk of material adjustment in the forthcoming financial year is as follows:

Uncertainties	Effect if Actual Results Differ from Assumptions
<b>Pension Liability Value 31/3/17 £202m (£151m 15/16)</b>	
<p>The Council's liability as at 31<sup>st</sup> March is based on a number of complex judgements relating to the discount rate used, the rate at which salaries may change, changes in retirement dates, mortality rates and expected return on pension fund assets</p> <p>A firm of pension actuaries are used to provide this information and every three years there is a detailed actuarial review of the fund.</p> <p>The value of pension assets is estimated (by the actuary) based upon information available at the Balance Sheet date, but these valuations may be earlier than the Balance Sheet date. The actual valuations at the Balance Sheet date, which may not be available until sometime later, may give a different value of pension assets, but this difference is not considered to be material.</p>	<p>The effects on the net pension liability of changes in individual assumptions can be measured. For instance, a future 0.1% increase in the discount rate assumption would result in a change in the (gross) pension liability of £9m. Similarly a change in the mortality assumption of 1 year would result in a change of £18m. However, the assumptions interact in complex ways. The actuary advised that, during 2016/17, the net pensions' liability had increased by £51m. In part this was a result of estimates being corrected as a result of "experience" updating of actuarial assumptions. In particular in 2016/17 there was a decrease in the discount rate from 3.7% to 2.7%. A table on sensitivity of assumptions is included in the Pensions Note.</p>

## 5. Expenditure and Funding Analysis

This statement shows how annual expenditure is used and funded from resources (government grants, council tax and business rates) by local authorities in comparison with those resources consumed or earned by authorities in accordance with generally accepted accounting practices. It also shows how this expenditure is allocated for decision making purposes between the council's services. Income and expenditure accounted for under generally accepted accounting practices is presented more fully in the Comprehensive Income and Expenditure Statement.

2015/16				2016/17		
Net Expend Chargeable To the General Fund	Adjustments between the Funding and Accounting Basis	Net Expenditure in the Comprehensive Income and Expenditure Statement	Services	Net Expend Chargeable to the General Fund	Adjustments between the Funding and Accounting Basis	Net Expenditure in the Comprehensive Income and Expenditure Statement
£m	£m	£m		£m	£m	£m
			Joint Commissioning:-			
42.3	0.9	43.2	Adult's Services	42.8	0.9	<b>43.7</b>
30.8	10.3	41.1	Children's Services	30.5	3.9	<b>34.4</b>
8.4	0.2	8.6	Public Health	9.9	0.1	<b>10.0</b>
			Joint Operations:-			
2.5	(5.0)	(2.5)	Corporate and Business Services	1.0	(5.2)	<b>(4.2)</b>
28.8	3.3	32.1	Community and Customer Services	27.2	7.8	<b>35.0</b>
<b>112.8</b>	<b>9.7</b>	<b>122.5</b>	<b>Cost Of Services</b>	<b>111.4</b>	<b>7.5</b>	<b>118.9</b>
0	0.3	0.3	Other Operating Income & Expenditure	0	0	<b>0</b>
0	14.1	14.1	Transfer of schools to academies	0	0.7	<b>0.7</b>
0	11.3	11.3	Financing and Investment Income and Expenditure	0	11.6	<b>11.6</b>
(112.8)	(9.0)	(121.8)	Taxation and Non-Specific Grant Income and expenditure	(111.7)	(8.5)	<b>(120.2)</b>
0	26.4	26.4	<b>(Surplus)/Deficit on Provision of Services</b>	(0.3)	11.3	<b>11.0</b>

Note: General Fund Opening Balance as at 31 March 2016 £4.4m and Closing Balance as at 31 March 2017 £4.6

## 6. Events after the Reporting Period

There are none to report. Events taking place after the 2nd June 2017 are not reflected in the financial statements.



## 8. Expenditure and Income Analysed by Nature

The authority's expenditure and income is analysed as follows:-

8.1	2015/16 £m		2016/17 £m
		<b>Expenditure</b>	
	62.7	Employee benefits expenses	59.9
	204.3	Other services expenses	207.3
	0.8	Support service recharges	0.8
	16.6	Depreciation, amortisation, impairment	14.3
	13.1	Interest payments	13.0
	0.3	Precepts and levies	0.3
	14.8	Written out of accounts on the disposal of assets	1.1
	312.6	<b>Total Expenditure</b>	<b>296.7</b>
		<b>Income</b>	
	(32.0)	Fees, charges and other service income	(35.3)
	(0.8)	Support service recharges	(0.8)
	(1.0)	Interest and investment income	(1.0)
	(85.1)	Income from council tax and non domestic rates	(89.3)
	(167.3)	Government grants and contributions	(159.3)
	(286.2)	<b>Total Income</b>	<b>(285.7)</b>
	26.4	<b>(Surplus) or Deficit on the Provision of Service</b>	<b>11.0</b>

### Segmental Income of Fees, charges and other service income

Income received on a segmental basis, primarily from external customers, is analysed below:

9.	2015/16 £m		2016/17 £m
		<b>Joint Commissioning:-</b>	
	(1.0)	Adult's Services	(1.2)
	(3.9)	Children's Services	(4.3)
	(0.6)	Public Health	(0.6)
		<b>Joint Operations:-</b>	
	(16.4)	Corporate and Commercial Services	(19.0)
	(9.3)	Community and Customer Services	(9.3)
	(1.6)	<b>Financing and Investment</b>	(1.6)
	0	<b>Other operating income and expenditure</b>	(0.1)
	(32.8)	<b>Total income analysed on a segmental basis</b>	<b>(36.1)</b>

### Adjustments between Accounting Basis and Funding Basis under Regulations

This note details the adjustments that are made to the total comprehensive income and expenditure recognised by the Council in the year in accordance with proper accounting practice to the resources that are specified by statutory provisions as being available to the Council to meet future capital and revenue expenditure. Other includes: Accumulated Absences Adjustment Account, Collection Fund Adjustment Account and Financial Instruments Adjustment Account.

2015/16						2016/17						
Usable Reserves			Unusable Reserves			Usable Reserves			Unusable Reserves			
General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other	General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other	
£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	
<b>Adjustments involving the Capital Adjustment Account:</b>												
<b>Reversal of items debited or credited to the Comprehensive Income and Expenditure Statement (CI&amp;E):</b>												
<u>Items relating to capital expenditure</u>												
(16.5)	-	-	16.5	-	-	Charges for depreciation and impairment of non current assets	<b>(14.2)</b>	-	-	<b>14.2</b>	-	-
(0.1)	-	-	0.1	-	-	Amortisation of intangible assets	<b>(0.1)</b>	-	-	<b>0.1</b>	-	-
(2.3)	-	-	2.3	-	-	Revenue expenditure funded from capital under statute	<b>(6.8)</b>	-	-	<b>6.8</b>	-	-
(14.8)	-	-	14.8	-	-	Amounts of non current assets written off on disposal/sale as part of the gain/loss on disposal to the CI&E statement	<b>(1.3)</b>	-	-	<b>1.3</b>	-	-
0.1	-	-	(0.1)	-	-	Notional Rent Credit	<b>0.1</b>	-	-	<b>(0.1)</b>	-	-

Usable Reserves							Unusable Reserves						Usable Reserves							Unusable Reserves					
General Fund	Capital Receipts	Capital Grants	Unappl'd	CAA	Pension	Other	General Fund	Capital Receipts	Capital Grants	Unappl'd	CAA	Pension	Other	General Fund	Capital Receipts	Capital Grants	Unappl'd	CAA	Pension	Other					
£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m					
(33.6)	-	-	33.6	-	-	b/f	(22.3)	-	-	22.3	-	-													
0.8	-	-	(0.8)	-	-	<b>Deferred Credit re Energy From Waste</b>	<b>0.8</b>	-	-	<b>(0.8)</b>	-	-													
						<u>Other</u>																			
0.3	-	-	(0.3)	-	-	Movement in the fair value of Investment Properties	(0.5)	-	-	0.5	-	-													
						<u>Items relating to capital financing applied in the year</u>																			
6.1	-	-	(6.1)	-	-	Capital Grants and Contributions Applied	7.1	-	-	(7.1)															
						<b>Insertion of items not debited or credited to the Comprehensive Income and Expenditure Statement</b>																			
						<u>Items relating to capital financing applied in the year</u>																			
4.3	-	-	(4.3)	-	-	Provision for the financing of capital investment	3.4	-	-	(3.4)															
1.1	-	-	(1.1)	-	-	Capital expenditure charged against the General Fund	0.2	-	-	(0.2)															
(21.0)	-	-	21.0	-	-	c/f	(11.3)	-	-	11.3	-	-													

Usable Reserves							Unusable Reserves						Usable Reserves							Unusable Reserves					
General Fund	Capital Receipts	Capital Grants	Capital Grants Unappl'd	CAA	Pension	Other	General Fund	Capital Receipts	Capital Grants	CAA	Pension	Other	General Fund	Capital Receipts	Capital Grants	CAA	Pension	Other							
£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m							
(21.0)	-	-	21.0	-	-	b/f	(11.3)	-	-	11.3	-	-													
<b>Adjustments involving Capital Grant Unapplied Account</b>																									
3.7	-	(3.7)	-	-	-	Capital Grants & Contributions unapplied credited to the CI&E Statement	6.6	-	(6.6)	-	-	-													
-	-	4.7	(4.7)	-	-	Application of (prior year) Grants to capital financing applied in the year transferred to the Capital Adjustment Account	-	-	3.6	(3.6)	-	-													
<b>Adjustments involving the Capital Receipts Reserve:</b>																									
0.6	(0.6)	-	-	-	-	Transfer of sale proceeds credited as part of the gain/loss on disposal to the CI&E Statement	0.8	(0.8)	-	-	-	-													
-	2.6	-	(2.6)	-	-	Use of the Capital Receipts Reserve to finance new capital expenditure applied in the year	-	0.1	-	(0.1)	-	-													
<b>Adjustments involving the Pensions Reserve:</b>																									
(16.7)	2.0	1.0	13.7	-	-	c/f	(3.9)	(0.7)	(3.0)	7.6	-	-													

Usable Reserves							Unusable Reserves						Usable Reserves							Unusable Reserves					
General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other		General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other	General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other							
£m	£m	£m	£m	£m	£m		£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m							
(16.7)	2.0	1.0	13.7	-	-	b/f	(3.9)	(0.7)	(3.0)	7.6	-	-													
(12.0)	-	-	-	12.0	-	Reversal of items relating to retirement benefits debited or credited to the CI&E Statement (see Note 38)	(12.4)	-	-	-	12.4	-													
6.9	-	-	-	(6.9)	-	Employer's pensions contributions and direct payments to pensioners payable in the year	7.1	-	-	-	(7.1)	-													
<b>Adjustments involving the Collection Fund</b>																									
<b>Adjustment Account:</b>																									
(0.3)	-	-	-	-	0.3	Amount by which council tax income credited to the CI&E Statement is different from council tax income calculated for the year in accordance with statutory requirements	0.6	-	-	-	-	(0.6)													
<b>Adjustment involving the Accumulated Absences Account</b>																									
(22.1)	2.0	1.0	13.7	5.1	0.3	c/f	(8.6)	(0.7)	(3.0)	7.6	5.3	(0.6)													

Usable Reserves		Unusable Reserves				Usable Reserves		Unusable Reserves				
General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other		General Fund	Capital Receipts	Capital Grants Unappl'd	CAA	Pension	Other
£m	£m	£m	£m	£m	£m		£m	£m	£m	£m	£m	£m
(22.1)	2.0	1.0	13.7	5.1	0.3	b/f	<b>(8.6)</b>	<b>(0.7)</b>	<b>(3.0)</b>	<b>7.6</b>	<b>5.3</b>	<b>(0.6)</b>
0.3	-	-	-	-	(0.3)	Amount by which officer remuneration charged to the CI&E Statement on an accruals basis is different from remuneration chargeable in the year in accordance with statutory requirements	<b>(0.2)</b>	-	-	-	-	<b>0.2</b>
<b>Adjustment involving the Financial Instruments Adjustments Account</b>												
1.0	-	-	-	-	(1.0)	Amount by which financial instruments charged to the CI&E Statement are different from amounts chargeable in the year in accordance with statutory requirements	<b>(0.1)</b>	-	-	-	-	<b>0.1</b>
(20.8)	2.0	1.0	13.7	5.1	(1.0)	<b>Total Adjustments per MIRS</b>	<b>(8.9)</b>	<b>(0.7)</b>	<b>(3.0)</b>	<b>7.6</b>	<b>5.3</b>	<b>(0.3)</b>
<i>Memo items:-</i>												
(26.4)	-	-	-	-	-	<i>Surplus/(Deficit) on Provision of Services</i>	<b>(11.0)</b>	-	-	-	-	-
5.6	-	-	-	-	-	<i>Movement in earmarked reserves</i>	<b>2.3</b>	-	-	-	-	-

-	-	-	-	(22.7)	-	<i>Other Comprehensive Income and Expenditure: Remeasurement of net defined pension liability</i>	-	-	-	-	<b>46.2</b>	-
-	-	-	(3.8)	-	-	<i>Other movement on the Capital Adjustment Account - Adjusting amounts written out of the revaluation reserve to the Capital Adjustment Account</i>	-	-	-	(1.2)	-	-
<b>0</b>	-	-	<b>9.9</b>	<b>(17.6)</b>	-	<b>Total Movement in year (see MIRS note)</b>	<b>0.2</b>	-	-	<b>6.4</b>	<b>51.5</b>	-

## 10. Transfers to/from Earmarked Reserves

This note sets out the amounts set aside from the General Fund in earmarked reserves to provide financing for future expenditure plans and the amounts posted back from earmarked reserves to meet General Fund expenditure in 2016/17.

	Balance at 31 March 2015 £m	Transfer Out 2015/16 £m	Transfer In 2015/16 £m	Balance at 31 March 2016 £m	Transfer Out 2016/17 £m	Transfer In 2016/17 £m	Balance at 31 March 2017 £m
Reserves:-							
earmarked for General Expenditure	3.2	(0.7)	1.5	4.0	(2.5)	3.0	4.5
earmarked for specific issues	10.3	(5.3)	1.7	6.7	(4.2)	3.5	6.0
to reflect timing of expenditure	5.3	(3.0)	2.9	5.2	(1.8)	0.3	3.7
to support Capital expenditure	2.7	(1.2)	0.2	1.7	(0.1)	0.5	2.1
School Related Reserves	0.5	0	0	0.5	(0.3)	0	0.2
Schools' Balances (held under a delegation scheme)	2.9	(2.9)	2.4	2.4	(2.4)	1.9	1.9
Ring Fenced	6.0	(2.1)	0.9	4.8	(0.2)	0	4.6
<b>Total</b>	<b>30.9</b>	<b>(15.2)</b>	<b>9.6</b>	<b>25.3</b>	<b>(11.5)</b>	<b>9.2</b>	<b>23.0</b>

## 11. Financing and Investment Income and Expenditure

2015/16 £m		2016/17 £m
7.8	Interest payable and similar charges	7.5
5.4	Net interest on net defined pension liability	5.5
(1.0)	Interest receivable and similar income	(1.0)
(0.7)	Income and expenditure in relation to investment properties and changes in their fair value	0
(0.2)	Gain from Devon wide NNDR Pool	(0.4)
11.3	<b>Total</b>	<b>11.6</b>

## 12. Taxation and Non Specific Grant Income

2015/16 Restated £m		2016/17 £m
(53.7)	Council tax Income	<b>(56.9)</b>
(30.7)	Retained income from rate retention scheme	<b>(30.7)</b>
(1.0)	Collection Fund – NNDR & Council Tax	<b>(1.1)</b>
0.3	Collection Fund Adjustment Account	<b>(0.6)</b>
(29.2)	Non-ring fenced government grants	<b>(23.4)</b>
(7.5)	Capital grants and contributions	<b>(7.5)</b>
(121.8)	Total	<b>(120.2)</b>

### 13. Property, Plant and Equipment

#### Measurement Basis

Non Current assets are valued at fair value for their particular asset type (category). Fair Value will therefore reflect:

- Existing Use Value for most categories of Property Plant and Equipment (P,P&E)
- Depreciated Replacement Cost for assets of a specialised nature with no readily identifiable market
- Depreciated Historical Cost for Community, Infrastructure and Vehicles, Plant and Equipment
- Historical Cost for Assets under Construction

#### Depreciation method

Assets are depreciated on a straight line basis over the useful life of each asset to reflect the pattern in which the asset's service potential is expected to be used.

Depreciation is applied to all asset types with the exception of land which is not depreciated due to its nature.

#### Useful lives used

The useful life of an asset represents the period over which an asset is expected to be of use in providing services for the Council.

#### Movements on Balances

Reconciliation of movements in 2016/17, and the prior year 2015/16, in Property, Plant and Equipment by category of assets is shown in the tables below:

2015/16

	Other Land & Buildings	Vehicles, Plant & Equipment	Infra - structure Assets	Community Assets	Surplus Assets	Assets Under Construction	Total Property, Plant & Equipment	PFI Assets in P, P & E
	£m	£m	£m	£m	£m	£m	£m	£m
<b>Cost or Valuation</b>	<b>186.8</b>	<b>17.2</b>	<b>106.4</b>	<b>7.4</b>	<b>0.5</b>	<b>2.3</b>	<b>320.6</b>	<b>23.8</b>
<b>As at 1<sup>st</sup> April 2015</b>								
Additions	37.9	0	13.7	0.1	0.1	0.4	<b>52.2</b>	33.3
Revaluation increases/ (decreases) recognised in the Revaluation Reserve	3.9	0	0	0	0.7	0	<b>4.6</b>	0.2
Revaluation Increases/ (decreases) recognised in the Surplus/Deficit on the Provision of Services	(9.6)	0	0	0	(0.2)	0	<b>(9.8)</b>	(1.9)
Derecognition – Disposals	(14.7)	(0.2)	0	0	(0.1)	0	<b>(15.0)</b>	0
Assets reclassified (to)/from Held for Sale	(0.4)	0	0	0	0	0	<b>(0.4)</b>	0
Other movements in Cost or Valuation	2.1	0	0	0	0	(2.2)	<b>(0.1)</b>	0
<b>As at 31<sup>st</sup> March 2016</b>	<b>206.0</b>	<b>17.0</b>	<b>120.1</b>	<b>7.5</b>	<b>1.0</b>	<b>0.5</b>	<b>352.1</b>	<b>55.4</b>
<b>Accumulated Depreciation and Impairment</b>								
<b>As at 1<sup>st</sup> April 2015</b>	<b>(6.6)</b>	<b>(13.3)</b>	<b>(24.6)</b>	<b>(0.3)</b>	<b>0</b>	<b>0</b>	<b>(44.8)</b>	<b>(0.4)</b>
Depreciation charge	(4.1)	(0.9)	(3.4)	(0.1)	0	0	<b>(8.5)</b>	(1.5)
Depreciation written out to the Revaluation Reserve	1.7	0	0	0	0	0	<b>1.7</b>	0
Revaluation Increases/ (decreases) recognised in the Surplus/Deficit on the Provision of Services	1.8	0	0	0	0	0	<b>1.8</b>	1.1
Derecognition – Disposals	0.2	0.2	0	0	0	0	<b>0.4</b>	0
Other movements in Depreciation and Impairment	0	0	0	0	0	0	<b>0</b>	0
<b>As at 31<sup>st</sup> March 2016</b>	<b>(7.0)</b>	<b>(14.0)</b>	<b>(28.0)</b>	<b>(0.4)</b>	<b>0</b>	<b>0</b>	<b>(49.4)</b>	<b>(0.8)</b>
<b>Net Book Value:-</b>								
<b>As at 31<sup>st</sup> March 2016</b>	<b>199.0</b>	<b>3.0</b>	<b>92.1</b>	<b>7.1</b>	<b>1.0</b>	<b>0.5</b>	<b>302.7</b>	<b>54.6</b>
As at 31 <sup>st</sup> March 2015	<b>180.2</b>	<b>3.9</b>	<b>81.8</b>	<b>7.1</b>	<b>0.5</b>	<b>2.3</b>	<b>275.8</b>	<b>23.4</b>

2016/17	Other Land and Buildings	Vehicles, Plant & Equipm't	Infra-structure Assets	Community Assets	Surplus Assets	Assets Under Construction	Total Property, Plant & Equipm't	PFI Assets in P, P & E
	£m	£m	£m	£m	£m	£m	£m	£m
<b>Cost or Valuation</b>								
<b>As at 1<sup>st</sup> April 2016</b>	<b>206.0</b>	<b>17.0</b>	<b>120.1</b>	<b>7.5</b>	<b>1.0</b>	<b>0.5</b>	<b>352.1</b>	<b>55.4</b>
Additions	1.2	0.1	7.0	1.1	0	0.1	<b>9.5</b>	0.1
Revaluation increases/ (decreases) recognised in the Revaluation Reserve	0.1	0	0	0	(0.3)	0	<b>(0.2)</b>	0
Revaluation Increases/ (decreases) recognised in the Surplus/Deficit on the Provision of Services	(4.9)	0	0	0	(0.5)	0	<b>(5.4)</b>	0
Derecognition - Disposals	(0.7)	0	0	0	0	0	<b>(0.7)</b>	0
Assets reclassified (to)/from Held for Sale	(0.4)	0	0	0	0.8	0	<b>0.4</b>	0
Other movements in Cost or Valuation	(0.3)	0	0	0	0	0	<b>(0.3)</b>	0
<b>As at 31<sup>st</sup> March 2017</b>	<b>201.0</b>	<b>17.1</b>	<b>127.1</b>	<b>8.6</b>	<b>1.0</b>	<b>0.6</b>	<b>355.4</b>	<b>55.5</b>
<b>Accumulated Depreciation and Impairment</b>								
<b>As at 1<sup>st</sup> April 2016</b>	<b>(7.0)</b>	<b>(14.0)</b>	<b>(28.0)</b>	<b>(0.4)</b>	<b>0</b>	<b>0</b>	<b>(49.4)</b>	<b>(0.8)</b>
Depreciation charge	(4.1)	(0.8)	(4.2)	(0.2)	0	0	<b>(9.3)</b>	(1.5)
Depreciation written out to the Revaluation Reserve	0.7	0	0	0	0	0	<b>0.7</b>	0
Revaluation Increases/ (decreases) recognised in the Surplus/Deficit on the Provision of Services	0.4	0	0	0	0	0	<b>0.4</b>	0
Derecognition - Disposals	0.1	0	0	0	0	0	<b>0.1</b>	0
Other movements in Depreciation and Impairment	0	0	0	0	0	0	<b>0</b>	0
<b>As at 31<sup>st</sup> March 2017</b>	<b>(9.9)</b>	<b>(14.8)</b>	<b>(32.2)</b>	<b>(0.6)</b>	<b>0</b>	<b>0</b>	<b>(57.5)</b>	<b>(2.3)</b>
<b>Net Book Value:-</b>								
<b>As at 31<sup>st</sup> March 2017</b>	<b>191.1</b>	<b>2.3</b>	<b>94.9</b>	<b>8.0</b>	<b>1.0</b>	<b>0.6</b>	<b>297.9</b>	<b>53.2</b>
As at 31 <sup>st</sup> March 2016	199.0	3.0	92.1	7.1	1.0	0.5	302.7	54.6

### Contractual Commitments for the acquisition of Property, Plant and Equipment as at 31<sup>st</sup> March 2017

The significant commitments on capital schemes with a value greater than £0.5m together with the likely year of spend are shown in the table below. Similar commitments for the previous financial year were £7.6m.

Contract	Purpose	Total Commitments £m	2017/18 £m	2018/19 £m
	<b>Expenditure on Council Assets:</b>			
<b>Transport</b>				
South Devon Highway	Major investment to provide new road to alleviate congestion and ease traffic flow to and from Torbay.	2.8	1.5	1.3
Western Corridor	Road widening and improvement scheme	3.2	3.2	0
	<b>Total Significant Commitments</b>	<b>6.0</b>	<b>4.7</b>	<b>1.3</b>

### Revaluations

The Council's assets are regularly revalued, (at least once during a five year period), by the Council's appointed external qualified valuer - see accounting policies. The effective date of revaluation is usually the 1<sup>st</sup> April of the year of the revaluation. The only class of asset that has significant revaluations is "Other Land and Buildings" which is valued at existing use.

Valued at fair value as at	Other Land and Buildings £m
31 March 2017	22.3
31 March 2016	59.4
31 March 2015	50.1
31 March 2014	42.9
31 March 2013	26.3
Total Cost or Valuation of Other Land & Buildings	<b>201.0</b>

## 14. Heritage Assets

The value of the Council's heritage assets are reported in the balance sheet at an insurance valuation. Where it is not practical to obtain an insurance valuation the asset is measured at

historical cost (usually nil). Heritage Assets, by their nature have a long life, so have not been depreciated.

The insurance valuations for heritage assets classified as property are updated every year by an inflationary factor as recommended by the Council's insurers, then revalued every 5 years as part of a rolling programme by an external valuer. The Fine Art Collection and Mayoral Regalia are revalued periodically by external valuers to ensure the adequacy of the valuation. The value of these assets is held on the Council's Asset Register.

The following table shows the reconciliation of the carrying value of Heritage Assets held by the Council.

	Fine Art Collection	Mayoral Regalia	Heritage Property	Total Assets
Valuation	£m	£m	£m	£m
31 <sup>st</sup> March 2015	<b>5.8</b>	<b>0.2</b>	<b>21.4</b>	27.4
Additions	0	0	0.1	0.1
Revaluation increases/(decreases) recognised in the Revaluation Reserve	0	0	0.9	0.9
31 <sup>st</sup> March 2016	<b>5.8</b>	<b>0.2</b>	<b>22.4</b>	28.4
Additions	0	0	0	0
Revaluation increases/(decreases) recognised in the Revaluation Reserve	2.1	0	0.1	2.2
31 <sup>st</sup> March 2017	7.9	0.2	22.5	30.6

#### Fine Arts Collection

Includes exhibits held at Torre Abbey. The valuation was undertaken by external valuers, Bearnese, in 2010 but the exhibits held at Torre Abbey were valued by Bearnese in 2016. The collection includes William Holman Hunt's "The Children's Holiday" which has an insurance valuation of £3m. There are a large number of exhibits at Torre Abbey that are not included in the valuation due to their low item value. Further details of the exhibits included in this collection and visiting information are available on the council's website at:-

<http://www.torre-abbey.org.uk/collections>

The Council is in the process of transferring the information it holds on the Torre Abbey exhibits to a new museum database.

### Mayoral Regalia

Included in this collection are Chains of Office, Badges, Maces and other silver items. The collection was last valued by external valuers, Fattorini, in 2005. Some items were revalued in 2010 and a general uplift to values was applied in 2011.

### Heritage Property

Most of these assets are not insured so are held at historic cost, for example the D Day Embarkation Ramps. Of the property assets with an insurance valuation, Torre Abbey is the most significant being valued at £18.9m. The Council also has properties that although culturally and historically important, are being used for operational purposes. As this purpose is more relevant to users of the financial statements these assets have been classified under the heading 'Property, Plant and Equipment' on the balance sheet. For example these assets include Torquay Town Hall and Electric House which are used as office accommodation. The Council uses an external RICS qualified valuer to provide property reinstatement valuations for insurance purposes.

## 15. Investment Properties

Properties that are held by the Council primarily for investment returns and capital appreciation. Income relating to these properties in 2016/17 was £0.5m with operating costs of £0.1m...

31 <sup>st</sup> March 2016		31 <sup>st</sup> March 2017
£m		£m
4.1	Opening Balance	4.4
0	Purchases in year	21.1
0.3	Movements in value in year	(0.5)
4.4	<b>Total</b>	<b>25.0</b>

## 16. Financial Instruments

The following categories of financial instrument are carried in the Balance Sheet:

31 <sup>st</sup> March 2016			31 <sup>st</sup> March 2017	
Long Term	Short Term		Long Term	Short Term
£m	£m		£m	£m
Restated	Restated	<b>Investments</b>		
7.1	28.8	Loans and receivables	12.2	12.8
2.3	1.0	Available-for-sale financial assets	2.8	2.5
0	18.1	Financial assets at fair value through profit and loss	0	11.3

9.4	47.9	<b>Total investments</b>	<b>15.0</b>	<b>26.6</b>
		<b>Cash &amp; Cash Equivalents</b>		
0	0.1	Cash in hand and Bank (net)	<b>0</b>	<b>0.5</b>
0	0.9	Loans and receivables	<b>0</b>	<b>0.3</b>
0	1.0	<b>Total Cash &amp; Cash Equivalents</b>	<b>0</b>	<b>0.8</b>
		<b>Debtors</b>		
6.1	15.1	Financial assets carried at contract amounts	<b>6.5</b>	<b>21.2</b>
6.1	15.1	<b>Total Debtors</b>	<b>6.5</b>	<b>21.2</b>
		<b>Borrowings/Liabilities</b>		
(138.3)	(1.3)	Financial liabilities at amortised cost	<b>(148.6)</b>	<b>(5.8)</b>
(138.3)	(1.3)	<b>Total borrowings</b>	<b>(148.6)</b>	<b>(5.8)</b>
		<b>Other Long Term Liabilities</b>		
(19.6)	(0.6)	PFI liability	<b>(18.8)</b>	<b>(0.8)</b>
(19.6)	(0.6)	<b>Total other long term liabilities</b>	<b>(18.8)</b>	<b>(0.8)</b>
		<b>Creditors</b>		
(1.7)	(19.8)	Financial liabilities carried at contract amount	<b>(2.6)</b>	<b>(18.0)</b>
(1.7)	(19.8)	<b>Total Creditors</b>	<b>(2.6)</b>	<b>(18.0)</b>
(144.1)	42.3	<b>Total All Financial Instruments</b>	<b>(148.5)</b>	<b>24.0</b>

During the year the Council has not reclassified any financial instruments or pledged any financial assets as collateral for liabilities or contingent liabilities or has any loans payable including interest due in default. The main measurement bases used by the Council in preparing the treatment of Financial Instruments within its financial statement are as follows:

Financial Instrument	Basis of measurement	Note
Investments – fixed rate	Carrying value adjusted for interest owed at year end	Investments have both fixed term and fixed interest rates
Investments – Money Market Funds	Increase in carrying value reflected in Balance Sheet and not recognised in Income & Expenditure Account until realised	Minimal balances at year end as investment realised before year end. Interest rate determinable on 1 <sup>st</sup> April.
Investments – Enhanced Money Market Fund	Treated as a Financial Instrument at Fair Value through Profit and Loss as the fund is part of a portfolio of identified financial instruments that are managed together and for which there is evidence of a recent actual pattern of short-term profit taking.	Carrying value of the fund at 31 <sup>st</sup> March is the fair value of the Fund.
Investments – CCLA Property Fund	Treated as an Available for Sale asset and changes in carrying value reflected in Balance Sheet and not recognised in Income & Expenditure Account until realised	Carrying value of the fund at 31 <sup>st</sup> March is the fair value of the Fund. Dividends due in year are recognised in CIES.

Financial Instrument	Basis of measurement	Note
Investments – Subsidiaries	Fair value of subsidiary is net equity of subsidiary unless negative where the fair value is nil.	Included Torbay Economic Development Company.
Investments – Other	Held at carrying value on basis of materiality	
Contractual Debt/payables	Held at invoiced or billed amount less an estimate of impairment for the uncollectability of that debt.	Excludes non contractual debt such as Council tax and NNDR
PWLB and fixed rate Market Debt	Carrying value adjusted for interest due at year end	Borrowing is both fixed term and fixed interest rates
LOBO Debt	Balance measured using the effective interest rate within the contract for the maximum life of the deal	Rate calculated over full term assuming the options within the contract are not exercised.
Financial Instruments under adverse economic conditions	All financial instruments assessed for impairment from economic conditions	As appropriate the impairment for contractual debt will be reviewed. The Council does not hold any investments which it has assessed to be subject to any impairment.

The Council in compiling its accounts assessed all its financial instruments and there were a number that were not considered material to make adjustment to the carrying value of the asset or liability.

### Income, Expense, Gains and Losses

	2015/16				2016/17			
	Financial Liabilities	Financial Assets		Total	Financial Liabilities	Financial Assets		Total
	Liabilities measured at amortised cost	Loans and receivables	Assets and Liabilities at Fair Value through Profit and Loss		Liabilities measured at amortised cost	Loans and receivables	Assets and Liabilities at Fair Value through Profit and Loss	
£m	£m	£m	£m	£m	£m	£m	£m	
Interest expense	4.8	-	-	4.8	<b>4.6</b>	-	-	<b>4.6</b>
Reductions in fair value re interest due	1.3	-	-	1.3	<b>1.3</b>	-	-	<b>1.3</b>
<b>Total expense in Surplus or Deficit on the Provision of Services</b>	6.1	-	-	6.1	<b>5.9</b>	-	-	<b>5.9</b>
Interest income	-	(0.3)	0	(0.3)	-	<b>(0.3)</b>	<b>0</b>	<b>(0.3)</b>
Increases in fair value	-	(0.2)	(0.2)	(0.4)	-	<b>(0.1)</b>	<b>(0.2)</b>	<b>(0.3)</b>
<b>Total income in Surplus or Deficit on the Provision of Services</b>	-	(0.5)	(0.2)	(0.7)	-	<b>(0.4)</b>	<b>(0.2)</b>	<b>(0.6)</b>
<b>Net gain/(loss) for the year</b>	6.1	(0.5)	(0.2)	5.4	<b>5.9</b>	<b>(0.4)</b>	<b>(0.2)</b>	<b>5.3</b>

### Fair Values of Assets and Liabilities

Financial liabilities and financial assets represented by loans and receivables and long-term debtors and creditors are carried in the balance sheet at amortised cost. Their fair value can be assessed by calculating the present value of the cash flows that will take place over the remaining term of the instruments.

For fixed term deposits, valuation has been made by comparison of the investment with a comparable investment with the same/similar lender for the remaining period of the deposit. For loans receivable, prevailing benchmark market rates have been used to provide the fair value. For investments held in higher earning “cash” accounts the fair value is assumed to be the same as the nominal value of the deposit.

For PWLB debt the fair value has been assessed by using PWLB discount rates (certainty rate) for new loans as at 31<sup>st</sup> March 2017, and then matched, as appropriate, to the duration on an existing maturity. No early repayment or impairment is recognised. For non PWLB loans the fair value has been assessed by using discount rates of similar length and structure with a comparable lender as at 31<sup>st</sup> March 2017.

For both fair values, under the requirements of IFRS13, these values are based on Level Two inputs, i.e. inputs other than quoted prices that are observable.

The fair value of debtors and creditors is taken to be the invoiced or billed amount. The table below shows the fair values of assets and liabilities where the fair value is different to the value shown in the Council balance sheet – the “carrying value”:

	31 March 2016		31 March 2017	
	Carrying amount £m	Fair value £m	Carrying amount £m	Fair value £m
Financial Assets:				
Loans and Receivables:				
- Short Term Investments	29.7	29.8	<b>15.3</b>	<b>15.3</b>
- Long Term Investments	7.0	7.1	<b>12.0</b>	<b>12.1</b>
Financial Liabilities:				
Borrowing	(139.6)	(172.9)	<b>(154.4)</b>	<b>(202.9)</b>

The fair value of the loans and receivables (investments) is higher than the carrying amount because the Council’s portfolio of investments includes a number of fixed rate investments where the interest rate receivable is higher than the prevailing market rates at the Balance Sheet date. This shows a notional future gain (based on economic conditions at 31 March 2017) arising from a commitment to be paid interest by lenders above current market rates. As at 31<sup>st</sup> March there is a flat profile for interest rates in the short term therefore there is very little difference between the carrying amount and the fair value of short term loans.

The fair value of the liabilities (borrowing) is higher than the carrying amount because the Council’s portfolio of loans includes a number of fixed rates where the interest rate payable is higher than the rates available for similar loans at the balance sheet date for the term remaining. The commitment to pay interest above current market rates increases the amount the Council would have to pay if the lender requested or agreed to early repayment of the loans.

It should be noted that the PWLB also provided a fair value of the Council’s PWLB debt as at 31<sup>st</sup> March 2017 of £217.0m (£184.1m 15/16). This is higher than the fair value PWLB amount of £186.4m (£159.2m 15/16) as the PWLB has used their “premature redemption rate of interest” to calculate fair value. This rate is a more punitive rate than current rates that only applies if a Council repays debt early.

The Council has a liability for the remaining 10.5 years on its 25 year School PFI contract for the construction element. The fair value of the liability as at 31/3/17 of £9.7m (£10.3m 15/16)

has been assessed using Level Two inputs using a PWLB annuity discount rate, i.e. an input other than quoted prices that are observable.

The Council has a liability for the remaining 22.5 years on its 25 year Energy from Waste PFI contract for the construction element. The fair value of the liability as at 31/3/17 of £26.2m (£26.1m 15/16) has been assessed using Level Two inputs using a PWLB annuity discount rate, i.e. an input other than quoted prices that are observable.

## 17. Nature and Extent of Risks Arising from Financial Instruments

The Council's activities expose it to a variety of financial risks:

- credit risk – the possibility that other parties might fail to pay amounts due to the Council
- liquidity risk – the possibility that the Council might not have funds available to meet its commitments to make payments
- market risk – the possibility that financial loss might arise for the Council as a result of changes in such measures as interest rates and stock movements

The Council's overall risk management programme (as outlined in its Treasury Management Strategy) focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the resources available to fund services. Risk management is carried out by the Council's treasury team, under policies and practices approved by full Council in March 2010 and updated as required in the annual Treasury Management Strategy. The Council provides written principles for overall risk management, as well as written policies covering specific areas, such as interest rate risk, credit risk and the investment of surplus cash. The Council's treasury team also, as required, make in year adjustments in the event of changing circumstances such as economic pressures impacting on rates or changes to investment counterparty lists.

### **Credit Risk**

Credit risk arises from deposits with banks and financial institutions, as well as credit exposure to the Council's customers. Deposits are not made with banks and financial institutions unless they have a sufficiently high credit rating, as designated by independent credit rating agencies, or other strong measure of security such as a central government guarantee with a minimum sovereign rating of "AAA"/"AA+". The system of counterparty selection includes a sophisticated modelling approach which combines credit ratings, credit watches, credit outlooks and credit default swaps (CDS) spreads in a weighted scoring system for which the end product is a series of colour code bands which indicate the value and durational limits for each counterparty.

The Council's investment in the Funding Circle (£0.2m) is limited to individual loans to applicants with a credit score (as assessed by Funding Circle) of A+, A and B the three highest categories of credit combined with a maximum loan to any applicant of £1,500.

The following analysis summarises the Council's potential maximum exposure to credit risk, based on experience of default and uncollectability, adjusted to reflect current market conditions.

<b>2016/17</b>	Value as at 31 <sup>st</sup> March 2017	Historical experience of default	Historical experience adjusted for market conditions as at 31 <sup>st</sup> March 2017	Estimated maximum exposure to default and uncollectability at 31 <sup>st</sup> March 2017
	£m	%	%	£m
Deposits with banks and other financial institutions	15.5	0%	0%	0
Deposits held in Enhanced Money Market Fund	11.1	0%	0%	0
Deposits held with other public sector bodies	12.0	0%	0%	0
Units purchased in CCLA Property Fund	2.8	0%	0%	0
Trade and other Receivables (Sundry & Harbour Debt)	3.7	1%	1%	0.1

The Council does not generally allow credit to customers. Within the Council's sundry debt total of £3.7m (£4.2m 15/16), £0.7m (£0.9m 15/16) is over three months due for payment. The past due amount can be analysed by age as follows:

31 <sup>st</sup> March 2016		31 <sup>st</sup> March 2017
£m		£m
3.3	Less than 3 months	<b>3.0</b>
0.4	Three months to one year	<b>0.2</b>
0.5	More than one year	<b>0.5</b>
4.2	Total	<b>3.7</b>

At year end the level of impairment for all Council debt is assessed and reflected in the value of the impairment disclosed in the debtors note.

### Liquidity Risk

As the Council has ready access to borrowings from the Public Works Loans Board and a short term funding facilities with its Bankers, there is no significant risk that it will be unable to raise finance to meet its commitments under financial instruments. Instead there is a risk that the Council will be bound to replenish a proportion of its borrowings at a time of unfavourable interest rates. The Council's treasury team aim to ensure that the Council's borrowing portfolio is spread over a range of maturities by a combination of careful planning of new loans taken out and, where it is economic to do so, rescheduling debt.

The maturity analysis of fixed rate borrowing at fair value is as follows:

31 <sup>st</sup> March 2016		31 <sup>st</sup> March 2017
£m		£m
1.3	Less than one year	5.8
4.0	Between one and two years	2.5
5.0	Between two and five years	9.5
15.0	Between five and ten years	14.1
21.4	Between ten and twenty years	26.9
38.1	Between twenty and thirty years	31.1
54.8	Above thirty years	64.5
139.6	<b>Total</b>	<b>154.4</b>

The Council monitors and manages its cash flow on a daily basis to ensure it has, at all times, short term liquidity to meet payables and other liabilities.

#### Market Risk

There are three market related risks the Council is aware of: Interest Rate Risk, Price Risk and Foreign Exchange Risk. Further detail of each risk is outlined below:

#### Interest Rate Risk

The Council is exposed to risk in terms of its exposure to interest rate movements on its borrowing and investments. Movements in interest rates have a complex impact on the Council. For example a rise in interest rates would have the following effects:

- borrowings at variable rates – the interest expenses charged to the Comprehensive Income and Expenditure will rise
- borrowings at fixed rates - the fair value of the liabilities borrowings will rise
- investments at variable rates – the interest income credited to the Comprehensive Income and Expenditure will rise
- investments at fixed rates - the fair value of the assets will fall

Where the Council has borrowed on a fixed rate basis there will be no variation between the carrying value and fair value, so nominal gains and losses on fixed rate borrowings would not impact on the Income and Expenditure account or Movement in Reserves Statement (MIRS). However any changes in interest payable and receivable on variable rate borrowings and investments will be posted to the Income and Expenditure and effect the general Fund Balance.

The Council has a number of strategies for managing interest rate risk. Its policy is to limit its exposure to variable rate loans. As at 31<sup>st</sup> March 2017 the Council didn't have any PWLB borrowing at variable interest rates however the Council does have £5m in a market loans (LOBO) where in future years the rates could vary.

The Council's treasury management team has an active strategy for assessing interest rate exposure that supports the setting of the annual budget and which is used to proactively manage the Council's investments and borrowings during a year.

If on the 31<sup>st</sup> March 2017 the interest rates are 1% higher than the actual interest rates the financial impact would be:

a) Borrowing:

The Council had no variable rate borrowing as at 31st March 2017 so there would be no impact.

b) Investments:

It is reasonable to assume that the Council's investments in "cash" accounts, money market funds and the fund manger should increase by the change in interest rates. If the Council's investment in these instruments were maintained at the level as at 31st March 2017 for a full financial year, this would generate an additional £0.2m over a year. It should be noted that if the interest rate increase was forecast it is likely the profile of fixed rate deposits would have been invested on that basis.

The impact of a 1% fall in interest rates would be as above but with the movements being reversed.

**Price Risk**

The Council does not generally invest in equity shares. The Council does have an equity interest in a number of companies as part of service delivery. Of these, only the Council's minority share holding in TOR2 could lead to a realised share of profits. The Council's holding in the CCLA property fund will vary in price depending on the Fund's performance.

**Foreign Exchange Risk**

The Council has no financial assets or liabilities denominated in foreign currencies (except for an occasional non sterling creditor payment) and thus have no exposure to loss arising from movements in exchange rates.

**18. Investments**

**Long Term Investments**

Long term investments comprise any cash investments the Council has made with a maturity in excess on one year, an investment in the Funding Circle, an investment in a Property Fund managed by the CCLA and the fair value of its investments in its subsidiaries.

2015/16				2016/17		
Subsidiary	Cash Investments	Other Investment		Subsidiary	Cash Investment	Other Investment
£m	£m	£m		£m	£m	£m
1.1	15.0	0	<b>Balance at start of year:</b>	<b>2.3</b>	<b>7.0</b>	<b>0.1</b>
-	(8.0)	0.1	Change in Investment in year	-	<b>5.0</b>	<b>2.9</b>
1.2	-	-	Change in fair value of Company	<b>(2.3)</b>	-	-
2.3	7.0	0.1	<b>Fair Value as at 31<sup>st</sup> March</b>	<b>0</b>	<b>12.0</b>	<b>3.0</b>

**Short Term Investments**

Temporary investments are short term investments with a maturity less than one year that are held for investment purposes not short term cash flow liquidity. As at 31<sup>st</sup> March 2017 the Council held £26.4m (2015/16 £47.5m) of short-term (money market) investments (principal

only), of which £11.1m (2015/16 £18.0m) is held in an Enhanced Money Market Fund managed by Aberdeen Asset Management.

Total Invested 31st March 2016 £ m		Total Invested 31st March 2017 £ m
	Short Term Investments (less than 1 year)	
26.0	Deposits: fixed term & structured	<b>10.1</b>
3.5	Notice\Call Accounts	<b>5.2</b>
18.0	Enhanced Money Market Fund *	<b>11.1</b>
47.5	<b>Total Short Term Investments</b>	<b>26.4</b>
47.9	<i>Fair Value as at 31<sup>st</sup> March - including interest due</i>	26.6

Note \* - The Council has designated its holding with a Enhanced Money Market Fund at Fair Value through Profit and Loss as, in substance, the Council's holding is part of a portfolio of identified financial instruments that are managed together and there is evidence of short term profit making.

## 19. Debtors

Debtors represent monies owed to the Council and include deposits and payments in advance.

### Long Term Debtors (due over one year)

31 March 2016 £m		31 March 2017 £m
2.0	Loans	<b>2.4</b>
1.4	Social Services – Client Debt	<b>1.4</b>
(0.1)	Impairment re Client Debt	<b>(0.2)</b>
2.8	Asset Related (capital accounting)	<b>2.9</b>
6.1	<b>Total</b>	<b>6.5</b>

### Current Debtors (Due within one year including payments in advance)

31 <sup>st</sup> March 2016 £m		31 <sup>st</sup> March 2017 £m
3.9	Central government bodies (WGA)	<b>3.9</b>
4.1	Other local authorities and public bodies	<b>3.8</b>
0.3	NHS bodies	<b>0.3</b>
5.8	Council Tax (inc. liability orders)	<b>5.6</b>
0.9	NNDR (inc liability orders)	<b>0.9</b>

31 <sup>st</sup> March 2016		31 <sup>st</sup> March 2017
3.8	Housing Benefit	<b>3.8</b>
0	TOR2 – payment in advance	<b>7.5</b>
8.3	Other entities and individuals	<b>7.3</b>
27.1	<b>Sub Total</b>	<b>33.1</b>
(9.0)	Impairment (uncollectibility of debt)	<b>(9.2)</b>
18.1	<b>Total</b>	<b>23.9</b>

## 20. Cash and Cash Equivalents

The balance of Cash and Cash Equivalents, including use of bank overdrafts, is made up of the following elements:

31 March 2016		31 March 2017
£m		£m
0.1	Bank current accounts	<b>0.2</b>
0.9	Short-term deposits with Money Market Funds and Liquidity Accounts	<b>0.3</b>
1.0	<b>Total Cash and Cash Equivalents</b>	<b>0.5</b>
2.3	<i>Current Assets</i>	<b>1.0</b>
(1.3)	<i>Current Liabilities</i>	<b>(0.5)</b>
1.0	<b>Total Cash and Cash Equivalents</b>	<b>0.5</b>

## 21. Creditors

Represents monies owed by the Council

### Current Creditors (due within one year including revenue receipts in advance)

31 March 2016		31 March 2017
£m		£m
4.9	Central government bodies (WGA)	<b>4.3</b>
3.3	Other local authorities and public bodies	<b>2.3</b>
1.5	NHS bodies	<b>2.1</b>
14.7	Other entities and individuals	<b>14.2</b>
24.4	<b>Total</b>	<b>22.9</b>

## 22. Provisions

Represents monies potentially owed by the Council but the timing and value of the payment is uncertain.

	Insurance	NNDR Appeals *	Other Provisions	Total
	£m	£m	£m	£m
<b>Balance at 31 March 2016</b>	0.4	2.1	0.2	2.7
Provisions made in year	0.1	-	0.0	-
Provisions reversed in year	0	-	(0.2)	-
Amounts used in year	(0.1)	-	0	-
<b>Balance at 31 March 2017</b>	<b>0.4</b>	<b>1.5</b>	<b>0.0</b>	<b>1.9</b>
<i>Short term</i>	0.3	1.5	0.0	1.8
<i>Long term</i>	0.1	0	0	0.1
<i>Balance at 31 March 2017</i>	0.4	1.5	0.0	1.9

\*An analysis of NNDR movements in year not separately identifiable as appeals are reflected within a premises' overall NNDR liability in Collection Fund

### Name of Provision

### Description of Provision

Insurance

Reflects a reliable estimate of Council liability on all known claims outstanding as at 31<sup>st</sup> March, which have yet to be settled. The timing of spend will be up to three years depending on claim type.

NNDR Appeals

Reflects the Council's 49% share of the estimated value of outstanding NNDR appeals submitted to the Valuation Office by 31<sup>st</sup> March.

## 23. Borrowing

This heading reflects the borrowing undertaken by the Council to fund its approved capital programme. Any costs of borrowing are reflected in the Comprehensive Income and Expenditure Statement for interest charges and the Minimum Revenue Provision for the repayment of debt. Any "unsupported" borrowing undertaken using the Prudential Code will have to be funded from within Council resources, savings or additional income.

31 <sup>st</sup> March 2016		31 <sup>st</sup> March 2017
Principal £ m	Borrowing Repayable	Principal £ m
	Amounts falling due in excess of one year	
10.0	Money Market loans	10.0
128.1	Public Works Loans Board loans	138.6
<b>138.1</b>	<b>Total</b>	<b>148.6</b>
139.6	<i>Carrying Amount as at 31<sup>st</sup> March - including interest due</i>	149.9

The table below shows an analysis of the maturity of (all) loans repayable (by principal outstanding):-

Total Principal Outstanding 31st March 2016 Re-stated £ m	Analysis of Loans by Maturity	Average Interest Rate	Total Principal Outstanding 31st March 2017 £ m
0	Within 1 year - (short term)	3.69%	4.5
4.0	1 up to 2 years	3.06%	2.5
2.0	2 up to 3 years	1.42%	0.5
0.0	3 up to 4 years	3.50%	3.5
3.0	4 up to 5 years	4.01%	5.5
15.0	5 up to 10 years	3.89%	14.1
9.9	10 up to 15 years	4.18%	8.3
11.6	15 up to 20 years	4.81%	18.6
19.7	20 up to 25 years	4.41%	17.1
72.9	Over 25 years	4.13%	78.5
138.1	Total	4.36%	<b>153.1</b>
139.6	<i>Carrying amount as at 31<sup>st</sup> March - including interest due.</i>		154.4
172.9	<i>Fair value (as IFRS 13 see Note 13 Fair Value of Assets and Liabilities)</i>		202.9

#### Lenders Option Borrowers Option (LOBO)

The Council has one LOBO loan (Lenders Option Borrowers Option) with Dexia that has, at inception, a constant rate of interest for the length of the loan. On the loan the lender (Dexia) has the option to increase the rate beyond the agreed rates after an initial period and at agreed intervals thereafter. The borrower then has the option to continue at the higher rate or repay the loan incurring no penalty. The loan will continue for the full term at the agreed rate unless the lender exercises the option to increase the rate of interest. The Council's previous loan with Barclays is no longer classified as a LOBO as Barclays have confirmed that they will not enact their option for the life of the loan.

#### 24. Liabilities

The Council has entered into a contract or agreement that guarantees future payments to a third party.

31 <sup>st</sup> March 2016 £m		31 <sup>st</sup> March 2017 £m
	<b>Liabilities due within 1 year</b>	
0.5	PFI Liability - Schools	<b>0.6</b>
0.1	PFI Liability – EFW	<b>0.2</b>
0.9	PFI Liability – EFW – Deferred Income	<b>0.8</b>
0.8	DCC Pre LGR Liability	<b>0.8</b>
2.3	<b>Total due within 1 year</b>	<b>2.4</b>

	<b>Liabilities due over 1 year</b>	
7.4	PFI Liability – Schools	<b>6.8</b>
12.2	PFI Liability – EFW	<b>11.9</b>
19.2	PFI Liability – EFW – Deferred Income	<b>18.4</b>
8.3	DCC Pre LGR Liability	<b>8.9</b>
47.1	<b>Total due over 1 year</b>	<b>46.0</b>
49.4	<b>Total Liabilities</b>	<b>48.4</b>

### The Spires and Homelands Schools PFI Scheme

A Project Agreement was signed on 31st March 2000 with Torbay School Services Ltd (TSS) for the provision of serviced facilities at The Spires (formerly Westlands) Secondary and Homelands Primary Schools in Torquay. The period of the contract is 26 years from the actual completion of the redevelopment of The Spires School buildings, which occurred on 24<sup>th</sup> October 2001 (i.e. expires in 2027). Payments under the contract commenced on 1<sup>st</sup> April 2001 when Phase 1 of The Spires was completed. The contract specifies minimum standards for the services to be provided by the contractor, with deductions from the fee payable being made if facilities are unavailable or performance is below the minimum standards. The contractor took on the obligation to construct the schools and maintain them in a minimum acceptable condition and to procure and maintain the plant and equipment needed to operate the schools. The buildings and any plant and equipment installed in them at the end of the contract will be transferred to the Council for nil consideration. There were no changes to the contract arrangements during the year.

### Schools - PFI Property Plant and Equipment

The assets used to provide services at both schools are recognised on the Council's Balance Sheet. Since the PFI contract started The Spires school became a Foundation School. The Council has retained the liability to the PFI contractor. The Spires School is expected to transfer to academy status at which point the assets will be de recognised.

### School - PFI Payments

The Council makes an agreed payment each year which is increased each year by inflation and can be reduced if the contractor fails to meet availability and performance standards in any year but which is otherwise fixed. In relation to this contract the Council recognises as a liability on its balance sheet the element of this annual payment that relates to the construction and purchase of the two schools. The other elements of the contract, finance costs and service charges are recognised on an annual basis in the Council's Comprehensive Income and Expenditure account. Payments remaining to be made under the PFI contract at 31 March 2017 (excluding any estimation of inflation and availability/performance deductions) are as follows:

	Payment for Services *	Reimbursement of Capital Expenditure	Interest	Total
	£m	£m	£m	£m
Payable in 2017/18	1.8	0.6	0.4	2.8
Payable within 2 to 5 years	7.3	2.5	1.2	11.0
Payable within 6 to 10 years	9.2	3.9	0.7	13.8

Payable within 11 to 15 years	0.9	0.5	0	1.4
<b>Total</b>	<b>19.2</b>	<b>7.5</b>	<b>2.3</b>	<b>29.0</b>

\* Assumption that the total annual payment for all three elements to the contractor will remain constant (ignoring inflation) until 2027/28 when the contract finishes.

Although the payments made to the contractor are described as unitary payments, they have been calculated to compensate the contractor for the fair value of the services they provide, the capital expenditure incurred and interest payable. The liability outstanding to pay to the contractor for capital expenditure incurred is as follows:

2015/16		2016/17
£m		£m
8.4	Balance outstanding at start of year	<b>7.9</b>
(0.5)	Payments during the year	<b>(0.5)</b>
7.9	<b>Balance outstanding at year-end</b>	<b>7.4</b>

### Energy from Waste Plant – Private Finance Initiative

Torbay, in partnership with Plymouth and Devon County Councils has entered into a 25 year PFI contract with MVV Umwelt for the construction and operation of an Energy from Waste Plant for the disposal of domestic waste. The Plant became operational in April 2015, the Councils deliver waste to the facility paying a unitary charge linked to waste tonnages. The period of the contract operation is to a fixed contract end date in November 2039

The three Councils appointed MVV Umwelt under a fixed price contract to finance, construct and design the 245,000 tonne capacity facility and to maintain it to a minimum acceptable condition over a 24 year term, but with an option to extend operations for another 5 years. The Councils have the right to terminate the contract but must compensate MVVU in full for costs incurred and for future profits that would have been generated over the remaining term of the contract. At the end of the contract term buildings, plant and equipment will be transferred back to the Councils for nil consideration should the partnership elect to exercise this option.

The EFW facility is located on Ministry of Defence land at Camel's Head, North Yard in Devonport Dockyard in Plymouth. The contract specifies the activities offered by the facility, the opening hours and the expected minimum standard of service to be provided by the operator. MVV Umwelt is required to receive all the residual waste from the defined area of the local authority partnership for which the councils are obliged to pay a fixed but index linked gate fee based on a guaranteed waste tonnage, with an additional charge for any extra waste delivered by the councils over and above the contractual waste.

### EFW - PFI Property Plant and Equipment

Income and expenditure, assets and liabilities are recorded in each of Plymouth City Council, Torbay Council and Devon County Council's Statements of Accounts respectively in the ratio 48:17:35 based on estimated tonnages for 2015/16: The total construction costs were £195.324m, Torbay Council's initial recognition of its share was £33.3m. The plant was revalued as at 31st March 2016 and its value is carried in its balance sheet together with a corresponding liabilities for both the Council's share of the liability and a deferred income sum to reflect the value of the third party income due to be received by the operator over the life of the contract.

### EFW - PFI Payments

The three Councils each make a payment each year to the operator based on actual tonnages where the cost can vary depending on whether the tonnage is within set bands as specified by the contract. The costs are allocated between the three Councils based on agreed Financial Allocation Mechanism which is closely linked to actual tonnages delivered from the three councils compared the forecast tonnages in the business case. In relation to this contract the Council recognises as a liability on its balance sheet its share of the element of the annual payment that relates to the construction and purchase of the facility. The other elements of the contract, finance costs and service charges, are recognised on an annual basis in the Council's Comprehensive Income and Expenditure account. Torbay's share of payments remaining to be made under the PFI contract at 31 March 2017 (excluding any estimation of inflation) is as follows:

	Payment for Services *	Reimbursement of Capital Expenditure	Interest	Total
	£m	£m	£m	£m
Payable in 2017/18	1.8	0.1	1.2	3.1
Payable within 2 to 5 years	7.7	0.4	4.5	12.6
Payable within 6 to 10 years	10.2	1.4	4.8	16.4
Payable within 11 to 15 years	11.7	2.2	3.4	17.3
Payable within 16 to 20 years	12.6	4.4	1.1	18.1
Payable within 21 to 25 years	7.0	3.6	(0.7)	9.9
<b>Total</b>	<b>51.0</b>	<b>12.1</b>	<b>14.3</b>	<b>77.4</b>

\* Assumption that the total annual payment for all three elements to the contractor will remain constant (ignoring inflation) until 2039 when the contract finishes.

Although the payments made to the contractor are described as unitary payments, they have been calculated to compensate the contractor for the fair value of the services they provide, the capital expenditure incurred and interest payable. The liability outstanding to pay to the contractor for capital expenditure incurred split between Torbay and the third party income deferred income liability is as follows:

2015/16 £m	2015/16 £m		2016/17 £m	2016/17 £m
Torbay Share	Deferred Income		Torbay Share	Deferred Income
-	-	Liability outstanding at start of year	12.3	20.1

12.5	20.9	Initial Recognition of liability	-	-
(0.2)	(0.8)	Payments during the year	(0.2)	(0.9)
12.3	20.1	<b>Liability outstanding at year-end</b>	<b>12.1</b>	<b>19.2</b>

### Local Government Reorganisation 1998

Torbay Council became a unitary Council in 1998 taking over some of the services previously provided by Devon County Council. The Council agreed to fund a tax base share (11.73%) of any future costs that Devon incurred in relation to discretionary pension enhancements that Devon County Council had agreed to pay to its staff prior to 1998. The payment to Devon County Council in 2016/17 was £0.7m (£0.8m 2015/16). The estimate of the remaining liability of £9.6m (£9.1m 15/16) is based on Devon County's IAS19 disclosures.

2015/16		2016/17
£m		£m
10.0	Liability outstanding at start of year	9.1
(0.1)	IAS19 Actuarial remeasurements	1.2
(0.8)	Payments during the year to Devon County	(0.7)
9.1	<b>Liability outstanding at year-end</b>	<b>9.6</b>

## 25. Usable Reserves

Movements in the Council's usable reserves are detailed in the Movement in Reserves Statement and each reserve is shown in the table below:

31 <sup>st</sup> March 2016		For in year movements see Note:-	2016/17 movement	31 <sup>st</sup> March 2017
£m				£m
4.4	General Fund Reserve	9	<b>0.2</b>	<b>4.6</b>
25.3	Earmarked Reserves	10	<b>(2.3)</b>	<b>23.0</b>
1.4	Usable Capital Receipts Reserve	9	<b>0.7</b>	<b>2.1</b>
4.2	Capital Grants & Contributions Unapplied	9	<b>3.0</b>	<b>7.2</b>
35.3	<b>Total Usable Reserves</b>		<b>1.6</b>	<b>36.9</b>

## 26. Unusable Reserves

Movements in the Council's unusable reserves are detailed in the Movement in Reserves Statement and each reserve is shown in the table below. A full description of each reserve is available in the glossary:

31 <sup>st</sup> March 2016		For in year movements see Note:-	2016/17 movement	31 <sup>st</sup> March 2017
£m			£m	£m
60.5	Revaluation Reserve	26.1	1.4	<b>61.9</b>
109.2	Capital Adjustment Account	9	(6.3)	<b>102.9</b>
(0.1)	Financial Instruments: Adjustment Account	9	0.1	<b>0</b>
2.3	Financial Instruments: Available for Sale		(2.5)	<b>(0.2)</b>
(160.2)	Pensions Reserve (Funded and Unfunded)	9	(51.5)	<b>(211.7)</b>
1.3	Collection Fund Adjustment Account	9	0.6	<b>1.9</b>
(1.0)	Accumulating Compensated Absences Adjustment Account	9	(0.3)	<b>(1.3)</b>
12.0	<b>Total Unusable Reserves</b>		(58.5)	<b>(46.5)</b>

## 26.1 Revaluation Reserve

2015/16			2016/17	
£m			£m	
57.1	<b>Balance at 1 April</b>	<b>Note</b>		<b>60.5</b>
7.2	Revaluation of assets		<b>2.6</b>	
7.2	Surplus or deficit on revaluation of non-current assets not posted to the Surplus or Deficit on the Provision of Services			<b>2.6</b>
(0.9)	Difference between fair value depreciation and historical cost depreciation		<b>(0.9)</b>	
(2.9)	Accumulated gains on assets sold or scrapped		<b>(0.3)</b>	
(3.8)	Amount written off to the Capital Adjustment Account	7		<b>(1.2)</b>
60.5	<b>Balance at 31 March</b>			<b>61.9</b>

## **27. Pooled Budgets**

### Joint Equipment Store

Under section 75 of the NHS Act 2006, the Council has a pooled budget arrangement with NHS South Devon and Torbay Clinical Commissioning Group (CCG) for the joint provision of an equipment store for the purchase and distribution of items to meet the social care and health needs of people living in the Torbay area. The pooled budget is hosted by the Council as the lead body on behalf of the two partners to the agreement. The Council and the CCG have an agreement in place for funding these with each contributing funds to the agreed budget equal to a 50% split. However, any overspend on the agreed budget is split equally between the two partners and Torbay and South Devon Foundation Trust (ICO). The total expenditure on the pooled budget for 2016/17 was 1.3m (£1.3m 15/16), of which £0.6m (£0.65m 15/16) was borne by the Council.

### Better Care Fund

Under section 75 of the NHS Act 2006, the Council has a pooled budget arrangement with NHS South Devon and Torbay Clinical Commissioning Group (CCG) for the revenue elements of the Better Care Fund for the integrated supply of social care and health needs of people living in the Torbay area. The Council and the CCG have an agreement in place. The agreement is that 100% of the contributions are funded by the CCG with a 50/50 risk share of any under/overspends in the year. The pooled budget is hosted by the CCG as the lead body on behalf of the two partners to the agreement. The total expenditure on the pooled budget for 2016/17 was £10.4mm (£10.5m 15/16), of which £3.0m (£3.0m 15/16) was paid to the Council to commission adult social care services and £7.4m (£7.5m 15/16) was used by the CCG to commission health related services.

## **28. Members' Allowances**

Under the Council's Members Allowances scheme £447,000 (£432,000 2015/16) were paid to members of the Council during the year. In addition £5,000 of approved expenses was paid (£4,000 2015/16). The current Allowances' scheme can be found on the Council's website at

<http://www.torbay.gov.uk/council/councillors/allowances/>

## **29. Officers' Remuneration**

The remuneration paid to the Council's senior employees is as follows:

		Salary	Expenses	Compensation for Loss of Office	Pension Contribution at "common rate"	Total
		£000's	£000's	£000's	£000's	£000's
Steve Parrock – Chief Executive (4 days per week)	<b>2016/17</b>	<b>104</b>	<b>0</b>	<b>0</b>	<b>14</b>	<b>118</b>
	2015/16	137	0	0	13	150
Director of Adult Social Care	<b>2016/17</b>	<b>113</b>	<b>1</b>	<b>0</b>	<b>15</b>	<b>129</b>
	2015/16	92	1	0	12	105
Director of Children's Services from July 2016	<b>2016/17</b>	<b>84</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>95</b>
To July 2016	<b>2016/17</b>	23	0	49	0	<b>72</b>
from August 2015	2015/16	45	0	0	0	45
to July 2015*	2015/16	-	-	-	-	-
Assistant Director – Community & Customer Services	<b>2016/17</b>	<b>81</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>92</b>
from May 2015	2015/16	74	0	0	9	83
Director of Place to April 2015	2015/16	31	0	41	1	73
Chief Finance Officer (s151)	<b>2016/17</b>	<b>64</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>72</b>
from May 2015	2015/16	56	0	0	7	63
to April 2015	2015/16	26	0	56	1	83
Director of Public Health	<b>2016/17</b>	<b>113</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>129</b>
	2015/16	95	0	0	13	108
Assistant Director - Commercial & Business Services & Monitoring Officer	<b>2016/17</b>	<b>81</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>92</b>
	2015/16	80	0	0	10	90

\* For the period from April to August 2015 the Council's Director of Childrens Services was employed under an agency basis.

The number of employees, including the senior officers disclosed above, receiving more than £50,000 remuneration, excluding employer's pension contributions, while employed by Torbay Council is set out in the table below in bands of £5,000. Remuneration for these purposes includes all sums paid or receivable by an employee and sums due by way of and the money value of any other benefits received other than in cash. School employees are reducing linked to conversion to Academy status. Employees had a pay award in 2016/17 which would impact on the lower band as the banding has not been inflated.

Number of Employees by Employer 2015/16			Remuneration Band	Number of Employees by Employer 2016/17		
Council	Schools - Council	Schools - Governing Body		Council	Schools - Council	Schools - Governing Body
4	1	9	£50,000 to £54,999	9	1	5
12	4	2	£55,000 to £59,999	14	5	5
4	2	4	£60,000 to £64,999	3	4	5
6	0	2	£65,000 to £69,999	3	0	0
3	0	0	£70,000 to £74,999	3	0	1
2	1	1	£75,000 to £79,999	0	0	0
2	1	0	£80,000 to £84,999	3	1	1
0	0	0	£85,000 to £89,999	0	0	0
2	0	0	£90,000 to £94,999	0	0	0
1	0	1	£95,000 to £99,999	0	0	0
0	0	0	£100,000 to £104,999	1	0	1
0	0	0	£105,000 to £109,999	1	0	0
0	0	0	£110,000 to £114,999	2	0	0
0	0	0	£120,000 to £124,999	0	0	0
1	0	0	£135,000 to £139,999	0	0	0
37	9	19	Total	39	11	18

### 30. External Audit Costs

The Council will incur the following costs in relation to the audit of the Statement of Accounts, certification of grant claims and statutory inspections and to non-audit services provided by the Council's appointed external auditors who are Grant Thornton.

2015/16 £000		2016/17 £000
102	Fees payable to Grant Thornton with regard to external audit services carried out by the appointed auditor for the year	102
12	Fees payable to Grant Thornton for the certification of grant claims and returns for the year plus an additional fee in relation to the EFW PFI scheme 2015/16.	18
114	<b>Total</b>	<b>120</b>

### 31. Dedicated Schools Grant (DSG)

The council's expenditure on schools is funded primarily by grant monies provided by the Education Funding Agency, the Dedicated Schools Grant (DSG). DSG is ring fenced and can only be applied to meet expenditure properly included in the Schools' budget, as defined in the School Finance and Early Years (England) Regulations 2015. The Schools' Budget includes elements for a range of educational services provided on a Council wide basis and for the individual Schools' Budget, which is divided into a budget share for each maintained school.

Details of the deployment of DSG receivable for 2016/17 are as follows:

<b>Schools Budget Funded by Dedicated Schools Grant 2016/17</b>			
	Central Expenditure	Individual Schools Budget	Total
	£m	£m	£m
Final DSG for year before Academy Recoupment			92.0
Less Academy figure recouped in year			(55.4)
<b>Total DSG after Academy Recoupment *</b>			<b>36.6</b>
Bought Forward from 2015/16			0.1
<b>Agreed initial budgeted distribution in year</b>	<b>17.5</b>	<b>19.2</b>	<b>36.7</b>
In year Adjustments	(0.1)	0	(0.1)
<b>Final budgeted distribution for year</b>	<b>17.4</b>	<b>19.2</b>	<b>36.6</b>
Less: Actual Central Expenditure	(17.0)	0	(17.0)
Less: Actual ISB deployed to schools	0	(19.2)	(19.2)
<b>Carry forward</b>	<b>0.4</b>	<b>0</b>	<b>0.4</b>

\* Value of DSG reflected in Council's Comprehensive Income and Expenditure Statement

### 32. Grant Income

The Council credited the following grants and contributions to the Comprehensive Income and Expenditure Statement.

2015/16 restated £m		2016/17 £m
	<b>Credited to Taxation and Non Specific Grant Income</b>	
25.7	Revenue Support Grant	20.1
0.3	Other General Grants	0.2
2.6	New Homes Bonus Grant	3.1
0.6	Council Tax Freeze Grant	0
30.7	NNDR Retention Scheme	30.8
7.5	Capital Grants & Contributions	7.5
67.4	<b>Sub Total</b>	<b>61.7</b>
	<b>Credited to Cost of Services</b>	
39.3	Dedicated Schools Grant (Dept of Education)	36.6
67.7	Benefit Subsidy & Admin Grant (DWP)	65.4
2.2	Pupil Premium	1.9
1.8	Post 16 Funding (Learning & Skills Council)	1.5
8.3	Public Health Grant	9.8
9.1	Other Central Government Grants – Revenue	6.9
2.2	Other Central Government Grants – Refcus *	6.3
130.6	<b>Sub Total</b>	<b>128.4</b>
198.0	<b>Total</b>	<b>190.1</b>

In addition the Council has received a number of grants and contributions that have yet to be recognised as income as they have conditions attached to them that will require the monies or property to be returned if conditions not met.

Note \* Refcus Grants are Capital Grants that are used to fund “Revenue Expenditure Funded Under Statute” where the Council has to charge to revenue, capital expenditure where no asset is created, such as spend in relation to Foundation or Academy schools where the Council does not recognise the asset on its balance sheet.

### 33. Related Parties

The Council is required to disclose material transactions with related parties – bodies or individuals that have the potential to control or influence the Council or to be controlled or influenced by the Council. Disclosure of these transactions allows readers to assess the extent to which the council might have been constrained in its ability to operate independently or might have secured the ability to limit another party’s ability to bargain freely with the Council. Any balances due to/from these related parties at the end of a financial year are included within the Council’s total debtor and creditor figures.

### Interest in Companies

The Council maintains involvement with a number of subsidiary and associated companies. The impact of consolidation of these interests into group accounts is not material.

The Council has provided pension guarantees to the Torbay Economic Development Company, the English Riviera Tourism Company and CSW Group Ltd (formally Careers South West). Further details are disclosed in the note on Contingent Liabilities.

All the companies within the group have a reporting period end date of the 31<sup>st</sup> March, with exception of TOR2 which has a 30<sup>st</sup> June date to align with other Kier May Gurney companies. (Kier May Gurney own 80.01% of TOR2).

For those companies within the group that are 'Limited by Guarantee and not having a share capital' any surplus is reinvested into their activities. The Torbay Economic Development Company Ltd (TEDC Ltd) is a private limited company by shares; however the intention is that any surplus is reinvested into the service. TOR2 is also a private limited company where the Council is due a share of any profits (not applicable in 2016/17).

In 2016/17 TEDC limited created a new 100% owned cleaning company, Complete Facilities Management Services Limited. The company did not trade in 2016/17.

Following a "yes" vote in 2016/17 for a tourism business improvement district a new (privately owned) company is now supporting tourism in the Torbay area. As a result the English Riviera Tourism Company ceased trading as at the end of March 2017. Any residual assets or liabilities in the company will transfer to the Council.

The Council's interest in TOR2 Ltd is less than the accounting presumption that a 20% holding in a company is necessary for significant influence. The Council has considered its relationship with this company and concluded that it does have significant influence over it due to the dependence it has on the Council. Therefore the company has been treated as associate.

As at the 31<sup>st</sup> March 2017 the net balances outstanding between members of the group were:-

- Torbay Council and TOR2 Ltd, a net £0.5m owed by the Council and £7.5m paid in advance to TOR2 for 2017/18 fees.
- Torbay Council and the Torbay Economic Development Company, a net £0.5m owed by Torbay Council in addition to £0.7m paid in advance and £1.5m loan advanced in year both paid to the TDA.

Company Name and Reg'n No	Type of Company	Commenced Trading	Principal Activities during the year	Assessed Relationship	Shareholding /Control and Company Directors
Torbay Economic Development Company Ltd  07604855  Trading as Torbay Development Agency (TDA)	Private Limited Company	14 <sup>th</sup> April 2011	To bring about Regeneration in Torbay  In 16/17 Council paid £1.6m (£1.8m 15/16) grant  In addition in 2016/17 the Council increased its loan by £0.5m to £1.5m to the company	Subsidiary	Shareholding /Control: 100%  Members of Torbay Council that are Directors of this Company are as follows:-  Cllr Derek Mills Cllr Christine Carter Cllr Alan Tyerman Steve Parrock (Officer Torbay Council & Chief Executive TDA) A full list of directors is available at:- <a href="http://www.torbaydevelopmentagency.co.uk/about-us/edc-board-members">http://www.torbaydevelopmentagency.co.uk/about-us/edc-board-members</a>
Complete Facilities Management Services Limited  10608599	Private Limited Company – 100% owned by Torbay Economic Development Company Ltd	Not trading 2016/17	To provide cleaning services to the Council, TDA and other clients	Subsidiary	Shareholding /Control: 100% (via Torbay Economic Development Company Ltd)  Members of Torbay Council that are Directors of this Company are as follows:-  Steve Parrock (Officer Torbay Council & Chief Executive TDA)
English Riviera Tourism Company Ltd  07223987	Local Authority Controlled Company Limited by Guarantee and not having a share capital	1 <sup>st</sup> October 2010	Marketing the English Riviera and managing and delivering the English Riviera Visitor Information Service  In 16/17 Council paid £0.2m (£0.350m 15/16) grant  Company to cease trading end March 2017	Subsidiary	Shareholding /Control: 100%  Members of Torbay Council that are Directors of this Company are as follows:- Cllr. Nicole Amil Cllr Roger Stringer K Mowatt (Officer Torbay Council)  <a href="http://englishrivieratourism.co.uk/ertc-board-members.php">http://englishrivieratourism.co.uk/ertc-board-members.php</a>
Oldway Mansion Management	Company limited by	20 <sup>th</sup> September	To manage the Oldway Estate on behalf	Subsidiary	Shareholding /Control: 100%

Company Ltd 8219420	share	2012	of Torbay Council and tenants In 16/17 Council funded a £0.1m (£0.1m 15/16) payment		Directors: K Mowatt (Officer Torbay Council) N Coish (Officer Torbay Council) M Irving (Officer Torbay Council)
TOR2 Ltd 07204696	Company limited by share	19 <sup>th</sup> July 2010	Waste and recycling collections; maintenance of highways, grounds, parks, car parks, buildings and the Council's vehicle fleet; street and beach cleansing; and out of hours call centre support in the Torbay area  Council has 10 year contract with TOR2 for a number of services. For 2016/17 annual cyclical works were approx £10m (£10m 15/16) and ordered works approx £2.5m (£3m 15/16)  In 2016/17 £7.5m was paid in advance to TOR2 for 2017/18 fees.	Associate	Shareholding /Control: 19.99%  Members of Torbay Council that are Directors of this Company are as follows:-  Cllr Neil Bent
CSW Group Ltd (formally Careers South West Ltd) 3029947	Local Authority Controlled Company Limited by Guarantee and not having a share capital	1 <sup>st</sup> April 2008 formerly Connexions Cornwall & Devon Ltd	To develop, co-ordinate, operate and ensure provision of support services for young people and provide careers advice, information and guidance to people of all ages.  In 16/17 Council funded a £0.3m (£0.4m 15/16) payment	Associate	Shareholding /Control: 25%  A list of directors is available at:  <a href="https://www.cswgroup.co.uk/">https://www.cswgroup.co.uk/</a>
Torbay Public Services Trust 09943577	Company Limited by Guarantee and not having a share capital	Not trading in 2016/17	To provide a single co-ordinated local offer of help and support for children and families in Torbay using the shared skills and assets of the Members to improve their outcomes.	Member	One of six equal Members, 16.7% share. Devon & Cornwall Police Devon Partnership NHS Trust Office of the Police and Crime Commissioner S. Devon & Torbay Clinical Commissioning Group Torbay and South Devon NHS Foundation Trust Torbay Council

### Summary financial information of Subsidiary Companies

This table lists summary information about the Council's interest in subsidiary companies and its relationship with them in terms of ownership and trading. Torbay share 100%

	Torbay Economic Development Co Ltd		English Riviera Tourism Co Ltd		Oldway Mansion Management Co Ltd	
	2015/16	2016/17	2015/16	2016/17	2015/16	2016/17
	£m	£m	£m	£m	£m	£m
Income	(5.0)	<b>(5.6)</b>	(0.5)	<b>(0.3)</b>	(0.1)	<b>(0.1)</b>
Expenditure	5.3	<b>5.5</b>	0.5	<b>0.3</b>	0.1	<b>0.1</b>
<b>Operating (Profit) or loss</b>	0.3	<b>0.1</b>	0	<b>0</b>	0	<b>0</b>
Other Comprehensive Income	(0.7)	<b>(0.2)</b>	0	<b>0</b>	0	<b>0</b>
Actuarial (gains)/Losses recognised in the pension scheme	(0.8)	<b>(1.7)</b>	(0.1)	<b>(0.2)</b>	0	<b>0</b>
Taxation (including deferred)	0	<b>0</b>	0	<b>0</b>	0	<b>0</b>
<b>Total (Profit) or loss</b>	1.2	<b>(1.8)</b>	(0.1)	<b>(0.2)</b>	0	<b>0</b>
<b>Assets</b>	7.6	<b>9.2</b>	0	<b>0</b>	0	<b>0</b>
<b>Liabilities</b>	(5.3)	<b>(9.4)</b>	(0.2)	<b>0</b>	0	<b>0</b>
<b>Total Net Assets</b>	2.3	<b>(0.2)</b>	(0.2)	<b>0</b>	0	<b>0</b>

### Summary financial information of Associate Companies

This table lists summary information about the Council's interest in associate companies and its relationship with them in terms of ownership and trading.

	TOR2 Ltd *		CSW Group Ltd (formally Careers South West Ltd)	
	Total	Torbay Council's Share (19.99%)	Total	Torbay Council's Share (25%)
	£m	£m	£m	£m
<b>2015/16</b>	*		**	
Income	(15.1)	(3.0)	(7.7)	<b>(1.9)</b>
Expenditure	14.5	2.9	7.6	<b>1.9</b>
<b>Operating (Profit) or Loss</b>	<b>(0.6)</b>	<b>(0.1)</b>	<b>(0.1)</b>	<b>0</b>
Other comprehensive income and expenditure	0	0	0	<b>0</b>
Actuarial (Gains)/Losses recognised in the pension scheme	0	0	-	-
Taxation	0.1	0	0	<b>0</b>
<b>Total (Profit) or loss</b>	<b>(0.5)</b>	<b>(0.1)</b>	<b>(0.1)</b>	<b>0</b>
Fixed Assets & Net Current Assets	(0.5)	(0.1)	3.5	<b>0.9</b>
Long Term Liabilities	(0.5)	(0.1)	(1.9)	<b>(0.5)</b>
<b>Total Capital &amp; Reserves</b>	<b>(1.0)</b>	<b>(0.2)</b>	<b>1.6</b>	<b>0.4</b>

	TOR2 Ltd *		CSW Group Ltd (formally Careers South West Ltd)	
2016/17	*		**	
Income	(14.9)	(3.0)	(7.4)	(1.9)
Expenditure	14.2	2.9	7.2	1.8
<b>Operating (Profit) or Loss</b>	<b>(0.7)</b>	<b>(0.1)</b>	<b>(0.2)</b>	<b>(0.1)</b>
Other comprehensive income and expenditure	0	0	0	0
Actuarial (Gains)/Losses recognised in the pension scheme	0	0	0	0
Taxation	0.2	0	0	0
<b>Total (Profit) or loss</b>	<b>(0.5)</b>	<b>(0.1)</b>	<b>(0.2)</b>	<b>(0.1)</b>
Fixed Assets & Net Current Assets	(0.4)	(0.1)	1.7	0.4
Long Term Liabilities	(0.1)	0	0	0
<b>Total Capital &amp; Reserves</b>	<b>(0.5)</b>	<b>(0.1)</b>	<b>1.7</b>	<b>0.4</b>

Note\* - TOR2 accounts to end June 2016.

Note \*\* - CSW Group Ltd – excludes IAS19 pension entries

### Other interests in Companies

The following companies are also linked to the Council. However they are not considered material in financial terms.

South West Grid for Learning Trust is limited by guarantee and was incorporated on 9th October 2005 with the 15 South West Regional Authorities as members. The company objectives are the advancement of education as a solely charitable purpose by any means relating to the effective use of information and communication technologies for the benefit of the public. There are no transactions/liabilities associated with Torbay Council's membership other than the nominal initial one-off fee. For financial reporting this relationship has been treated as an investment. <http://swgfl.org.uk/>

Torbay Town Centres Limited. The Council, with representatives from local businesses, formed this company to support the process for establishing Business Improvement Districts (BID) in the Torbay area. The Company ceased trading in 2015. A new company English Riviera BID Company Limited was formed to manage the new Tourism BID district and the Council collects the BID levy on an agency basis. Value of levy collected in 2016/17 was £0.4m, (n/a 15/16)

Riviera International Conference Centre. The Council has a maximum voting right of 19.99% on the board of the Riviera International Conference Centre Ltd, in addition the Council provides a peppercorn lease for the centre and an annual revenue grant – 2016/17 £0.4m (2015/16 £0.5m). No capital funds were provided in 2016/17 (2015/16 £0.03m).

Heart of the South West Local Enterprise partnership (LEP). This is a Community Interest Company limited by guarantee with the four "higher tier" councils including Torbay in the LEP area acting as members of the company. <http://heartofswlep.co.uk>

### Trust Funds

The Council acts as a Trustee for a number of funds. These balances do not form part of the Council's accounts. The value of these funds as at 31st March 2017 was £24,000 (£27,000 2015/16). Of this balance £19,000 is held within the Council's bank account with the balance of £5,000 (£6,000 15/16) relating to the (civic) Mayor of Torbay's charity fund held in a separate bank account.

## Central Government

Central government (Her Majesty's Government for the United Kingdom of Britain and Northern Ireland) has effective control over the general operations of the Council – it is responsible for providing the statutory framework within which the Council operates, provides the majority of its funding in the form of grants and prescribes the terms of many of the transactions that the Council has with other parties (e.g. council tax bills, housing benefits). Significant grants received from government departments are set out in the Grants note.

## Members

Members of the council have direct control over the Council's financial and operating policies. The total of members' allowances paid in 2016/17 is shown in the Members Allowances' Note. Members have not disclosed any material transactions with the Council. The Members' Record of Interests and Register of Gifts & Hospitality for each Member are available on the Council's website.

<http://www.torbay.gov.uk/DemocraticServices/mgMemberIndex.aspx?bcr=1>

## Officers

Officers complete a register of interests and the Council maintains a Register of Gifts & Hospitality for officers

## Other Public Bodies [subject to common control by central government]

SWERCOTS is a partnership of 15 local authority trading standard services, who work together to maximise the benefits of regional collaboration to protect the interest of consumers and reputable businesses in the South West of England. The partnerships funds are held by Cornwall County Council.

Torbay and South Devon NHS Foundation Trust (ICO). From October 2015 the ICO "acquired" the Torbay and Southern Devon Health and Care NHS Trust with all its assets and liabilities transferred to the ICO including the partnership agreement for the provision of adult social care services. The Council from that date now has a 9% share of any under/over spend from the ICO's planned financial position. The total ICO expenditure on services for the year was £397m leading to a variance from their planned position of £21m. For 2016/17 the Council's 9% share of the ICO's year end deficit position was £1.7m.

In 2016/17 the funding payment to both NHS bodies in the year for funding adult social care was £42.1m (£41.7m 2015/16).

The Council has a pooled budget arrangement for the provision of a joint equipment store with the Clinical Commissioning Group (CCG) – see Pooled Budget Note.

## Joint Committees

The Council is part of a number of joint committees where local authorities have joined together to provide a service. These are listed below:

### Devon Audit Partnership

From April 2009 Torbay set up a Joint Committee with Devon County Council and Plymouth City Council for the provision of a shared internal audit service. Torridge Council became a member from April 2017. The service is also able to provide audit services to other organisations.

Devon County is the "host" Council for the Joint Committee with all staff now employed by Devon County Council. Assets and Liabilities of the Joint Committee are split on an agreed

basis (number of FTE's on inception of the Committee); Torbay's share is equal to 27%. Torbay's contribution to the partnership for 2016/17 was £0.2m (2015/16 £0.3m).

PATROL – Parking and Traffic Regulations outside London.

It is a statutory requirement for Councils undertaking civil parking enforcement to join this Joint Committee in order to access independent adjudication. The agreed primary objectives of the Joint Committee are the provision of:

- a) a fair adjudication service for Appellants
- b) consistency in access to adjudication;
- c) a cost effective and equitable adjudication service for all Parking Authorities
- d) to deal with a wide range of authorities with varying levels of demand for adjudication.

#### South West Devon Waste Disposal Partnership

Torbay Council, with Plymouth City Council and Devon County Council have begun working together and have jointly contracted a PFI project for an Energy from Waste Plant (based in Plymouth) to dispose of residual waste collected by the three Councils. As part of the Joint Working Agreement between the three Councils the South West Devon Waste Partnership Joint Committee has been established to facilitate the procurement and subsequent operation and management of the facilities (by the selected contractor). The Plant became operational in April 2015.

The expenditure associated with this project is being incurred by Plymouth City Council (as lead authority) and then allocated on an estimated tonnage share basis to Torbay and Devon County Councils. Expenditure in year was £1.5m (£1.2m 15/16) of which Torbay's share was £0.3m (£0.2m 15/16). The expenditure in year was £0.1m of contract management costs and £1.4m of "pass through costs" relating to the Facility that the three Councils are liable for in addition to the unitary charge, such as NNDR and lease costs. Torbay's share of the expenditure is reflected within the cost of services on the comprehensive income and expenditure statement.

### **34. Impairment Losses**

Impairment losses and impairment reversals are charged to the Surplus or Deficit on the Provision of Services and to Other Comprehensive Income and Expenditure. The impairment by asset class is shown within the note reconciling the movement over the year in Property, Plant and Equipment and Heritage Assets. During 2016/17, primarily as a result of the Council's rolling programme the Council has recognised an impairment loss of £5.0m (£8.0m 15/16) in total on its property, plant and equipment charged to the Income and Expenditure account. Impairment losses in 2016/17 related primarily to the revaluation on a number of school sites.

### **35. Contingent Liabilities**

#### **Pension Guarantees**

The Council has a number of contingent liabilities in relation to pension guarantees arising either from the externalisation of Council services or support to local organisations. For externalisations the Council has guaranteed to meet any pension related financial liabilities arising on staff prior to transfer. These are listed in the table below:

Organisation	Relationship to Council
Torquay Museum	Grant funded
Economic Development Company	Subsidiary
English Riviera Tourism Company (to 31/3/17)	Subsidiary

CSW Group Ltd (formally Careers South West)	Associate
Torbay Coast & Countryside Trust	Grant funded
TOR2	Associate

### Loans

The Council has provided the following loan or loan facility to the following organisations. These loans are included in the Council's long and short term debtor balances on (and notes to) the balance sheet as at 31<sup>st</sup> March 2017.

Value of loan 31 <sup>st</sup> March 2016 £000s	Organisation	Value of loan 31 <sup>st</sup> March 2017 £000's
0	Torbay Economic Development Company	<b>575*</b>
978	Torbay Economic Development Company	<b>1,464</b>
900	Torbay Coast & Countryside Trust	<b>945</b>
130	Academy Schools	<b>67</b>
10	Babbacombe Cliff Railway	<b>7</b>
1	Housing Loans	<b>0</b>
33	Sports Clubs	<b>32</b>

Note \* loan facility not used/fully used as at 31<sup>st</sup> March 2017

### Remote Liabilities

The Council is aware of a number of areas where claims have been made against the Council which could result in a financial payment. However the Council considers that any payment is unlikely and therefore has not recognised these claims as a liability.

The board of Municipal Mutual Insurance limited in 2012/13 concluded that it couldn't forecast a solvent "run off" of claims which has led to the scheme of arrangement being activated which exposes the Council to a share of the costs of any outstanding insurance claims. The company's administrator has set levies for all Councils to be 25% of each Council's claims, which was collected in prior years. This may increase again in the future but at present the administrator has not indicated that the levy will increase.

The Care Homes that the Council's provider has used to provide a service have submitted a judicial review on the calculation of care home fees paid by the Council since 2014/15. The initial judgement went against the Council and on two aspects the Council has accepted the judgement and made payments of £2.3m in 2015/16 to reflect that cost, however the Council has been allowed to appeal one aspect of the judgement. If the appeal goes against the Council, the Council will be required to submit a new model for calculation care home fees. This may result in additional payments to Care Homes relating to 2014/15, 2015/16 and 2016/17 which would be funded from reserves. This would also have an ongoing impact on costs in 2017/18 and future years.

### 36. Termination Benefits and Exit Packages

The authority terminated the contracts of a number of employees in 2016/17, incurring liabilities of £0.5m. The table below shows the number of exit packages and the total cost

per band. This amount is payable to 10 officers from Community Services, 11 from Customer Services, 2 from Children’s Services, 2 from Human Resources, 4 from Commercial and Financial Services and 14 from Schools. The costs disclosed are redundancy and strain payments and relate to staff employed by the Council including Council schools.

Note: These are exit packages that were accounted for in the Council’s comprehensive income and expenditure account in the relevant year i.e. on a “demonstrably committed” basis not a cash basis.

Number of Exit packages by band 2015/16				Value of Exit package £		Number of Exit packages by band 2016/17			
Compulsory Redundancy		Other Departures				Compulsory Redundancy		Other Departures	
No. In Band	Total Cost	No. In Band	Total Cost			No. In Band	Total Cost	No. In Band	Total Cost
£000’s		£000’s				£000’s		£000’s	
7	74	6	74	0	to 20,000	26	215	8	41
4	116	0	0	20,001	to 40,000	5	145	2	59
0	0	0	0	40,001	to 60,000	1	49	0	0
0	0	0	0	60,001	to 80,000	1	78	0	0
1	80	0	0	80,001	to 100,000	0	0	0	0
0	0	0	0	100,001	to 150,000	0	0	0	0
12	270	6	74			33	487	10	100

### 37. Capital Expenditure and Capital Financing

The total amount of capital expenditure incurred in the year is shown in the table below, together with the resources that have been used to finance it. Where capital expenditure is to be financed in future years by charges to revenue as assets are used by the Council over their asset life, the expenditure results in an increase in the Capital Financing Requirement (CFR). This is a measure of the capital expenditure incurred historically by the Council that has yet to be financed. The CFR is analysed in the table below.

2015/16 £m	Capital Financing Requirement	2016/17 £m
135.3	<b>Opening Capital Financing Requirement</b>	<b>151.1</b>
	Capital investment	
18.9	Property, Plant and Equipment	<b>9.4</b>
	Plymouth Energy From Waste Facility (EFW):	
33.3	- Initial recognition of asset (Torbay share)	<b>0</b>
(20.9)	- less deferred credit re third party income to EFW	<b>0</b>
0	Intangible Assets	<b>0</b>
0	Investment Property	<b>21.1</b>
0.1	Heritage Assets	<b>0</b>

2.6	Revenue Expenditure Funded from Capital under Statute	<b>6.7</b>
1.0	Loans for a Capital Purpose	<b>0.5</b>
	<b>Sources of finance</b>	
(2.7)	Capital receipts	<b>(0.1)</b>
(10.7)	Government grants and other contributions	<b>(10.8)</b>
	Sums set aside from revenue:	
(1.5)	• Direct revenue contributions	<b>(0.2)</b>
(4.3)	• MRP	<b>(3.4)</b>
151.1	<b>Closing Capital Financing Requirement</b>	<b>174.3</b>
	<b>Explanation of movements in year</b>	
7.7	Increase in underlying need to borrowing (unsupported by government financial assistance)	<b>26.6</b>
12.4	Initial recognition of EFW PFI liability	<b>0</b>
(4.3)	Provision for repayment of borrowing (MRP)	<b>(3.4)</b>
15.8	<b>Increase/(decrease) in Capital Financing Requirement</b>	<b>23.2</b>

### 38. Leases

#### Council as Lessee

##### Operating Leases - Equipment

The Council, as lessee, does not have any material operating leases.

##### Operating Leases - Property

The Council has leases for a number of properties. Rent payments in 2016/17 totalled £0.1m (£0.1m 2015/16). The future minimum lease payments due under property leases in future years is £0.4m (£0.5m 2015/16).

##### Finance Leases:

The Council, as lessee, does not have any material finance leases.

#### Council as Lessor

##### Operating Leases – Property:

The Council leases out property under operating leases for the provision of services, such as cafes and golf clubs and for economic development purposes to provide suitable affordable accommodation for local businesses. Payments received in 2016/17, including turnover rents, totalled £3.4m (£3.2m 2015/16).

The future minimum property lease payments receivable in future years are:

31 March 2016 £m	Total payments due classified by year of expiry of lease term	31 March 2017 £m
2.7	Not later than one year	<b>4.2</b>
8.0	Later than one year and not later than five years	<b>12.4</b>

63.1	Later than five years	<b>67.7</b>
73.8	<b>Total</b>	<b>84.3</b>

Finance Leases:

The Council, as lessor, does not have any material finance leases.

### 39. Pensions Schemes Accounted for as Defined Contribution Schemes

#### Teachers' Pension Scheme

The Council takes part in the Teachers' Pension Scheme. Teaching staff employed by the Council are rewarded for years of service with rights to retirement lump sums and pensions based on final salaries. The Council makes an annual contribution to the Scheme calculated as a percentage of pensionable pay. The contribution rate is specified by the Department for Education each year so that budgeted income is sufficient to cover the outgoings of the Scheme. This Scheme operates through a notional fund administered on a national basis. The Scheme does not record liabilities for each participating employer and raises contributions from all employers based on a common percentage of the pensionable pay of current employees, irrespective of any obligations created in previous years. Apart from this shared responsibility for shortfalls on the notional fund, the Council has no direct responsibility for the obligations of any other party to the Scheme.

The Scheme is a defined benefit plan but is accounted for as it were a defined contribution plan. This is because the administrators of the Scheme do not keep separate records of the defined benefit obligations for individual authorities and no assets are attributable to the Scheme.

The employers' contribution rate was 16.48% (14.1% to the 1<sup>st</sup> September 2015 before increasing to 16.48%). Contributions of £1.9m were paid in 2016/17 (£2.0m 15/16). The contribution rate for participants in the Scheme has been set at 16.48% of pensionable pay for 2017/18. The payments for 2017/18 are estimated to be less, despite the increase in contribution rate, due to more schools converting to Academy schools.

The 2015/16 accounts for the Scheme record liabilities of £272 billion (£275b 15/16). [Source: Teachers' Pension Scheme Annual Accounts 2015/16 in link below). However, the employers' contribution rate is not set with reference to outstanding liabilities but the payments projected to be made out of the notional fund each year. The Council is one of 174 (174 15/16) local authorities participating in the Scheme, amongst a total of 7,722 employers (7,141 15/16).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/538459/TPS\\_Annual\\_report\\_and\\_Accounts\\_2015-16\\_-\\_web\\_ready.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/538459/TPS_Annual_report_and_Accounts_2015-16_-_web_ready.pdf)

#### NHS Pension Scheme

Public Health staff that transferred to the Council's employment in April 2013 were entitled to remain in a NHS pension scheme along with new staff recruited to public health if they meet certain criteria.

The Council takes part in the NHS Pension Scheme. Public Health staff employed by the Council are rewarded for years of service with rights to retirement lump sums and pensions based on final salaries. The Council makes an annual contribution to the Scheme calculated as a percentage of pensionable pay. The contribution rate is specified the Department for Health each year so that budgeted income is sufficient to cover the outgoings of the Scheme. This Scheme operates through a notional fund administered on a national basis. The Scheme does

not record liabilities for each participating employer and raises contributions from all employers based on a common percentage of the pensionable pay of current employees, irrespective of any obligations created in previous years. Apart from this shared responsibility for shortfalls on the notional fund, the Council has no direct responsibility for the obligations of any other party to the Scheme.

The Scheme is a defined benefit plan but is accounted for as it were a defined contribution plan. This is because the administrators of the Scheme do not keep separate records of the defined benefit obligations for individual authorities and no assets are attributable to the Scheme.

The employers' contribution rate was 14.3% in 2016/17 (14.3% 2015/16). Contributions of £0.1m were paid in 2016/17 (£0.1m 15/16). The contribution rate for participants in the Scheme has been set at 14.38% of pensionable pay for 2017/18. The payments for 2017/18 are estimated to be at a similar level to 2016/17.

The 2015/16 accounts for the Scheme record liabilities of £382 billion (£391 billion 15/16). [Source: NHS Pension Scheme Annual Accounts 2015/16]. However, the employers' contribution rate is not set with reference to outstanding liabilities but the payments projected to be made out of the notional fund each year. The Council is one of 142 (142 15/16) local authorities participating in the Scheme, amongst a total of 9,065 employers (9,168 15/16).

<https://www.nhsbsa.nhs.uk/sites/default/files/2017-04/56324%20NHS%20Pension%20Scheme%20HC%20370%20Web%20only%20%282015-16%20accounts%29.pdf>

## **40. Defined Benefit Pension Schemes**

### **Local Government Pension Scheme**

#### **40.1 Characteristics of Defined Benefit Plans and Associated Risks**

Employees of the Council are eligible to join the Local Government Pension Scheme (LGPS).

The LGPS is a defined benefit statutory scheme administered in accordance with the Local Government Pension Scheme Regulations 2013, is contracted out of the State Second Pension and currently provides benefits based on career average revalued salary and length of service on retirement, with various protections in place for those members in the scheme before the changes took effect.

The Administering Authority for the Fund is Devon County Council. The Pension Fund Committee oversees the management of the Fund whilst the day to day fund administration is undertaken by a team within the Administering Authority. Where appropriate some functions are delegated to the Fund's professional advisers. Details on the scheme are on the website for Peninsula Pensions.

<http://www.peninsulapensions.org.uk/lgps/pension-fund-investments/devon-county-council-investments/annual-reports-and-accounts-archive/>

As administering Authority to the Fund, Devon County Council, after consultation with the Fund Actuary and other relevant parties, is responsible for the preparation and maintenance of the Funding Strategy Statement and the Investment Strategy Statement.

The appointed actuary to the pension fund is Barnett Waddingham "the actuary", who provides the pension calculations used in these accounts.

The Local Government Pension Scheme is required to have an actuarial valuation every three years. This valuation will set a rate for employer's contributions for the next three years so as to

secure the pension fund's solvency, together with any other amounts necessary to recover the deficit built up on the fund.

Contributions are set every 3 years as a result of the actuarial valuation of the Fund required by the Regulations. The next actuarial valuation of the Fund will be carried out as at 31 March 2019 and will set contributions for the period from 1 April 2020 to 31 March 2023. There are no minimum funding requirements in the LGPS but the contributions are generally set to target a funding level of 100% using the actuarial valuation assumptions.

The latest actuarial valuation was prepared as at 31 March 2016. The objectives of the scheme are to keep employer's contributions at as a constant a rate as possible. The agreed contribution rates should result in a 100% funding level over the medium term. This set a contribution rate for the Council of 14.8% of pensionable pay for 2017/18, 2018/19 and 2019/20, budgeted to result in a payment of around £4m per annum to the Fund. Additional fixed cash payments of £2.1m per annum (equal to 8.0%) are also payable as a contribution towards the deficit on the fund.

The maturity profile of Torbay members is an average age of 46 (46 15/16) years for active members and deferred pensioners, 70 (69 15/16) years for pensioners and 76 (76 15/16) years for unfunded pensioners.

On the Employer's withdrawal from the plan, a cessation valuation will be carried out in accordance with Regulation 64 of the LGPS Regulations 2013 which will determine the termination contribution due by the Employer, on a set of assumptions deemed appropriate by the Fund Actuary.

In general, participating in a defined benefit pension scheme means that the Employer is exposed to a number of risks:

- Investment risk. The Fund holds investment in asset classes, such as equities, which have volatile market values and while these assets are expected to provide real returns over the long-term, the short-term volatility can cause additional funding to be required if a deficit emerges.
- Interest rate risk. The Fund's liabilities are assessed using market yields on high quality corporate bonds to discount the liabilities. As the Fund holds assets such as equities the value of the assets and liabilities may not move in the same way.
- Inflation risk. All of the benefits under the Fund are linked to inflation and so deficits may emerge to the extent that the assets are not linked to inflation.
- Longevity risk. In the event that the members live longer than assumed a deficit will emerge in the Fund. There are also other demographic risks.

In addition, as many unrelated employers participate in the Devon County Council Pension Fund, there is an orphan liability risk where employers leave the Fund but with insufficient assets to cover their pension obligations so that the difference may fall on the remaining employers.

All of the risks above may also benefit the Employer e.g. higher than expected investment returns or employers leaving the Fund with excess assets which eventually get inherited by the remaining employers.

In 2016/17 there were a number of settlements within the fund resulting from staff transfers with a net gain of £0.6m, (£1.5m 15/16). These include any staff transfers to Academy schools.

To assess the value of the Employer's liabilities at 31 March 2017, the actuary has used a number of information sources including:

- The results of the valuation as at 31 March 2016 which was carried out for funding purposes.
- Estimated whole fund income and expenditure items for the period to 31<sup>st</sup> March 2017

- Estimated fund returns based on asset statements (or estimates of) as at 31<sup>st</sup> March 2016 and 28<sup>th</sup> February 2017.
- Estimated fund income and expenditure in respect of the employer for the period to 31<sup>st</sup> March 2017

The service cost for the year ending 31<sup>st</sup> March 2017 is calculated using an estimate of the total pensionable payroll in year of £27m.

## 40.2 Financial statements

The following tables show the impact of the Assets and liabilities in relation to post employment benefits on the Council's accounts in 2016/17. The following tables are shown:

- Net Pension Liability – this table shows the net pension liability in the balance sheet
- Comprehensive Income & Expenditure Statement – this table shows the IAS19 entries as they appear in the Councils Comprehensive Income & Expenditure Statement and the actual cash payments to the pension fund in year.
- Reconciliation of fair value of the scheme (plan) assets - this table shows an analysis of the movements in the pension asset during the year
- Reconciliation of fair value of the scheme (plan) liabilities - this table shows an analysis of the movements in the pension liability during the year

### Net Pension Liability

	31/3/15	31/3/16	31/3/17
	£m	£m	£m
Present value of Funded Obligation	(402.0)	(381.7)	<b>(465.9)</b>
Fair Value of Fund Assets (Bid Value)	244.1	239.8	<b>273.8</b>
<b>Net Liability</b>	<b>(157.9)</b>	<b>(141.9)</b>	<b>192.1</b>
Present value of Unfunded Obligation	(9.9)	(9.1)	<b>(10.0)</b>
<b>Net Liability in Balance Sheet</b>	<b>(167.8)</b>	<b>(151.0)</b>	<b>(202.1)</b>

### Comprehensive Income and Expenditure Statement

The following transactions have been made in the Comprehensive Income and Expenditure Statement and the General Fund Balance via the Movement in Reserves Statement during the year:

Local Government Pension Scheme Post Employment Benefits		
2015/16 £m	Comprehensive Income & Expenditure Statement	2016/17 £m
	<b>Cost of Services:</b>	
8.0	Current service cost	<b>7.2</b>
0	Past service costs	<b>0.2</b>
(1.5)	Settlements and curtailments	<b>(0.6)</b>
0.1	Administration Expenses	<b>0.1</b>
	<b>Financing and Investment Income and Expenditure</b>	
5.4	Net Interest on the defined benefit liability	<b>5.5</b>
12.0	<b>Total Charged to the Surplus or Deficit on the</b>	<b>12.4</b>

	<b>Provision of Services</b>	
	<b>Other Comprehensive Income and Expenditure</b>	
0	Other Actuarial (gains)/losses on assets	<b>5.3</b>
(29.6)	Change in Financial Assumptions	<b>95.6</b>
0	Change in Demographic Assumptions	<b>(3.0)</b>
0	Experience (gain)/loss on defined benefit obligation	<b>(17.2)</b>
6.9	Return on plan assets in excess of interest	<b>(35.7)</b>
(22.7)	<b>Sub Total Other Comprehensive Income and Expenditure</b>	<b>45.0</b>
(10.7)	<b>Total Post Employment Benefit Charged to the Comprehensive Income and Expenditure Statement</b>	<b>57.4</b>
	<b>Movement in Reserves Statement</b>	
(12.0)	Reversal of net charges made to the Surplus or Deficit for the Provision of Services for post employment benefits in accordance with the Code	<b>(12.4)</b>
	<b>Actual amount charged against the General Fund Balance for pensions in the year:</b>	
5.5	Employers' contributions payable to scheme	<b>5.8</b>
0.6	Retirement benefits payable to pensioners	<b>0.6</b>

**Reconciliation of fair value of the scheme (plan) assets:**

<b>Local Government Pension Scheme</b>		
2015/16 £m		2016/17 £m
244.1	<b>Opening balance at 1 April</b>	<b>239.8</b>
7.9	Interest on Assets	<b>8.8</b>
(6.9)	Return on Assets less Interest	<b>35.7</b>
0	Other Actuarial gains/(losses)	<b>(5.3)</b>
(0.1)	Administration Expenses	<b>(0.1)</b>
1.7	Contributions by scheme participants	<b>1.7</b>
6.1	Employer contributions	<b>6.4</b>
(12.4)	Benefits paid	<b>(12.9)</b>
(0.6)	Settlement process received/(paid)	<b>(0.3)</b>
239.8	<b>Closing balance at 31 March</b>	<b>273.8</b>

**Reconciliation of present value of the scheme liabilities (defined benefit obligation):**

<b>Liabilities: Local Government Pension Scheme</b>		
2015/16 £m		2016/17 £m
(411.9)	<b>Opening balance at 1 April</b>	<b>(390.8)</b>
(8.0)	Current service cost	<b>(7.2)</b>
(1.7)	Contributions by scheme participants	<b>(1.7)</b>
(13.3)	Interest cost	<b>(14.3)</b>
29.6	Change in Financial Assumptions	<b>(95.6)</b>
0	Change in Demographic Assumptions	<b>3.0</b>
0	Experience (loss)/gain on defined benefit obligation	<b>17.2</b>
11.8	Benefits paid	<b>12.2</b>
0	Past service costs, including Curtailments	<b>(0.2)</b>
2.1	Liabilities (assumed)/extinguished on Settlements	<b>0.9</b>

0.6	Unfunded Pension payments	<b>0.6</b>
(390.8)	<b>Closing balance at 31 March</b>	<b>(475.9)</b>
(9.1)	Present Value of Unfunded Obligation included in above	<b>(10.0)</b>

### 40.3 Fund Assets

The return on the fund (on a bid value to bid value basis) for the year to 31<sup>st</sup> March 2017 is estimated to be 19% (10% 15/16). The actual return on Fund assets over the year may be different.

The estimated asset allocation for Torbay Council as at 31<sup>st</sup> March 2017 (7% of total fund) is as follows:

31 <sup>st</sup> March 2016			31 <sup>st</sup> March 2017	
£m	%		£m	%
6.6	3	Gilts	8.2	3
57.9	24	UK Equities	65.8	24
77.1	32	Overseas Equities	95.2	35
26.9	11	Property	23.9	9
9.1	4	Infrastructure	10.7	4
34.9	14	Target Return portfolio	40.6	15
5.3	2	Cash	7.3	3
8.5	4	Other Bonds	7.0	2
13.5	6	Alternative Assets	15.0	5
<b>239.8</b>	<b>100</b>		<b>273.7</b>	<b>100</b>

Further information on the investment activity is available at:-

<https://www.peninsulapensions.org.uk/pension-fund-investments/devon-county-council-investments/devon-fund-key-documents/>

### 40.4 Actuarial Assumptions

#### Valuation Approach

To assess the value of the employer's liabilities as at 31<sup>st</sup> March 2017, the actuary rolled forward the value of the employer's liabilities calculated for the funding valuation as at 31<sup>st</sup> March 2016, using financial assumptions that comply with IAS19. The full actuarial valuation involved projecting future cash flows to be paid from the fund and placing a value on them.

The actuary is satisfied that the approach to rolling forward the previous valuation data to 31<sup>st</sup> March 2017 should not introduce any material distortion in the results provided that the actual experience of the employer and the fund has been broadly in line with the underlying assumptions and the structure of the liabilities is substantially the same as the latest formal valuation.

To calculate the asset the actuary has rolled forward the assets allocated to the employer as at 31<sup>st</sup> March 2016 allowing for investment returns, contributions paid into, and estimated benefits paid from, the fund by and in respect of the employer and its employees.

#### Demographic and Statistical Assumptions

The actuary has adopted a set of demographic assumptions that are consistent with those used for the most recent funding valuation as at 31 March 2016. The post retirement mortality tables

adopted are the S2PA tables with a multiplier 90%. These base tables are then projected using the CMI 2015 Model, allowing for a long term rate of improvement of 1.5% per annum.

The assumed life expectations from age 65 are;

<b>Mortality assumptions:</b>	2013/14	2014/15	2015/16	<b>2016/17</b>
Longevity from age 65: retiring today				
• Men	22.7 yrs	22.8 yrs	22.9 yrs	<b>23.4 yrs</b>
• Women	26.0 yrs	26.1 yrs	26.2 yrs	<b>25.5 yrs</b>
Longevity from age 65: retiring in 20 years				
• Men	24.9 yrs	25.1 yrs	25.2 yrs	<b>25.6 yrs</b>
• Women	28.3 yrs	28.4 yrs	28.6 yrs	<b>27.8 yrs</b>

The actuary has made the following assumptions:

- Members will exchange half of their commutable pension for cash at retirement;
- Members will retire at one retirement age for all tranches of benefit, which will be the pension weighted average tranche retirement age;
- It is assumed members opted into the 50:50 section at the previous valuation will continue.

### Financial Assumptions

	31st March 2014	31st March 2015	31st March 2016	31st March 2017
	% p.a	% p.a	% p.a	% p.a
RPI Increases	3.6	3.2	3.3	<b>3.6</b>
CPI Increases	2.8	2.4	2.4	<b>2.7</b>
Salary Increases	4.6	4.2	4.2	<b>4.2</b>
Pension Increases	2.8	2.4	2.4	<b>2.7</b>
Discount Rate	4.5	3.3	3.7	<b>2.7</b>

These assumptions are set with reference to market conditions at 31 March 2017.

The actuary's estimate of the duration of the Employer's liabilities is 19 years.

The discount rate is the annualised yield at the 19 year point on the Merrill Lynch AA rated corporate bond yield curve which has been chosen to meet the requirements of IAS19 and with consideration of the duration of the Employer's liabilities. This is consistent with the approach used at the last accounting date.

The RPI increase assumption is set based on the difference between conventional gilt yields and index-linked gilt yields at the accounting date using data published by the Bank of England, specifically the 19 year point on the BoE spot inflation curve. The RPI assumption is therefore 3.6% per annum. This is consistent with the approach used at the last accounting date.

As future pension increases are expected to be based on CPI rather than RPI, the actuary has made a further assumption about CPI which is that it will be 0.9% below RPI i.e. 2.7%. The actuary believes that this is a reasonable estimate for the future differences in the indices, based on the different calculation methods and recent independent forecasts.

Salary increases are then assumed to increase at 1.5% per annum above CPI in addition to a promotional scale. The actuary has, in addition, allowed for a short term overlay for salaries to rise in line with CPI.

### Sensitivity Analysis on Actuarial assumptions:

The actuary has provided a sensitivity analysis of a 0.1% change in the key actuarial assumptions showing the impact on the net liability and the Service Cost.

	£m	£m	£m
<b>Adjustment to Discount Rate</b>	+0.1%	0%	(0.1%)
Present Value of obligation	467.2	475.8	484.7
Projected Service Cost	10.9	11.2	11.5
<b>Adjustment to Long Term Salary increase</b>	+0.1%	0%	(0.1%)
Present Value of obligation	476.8	475.8	474.9
Projected Service Cost	11.2	11.2	11.2
<b>Adjustment to Pension increases and deferred revaluation</b>	+0.1%	0%	(0.1%)
Present Value of obligation	483.7	475.8	468.1
Projected Service Cost	11.5	11.2	10.9
<b>Adjustment to Life Expectancy Rating Assumption</b>	+1 year	None	(1 year)
Present Value of obligation	494.2	475.8	458.2
Projected Service Cost	11.6	11.2	10.9

## 41. Summary of Significant Accounting Policies

The Accounts and Audit (England) Regulations 2015 require the Council to prepare a Statement of Accounts for each financial year in accordance with proper accounting practices. For 2016/17, these proper accounting practices principally comprise:

- the Code of Practice on Local Authority Accounting in the United Kingdom 2016/17 (the Code)
- the Local Authorities (Capital Finance and Accounting)(England) Regulations 2003 (SI 2003 No 3146, as amended) (the 2003 Regs)

These accounts are prepared on a going concern basis, i.e the accounts are prepared on the assumption that the Council will continue in operational existence for the foreseeable future. This means in particular that the income and expenditure accounts and balance sheet assume no intention to curtail significantly the scale of operation.

### 41.1 Accounting Policies

Accounting policies are the principles, bases, conventions, rules and practices applied by an entity that specify how the effects of transactions and other events are reflected in the financial statements. These include estimation techniques that have been used in applying the policies.

The accounting policies that have a significant effect on the amounts recognised in the Council's accounts are listed below. Within these policies the abbreviation "CIES" has been used for "Comprehensive Income and Expenditure Statement".

### 41.2 Accruals of Income and Expenditure

The Statement of Accounts has been prepared using the accruals basis. Activity is accounted for in the year that it takes place, not simply when cash payments are made or received. Where the

exact amount of the sum is unknown an estimate will be made based on historical knowledge of the type of transaction and the value of similar payments. An exception is where there are regular bills, such as utilities and staff travel payments where, if not material, no accruals have been made as over a period of time the number of payments per year will even out. In addition where the exact value of a transaction or a number of transactions is not yet known estimates of the amounts due/owed have been made. In particular:

Revenue from the sale of goods is recognised when the Council transfers the significant risks and rewards of ownership to the purchaser and it is probable that economic benefits or service potential associated with the transaction will flow to the Council.

Revenue from the provision of services is recognised when the Council can measure reliably the percentage of completion of the transaction and it is probable that economic benefits or service potential associated with the transaction will flow to the Council.

Revenue relating to such things as council tax, general rates, etc shall be measured at the full amount receivable (net of any impairment losses) as they are non-contractual, non exchange transactions and there can be no difference between the delivery and payment dates.

Supplies are recorded as expenditure when they are consumed. Where appropriate there is a gap between the date supplies are received and their consumption they are carried as inventories on the Balance Sheet.

Expenses in relation to services received (including services provided by employees) are recorded as expenditure when the services are received rather than when payments are made.

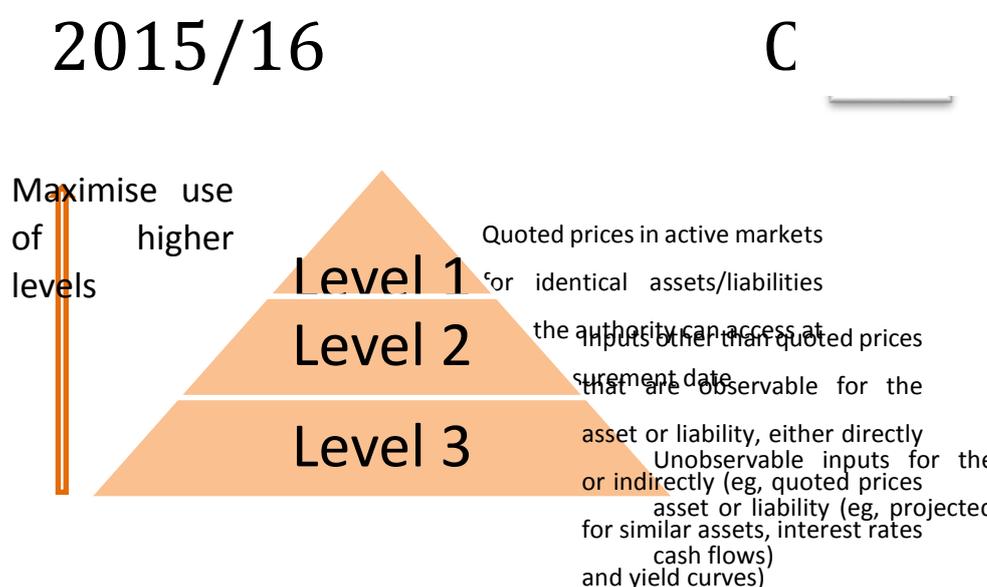
Interest receivable on investments and payable on borrowings, where material is accounted for respectively as income and expenditure on the basis of the effective interest rate for the relevant financial instrument rather than the cash flows fixed or determined by the contract.

#### 41.3 Valuations of Assets & Liabilities

Where assets and liabilities are held at fair value or a disclosure note requires a fair value the following definition has been applied. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

<b>Class of Assets</b>	<b>Valuation Basis</b>
Property, Plant and Equipment: Other Land and Buildings	Current Value, comprising existing use value Where prices for comparable properties are available in an active market, properties are valued at market value taking into account the existing use. Where no market exists or the property is specialised, current value is measured at depreciated replacement cost.
Property, Plant and Equipment: Other Land and Buildings – Surplus Assets	Fair value.
Heritage Assets	Heritage assets (other than operational heritage assets) are measured at valuation in accordance with the Code i.e. valuations may be made by any method that is appropriate and relevant such as insurance valuations
Investment Properties	Fair value.

Financial Instruments – Available for Sale Assets	Fair values based on the following: <ul style="list-style-type: none"> <li>• assets quoted on a market – the market price</li> <li>• assets without an active market – valuation techniques such as net equity of subsidiary</li> </ul>
Pensions Assets	Fair values based on the following: <ul style="list-style-type: none"> <li>• quoted securities – current bid price</li> <li>• unquoted securities – professional estimate</li> <li>• unitised securities – current bid price</li> <li>• property – market value.</li> </ul>



The Statement of Accounts has been adjusted to reflect events after 31 March 2017 and before the date the Statement was authorised for issue [2nd June 2017] only where the events provide evidence of conditions that existed at 31 March.

#### 41.4 Adjustments Between Accounting Basis and Funding Basis

The resources available to the Council in any financial year and the expenses that are charged against those resources are specified by statute (the Local Government Act 2003 and the 2003 Regulations). Where the statutory provisions differ from the accruals basis used in the CIES, adjustments to the accounting treatment are made in the Movement in Reserves Statement so that usable reserves reflect the funding available at the year-end. Unusable reserves are created to manage the timing differences between the accounting and funding bases. The material adjustments are:

<b>Expense</b>	<b>Accounting Basis in CIES</b>	<b>Funding Basis in MiRS</b>	<b>Adjustment Account</b>
Property, Plant and Equipment	Depreciation and revaluation/impairment losses	Revenue provision to cover historical cost determined in accordance with the 2003 Regs	Capital Adjustment Account
Intangible Assets	Amortisation and impairment	Revenue provision to cover historical cost determined in accordance with the 2003 Regs	Capital Adjustment Account
Heritage Assets	Impairment	Revenue provision to cover historical cost determined in accordance with the 2003 Regs	Capital Adjustment Account
Investment Properties	Movements in fair value	Revenue provision to cover historical cost determined in accordance with the 2003 Regs	Capital Adjustment Account
Revenue Expenditure Funded from Capital under Statute	Expenditure incurred in year	Revenue provision to cover historical cost determined in accordance with the 2003 Regs	Capital Adjustment Account
Deferred Income on PFI contract	Third party Income in Energy From Waste Plant	Non cash transaction	Capital Adjustment Account
Capital Grants and Contributions	Grants that became unconditional in year or were received in year without conditions	No credit	Capital Grants Unapplied Reserve (amounts unapplied at 31 March) Capital Adjustment Account (other amounts)

Non-Current Asset Disposals	Gain or loss based on sale proceeds less carrying amount of asset (net of costs of disposal)	No charge or credit	Capital Adjustment Account (carrying amount) Capital Receipts Reserve (sale proceeds and costs of disposal) Deferred Capital Receipts Reserve (where sale proceeds have yet to be received)
Pensions Costs	Movements in pensions assets and liabilities (see policy 1.8)	Employer's pensions contributions payable and direct payments made by the Council to pension funds for year	Pensions Reserve
Council Tax	Accrued income from in year bills	Demand on the Collection Fund for the year plus recovery of estimated deficit/share for prior year	Collection Fund Adjustment Account
Business Rates	Accrued income from in year bills	Budgeted income receivable from the Collection Fund for the year plus recovery of estimated deficit/share for prior year	Collection Fund Adjustment Account
Untaken Leave entitlements	Projected cost of untaken leave entitlements at 31 March.	No charge	Accumulated Absences Adjustment Account

#### 41.5 Prior period Adjustments and Changes in Accounting Policies and Estimates

Prior period adjustments may arise as a result of a change in accounting policies or to correct a material error. Changes in accounting estimates are accounted for prospectively, i.e., in the current and future years affected by the change and do not give rise to a prior period adjustment.

Changes in accounting policies are only made when required by proper accounting practices or the change provides more reliable or relevant information about the effect of transactions, other events and conditions on the Council's financial position or financial performance. Where a change is material, it is applied retrospectively (unless stated otherwise) by adjusting opening balances and comparative amounts for the prior period as if the new policy had always been applied.

#### 41.6 Post-Employment Benefits

Employees of the Council are members of three separate pension schemes:

- The Teachers' Pension Scheme, administered by Capita Teachers' Pensions on behalf of the Department for Education (DfE).
- The NHS Pension Scheme, administered by NHS Pensions.
- The Local Government Pensions Scheme, administered by Devon County Council.

All schemes provide defined benefits to members (retirement lump sums and pensions), earned as employees worked for the Council.

The Teacher's and NHS Scheme provides defined benefits to members, however, the arrangements for the teachers' scheme and NHS pensions mean that liabilities for these benefits cannot ordinarily be identified specifically to the Council. The scheme is therefore accounted for as if it was a defined contribution scheme and no liability for future payments of benefits is recognised in the Balance Sheet. The relevant lines in the Comprehensive Income and Expenditure account are charged with the employer's contributions in year.

The Local Government Pension Scheme is accounted for as a defined benefits scheme:

- the liabilities of the Devon County Council Pension Fund attributable to the Council are included in the Balance Sheet on an actuarial basis using the projected unit method- i.e. an assessment of the future payments that will be made in relation to retirement benefits earned to-date by employees, based on assumptions about mortality rates, employee turnover rates, etc, and projections of projected earnings for current employees.
- liabilities are discounted to their value at current prices, using a discount rate based on the indicative rate of return on high quality corporate bond.
- the assets of Devon County Council Pension Fund attributable to the Council are included in the Balance Sheet at their fair value

The change in the net pensions liability is analysed into the following components:

- **Service cost** comprising:

Current service cost – allocated in the CIES to the services for which the employees worked

Past service cost - the increase in liabilities arising from current year decisions whose effect relates to years of service earned in earlier years. Includes gains or losses on settlements and curtailments - the result of actions to relieve the Council of liabilities or events that reduce the expected future service or accrual of benefits of employees such as the transfer of staff to an alternative supplier: Debited/Credited to the Surplus or Deficit on the Provision of Services in the CIES as part of Non Distributed Costs.

Net Interest on the net pension liability - the expected net increase in the present value of liabilities during the year as they move one year closer to being paid offset by the expected

return on assets - the annual investment return on the fund assets attributable to the Council, based on an average of the expected long-term return - debited to the Financing and Investment Income and Expenditure line in the CIES.

Administration Costs – debited to the Provision of Services in the CIES as part of Corporate Costs.

• **Remeasurements** comprising:

Return on Plan Assets – this excluding amounts included in net interest on the net defined benefit liability. Any movement in year is an adjustment to the Pensions Reserve as Other Comprehensive Income and Expenditure.

Actuarial gains and losses - changes in the net pensions liability that arise because events have not coincided with assumptions made at the last actuarial valuation or because the actuaries have updated their assumptions – any movement in year is an adjustment to the Pensions Reserve as Other Comprehensive Income and Expenditure.

**Payments to Fund:**

Contributions paid to the Devon County Council Local Government Pension Scheme - cash paid as employer's contributions to the pension fund in settlement of liabilities are not accounted for as an expense in the CIES.

Termination benefits are charged on an accruals basis or as a provision to the appropriate service (or to the Non Distributed Costs line in the CIES where they relate to pensions enhancements) at the earlier of when the Council can no longer withdraw the offer of those benefits or when the Council recognises costs for a restructuring.

**Local Government Reorganisation**

Torbay Council in 1998 agreed to fund a tax base share of Devon County's enhanced pension payments (unfunded benefits). A liability, based on IAS19 actuarial information provided to Devon County Council has been recognised with the corresponding balance held in the Pension Reserve. The movement in the IAS19 liability each year is recognised in Cost of Services and reversed in the Movement in Reserves statement. The payments in year to Devon County Council are recognised in the Cost of Services.

**41.7 Financial Instruments**

Financial instruments are recognised on the Balance Sheet when the Council becomes a party to their contractual provisions and are initially measured at fair value.

Borrowings and investments are (generally) carried at their amortised cost. Annual debits and credits to the Financing and Investment Income and Expenditure line in the CIES for interest payable and receivable are based on the carrying amount of the instrument, multiplied by its effective rate of interest. The effective interest rate is the rate that exactly discounts estimated future cash payments over the life of the instrument to the amount at which it was originally recognised. For [most of] the instruments that the Council holds, this means that the amount presented in the Balance Sheet is the outstanding principal repayable or receivable (plus accrued interest); and interest debited/credited to the CIES is the amount payable for the year according to the instrument agreement. The interest owed/due is shown on the balance sheet as short or long term depending on the timing of the expected cash flow of the interest payment.

Changes in the fair value of financial assets, if material, that have a quoted market price and/or do not have fixed or determinable payments (available for sale assets) are recognised in the Balance Sheet and balanced by a debit or credit to the Available for Sale Reserve. The Council has invested in a property fund (CCLA) where under regulation the investment does not need to be accounted as capital expenditure. The Council has classified this investment as an available

for sale asset with any changes in value recognised in the income and expenditure and reversed in the movement in reserve statement and has recognised any dividends in year as part of its investment income.

#### **Assets carried at Fair Value through Profit and Loss**

The Council's holding with its sterling liquidity fund has been designated as a Financial Asset at Fair Value through Profit and Loss. The definition is met as the Council's holding is part of a portfolio of identified financial instruments that are managed together and for which there is evidence of a recent pattern of short-term profit making as the fund's manager is a set a benchmark target to achieve for each year.

Any changes in the fair value of the asset are reflected in the carrying value of the asset and the changes in year credited or debited to the Financing and Investment Income and Expenditure line in the CIES.

#### **41.8 Government Grants and Contributions**

Whether paid on account, by instalments or in arrears, government grants and third party contributions such as developers' contributions under section 106 agreements, and donations (if any) are recognised as due to the Council when there is reasonable assurance that:

- the Council will comply with any conditions attached to the payments, and
- the grants or contributions will be received

Amounts recognised as due to the Council are not credited to the CIES until the Council has satisfied any conditions attached to the grant or contribution that would require repayment if not met.

The grant or contribution is credited to the relevant service line (attributable revenue grants and contributions) or Taxation and Non-specific Grant Income and Expenditure (non-ring fenced revenue grants and all capital grants) in the CIES. The recognition of grants and contributions is on an accruals basis. Developer contributions under S106 agreements are presumed to have conditions unless clear evidence to the contrary that would require repayment if not met and are recognised as a receipt in advance.

#### **41.9 Intangible Assets**

Subject to a de minimis of £50,000, expenditure on non-monetary assets that do not have physical substance but are controlled by the Council as a result of past events (e.g. software licences) is capitalised when it is expected that future economic benefits or service potential will flow from the intangible asset to the Council. Subsequent expenditure is charged to Services in the year it is incurred.

Intangible assets are measured initially at cost. Amounts are only revalued where the current value of the assets held by the Council can be determined by reference to an active market. In practice, no intangible asset held by the Council meets this criterion, and they are therefore carried at amortised cost.

The depreciable amount of an intangible asset is amortised over its useful life, between 3 -10 years depending on the asset, to the relevant service line(s) in the CIES. An asset is tested for impairment whenever there is an indication that it might be impaired – any losses recognised are posted to the relevant service line(s) in the CIES. Any gain or loss arising on the disposal or abandonment of an intangible asset is posted to the Other Operating Expenditure line in the CIES.

#### **41.10 Heritage Assets**

Subject to a de minimis of £50,000, expenditure on, or the value of donated heritage assets, are capitalised where the Council has information on the cost or value of the heritage asset. Within

one location a number of articles have been grouped into a single collection which is accounted for as an individual Heritage asset.

#### **41.11 Interests in Companies and other Entities**

The Council has material interests in companies and other entities that have the nature of subsidiaries and associates. In the Council's own single-entity accounts, the interests in companies and other entities are recorded as financial assets at cost or fair value. In the year the value of the Council's interests in these companies, after consolidation of inter group balances, is not considered to be sufficiently material to require the production of group accounts for the Council.

The Council accounts for its investments in its subsidiary companies at fair value. This is taken to be the net equity of the company at each financial year end. The fair value is recognised as a long term investment with the balance held in the Financial Instruments available for sale reserve.

Any movement in fair value will be treated as a revaluation gain or loss unless the value falls below the initial recognition value (nominal value of the shares) when an impairment will be recognised. If the net equity of a subsidiary is negative the fair value is then recognised as nil.

The Council recognises the value of its other interests in companies, such as associates, at cost.

##### **Other Entities**

##### **Torbay and South Devon NHS Foundation Trust**

The Council entered a "partnership agreement" with Torbay Care Trust (formerly Torbay Primary Care Trust) on the 1<sup>st</sup> December 2005. From April 2013 the Care Trust was split into a Clinical Commissioning Group (CCG) and the Torbay and South Devon Health and Care NHS Trust with the Council's agreement continuing with the latter. Subsequently from October 2015 The Torbay and South Devon NHS Foundation Trust "acquired" the NHS Trust with the Council's agreement now with the Foundation Trust. As part of this new arrangement the Council has entered into a risk share agreement with the Foundation Trust and Torbay and South Devon Clinical Commissioning Group where the Council's risk is 9% of the total financial position of the Foundation Trust. The Trust are accounting for the partnership on the basis that the Council is funding the Trust to undertake delegated activities. The Trust will account for income and expenditure on the Adult Social Care functions in the appropriate service category and will account for the funding received for the Council as "providing" income. The Council will show the funding paid to the Trust for providing the delegated functions within its Income and Expenditure Account.

##### **Better Care Fund**

From April 2015 Torbay Council with the Torbay and South Devon Clinical Commissioning Group (CCG) jointly received funding as part of the Better Care Fund initiative. The majority of the Better Care Fund is managed by an s75 pooled budget with the CCG as host. The control of the expenditure in the pooled budget is jointly controlled between the two bodies with any under/overspends shared equally between the two partners. Expenditure and income associated with the pooled budget are accounted for in line with contributions from the two partners in year which are assumed to be the relevant "share".

The Council receives the former S256 funds from the Better Care Fund to be used to support social care. This has been treated as income and expenditure in the Cost of Services.

#### **41.12 Investment Property**

Investment properties are those that are held solely to earn rentals and/or for capital appreciation. Investment properties are measured initially at cost and subsequently on an annual at fair value.

Investment properties are not depreciated. Gains and losses on revaluation are posted to the Financing and Investment Income and Expenditure line in the CIES. The same treatment is applied to gains and losses on disposal. Any net increase in value prior to the asset being classified as an investment property is held and 'frozen' in the Revaluation Reserve until the asset is disposed or reclassified.

#### 41.13 Joint Operations including Joint Committees

##### South West Devon Waste Partnership

Torbay Council, with Plymouth City Council and Devon County Council have jointly contracted for a PFI project for an Energy from Waste Plant (based in Plymouth) to dispose of residual waste collected by the three Councils. As part of the Joint Working Agreement between the three Councils the South West Devon Waste Partnership Joint Committee has been established to facilitate the procurement and subsequent operation and management of the facilities (by the selected contractor).

The expenditure and income associated with this project is being incurred by Plymouth City Council (as lead authority) and then allocated, based on tonnages as identified in the Financial Allocation Mechanism, between the three Councils. This expenditure and income is reflected within the cost of services on the CIES.

#### 41.14 Leases

The Council's leases relate mainly to property where the Council both leases in and leases out property. The Council has considered all its leases for possible classification as finance or operating leases. The Council presumes a lease to be an operating lease unless there is evidence to the contrary and it is material to the accounts that a lease is classified as a finance lease.

Leases are classified as finance leases where the terms of the lease transfer substantially all the risks and rewards incidental to ownership of the property, plant or equipment from the lessor to the lessee. All other leases are classified as operating leases.

Where a lease covers both land and buildings, the land and buildings elements are considered separately for classification. The land element is now assessed by reference to the prevailing land value in the locality of the asset. Over the five year rolling programme of valuations all land will be valued on this basis. Previously the land value was assumed to be 30% of the total value of the asset unless there was evidence to the contrary.

**As Lessee:** Rentals paid by the Council under operating leases are charged to the CIES as an expense of the services benefitting from use of the leased property, plant or equipment. Charges are made, if material, on a straight-line basis over the life of the lease, even if this does not match the pattern of payments.

Where the Council grants a finance lease over a property or an item of plant or equipment, the relevant asset is written out of the Balance Sheet as a disposal, with the gain/loss attributable to the difference between the carrying amount of the asset and the Council's net investment in the lease being credited/debited to the Other Operating Expenditure line in the CIES. The net investment in the lease is recognised as a lease asset in the Balance Sheet, net of any premium paid. Lease rentals receivable are apportioned between:

- a credit for the disposal of the interest in the property – applied to write down the lease asset
- finance income (credited to the Financing and Investment Income and Expenditure line in the CIES).

**As Lessor:** Where the Council grants an operating lease over a property or an item of plant or equipment, the asset is retained in the Balance Sheet. Rental income is credited to the Other

Operating Expenditure line in the CIES. Credits are made, if material, on a straight-line basis over the life of the lease, even if this does not match the pattern of payments.

#### 41.15 Property, Plant and Equipment

Expenditure on the acquisition, creation or enhancement of Property, Plant and Equipment is capitalised on an accruals basis, provided that it is probable that the future economic benefits or service potential associated with the item will flow to the Council and the cost of the item can be measured reliably. Expenditure that maintains but does not add to an asset's potential to deliver future economic benefits or service potential (i.e. repairs and maintenance) is charged as an expense when it is incurred.

A general de-minimis limit of £25,000 is applied to recognition of expenditure on Property, Plant and Equipment. Exceptions to the de-minimis limit are made for projects or individual purchases under £25,000 where there are specific service requirements to do so e.g. school minor improvement works which are funded under Special Government Initiatives and fleet vehicle purchases.

Assets are initially measured at cost, comprising:

- the purchase price.
- any costs attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management

Capital expenditure is not recognised until 31<sup>st</sup> March therefore no depreciation is charged in year of acquisition or enhancement. Where capital expenditure has occurred the expenditure in year is deemed to have increased the current value of the asset by a "pound for pound" amount.

Where, if capital expenditure is assessed as not adding value to the asset, the corresponding value will be written off as impairment.

Certain categories of Property, Plant and Equipment are measured subsequently at current value – see policy 1 for details.

Where prices for comparable properties are available in an active market, properties are valued at market value taking into account the existing use. Where no market exists or the property is specialised, current value is measured at depreciated replacement cost.

Assets included in the Balance Sheet at current value are revalued sufficiently regularly to ensure that their carrying amount is not materially different from their current value at the year-end, but as a minimum every five years. In general within the rolling programme where an asset's gross value is a value under £25,000 this asset value will be recorded at nil. All asset valuations are carried out in accordance with the Statements of Asset Valuation Practices and Guidance notes published by RICS and CIPFA. The management of property valuations is undertaken by Paul Palmer M.R.I.C.S. who is an employee of Torbay Development Agency. All planned revaluations in a financial year will be as at 1<sup>st</sup> April of that year which results in depreciation for a year being calculated on the revalued amount. The only exception would be if the total depreciation charge for the year would be materially incorrect. Increases in valuations are matched by credits to the Revaluation Reserve to recognise unrealised gains.

Exceptionally, gains might be credited to the CIES where they arise from the reversal of a loss previously charged to a service.

Where decreases in value are identified, they are accounted for by:

- where there is a balance of revaluation gains for the asset in the Revaluation Reserve, the carrying amount of the asset is written down against that balance (up to the amount of the accumulated gains).
- where there is no balance in the Revaluation Reserve or an insufficient balance, the carrying amount of the asset is written down against the relevant service line(s) in the CIES.

The Revaluation Reserve contains revaluation gains recognised since 1 April 2007 only, the date of its formal implementation. Gains arising before that date have been consolidated into the Capital Adjustment Account.

Assets are assessed at each year-end as to whether there is any indication that items may be impaired. Where indications exist and any possible differences are estimated to be material, the recoverable amount of the asset is estimated and, where this is less than the carrying amount of the asset, an impairment loss is recognised for the shortfall. Where impairment losses are identified, they are accounted for in the same way as revaluation losses.

Depreciation is provided for on all Property, Plant and Equipment assets by the systematic allocation of their depreciable amounts over their useful lives as estimated by the Council's valuer, making an allowance for any residual value. Annual depreciation is calculated based upon the Balance Sheet value for each asset as at 1<sup>st</sup> April for that year which will include any revaluations in year.

An exception is made for assets without a determinable finite useful life (i.e. freehold land and certain Community Assets) and assets that are not yet available for use (i.e. assets under construction).

The valuation of land is determined by one of the following:-

- where the asset being valued includes a building, the land value is assumed to be 30% of the value of the asset, or a percentage as adjusted by the Valuer if they feel a different percentage is appropriate.
- where there is no building, the prevailing land value in the locality of the asset taking into account its use, is used.

Over the five year rolling programme of valuations all land will be valued on the above basis.

When it becomes probable that the carrying amount of an asset will be recovered principally through a sale transaction rather than through its continuing use, it is reclassified as an Asset Held for Sale.

When an asset is disposed of or decommissioned, the carrying amount of the asset in the Balance Sheet (whether Property, Plant and Equipment or Assets Held for Sale) is written off to the Other Operating Expenditure line in the CIES against any receipts arising from the disposal as a gain or loss on disposal.

### Schools Recognition

The Council's recognition (or otherwise) of the different types of school assets are as follows:

Schools Type	Land	Buildings	Test
Community	On balance sheet	On balance sheet	Council Control
Academy	Off balance sheet	Off balance sheet	Academy freehold of long lease
Foundation	On balance sheet	On balance sheet	IFRS10 – subsidiary
Voluntary Aided	Off balance sheet	On balance sheet	Substance of arrangement

Voluntary Controlled	Off balance sheet	On balance sheet	Substance of arrangement
Playing Fields	On balance sheet	n/a	Council Control

**Voluntary Aided Schools and Voluntary Controlled Schools:**

The land and buildings are owned by dioceses. Under IFRS10 maintained schools, including Voluntary Controlled and Voluntary Aided, meet the definition of entities controlled by the Council. Therefore all assets and liabilities of the school are recognised on the Council's balance sheet. In the absence of any lease arrangements between the diocese and governing body and based on the substance of the arrangement the assets have been recognised on the Council's balance sheet. The substance of the arrangement is that the asset has been used for school purposes for a number of years and at year end there is no expectation that the diocese will exercise its rights to take back the assets. In addition the Council is funding the school and the governing body are controlling the use of the asset as a school and are maintaining and insuring the assets.

Land owned by a diocese and used for school purposes, in the absence of lease arrangement or statutory transfer, has not been recognised as a Council asset due to the infinite life of land.

**41.16 Service Concessions - Private Finance Initiative (PFI)**

If the Council is deemed to control the services that are provided under its PFI contracts, and as ownership of the property, plant and equipment will pass to the Council at the end of the contracts for no additional charge; the assets used are recognised on the Balance Sheet as part of Property, Plant and Equipment.

The original recognition of these assets at current value was balanced by the recognition of a liability for amounts due to the scheme operator to pay for the capital investment.

The amounts payable to the PFI operators each year are analysed into three elements:

- current value of the services received during the year - debited to the relevant service in the CIES.
- finance cost - an interest charge on the outstanding Balance Sheet liability, debited to the Financing and Investment Income and Expenditure line in the CIES.
- payment towards liability - applied to write down the Balance Sheet liability towards the PFI operator. In addition the Council makes an annual revenue provision to the Capital Adjustment Account that is equal to the annual reduction in the liability to the contractor and correspondingly reduces the Council's Capital Financing Requirement.

For the Energy From waste scheme there are two additional elements.

- deferred credit from the write down of the long term liability for the expected third party income received during the year - credited to the relevant service in the CIES, with a reversal in the MIRS to the Capital Adjustment Account.
- contingent rent - a reduction to the finance costs in year due to the impact of third party income on the total costs to the council.

Any lifecycle costs incurred by the contractor are assumed to be revenue in nature in maintaining the existing value of the asset.

Any variations of a capital nature requested and funded by the school are treated as capital expenditure and capital resources outside the PFI contract.

#### **41.17 Provisions**

Provisions are charged as an expense to the appropriate service line in the CIES where an event has taken place that gives the Council a legal or constructive obligation that probably requires settlement by a transfer of economic benefits or service potential, and a reliable estimate can be made of the amount of the obligation. Provisions are charged as the best estimate at the balance sheet date of the expenditure required to settle the obligation, taking into account relevant risks and uncertainties.

The Council is required to provide for the cost of any backdated NNDR refunds arising from appeals submitted to the Valuation Office that are successful. The Council has estimated the impact of appeals submitted by 31<sup>st</sup> March using historic information; however for appeals that could be submitted after 31<sup>st</sup> March that may relate to the year or earlier years NNDR income there is not enough certainty to enable a reliable estimate to be made. The Council's balance sheet only reflects the Council's 49% share of the provision.

#### **41.17 Overheads and Support Services**

The Council's CIES is presented on a segmental basis in line with the Council's internal reporting. On this basis the costs of cross Council overheads and support services are accounted for within the relevant management segment and are not allocated to services. The exceptions to this are where the service is accounted for on a "ring fenced" basis such as public health, schools and harbours where the costs of support services are allocated in line with the CIPFA Service Reporting Code of Practice. The costs of a service's own management and administration are accounted for within the service segment.



### COLLECTION FUND SUMMARY ACCOUNT 2016/17

This account reflects the statutory requirements for billing authorities to maintain a separate Collection Fund, which shows the transactions of the billing authority in relation to non-domestic rates and the council tax, and illustrates the way in which these have been distributed to preceptors and the General Fund.

Council tax £m	NNDR £m	Total £m		Council tax £m	NNDR £m	Total £m
2015/16				2016/17		
(89.3)	-	-	Gross Council Tax Payable for Year	(93.1)	-	-
22.0	-	-	Reduced Assessments	22.4	-	-
(67.3)	(36.6)	(103.9)	<b>Council Tax &amp; NNDR Receivable</b>	<b>(70.7)</b>	<b>(37.1)</b>	<b>(107.8)</b>
			<b>Expenditure:</b>			
			<b>Precepts and Demands</b>			
7.2	0	7.2	Police and Crime Commissioner for Devon and Cornwall	7.5	0	7.5
3.3	0.4	3.7	Devon & Somerset Fire & Rescue Authority	3.4	0.4	3.8
0	18.2	18.2	DCLG, (Central Government)	0	18.7	18.7
53.7	17.8	71.5	Torbay Council's Own Demand (Including Brixham Town Council)	56.9	18.3	75.2
64.2	36.4	100.6	<b>Total Precepts and Demands</b>	<b>67.8</b>	<b>37.4</b>	<b>105.2</b>
0	0.2	0.2	<b>Cost of Collection Allowance</b>	0	0.2	0.2
			<b>Distribution of Previous Years Estimated Surplus/(Deficit);</b>			
0.1	0	0.1	Police and Crime Commissioner for Devon and Cornwall	0.3	0	0.3
0.1	0	0.1	Devon & Somerset Fire & Rescue Authority	0.1	0	0.1
0	0	0	DCLG, (Central Government)	0	(1.0)	(1.0)
1.0	0	1.0	Torbay Council	2.1	(1.0)	1.1
1.2	0	1.2	<b>Total Distribution of previous year's Surplus/(Deficit)</b>	<b>2.5</b>	<b>(2.0)</b>	<b>0.5</b>
			<b>Bad and Doubtful Debts/Appeals</b>			
0.5	0.5	1.0	Write Offs	0.7	0.6	1.3
0.3	0.1	0.4	Impairment for Uncollectable debt	0.2	0	0.2
0	1.7	1.7	Provision for Appeals	0	(1.2)	(1.2)
0.8	2.3	3.1	<b>Total Bad &amp; Doubtful Debt and Appeals</b>	<b>0.9</b>	<b>(0.6)</b>	<b>0.3</b>
66.2	38.9	105.1	<b>Total Expenditure</b>	<b>71.2</b>	<b>35.0</b>	<b>106.2</b>
(1.1)	2.3	1.2	<b>(Surplus)/Deficit for Year</b>	<b>0.5</b>	<b>(2.1)</b>	<b>(1.6)</b>
			<b>Movement of Collection Fund Balance</b>			
(2.0)	0.3	(1.7)	Balance brought forward as at 1st April	<b>(3.1)</b>	<b>2.6</b>	<b>(0.5)</b>
(1.1)	2.3	1.2	(Surplus)/Deficit for Year	<b>0.5</b>	<b>(2.1)</b>	<b>(1.6)</b>
(3.1)	2.6	(0.5)	<b>Balance carried forward as at 31st March</b>	<b>(2.6)</b>	<b>0.5</b>	<b>(2.1)</b>
			<b>Balance Attributable to major precepting bodies</b>			
(0.3)	0	(0.3)	Police and Crime Commissioner for Devon and Cornwall	<b>(0.3)</b>	<b>0</b>	<b>(0.3)</b>
(0.2)	0	(0.2)	Devon & Somerset Fire & Rescue Authority	<b>(0.2)</b>	<b>0</b>	<b>(0.2)</b>
0	1.3	1.3	Central Government	<b>0</b>	<b>0.3</b>	<b>0.3</b>
(2.6)	1.3	(1.3)	Torbay Council	<b>(2.1)</b>	<b>0.2</b>	<b>(1.9)</b>
(3.1)	2.6	(0.5)	<b>Balance carried forward at 31st March</b>	<b>(2.6)</b>	<b>0.5</b>	<b>(2.1)</b>

## **NOTES TO THE COLLECTION FUND SUMMARY ACCOUNT**

These notes represent the statutory requirement for a billing Council to maintain a separate Collection Fund. The accounts are consolidated with the Council's main accounts. In its Balance Sheet the Council includes the disaggregated amounts for the Major Precepting Bodies within its current assets and liabilities. The surplus attributable to Torbay Council has been treated as a credit on the Collection Fund Adjustment Account.

In addition to the statutory Collection Fund Statement, the Council in its Income & Expenditure account now reflects, as income in year, its share, based on precepting values, of the year end Collection Fund position. The Council on its balance sheet reflects its share of year end assets (arrears and impairment) and liabilities (prepayments) attributable to the Collection Fund. The balance is shown in the accounts of the individual precepting bodies.

Brixham Town Council, a local precepting authority, 'precepts' on Torbay Council as a billing authority to fund its activities, the precept for 2016/17 was £0.234m (£0.223m in 2015/16) and is received from council taxpayers in the town council's area. This precept is included in Torbay Council's demand on the collection fund.

### **A) Council Tax Base 2016/17**

The number of dwellings Band D equivalent for 2016/17 is required for the setting of the Council Tax. It is calculated prior to the start of the financial year by using the number of dwellings on the valuation list adjusted to set the number of chargeable dwellings per band. This is then adjusted for an appropriate level of reduced assessments (discounts) prior to the number of dwellings in each band being put in a ratio compared to Band D. For further details on this please see "Council Tax Base 2016/17" report from the Council meeting in December 2015.

For Council tax purposes the number of domestic properties in each band converted to a Band D equivalent for **2016/17** was as follows:

Valuation Band	Ratio to Band D	Amount payable by all council tax payers			Additional amount payable by council tax payers resident in the Brixham Town Council area		
		No Dwellings in valuation list	No of Dwellings Band D Equivalent	Average Council Tax Per Dwelling £	No Dwellings in valuation list	No of Dwellings Band D Equivalent	Average Council Tax Per Dwelling £
A	6/9	13,471	<b>5,030</b>	1,042.88	1,422	<b>542</b>	26.83
B	7/9	17,464	<b>9,464</b>	1,216.69	2,247	<b>1,221</b>	31.30
C	8/9	16,495	<b>11,421</b>	1,390.50	2,461	<b>1,713</b>	35.77
D	1	10,067	<b>8,564</b>	1,564.31	1,541	<b>1,310</b>	40.24
E	11/9	5,006	<b>5,396</b>	1,911.93	650	<b>703</b>	49.18
F	13/9	2,330	<b>3,046</b>	2,259.56	325	<b>414</b>	58.12
G	15/9	1,221	<b>1,857</b>	2,607.19	91	<b>143</b>	67.07
H	2	134	<b>202</b>	3,128.62	7	<b>7</b>	80.48
TOTAL		66,188	<b>44,980</b>		8,744	<b>6,053</b>	
Less Allowance for Non Collection @ 4.0% (4.0% 2015/16)			<b>(1,799)</b>			<b>(242)</b>	
<b>TAX BASE 2016/17</b>			<b>43,180.70</b>	(42,370.75 15/16)		<b>5,811.07</b>	(5,719.39 15/16)
Band D Council Tax (excluding Brixham Town Council precept)				1,564.31 (1,509.06 15/16)	Band D Council Tax (including Brixham Town Council precept)		1,604.55 (1,548.06 15/16)

## B) Income from Business Rates

Under the arrangements for uniform business rates, the Council collects non-domestic rates for its area, which are based on local rateable values multiplied by a uniform rate. The total rateable value as at 31<sup>st</sup> March 2017 was £98.3m (2015/16: £98.3m).

In line with the Local Government Act 2003, from 1<sup>st</sup> April 2005, there are two multipliers, the small business non-domestic rating multiplier, which is applicable to those that qualify for the small business relief; and the non-domestic rating multiplier, which includes the supplement to pay for small business relief. The small business non-domestic rating multiplier for 2016/17 was 48.4 pence per pound of rateable value and the non domestic rating multiplier was 49.7 pence per pound.

In April 2013 the NNDR retention scheme was introduced with Councils now responsible for a percentage share of all transactions in relation to NNDR income in their area. This to include movement up and down in NNDR income, (up to a safety net), which includes the payment of any outstanding NNDR appeals as at 31<sup>st</sup> March 2017 that have not yet been determined by the valuation office. Torbay Council as a unitary authority is responsible for 49% of the NNDR income, Devon and Somerset Fire authority 1% and the Department of Communities and Local Government 50%.

## **ANNUAL GOVERNANCE STATEMENT 2016/17**

## **ANNUAL GOVERNANCE STATEMENT FOR THE FINANCIAL YEAR 2016/2017**

### **Scope of responsibility**

Torbay Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. Torbay Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Council is also responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

Torbay Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. The code is included in the Council's Constitution which is available on the Council's website at <http://www.torbay.gov.uk/DemocraticServices/ieListMeetings.aspx?CId=458&info=1>

This statement explains how Torbay Council has complied with the code and also meets the requirements of the Accounts and Audit (England) Regulations 2015 in relation to the publication of a statement on internal control.

### **The purpose of the governance framework**

The governance framework comprises the systems, processes, culture and values, by which the authority is directed and controlled, and its activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can, therefore, only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of Torbay Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at Torbay Council throughout the year ended 31 March 2017 and up to the date of approval of the statement of accounts.

## **The Governance Framework**

### The Constitution

The Constitution sets out the main elements of the governance framework of Torbay Council, in particular how decisions are made and the procedures which are followed to ensure that these are efficient and transparent and that decision makers are accountable to local people. It explains that the Council is made up of the Elected Mayor and 36 Councillors who, together, are responsible for approving the Council's Budget and Policy Framework. The Mayor is responsible for decisions which are consistent with the Budget and Policy Framework and is supported by Executive Lead Members who oversee and advise on specific areas. Matters outside the Budget and Policy Framework are referred to the Council for decision.

The Constitution includes Standing Orders, Financial Regulations and the Scheme of Delegated Powers and is available on the Council's website. It is underpinned by Codes of Conduct for Members and Employees and a range of local protocols. The Constitution includes the Council's Code of Corporate Governance.

The Overview and Scrutiny Board is responsible for the overview and scrutiny function of the Council. It assists in the development of policy and holds decision makers to account. In addition, any five members of the Council can "call-in" executive decisions to the Overview and Scrutiny Board for further debate.

The Audit Committee is responsible for all internal and external audit matters, treasury management as well as monitoring the effective development and operation of performance and risk management and corporate governance in the Council. It meets on a bi-monthly basis.

The Standards Committee's remit includes the conduct of members and investigating complaints in respect of individual members. The Standards Committee promotes and embeds ethical standards for members.

Some regulatory functions remain the responsibility of the Council rather than the Mayor and most of these are delegated to a small number of committees appointed annually by the Council.

All members are inducted into the importance and processes of good governance and have informal and, if required, formal ways of raising governance issues with the Chief Executive, Monitoring Officer, Chief Finance Officer and the Senior Leadership Team.

### The Corporate Plan and Decision-making

Included within the Policy Framework is the Council's Corporate Plan which is the main strategic document under which all other Policy Framework documents sit. During the course of the year, the Delivery Plans associated with the Corporate Plan were adopted. The Council also has a Medium Term Resource Plan which is

reviewed on an on-going basis to take into account new information and changed circumstances. Both of these documents provide a framework for planning and monitoring resource requirements.

The Corporate Plan and the Medium Term Resource Plan formed the basis of the Council's Efficiency Plan which was submitted to Government in October 2016. The Efficiency Plan sets out the details of the Council's Transformation Programme (as it was at that date).

The Mayor has established Policy Development and Decision Groups which (amongst other things) receive reports and make recommendations to the Mayor on Executive decisions. The Mayor then, in the majority of cases, takes those decisions at meetings of the Policy Development and Decision Group. All reports to members include sections on the financial and legal implications and the risks of the proposed decision. Prior to publication, these reports are cleared by the Chief Finance Officer and the Monitoring Officer or one of their senior staff.

All meetings are open to the public but a small number of matters are considered in private when the press and public are formally excluded from meetings. It is the Council's objective to keep these private matters to a minimum with only those elements of reports that are considered exempt from publication being included within appendices. This aims to ensure open and transparent decision making is undertaken at all times.

The Member Development Programme provides a structured approach to member development to support members in their roles. In addition to the Personal Development Plans, Members have the opportunity to have a one to one Councillor Development discussion with their Group Leader/Mayor. The purpose of these reviews is to discuss each member's progress and how they can contribute in meeting the Council's priorities.

#### Community and Service User Engagement

There are also a number of Community Partnerships across Torbay which provide an opportunity for people who live or work in the those parts of Torbay to discuss issues of common concern, influence the way in which services are provided and improve their local area.

In developing proposals for service change, consultation with service users and the public is undertaken. In particular, the impact on vulnerable groups and those with characteristics protected under the Equality Act 2012 is assessed and documented in Equality Impact Assessments which are considered by decision-makers prior to decisions being made.

### Partnership Working

The Torbay Strategic Partnership has been re-established and the Council is scheduled to approve the Place Narrative which sets out the Partnership's vision for Torbay in the future.

The Health and Wellbeing Board and the Community Safety Partnership provide forums where multi-agency issues which impact on the Torbay population can be debated. Safeguarding Boards are also in place for both children and adults.

The Council owns (either in its own right or with partners) a number of companies, namely the Torbay Economic Development Company (TDA), TOR2, Careers South West and Oldway Management Company. The Council has representatives on the Boards of these companies together with a number of reserved matters which are set out in the Articles of Association and Memorandum of Understanding.

Performance and monitoring arrangements are in place in respect of service specific partnerships such as the Torbay and South Devon NHS Foundation Trust and the Torbay Coast and Countryside Trust.

The Council is also pursuing other partnership opportunities such as the Plymouth and South West Peninsula City Deal and devolution across Devon and Somerset. In addition, the Council is working with partners on the Wider Devon Sustainability and Transformation Plan and the Better Care Fund.

### Performance and Risk Management

The Council records performance information using performance-reporting software called SPAR.net. The Senior Leadership Team receive quarterly updates on performance and risk. These updates are also shared with the Mayor and Executive, Group Leaders and the Audit Committee. Any areas of concern are highlighted and appropriate corrective action will be considered, scrutinised and monitored. The Council also uses a range of benchmarking information to measure performance against comparators and to identify authorities from whom the Council could learn.

The Senior Leadership Team is responsible for the implementation and monitoring of the Performance and Risk Framework. A Strategic Risk Register is maintained which identifies strategic risks facing the Authority together with clearly identified measures for mitigation. Directors and Executive Heads are responsible for managing risk within their Business Units.

### Senior Management

The **Head of the Paid Service** is the Chief Executive who is responsible and accountable to the Council for all aspects of operational management.

The Head of Finance is the **Chief Financial Officer**. He has direct access to all members, the Chief Executive and senior officers of the Council. He works with

Directors and Executive Heads to identify any financial issues which may require management action. Regular discussions are held with the Mayor who is the Executive Member with responsibility for finance. The Chief Finance Officer has responsibility for ensuring the Council operates secure and reliable financial and accounting systems.

Members are briefed on key financial issues with revenue and capital budget monitoring reports being considered by the Overview and Scrutiny Board and the Council on a regular basis. The Council agrees the Treasury Management Strategy on an annual basis on the recommendation of the Audit Committee.

The Assistant Director – Corporate and Business Services is the **Monitoring Officer**. She is responsible to the Council for ensuring that agreed procedures and protocols are followed and that all applicable Statutes and Regulations are complied with.

The Head of the Paid Service, Chief Financial Officer and Monitoring Officer meet on a monthly basis to ensure that appropriate governance arrangements are in place.

Officers in politically restricted posts and those responsible for negotiating contracts are required to register their personal interests.

#### Training and Information

The Torbay Managers Forum meets on a quarterly basis enabling all managers to be briefed on current issues, reflect on achievements and engage in the development of action plans, ensuring that best practice across the Authority is shared and that plans for the future are collectively owned. Events known as “Connect” are routinely held which are open for all members of staff to attend to share their views with the Chief Executive and members of the Senior Leadership Team.

Internal communication approaches have been reviewed and enhanced to ensure all staff are aware of issues and new policies and practices. Newsletters and daily updates are sent to all staff to advise them of relevant information, HR policy and legislation changes. Learning and Development courses that are available and support for staff are also included within these.

There is a positive working relationship with Trades Unions through quarterly formal meetings and informal meetings with the Assistant Director – Corporate and Business Services and consultation where appropriate.

The Council’s intranet contains a range of policies, procedures and guidance for all staff including i-Learn training modules, Information Governance Policies, Code of Conduct, Freedom of Information Policy, Data Protection Policy and the Corporate Plan and Constitution. Human Resources (HR) Policies are available to all staff via the MyView web platform.

The Council has a Counter Fraud and Corruption Policy which is reviewed regularly and has been communicated to all staff and is available on the Council's Intranet.

Corporate training needs are identified through the Senior Leadership Team. The Council has strongly supported staff development, particularly through programmes such as the Institute of Leadership and Management to develop Team Leaders and Managers.

Change management training has been communicated to all staff, including senior management, to support their understanding and implementation of change. Coaching and counselling are also offered as an additional means of support to individuals.

The Corporate Induction module on i-Learn signposts and informs new employees about the range of policies and procedures they need to be aware of, including the Code of Conduct, Information Governance, Acceptable Behaviour, Driver's Policy and Handbook and Whistleblowing Policies. Managers are responsible for local induction arrangements with corporate induction courses being run on a regular basis.

#### Customer Feedback, Whistleblowing and Prevention of Fraud

The Council has a customer feedback recording, tracking and reporting system to which all staff have access via the Intranet. The system captures compliments, complaints, queries, enquiries and Local Government Ombudsman complaints. Letters from Members of Parliament as well as enquiries made through local councillors are also recorded through this system.

The system enables all complaints to be recorded and tracked with root causes identified providing the Council with a useful analysis of why complaints are being received. It also enables the tracking of the implementation of recommendations and actions.

The Information Compliance Team report to the Senior Leadership Team on a quarterly basis, these reports include the type of complaint, service area, outcomes and any learning points. This results in further actions being identified and implemented.

The Council's Whistleblowing Policy was agreed in July 2013 and is available on the Council's website and intranet site. The Council has an established phone line that any whistleblowing call can be made to and which goes directly to Internal Audit which has responsibility for dealing with these issues in the first instance. The Probity and Ethics Group; comprising of the Monitoring Officer, the Chief Finance Officer, Internal Audit and the Head of Human Resources, continue to meet to consider and progress as appropriate all matters of concern.

The Council has a Fraud and Counter Corruption Officer who is accountable to the Head of Finance. The Council's website enables members of the public to report any suspicions of anyone committing fraud or corruption.

### Information Management

The Council holds and processes a significant amount of information. It is critical that the information held is of good-quality, accurate and kept up-to-date to inform decision making. Equally important is the requirement to process personal and sensitive information in accordance with the Data Protection Act 1998. To support this, there is an Information Governance Forum which outlines the Council's approach to information management and sharing. Under this framework there are a number of operational policies and procedures including a suite of information security policies. These policies are subject to regular review and updates communicated to all staff.

The Council is currently reviewing and updating its Information Asset Register which specifies the information assets held across all Council departments and allows the Council to understand the risks associated with different information assets.

### Internal Audit

The internal audit service is provided by Devon Audit Partnership (DAP). This is a shared service arrangement between Torbay, Torridge District, Plymouth City and Devon County Councils and is constituted under section 20 of the Local Government Act 2000. Devon Audit Partnership undertakes the role of auditing the Council's systems to give assurance to the organisation.

The Council's Internal Audit Plan, which is risk based, is agreed annually by the Head of Finance, Senior Leadership Team and the Council's Audit Committee. This provides the basis for the review of internal control and governance within the Council and includes the following: -

- Annual reviews of the Council's key financial systems by Internal Audit against known and evolving risks.
- Reviews of internal controls in operation within each service area against known and evolving risks based on a detailed risk assessment. These reviews consider the strategic and operational risks identified in the Corporate Risk Register, as well as materiality, sensitivity and previous audit and inspection findings.
- Work in relation to the investigation of any potential irregularities identified either from audit work or through the Council's whistle-blowing policy.

- Advice and support to ensure future safeguards when implementing new systems.
- Value for money work in relation to assessing the efficiency, economy and effectiveness of the Council's operations and recommending improvements as necessary.

The Council also receives assurance from the NHS Internal Audit Confederation (Audit South West) over the controls in operation at Torbay and Southern Devon NHS Foundation Trust which covers the provision of adult social care services.

Achievement against the Audit Plan is reported to the Audit Committee on a twice yearly basis. This report also includes an opinion and assurance about the system of internal control throughout the Council.

Regular meetings are held between the Chief Finance Officer and a representative of the Devon Audit Partnership to discuss specific issues that have arisen.

### **Review of Effectiveness**

Torbay Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the Authority who have responsibility for the development and maintenance of the governance environment, the Head of the Devon Audit Partnership's annual report, and also by comments made by the External Auditors and other review agencies and inspectorates. This review is demonstrated through the Annual Governance Statement.

As in previous years, Devon Audit Partnership undertook certain assurance work on behalf of the Council and to give assurance to the external auditors as part their audit opinion.

The effectiveness of the governance framework has been evaluated over the course of the year against the seven core principles within Torbay Council's Code of Corporate Governance. Details of the evaluation is included in the sections which follow. Whilst some governance issues have been identified (and are detailed below), the Council believes that its arrangements continue to be regarded as fit for purpose in accordance with the governance framework.

### **Focusing on the purpose of the authority and on outcomes for the local community and creating and implementing a vision for the local area**

The Council's Corporate Plan was adopted in September 2015 with the associated Delivery Plans adopted in May 2016. The Delivery Plans set out the challenges faced by the Council, where it aims to be in 2019 and the areas on which the Council will focus. The Performance and Risk Dashboards set out how the Council will measure

its performance towards meeting the ambitions of the Corporate Plan and the actions in the Delivery Plans. This will include progress against each action within the Delivery Plans and an identification of the priorities for the coming months.

The Council has established a Strategic Partnership for Torbay and developed “Future Torbay” which sets out the long term aspirations for Torbay. It is proposed that this will form an Annex to the Council’s Corporate Plan.

Discussions are taking place, in the context of wider public sector financial constraints, as to how the Council’s relationship with the Integrated Care Organisation will be financially supported moving forward.

Members and officers working together to achieve a common purpose with clearly defined functions and roles

The Council’s Constitution has been continually reviewed throughout the year by the Monitoring Officer, Chief Financial Officer and Governance Support Manager in consultation with the Mayor and Group Leaders whereby improvements and changes to the constitution are made and agreed. During the course of the year, the Council’s Financial Regulations and Contract Procedures were reviewed and expanded.

The Members’ Development Programme has been refreshed and communication with councillors is supplemented by Councillor Conversations which take place to provide an informal opportunity to discuss forthcoming issues. The Mayor and Group Leaders meet monthly to discuss a range of issues aimed at working better together.

In November 2015, Torbay Council welcomed a Local Government Association review team to undertake a Corporate Peer Challenge to specifically challenge the financial viability of the Council and the effectiveness of its leadership and governance arrangements. In response to the recommendations, the Council implemented an action plan.

The LGA’s Principal Advisor and Challenge Manager, along with several members of the original peer team, have visited the Council on a number of occasions since the action plan was produced to help, advise and review progress directly with the Council. As part of this process, it was agreed that a follow-up day would be arranged and this took place in September 2016.

The report from the follow-up day shows that the LGA found some positive member and officer relationships but that there were also some tensions. The LGA’s clear advice was that there needs to be “a consistent political purpose which officers can then put their collective energy into delivering” with clarity as the roles and responsibilities. To address this finding, senior officers are focussing on supporting the Executive and Council to develop the Policy Framework so as to set a clear

strategic direction. Further, the action plans associated with the Policy Framework provide clarity to officers in implementing Council policy.

As a result of the follow-up day, a finance review was commissioned and undertaken in November 2016. The report was presented to the Council and the recommendations from the review have been incorporated in the action plan which continues to be delivered.

Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour

The Standards Committee has been re-appointed and met twice during 2016/2017. The Monitoring Officer continues to meet regularly with the Independent Person (appointed to assist the Standards Committee in the Member Complaint Process) to hear their views and opinions on various matters relating to Members' conduct. The Independent Person assisted with a number of complaints and provided views throughout an investigation that was subsequently considered by a Standards Hearing Sub-Committee.

The Council's Code of Conduct, Information Governance, Whistleblowing and Acceptable Behaviour policies are available for all staff on MyView. They are also referred to within employees' terms and conditions of employment and are binding upon employees during the course of their employment with the Council. Reminders are sent out to staff via newsletters and internal communications. The Council's induction programme also signposts to the above policies for new starters.

The Head of the Paid Service, the Chief Financial Officer and the Monitoring Officer continue to meet on a monthly basis to ensure that there is a regular forum to ensure that the values of the authority are promoted and that good governance is demonstrated.

Business ethics, values and culture are an important part of improving an organisation's governance process and we continue to place great importance on this. The Council will be furthering its work on culture and ethics as part of its response to the Staff Survey.

Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

The process for taking decisions has been reviewed over the course of the year and the Mayor has established the Policy Development and Decision Groups. These Groups receive reports and make recommendations to the Mayor on Executive decisions. The Mayor then, in the majority of cases, takes those decisions at meetings of the Policy Development and Decision Group.

The Overview and Scrutiny Board has met throughout the year to hold the Mayor and Executive to account, and the Audit Committee has also met regularly. This aims to provide assurance within the decision making process.

The Audit Committee has received the Internal Audit Plan together with updates on the progress against the Plan. The Committee have received the Council's Statement of Accounts and Treasury Management Strategy.

The Performance and Risk Dashboards have been reviewed by the Committee on a regular basis. The Committee have also been invited to a number of informal meetings with service managers in order to understand the derivation of the performance indicators. The Committee continue to have the ability to refer suggested areas for further investigation to the Overview and Scrutiny Board.

The Overview and Scrutiny Board has undertaken a range of work from reviewing draft Policy Framework documents to matters arising from budget monitoring reports. The Mayor has also referred matters to the Board for its comments. Three decisions of the Mayor have been called-in over the course of 2016/2017.

At the start of the year, overview and scrutiny liaison meetings were held between senior officers and Overview and Scrutiny Lead Members. The liaison meeting for the Joint Commissioning Team has now been replaced with two Monitoring Working Parties – one for Children's Services and one for Adult Services and Public Health. These meetings provide an informal opportunity to discuss forthcoming decisions, issues arising, and performance and financial monitoring information.

Overview and Scrutiny Briefings are held to which all members of the Council are invited to attend. This provides an opportunity to share information and identify issues which should be formally considered by the Overview and Scrutiny Board.

The Council's Information Asset Register has been reviewed and will be updated in line with policy developments and guidance but also to ensure links are made to relevant business continuity plans.

The Performance and Risk Management Framework was reviewed as part of the LGA Corporate Peer Challenge in 2015 with a recommendation 'to ensure that the framework is effectively rolled out, and adding to the 'business' of the authority'. The subsequent internal audit report on Risk Management and Risk Recording (dated January 2017) found that Councillors and Senior Managers take the lead to ensure that approaches for addressing risk are being developed and implemented. It also found that the Framework, as a methodology, was effective, well-structured and integrated with performance monitoring.

However, the report also identified a number of areas that needed further development:

- current risk registers do not make the link between the strategic risks and service / operational risk.
- there is a lack of focus when identifying risks with significant risks to the achievement of key objectives needing to be fully understood so as to aid decision making and to help ensure that limited resources are effectively targeted.
- There are inconsistencies in terms of monitoring and recording at strategic level along with a lack of integration with operational practices and risks.

An improvement plan has been developed in response to the internal audit report and this is continuing to be implemented.

#### Developing the capacity and capability of members and officers to be effective

A full Member Induction Programme was put in place immediately post the Local Elections in May 2015. Over the course of the year, the second phase of the Member Development Programme continued to build members' focus on the strategic issues. Following the LGA Peer Review and follow up visit, the Council devised an Action Plan which would assist the Council to embrace the opportunities and improvements identified. A wide range of member development has been made available supported by the LGA.

A Constitution Working Party has been established to review the preparation by the Monitoring Officer of a new Constitution for a Leader and Cabinet model of governance for implementation in May 2019. This Working Party will also work to identify the member development needs to ensure an effective transition to the new governance arrangements.

The Senior Leadership Team have kept the operation of their meetings under review over the course of the year and changed how they manage their agendas in order to increase their capacity to focus on those issues of strategic importance. An Organisational Development Plan (including an SLT Development Plan) is in place.

Workforce planning has been introduced for managers to assist them in identifying the learning and development requirements within their service areas. Training for all staff on key policies, procedures and legislation is available through i-Learn, the Council's online learning portal.

The Council undertook a Staff Survey in September 2016. Work has been undertaken with managers and staff to develop an action plan which will be delivered throughout Summer 2017.

#### Engaging with local people and other stakeholders to ensure robust public accountability

Consultation and service user engagement has continued to take place in relation to service change. The majority of this work has been related to the proposals for

budget savings. It is recognised that the Community Partnership framework is not utilised as effectively as it could be and this will be reviewed over the coming year along with the exploration of other avenues for engaging with local people and communities.

The Action Plan associated with the Communication, Consultation and Engagement Strategy has been implemented aimed at improving the way that the Council communicates, consults and engages with the residents of Torbay.

The Torbay Strategic Partnership has been re-established. There has been good engagement from partners, supported by resources from the Local Government Association. There is a desire and intent to work together to develop plans to deliver the Partnership's ambitions.

The Annual Report of the Overview and Scrutiny Board has been published and considered by the Council.

The Statement of Accounts provides a Narrative Report which explains the Council's achievements against the Corporate Plan over the past year alongside the Council's financial performance.

Securing continuous improvement in service delivery and ensuring that its agreed policies, priorities and decisions are implemented on time, in a manner consistent with the needs of its user and in the most effective way

The Performance and Risk Dashboards (including progress against each action within the Corporate Plan Delivery Plans) have been reviewed regularly by the Senior Leadership Team, Mayor and Executive, Group Leaders and the Audit Committee. This has enabled any areas of concern to be highlighted and recovery plans to be prepared, scrutinised and monitored. The Audit Committee refer matters by exception to the Overview and Scrutiny Board where it was felt that further investigation is required.

The Performance and Risk Group has continued to meet to encourage greater ownership of performance and risk generally.

Operational performance and risk continues to be monitored in business units with issues of concern being escalated through the Performance and Risk Group to the Senior Leadership Team. This will be an area of focus for the coming year.

The Children's Improvement Board has continued to meet over the course of the year to ensure that the action plan in response to the January 2016 Ofsted Inspection of services is implemented. Ofsted undertook a monitoring visit in December 2016 and the findings were that the Council was making appropriate progress in improving services for children and young people in need of help and protection in Torbay.

The Government-appointed Children’s Commissioner has made recommendations to the Minister on the future operation of Children’s Services in Torbay and work will be undertaken during 2017/2018 on this issue.

The Council’s financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010).

### **Significant governance Issues**

Following the Ofsted Inspection of services for children in need of help and protection, children looked after and care leavers (January 2016) which judged services to be inadequate, the Council was subject to a Statutory Direction in May 2016. The direction appointed the Chief Executive of Hampshire County Council as Commissioner for Children’s Services in Torbay and requires the Council to co-operate with the Commissioner in relation to the improvement of Children’s Services. An Improvement Board chaired by the Commissioner with representatives from the Council and local partners has been formed to oversee the improvement process. The Commissioner also reports on a quarterly basis to the Secretary of State on progress and work undertaken to develop an alternative delivery model for future service provision. The direction will remain in place until such time as it is revoked by the Secretary of State. Children’s Services are also subject to ongoing monitoring by Ofsted.

The report from the follow-up day for the LGA Corporate Peer Challenge highlighted that there remains some tensions in the relationships between members and officers. This issue will continue to be addressed through the implementation of the updated LGA Corporate Peer Challenge/Finance Review and CIPFA Financial Resilience Review Action Plan.

The internal audit report on Sports Pitch Leases (dated January 2017 (although commenced during 2015/2016)) identified that improvements were required as there were a number of instances where controls and procedures did not adequately mitigate the risks identified. Existing procedures needed to be improved in order to ensure that they are fully reliable. The overall opinion of “Improvements Required” was given following improvements made after the conclusion of the audit.

As noted within the internal audit report, since the conclusion of the audit, progress has been made through identifying an asset management lead role who has intervened in many of the sports pitch leases reviewed during the audit and clarified instruction arrangements with the TDA. As such, the issues and associated risks identified are now better mitigated. In addition, a review of the Corporate Asset Management Plan is currently underway to ensure that it meets the intentions of the Corporate Plan.

The internal audit report on Risk Management and Risk Recording (January 2017) gave an opinion of “Happening” with councillors and senior managers taking the lead

to ensure that approaches for addressing risk are being developed and implemented. As detailed earlier in the Annual Governance Statement, an improvement plan is in place to ensure that:

- there are links between the strategic and service/operational risks.
- significant risks to the achievement of key objectives are fully understood
- there is consistency in monitoring and recording risk at a strategic level (including integration with operational practices and risks).

The draft internal audit report on Emergency Planning and Business Continuity (February 2017) found of 'Fundamental Weaknesses' in relation to corporate business continuity arrangements. Whilst it was recognised that some progress had been made in this area, arrangements were not consistently robust, and have not been subject to full testing. Therefore the report deemed that the arrangements were insufficient to ensure continuity of service corporately across all the Council's critical functions should an incident occur. An action plan to address the recommendations within this draft internal audit report is in the process of being prepared and implemented.

The draft internal audit report on TOR2 Commissioning (April 2017) has found that there were "Improvements Required". The Joint Venture Company (JVCo) provides over £10 million of services to the Council. The draft report is currently being considered and an action plan will be prepared.

In addition to the above, there were a number of reviews undertaken by internal audit during the course of the year which found that improvements were required. In a number of cases management actions plans have been put in place and these will be monitored on a regular basis through discussions between the Chief Executive and appropriate Director or Assistant Director. In those cases where management action plans have yet to be agreed, the Chief Executive will ensure that plans are developed as a matter of urgency.

A tracking system to ensure that actions to address areas identified by Internal Audit as requiring improvement will be developed over the coming months and will be monitored by the Senior Leadership Team.

We propose over the coming year to take the steps detailed in the attached action plan to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the issues identified and we will monitor their implementation and operation as part of our next annual review.

Steve Parrock  
Chief Executive

Gordon Oliver  
Elected Mayor of Torbay

<b>Action</b>	<b>Responsible Officer</b>	<b>Deadline</b>
Review and update the Information Asset Register	Assistant Director – Corporate Services	31 March 2018
“Vision: Torbay” to form an appendix to the Corporate Plan	Assistant Director – Corporate Services	31 July 2017
Deliver the LGA Corporate Peer Challenge/Finance Review and CIPFA Financial Resilience Review Action Plan.	Chief Executive	31 March 2018
Deliver the Improvement Plan in relation to the Performance and Risk Management Framework	Assistant Director – Corporate Services	31 March 2018
Constitution Working Party to consider proposed Constitution and member development requirements for the Leader and Cabinet model of governance.	Assistant Director – Corporate Services	1 May 2019
Deliver the Staff Survey Action Plan	Chief Executive	31 March 2018
Deliver the Action Plan associated with the Communication, Consultation and Engagement Strategy	Assistant Director – Corporate Services	31 March 2018
Review how the Community Partnership framework can be better utilised and explore other avenues for engaging with local people and communities	Assistant Director – Corporate Services	31 March 2018
Review mechanisms for ensuring operational performance and risk is escalated as appropriate to the Senior Leadership Team	Assistant Director – Corporate Services	31 March 2018
Deliver the Children’s Services Ofsted Improvement Plan	Director of Children’s Services	31 March 2018

Continue to implement the Action Plan in relation to the Internal Audit report on Sports Pitch Leases	Executive Head – Business Services	31 March 2018
Review Corporate Asset Management Plan to ensure it meets the intentions of the Corporate Plan	Executive Head – Business Services	31 March 2018
Prepare and implement an Action Plan in response the Internal Audit report on Emergency Planning and Business Continuity	Assistant Director – Community Services	31 March 2018
Prepare and implement an Action Plan in response the Internal Audit report on TOR2 Commissioning	Executive Head – Business Services	31 March 2018
Develop a tracking system to ensure that actions to address areas identified by Internal Audit as requiring improvement are identified and implemented	Assistant Director – Corporate Services	31 December 2017

## GLOSSARY

### A

**Academy Schools** – These are independent schools publically funded from the Department of Education. Community (i.e. Council controlled) schools can transfer to academy status where they will often become charitable trusts.

**Accumulating Compensated Absences Adjustment Account** - The Accumulating Compensated Absences Adjustment Account absorbs the differences that would otherwise arise on the General Fund Balance from accruing for compensated absences earned but not taken in the year e.g. annual leave entitlement carried forward at 31 March. Statutory arrangements require that the impact on the General Fund Balance is neutralised by transfers to or from the Account.

**Actuarial Remeasurements** – For a defined pension scheme, the changes in actuarial deficits or surpluses that arise because events have not matched previous assumptions and/or actuarial assumptions have changed.

**Agency** – Under an agency arrangement the Council acts on behalf of other bodies, so in effect any monies that flow through the Council's accounts under that arrangement are not the Council's asset or liability.

**Amortisation** - a term used to refer to the charging of the value of a transaction or asset (usually related to intangible assets or deferred charges) to the Income and Expenditure Account over a period of time, reflecting the value to the Council (similar to the depreciation charge for tangible fixed assets).

**Amortised Cost** – the fair value of a financial instrument valued using the effective interest rate inherent in the contract.

#### **Asset categories & their definitions:**

Property, Plant & Equipment category on the balance sheet is comprised of a number of sub categories:

Vehicles, Plant & Equipment – Assets used for operational purposes

Community Assets - assets which the Council intends to hold in perpetuity, which may have an indeterminate life and may have restrictions on disposal.

Surplus Assets – assets which are surplus to service needs but do not meet the criteria to be classified as Assets Held for Sale.

Infrastructure Assets – assets which form the underlying framework of the physical environment and by their nature cannot be sold. They include coastal defence and drainage systems and transport infrastructure assets. Transport infrastructure assets form the underlying transport framework of the physical environment and by their nature cannot be sold. They include highways, footways, and associated assets.

Assets under construction (Work in Progress) - where capital projects are incomplete and the assets under construction are not yet operational at the year end.

Other Land and Buildings – Assets used for operational purposes, including any operational heritage assets.

**Assets Held For Sale** – a category of property where the property is expected to be sold and is to be actively marketed so is classified as a current asset rather than a non current asset.

**Assets Under Construction** – expenditure incurred to date on an asset that is being constructed and at balance sheet date is not operational.

**Authorised for Issue Date** – The date up to which the Council will have included latest information of financial transactions that would have a significant impact on both the Accounts for the year or on the readers understanding of the Council's financial position.

**Available-for-sale assets** - (i.e. investments and cash equivalents) - assets that have a quoted market price and/or do not have fixed or determinable payments.

## **B**

**Borrowing** - Councils borrow to fund Capital expenditure or for temporary cash flow requirements. The majority of Council borrowing will be from Central Government by means of the Public Works Loans Board. Council's are free to use other borrowing options provided they are within the Council's treasury management arrangements.

## **C**

**Capital Expenditure** - payments made for the acquisition, provision or improvement of assets, which will be of a long-term value to the Council, e.g., land and buildings.

**Capital Adjustment Account** - The Capital Adjustment Account represents the capital funding used to finance capital investment immediately from capital receipts and directly from revenue. It also contains amounts which in the past were required by statute to be set aside from capital receipts for the repayment of external loans. The Account is also used to compensate the General Fund Revenue Account for any excess of charges paid in respect of depreciation of assets over the statutory Minimum Revenue Provision which Council Taxpayers are required to bear. The Capital Adjustment Account absorbs the timing differences arising from the different arrangements for accounting for the consumption of non-current assets and for financing the acquisition, construction or enhancement of those assets under statutory provisions. The Account is debited with the cost of acquisition, construction or enhancement as depreciation, impairment losses and amortisations are charged to the Comprehensive Income and Expenditure Statement (with reconciling postings from the Revaluation Reserve to convert fair value figures to a historical cost basis). The Account is credited with the amounts set aside by the Council as finance for the costs of acquisition, construction and enhancement.

The Account contains accumulated gains and losses on Investment Properties and accumulated losses on Assets held for Sale that have yet to be consumed by the Council. The Account also contains revaluation gains accumulated on non current assets before 1 April 2007, the date that the Revaluation Reserve was created to hold such gains.

**Capital Financing Requirement** - The Capital Financing Requirement shows the underlying need to borrow as a result of capital investment and resources set aside in the year. The CFR was introduced from 1 April 2004 by the Prudential Code for Capital Finance and reflects the movement in the Balance Sheet Accounts for Fixed Assets, Capital Financing Account, Government Grants Deferred and the Fixed Asset Restatement Account.

**Capital Grants and Contributions Unapplied Reserve** - This reserve holds the balance of any capital grants and contributions at the end of each financial year that have been received and

recognised as income in the Comprehensive Income and Expenditure Account but not yet applied to finance capital expenditure.

**Capital Receipts** - money received from the sale of assets or the repayment of grants and loans which is available for financing future capital expenditure.

**Capital Receipts Reserve** - This reserve holds the balance of any capital receipts at the end of each financial year that have been received and recognised as income in the Comprehensive Income and Expenditure Account but not yet applied to finance capital expenditure.

**Cash & Cash Equivalents** – cash, bank balances and short term investments that are held for the primary purpose of short term cash flow purposes and not for investment purposes.

**CCG** - The NHS Torbay and South Devon Clinical Commissioning Group. The NHS body responsible for the commissioning of health services in Torbay.

**CIPFA** – The Chartered Institute of Public Finance and Accountancy – the accounting institute that helps regulate and support accountants in the public sector.

**CCLA** – Churches, Charities and Local Authorities. A property fund used for some of the Council's cash investments

**Code** – The CIPFA Accounting Code of Practice – the guidance for Council's in producing their IFRS compliant accounts.

**Collection Fund Adjustment Account** - The Collection Fund Adjustment Account manages the differences arising from the recognition of council tax and (from 2013/14) NNDR income in the Comprehensive Income and Expenditure Statement as it falls due from council tax payers compared with the statutory arrangements for paying across amounts to the General Fund from the Collection Fund.

**Contingent asset** - arises where an event has taken place that gives the Council a possible asset whose existence will only be confirmed by the occurrence or otherwise of uncertain future events not wholly within the control of the Council.

**Contingent liability** - arises where an event has taken place that gives the Council a possible obligation whose existence will only be confirmed by the occurrence or otherwise of uncertain future events not wholly within the control of the Council

**Corporate and Democratic Core** – All activities which the Council engage in specifically because they are elected, multi-purpose authorities.

**Current** – a term applied to different categories of assets and liabilities to reflect that the asset or liability will be used or incurred within twelve months.

**Current Service Costs (pension)** – The increase in the present value of a defined benefit pension scheme's costs due to the employee service in the current period.

**Current Value** – The value that the majority of fixed assets are held at in the Council's balance sheet. This value reflects the most recent valuation of that asset or pending a valuation the current value is increased by capital expenditure on that asset.

**Curtailement** – For a defined benefit pension scheme, an event that reduces the expected years of future service of employees.

**Creditors** - amounts owed by the Council for work done, goods received or services rendered but for which payment had not been made by the end of the year.

## **D**

**DCLG** – the Department for Communities and Local Government, the central government department responsible for local government.

**DfE** – the Department of Education, the central government department responsible for a number of service including schools. (Formerly the DCSF – Department for Children, Schools and Families).

**Debtors** - sums of money due to the Council but unpaid at the end of the year.

**Defined contribution / defined benefit schemes (Pension costs)** – There is an important distinction between defined contribution and defined benefit schemes in terms of pension accounting.

**Defined contribution:**

- employer pays fixed amounts into the scheme and has no obligation to pay further amounts if the scheme does not have sufficient assets to pay employee benefits
- accounted for by charging employer contributions to revenue as they become payable

**Defined benefit:**

- retirement benefits are determined independently of the investments of the scheme and employers have obligations to make contributions where assets are insufficient to meet employee benefits
- accounted for by recognising liabilities as benefits are earned (i.e. employees work qualifying years of service), matching them with the organisations attributable share of the scheme's investments

**Depreciation** - Amounts set aside from the revenue account which represents the wearing out, consumption or loss of value of a fixed asset spread over the useful life of the asset.

**Discount Rate** – A high quality corporate bond rate (usually AA) that the pension actuary uses to estimate the value of the pension liability

**DWP** – the Department of Work and Pensions – a central government department that deals primarily with welfare benefits.

## **E**

**EFA** - Education Funding Authority – a central government body that is responsible for the majority of schools funding.

**EFW** – Energy From Waste facility, opened in April 2015 in Plymouth that disposes of Torbay's domestic waste

**EMMF** – Enhanced Money Market Fund, a pooled fund used for Council cash investments where the net asset value can vary.

**ERTC** – English Riviera Tourism Company Ltd. A subsidiary of Torbay Council

**Exceptional Items** – Events or transactions that fall within the ordinary activities of the Council and need to be disclosed separately due to their size to give fair presentation of the accounts.

**Expected Rate of Return on Pension Assets** – The average rate of return, including income but net of scheme expenses, expected over the remaining life of the pension.

**Extraordinary Items** – Abnormal material items are those which fall outside the ordinary activities of the Council and which are not expected to recur.

## F

**Fair Value** – the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date

**Fair Value through Profit and Loss** – A classification of a type of financial asset. The Council's fund manager holding as been designated into this category as this holding meets the definition of this type of financial instrument – I.e. the holding is part of a portfolio of investments managed as a whole.

**Finance Lease** – A finance lease is a lease that transfers substantially all the risks and rewards of ownership of an asset to the lessee. Accounting guidance requires that it should be presumed that such a transfer of risks and rewards occurs if at the inception of a lease the present value of the minimum lease payments including any initial payment, amounts to substantially all (normally ninety per cent or more) of the fair value of the leased asset. The present value is calculated by using the interest rate implicit in the lease.

**Financial Instrument** – a general term relating to a number of contractual arrangements, such as investments, borrowing, debtors and creditors, that a Council may incur. Based on this classification there are a number of additional accounting requirements relating to the fair value of an arrangement which may be different to the contractual amount due to an assessment of risk or value.

**Financial Instruments Adjustment Account** - The Financial Instruments Adjustment Account absorbs the timing differences arising from the different arrangements for accounting for income and expenses relating to certain financial instruments such as the fair value of guarantees and for bearing losses or benefiting from gains per statutory provisions.

**Financial Instruments Available For Sale Adjustment Account** - The Financial Instruments Available for Sale reflects the movement in fair value of the Council's investments held as financial assets at fair value – the Council's investments in its subsidiary companies the Torbay Economic Development Company and the English Riviera Tourism Company.

**Funded Pension Liabilities** – These are liabilities relating to pensions due in the future to members of a pension fund based on the “standard” entitlements within the scheme.

## G

**Grants – Receipts in Advance** – a grant from central government or other body that has conditions that will require repayment of the grant if not complied with. These grants are not recognised as income until the conditions are met.

## H

**Heritage Assets** - Heritage assets are those assets that are intended to be preserved in trust for future generations because of their cultural, environmental or historical associations. Heritage assets include historical buildings, archaeological sites, civic regalia, museum and gallery collections and works of art.

**Historical Cost** – the historical or original cost of a fixed asset can be increased by further capital expenditure on that asset.

## I

**ICO - Integrated Care organisation** - The "descriptive" name for the Torbay and South Devon NHS Foundation Trust as the provider of health and adult social care service to both Torbay Council and the

Clinical Commissioning Group.

**Impairment** – A reduction in the value of a fixed asset, below its balance sheet value.

**Intangible Assets** – (notably software) are recognised on the Balance Sheet at their cost of acquisition or development but only revalued in restricted circumstances.

**Interest Costs for Pensions (net)** – The expected increase in value for a defined benefit scheme, as it draws closer to settlement.

**Investment Properties** – land and buildings held only for the income stream or for capital appreciation.

**IFRS** – International Financial Reporting Standards. These are the financial “rules” that Council accounts will have to comply with for reporting periods from 2011/12. These rules should be consistently applied throughout all bodies throughout the world.

## J

**Joint Committee** – a formal committee of local authorities established under the provisions of Local Government Act 1972 usually for the management of a shared service.

**Joint Operation** - An arrangement under which participants engage in joint activities with joint control but do not create a legal entity

**Joint Venture** - An arrangement under which the participants engage in joint activities with joint control by means of a separate vehicle/entity.

## L

**LEP** – Local Enterprise Partnership. A regional body covering the geographical area of Devon and Cornwall focussing on business and transport activity.

**Liquid Resources** – Current asset investments that are readily disposable by the Council without disrupting its business.

**Loans and receivables** (i.e. investments and loans) - assets that have fixed or determinable payments but are not quoted in an active market

**Local Services Support Grant (LSSG)** – a unringfenced grant from central government

**LOBO** – A “Lender Option, Borrowing Option” loan. Such a loan has a set rate for a defined period, after which point, the lender has the option of changing the rate. If that option is actioned the borrower then has the option to either accept the new rate or repay the loan.

## M

**MRP - Minimum Revenue Provision** - The minimum amount which must be charged to a Council's revenue account each year and set aside as provision for repayment of debt, as required by the Local Government Act 2003. For assets funded from unsupported borrowing this must be a “prudent” amount.

## N

**Net Book Value** – The amount at which fixed assets are included in the balance sheet.

**Net Debt** – The Council's borrowings less cash investments.

**New Homes Bonus Grant** – A general grant that is linked to the growth in the number of properties

available for occupation either from a new home or an empty home brought back into use.

**NNDR** – National Non Domestic Rates, a national tax collected on a local level formally known as business rates.

**NNDR Retention Scheme** - This method of funding Council's moves Councils away from central government funding based on a service "needs" basis to one linked more to economic growth

**Non Current Assets** – assets, primarily land and buildings that have an asset life of over one year and are not used for trading purposes.

**Non Distributed Cost** – a category within the Council's cost of services that represents past service costs (see below) and other costs that have not been attributed to specific services.

## O

**Operating Lease** – An operating lease is a lease other than a finance lease (please see above). The future obligations relating to operating leases are disclosed to provide the reader with an estimate of the outstanding un discharged obligations in relation to such leases.

## P

**Past Service Cost** – The increase in the present value of a defined benefit pension scheme, as a result of improvements to, retirement benefits.

**Pensions Reserve - (Funded and Unfunded Liabilities)** - The Pensions Reserve absorbs the timing differences arising from the different arrangements for accounting for post employment benefits and for funding benefits in accordance with statutory provisions. The Council accounts for post employment benefits in the Comprehensive Income and Expenditure Statement as the benefits are earned by employees accruing years of service, updating the liabilities recognised to reflect inflation, changing assumptions and investment returns on any resources set aside to meet the costs. However, statutory arrangements require benefits earned to be financed as the Council makes employer's contributions to pension funds or pay any pensions for which it is directly responsible. The debit balance on the Pensions Reserve therefore shows a substantial shortfall in the benefits earned by past and current employees and the resources the Council has set aside to meet them. The statutory arrangements will ensure that funding will have been set aside, (usually by means of adjusting contribution rates); by the time the benefits come to be paid.

**PFI - Private Finance Initiative** – A method of using private investment to fund public sector schemes often supported by central government. The private sector typically builds an asset such as a school and then charges the Council over a period of typically 25 years to use and pay for the asset.

**Post Balance Sheet Events** – Those events, both favourable and unfavourable, which occur between the balance sheet date and the date on which the Statement of Accounts is signed.

**Prior Period Adjustments** – Those material adjustments applicable to prior years arising from changes in accounting policies or from the correction of fundamental errors. A fundamental error is one that is of such significance as to destroy the validity of the financial statements.

**Precept** - A levy made by one statutory body on another to meet the net cost of its services.

**Precepting Body** – the statutory body that makes a "precept" on a Council that is responsible for collecting Council Tax in an area. Town and parish Councils are classified as a Minor Precepting body

which means they precept their tax requirement on the Council who then include that amount in their precept.

**Projected unit method (Pensions costs)** – an accrued benefits valuation method in which the scheme liabilities make allowance for projected earnings. An accrued benefits valuation method is a valuation method in which the scheme liabilities at the valuation date relate to:

- the benefits for pensioners and deferred pensioners (i.e. individuals who have ceased to be active members but are entitled to benefits payable at a later date) and their dependants, allowing where appropriate for future increases, and
- the accrued benefits for members in service on the valuation date. The accrued benefits are the benefits for service up to a given point in time, whether vested rights or not.

**Property, Plant & Equipment** – a category of non current assets that show the carrying value of the Council's operational assets.

**Provisions** - amounts set aside for the purposes of providing for any liability or loss which is likely or certain to be incurred but is uncertain as to the amount or the date on which it will arise, e.g., bad debts.

**Prudential Code** – The CIPFA Prudential Code for Capital Finance in Local Authorities which is the guidance applicable from April 2004 for the greater freedom for Councils to borrow to fund capital investment (under the Local Government Act 2003). This Code requires the Council to set and monitor a suite of Prudential Indicators, including its Affordable Borrowing Limit, and establish its policy for using the new freedoms.

**Prudential Borrowing** – see Unsupported Borrowing

**PWLB** – see Borrowing

## R

**Related Party Transaction** – Is the transfer of assets or liabilities, or the provision of services to or for a related party, irrespective of whether a charge is made.

**REFCUS – Revenue Expenditure Funded from Capital Under Statute.** This represents expenditure that qualifies as capital for the purposes of government controls, but does not result in the acquisition, creation or enhancement of a tangible fixed asset. As a result the expenditure in this category and related grants or contributions are reported as revenue income and expenditure.

**Retirement Benefits** – All forms of consideration given by an employer in exchange for services rendered by employees that are payable after the completion of employment.

**Reserves** – are available for meeting general and future expenditure, for example, capital expenditure on new projects or unforeseen occurrences. Reserves may also be used to smooth the cost of certain activities over a number of years, e.g., crematoria replacement.

**Revaluation Reserve** – The Revaluation Reserve contains the net gains made by the Council arising from increases in the value of its Property, Plant and Equipment, Intangible Assets and the “frozen” revaluation gains in assets now classified as Investment Properties or as Assets Held for Sale. The balance is reduced when assets with accumulated gains are:

- revalued downwards or impaired and the gains are lost
- used in the provision of services and the gains are consumed through depreciation, or
- disposed of and the gains are realised.

The Reserve contains only revaluation gains accumulated since 1 April 2007, the date that the

Reserve was created. Accumulated gains arising before that date were consolidated into the balance on the Capital Adjustment Account.

**Revenue Contribution to Capital Outlay** - the financing of capital expenditure, directly funded from revenue or reserves, rather than from borrowing or other sources.

**Revenue Expenditure** - expenditure on day-to-day expenses consisting mainly of employee costs, the running expenses of buildings and equipment and capital financing costs.

**Revenue Support Grant** – a General Government Grant funded from national taxation to support the Council's net expenditure.

## S

**S31 Grant** – a grant awarded by central government to councils where the legal basis for the grant is s31 of the Local Government Act 2003.

**Scheme Liabilities** – Money due on a defined benefit scheme due after the valuation date.

**Supported Borrowing** – the amount of historic Council borrowing towards which the Government provided financial support through the annual Revenue Support Grant although this now significantly reduced by the ongoing austerity funding reductions

## T

**TDA** – Torbay Economic Development Company Ltd. A subsidiary of Torbay Council that trades as Torbay Development Agency (TDA)

**Total Cost** – the actual cost of services reflects all of the direct, indirect and overhead costs that have been incurred in providing the service, even where the expenditure is not under the control of the service's chief officer.

## U

**Unfunded Pension Liabilities** – these are pension costs arising from additional service awarded by a Council on a discretionary basis.

**Unsupported (or Prudential) Borrowing** – any borrowing the Council undertakes that is above and beyond the level of Supported Borrowing which the Government helps to fund and which therefore the Council has to fund completely from its own resources.

**Usable Reserves** – a heading that reflects the Council's reserves that can be used for supporting service delivery, including capital expenditure, in the future.

**Unusable Reserves** – a heading that reflects the Council's reserves that can not be used for supporting services. These tend to be the result of notional accounting entries such as those that reflect previous capital financing, asset revaluations and the pension reserve.

## V

**VRP – Voluntary Revenue Provision** – An additional sum that a Council can make to be set aside as provision for the future repayment of debt.