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Tuesday, 9 July 2013

Meeting of the Council

Dear Member

I am pleased to invite you to attend a meeting of Torbay Council which will be held in **Rosetor Room, Riviera International Conference Centre, Chestnut Avenue, Torquay, TQ2 5LZ** on **Thursday, 18 July 2013** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

A handwritten signature in cursive script that reads 'C. Taylor'.

Caroline Taylor
Chief Operating Officer

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

Working for a healthy, prosperous and happy Bay

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

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(i)
THE MJ
2010
Achievement Awards
COMMENDED

Meeting of the Council Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the minutes of the meetings of the Council held on 14 and 15 May 2013.

(Pages 1 - 24)

4. **Communications**

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

5. **Declarations of interests**

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

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

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

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

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

6. **Members' questions**

To answer the following questions asked under Standing Order A13.

(Pages 25 - 28)

7. **Notice of motions**

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

- (a) Notice of Motion - Supermarket Levy (Mayoral)

(Pages 29 - 30)

- (b) Notice of Motion - Financial Transactions Tax (Mayoral) (Page 31)
- (c) Notice of Motion - More Sustainable Torbay (Mayoral) (Page 32)
- (d) Notice of Motion - TOR2 Consultation (Mayoral) (Page 33)
8. **Home to School Transport Policy (Mayoral Decision)** (Pages 34 - 49)
To consider the attached report setting out proposals to phase out concessionary home to school/college transport assistance.
9. **Acquisition of Torbay and Southern Devon Health and Care NHS Trust and the Commissioning contract for Adult Social Care** (Pages 50 - 82)
To consider the submitted report setting out how Torbay Council will deliver adult social care as a result of the NHS reforms and their impact on the NHS organisations within Torbay.
10. **Torbay Economic Strategy**
- (a) Torbay Economic Strategy (Pages 83 - 168)
To consider the above setting out a proposed Economic Strategy for Torbay.
- (b) Torbay Economic Strategy - Report of the Overview and Scrutiny Board (Pages 169 - 172)
To receive the views of Overview and Scrutiny on the above report.
11. **Meadfoot Beach Chalets Development** (Pages 173 - 215)
To consider the attached report on proposals for beach chalet development at Meadfoot.
12. **Adult Social Care - Local Account** (Pages 216 - 263)
To receive the submitted report setting out achievement in relation to adult social care and outline of performance for last financial year and commitment to future service delivery.
13. **Commercial Team Service Plan** (Pages 264 - 339)
To consider the attached report setting out the Commercial Team Service Plan and to approve the Food Safety Service Plan and the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods.
14. **Appointment of the New Executive Director of Operations and Finance** (Pages 340 - 343)
To consider the submitted report on the appointment of the above Executive Director.

- 15. Provisional Revenue Outturn 2012/13**
- (a) Provisional Revenue Outturn 2012/13 (Pages 344 - 357)
 To consider the submitted report which provides a summary of the Council's expenditure throughout the financial year 2012/13 and makes recommendations with respect to any uncommitted resources.
- (b) Provisional Revenue Outturn 2012/13 - Report of the Overview and Scrutiny Board (Page 358)
 To receive the views of the Overview and Scrutiny Board on the above report.
- 16. Treasury Management Outturn 2012/13** (Pages 359 - 376)
 To consider a report that sets out the performance of the Treasury Management function in supporting the provision of Council services in 2012/13.
- 17. Capital Investment Plan Update - (Outturn 2012/13)**
- (a) Capital Investment Plan Update - (Outturn 2012/13) (Pages 377 - 387)
 To consider the submitted report which sets out information on capital expenditure and income for the year, compared with the latest budget position as at quarter three reported in February 2013.
- (b) Capital Investment Plan Update - Provisional Outturn 2012/2013 - Report of the Overview and Scrutiny Board (Page 388)
 To receive the views of the Overview and Scrutiny Board on the above.
- 18. Adoption Agency Activity Report** (Pages 389 - 394)
 To note the submitted report.
- 19. Composition of the Executive** (Pages 395 - 404)
 To receive an amendment to the composition and constitution of the Mayor's Executive, together with a revised record of delegations of Executive functions (in accordance with Standing Order C4.2(a)).



Minutes of the Annual Council Meeting

14 May 2013

-: Present :-

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

The Mayor of Torbay (Mayor Oliver)

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

1 Opening of meeting

The meeting was opened with a prayer.

2 Apologies for absence

An apology for absence was received from Councillor Hernandez.

3 Minutes

The Minutes of the meeting of the Council held on 28 February 2013 were confirmed as a correct record and signed by the Chairman.

4 Election of Chairman of the Council

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

that Councillor Julien Parrott be elected Chairman of the Council of the Borough of Torbay for the Municipal Year 2013/14.

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

(The Chairman, Councillor Parrott, in the Chair)

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

The Chairman also announced that Ms Sue Powell would be his Consort during his term of office and his charity would be Motor Neurone Disease Association Torbay.

5 Chairman's Chaplain and Civic Sunday

The Chairman announced that he had appointed Reverend Paul Ireton to be his Chaplain and that the Annual Civic Church Service would be held at Christ Church, Ellacombe, Torquay on 6 October 2013.

6 Retiring Chairman and Chairman's Consort

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

that the Council express its sincere thanks and appreciation to Councillor Roger Stringer and Mrs Shelagh Stringer for the manner in which they have carried out their duties during their term of office.

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

7 Appointment of Vice-Chairwoman of the Council

It was proposed by Mayor Oliver and seconded by Councillor Tyerman:

that Councillor Jane Barnby be appointed Vice-Chairwoman of the Council of the Borough of Torbay for the Municipal Year 2013/14.

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

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

The Vice-Chairwoman also announced that Mr Richard Barnby would be her Consort during her term of office.

8 Retiring Vice-Chairman and Consort

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

that the Council express its sincere thanks and appreciation to Councillor Julien Parrott and Ms Sue Powell for the work carried out by them during the past Municipal Year.

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

9 Adjournment

At this juncture the meeting was adjourned until 5.30 p.m. on Wednesday, 15 May 2013.

Chairman

Minutes of the Council

15 May 2013

-: Present :-

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

The Mayor of Torbay (Mayor Oliver)

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

10 Apologies for absence

Apologies for absence were received from Councillors McPhail and Tyerman.

11 Declarations of interests

The following personal/non-pecuniary interests were declared:

Councillor	Minute Number	Nature of interest
Councillor Doggett	18	Long term member of the RSPB
Councillor Doggett	25	Lay member of the Clinical Commissioning Group – Medicines Management Committee
Councillor James	18	Member of the RSPB

12 Communications

The Chairman extended his thanks to all those who attended the civic luncheon, announced that approximately £800 had been raised for the Chairman's charity and thanked everybody for their support.

The Mayor:

- (a) on behalf of all members, thanked all those involved in the emergency response to the breach of the sea wall at Livermead beach. He referred to the excellent working relationships which were established between the Council and all the agencies involved to seal the breach; and
- (b) informed members that, the Council had formed a new partnership with the Welsh National Opera to visit Torbay over the next three years and thanked the Arts Council for a funding grant to support the partnership. The Mayor welcomed the Opera to Torbay and advised that a number of events would be held and one of the first performances would take place on 4 July 2013 at the Spanish Barn, Torquay.

13 Order of Business

In accordance with Standing Order A7.2, the order of business was varied to enable agenda item 9 (Clennon Valley Cycling Facilities) to be considered after item 4 (Public Question Time).

14 Public question time

In accordance with Standing Order A24, the Council heard from Mr Swithin Long who had submitted a statement and question in relation to the failure of Tor2 to collect rubbish and recycling from Pendennis Road and Lichfield Avenue, Torquay (a copy of which was circulated with the agenda). The Executive Lead for Highways, Transport and Environment, Councillor Hill, responded to the statement and question that had been put forward, plus a supplementary question asked by Mr Long.

15 Clennon Valley Cycling Facilities

Following the decision of the Council at its meeting on 28 February 2013, the Council received a further report on the funding proposals for cycling development at Clennon Valley. A revised officer recommendation was circulated at the meeting.

The Chairman invited Mr Andrew Perkins, the Chairman of the Mid Devon Cycling Club, to speak in support of the proposals.

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

- (i) that the Council make available up to £780,000 of prudential borrowing subject to a level of funding being provided by British Cycling to enable a closed road circuit and outdoor velodrome to be constructed at Clennon Valley;
- (ii) if approved the costs for prudential borrowing will be £57,000 per annum and added to the council's base budget in future years (paragraph 6.2 of the submitted report refers) should income not cover this expenditure;

- (iii) in addition the Council agrees to make provision within the base budget a sum up to £27,200 for future format maintenance costs and accept responsibility for any liabilities as set out in paragraph 5.3 of the submitted report, should income not cover this expenditure; and
- (iv) that the Chief Executive of Torbay Development Agency be instructed to provide the project management for the development on behalf of the Council and in consultation with British Cycling in respect of the design, funding and specification.

In accordance with Standing Order A19.4 and at the request of Councillor Excell, a recorded vote was taken on the motion. The voting was taken by roll call as follows: For: The Mayor, Councillors Amil, Baldrey, Barnby, Brooksbank, Butt, Cowell, Darling, Davies, Doggett, Ellery, Excell, Faulkner (A), Faulkner (J), Hernandez, Hill, James, Kingscote, Lewis, Mills, Morey, Pentney, Pountney, Pritchard, Richards, Scouler, Stocks, Stockman, Stringer, Thomas (D) and Thomas (J) (31); Abstain: Councillor Addis, Bent, Hytche and Parrott (4); and Absent: Councillors McPhail and Tyerman (2). Therefore, the motion was declared carried.

16 Petitions

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

- (i) Petition concerning an uncontrolled pedestrian crossing on Dartmouth Road/Fisher Street, Paignton (approximately 39 signatures); and
- (ii) Petition received to reverse the decision to allow passenger coaches to park adjacent residential properties on St Annes Road, Torquay (approximately 304 signatures).

The Chairman advised that both petitions had been referred direct to the decision-maker (the Highways Service Manager, in consultation with the Executive Lead for Highways, Transport and Environment, Councillor Hill) at the request of the petitioners.

17 Members' questions

Members received the questions, as attached to the agenda, notice of which had been given in accordance with Standing Order A13.

Verbal responses were provided at the meeting. A joint response was given to question 5 by Councillors Scouler and Thomas (D) as the question covered several Executive Leads' portfolios. Supplementary questions were then asked and answered in respect of questions 1, 3, 4, 6, 8, 9, 10, 12 and 13.

18 Notice of Motion - Save Our Seabirds

Members considered a motion, as attached to the agenda, in relation to saving seabirds from pollution incidents, notice of which was given in accordance with Standing Order A14.

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

Torbay Council notes that over 400 birds have been rescued during two separate pollution incidents in the past two months on the south coast of the UK, and that over 2000 more have died.

This Council further notes that the birds (including Guillemots, razorbills and puffins) have been found covered in polyisobutylene (PIB), a synthetic clear lubricating oil. This substance clings to the feathers of seabirds, preventing them from flying and destroying the waterproofing of their plumage.

According to the Devon Wildlife Trust, it is legal for this substance to be deposited in the sea just 12 miles off shore.

Torbay Council calls on Richard Benyon MP, the Minister for the Environment, the Members of Parliament for Torbay and the Members of the European Parliament in the South West Region to bring about changes in legislation to prevent such pollution incidents from happening again.

This Council asks the Chief Operating Officer to write to Richard Benyon MP, the two Members of Parliament for Torbay and the South West Region's Members of the European Parliament to advise them of this Council's views.

In accordance with Standing Order A14.4(a), the motion stood referred to the Mayor. The Mayor advised he would accept the motion and the record of his decision is attached to these Minutes.

(Note: During consideration of minute 18, Councillor Doggett declared his personal interest as a member of the RSPB.)

19 Notice of Motion - Fire Safety

Members considered a motion, as attached to the agenda, in relation to fire safety in Torbay, notice of which was given in accordance with Standing Order A14.

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

Torbay Council has major concerns about fire safety in Torbay if the Draft Plan presented by the Devon Fire Rescue and Service is accepted.

Therefore this Council, in opposing Proposal 10 of the draft plan which reduces full time fire cover at Torquay, mandates our representatives to oppose this option and calls upon the Fire Authority to look at alternative ways of finding the £5.5m cuts required by government.

Council further raises it's concerns that the lack of detailed engagement with it's staff has led to a flawed set of options and the Authority should instruct officers to fully engage with it's staff and produce a new set of proposals.

In accordance with Standing Order A14.4(a), the motion stood referred to the Mayor. The Mayor advised he would accept the motion, subject to the word 'mandates' being replaced with 'strongly advises' and the record of his decision is attached to these Minutes.

20 A Landscape for Success - the new Local Plan for Torbay

The Council considered the submitted report on the development of the new Local Plan for Torbay (entitled 'A Landscape for Success') and proposals for the direction and headline policies for the new Plan including a framework for growth and change. A revised officer recommendation was circulated at the meeting.

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

- (i) it is recommended that the Council agrees the following high level growth figures and headline policies for housing and jobs, and related monitoring and review mechanisms, to be included in the Proposed Submission version of the new Torbay Local Plan:
 - a) The Bay's important environmental assets are so crucial to Torbay's future (economically, socially and environmentally) that the Plan establishes a maximum capacity, based on clear evidence, for new development;
 - b) Delivery of between 5,000 – 6,000 net new FTE jobs over the Plan period and beyond. This figure should not be fixed as a maximum/ceiling;
 - c) Delivery of 8,000 – 10,000 new homes over the Plan period and beyond, with 400 new homes per annum (+/- 25%) over first 5 years of the Plan to meet demand, including the provision of affordable housing to meet local needs;
 - d) A major and positive review of the Plan every 5 years, in partnership with Teignbridge District Council and South Hams/West Devon District Council to ensure a sub-regional approach to new development; and
 - e) Provision of new jobs, homes and infrastructure will be monitored and reported, against clear criteria, on an annual basis and will inform major reviews every 5 years. If growth in new jobs and homes exceeds levels in the Plan (and associated criteria) this will trigger a strategic review of land/sites across South Devon, jointly with adjoining Local Authorities, to identify land/sites that could best meet additional demand;

- (ii) that a further Report be presented to the Place Policy Development Group, which includes:
 - a. the Proposals Maps currently in the course of preparation (consistent with the requirement in the National Planning Policy Framework that they be included in the Submission version of the Local Plan); and
 - b. the proposed revisions to policies, other than those dealing directly with growth levels; and
- (iii) that the Executive Head of Spatial Planning, in consultation with members of the Place Policy Development Group, determine the need for further consultation and decision by the Council prior to formal Submission, having considered the Proposals Maps and revisions to policies.

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

21 Brixham Town Centre Car Park Redevelopment - Mayoral Decision

The Council made the following recommendation to the Mayor:

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

that the purchase price payable pursuant to the Contract be reduced by the same amount as that to be paid directly by the Developer to the Council in Section 106 contributions.

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

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

22 Disposal of Council Assets - Mayoral Decision

The Council made the following recommendation to the Mayor:

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

- (i) that the Mayor considers any feedback received before the 15 May 2013 from Ward Members, the Local Access Forum (where appropriate) and the relevant Community Partnerships to the disposal of the 6 Assets listed in Appendix 1 to the submitted report;
- (ii) that the 6 Assets listed in Appendix 1 to the submitted report be declared no longer required for service delivery and that the Head of Commercial Services be requested to advertise their intended

individual disposal in accordance with both the Council's Community Asset Transfer Policy 2008 and where appropriate Section 123(2A) of the Local Government Act 1972;

- (iii) that, subject to any expressions of interest received from the Community and any objections received to any disposal advertised pursuant to s123 of the Local Government Act 1972 and subject to paragraph 2.3, the Assets listed in Appendix 1 to the submitted report be individually disposed on such terms as are acceptable to the Executive Head Commercial Services in consultation with the Head of Asset Management of the Torbay Development Agency;
- (iv) that the disposal of asset reference T200 (Land adj to 7 Rock Road, Torquay) be conditional upon planning permission be obtained within an acceptable timeframe and that if possible, without significantly impacting the capital receipt, an obligation be included in the disposal documentation that the development of the asset in accordance with such planning permission be completed by a fixed date; and
- (v) that the Executive Head Commercial Services in consultation with the Head of Asset Management of the Torbay Development Agency be delegated authority to consider any objections received on the advertisement of any of the proposed disposals pursuant to s123 of the Local Government Act 1972.

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

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

23 Supporting the development of a Community Development Trust for Torbay

Members considered the submitted report which set out details of a new sustainable approach for supporting the voluntary, community and social enterprise sector in Torbay and the creation of a Community Development Trust. It was noted that working with the community and voluntary sector enabled the exploration of creative and innovative ways to deliver services which provide social value to communities.

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

- (i) that the Council renews its support to the community and voluntary sector and endorses the new direction of travel and the creation of a new Community Development Trust ("CDT") in Torbay subject to the Executive Head Community Safety being satisfied with the business case once fully developed;

- (ii) that the Council ring fences funding to support the new direction of travel by making £100,000 per year available for a maximum of three years to support the development of the CDT business plan via a service level agreement (or similar) ("SLA") and delegates to the Executive Head Community Safety in consultation with Executive Lead Community Safety and Communities the amount of funding to be made available to support the development of the CDT business plan and the content of the SLA;
- (iii) that the Council provides such support in kind as it is able whilst the CDT is developing, with the expectation that the Council will contract with the CDT to deliver its existing community capacity building activities from April 2014 subject to the Executive Head Community Safety being satisfied that the CDT can deliver the same;
- (iv) that the Council continues to work with the Voluntary and Community Sector ("VCS") to review each parties assets and potential future opportunities for collaboration around these assets; and
- (v) that the Council agrees in principle to be party to ongoing discussions about supporting a collaborative approach for securing long term investment into the CDT. These discussions may include the opportunity for the Council to become an investor, but that prior to any agreement being reached a further report comes back to Council for agreement on the approach.

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

(Note: During consideration of minute 23, Councillor Stringer declared a personal interest as his wife was a street pastor and his daughter a youth worker.)

24 Overview and Scrutiny Annual Report

The Council received and noted the Overview and Scrutiny Annual Report for 2012/2013.

25 Establishment of the Torbay Health and Wellbeing Board

The Council considered the establishment of the Torbay Health and Wellbeing Board as a Committee of the Council (as set out in the submitted report). A revised officer recommendation was circulated at the meeting.

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

- (i) that the Torbay Health and Wellbeing Board be established to comprise:
 - Up to five members of the Council (to be appointed by the Mayor)
 - Director of Adults Social Services
 - Director of Children's Services
 - Director of Public Health

A representative of Healthwatch Torbay
A representative of South Devon and Torbay Clinical
Commissioning Group

- (ii) that the Article and Standing Orders in relation to the Health and Wellbeing Board (as set out in Appendices 1 and 2 to this report) be approved and included in the Constitution of Torbay Council, subject to the original paragraph (h) in Article (x).04, as set out in Appendix 1, becoming paragraph (i) and the following addition be added:
 - (h) In accordance with Section 10 of the Children Act 2004, to exercise the statutory duty to promote co-operation between Torbay Council, its relevant partners and other partners or bodies as the Council considers appropriate, to improve the well-being of children in the area’.
- (iii) that, where the Chairman of the Board is an elected member of Torbay Council, the position attracts a special responsibility allowance of £3,265 and the Members Allowances Scheme be amended accordingly. (Note: The Independent Remuneration Panel have been consulted and support this recommendation.)

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

26 Shared Arrangement for Director of Public Health

The Council considered a proposal for a shared appointment of the Council’s Director of Public Health with Plymouth City Council for an interim period.

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

- (i) that the Council permits its Director of Public Health to be appointed on an interim basis as a shared Director of Public Health with Plymouth City Council; and
- (ii) that the Interim Chief Operating Officer be authorised to progress this arrangement.

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

27 Appointment of Independent Persons to Assist the Council Standards Committee

The Council considered the submitted report setting out the proposed appointment of two new independent persons to assist in the consideration of complaints against members under the Council Code of Conduct for Members. It was noted the independent persons would also assist the Council in promoting and maintaining the high standards of conduct by members.

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

- (i) that the Council appoints Peter Styler and Christine Payne as its independent persons for a period commencing on 15 May 2013 and expiring on 17 May 2017; and
- (ii) that the Council notes the valuable contribution by the outgoing Independent Persons appointed under the previous standards regime towards the promotion of high standards throughout the authority and thanks them for this.

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

28 Composition and Constitution of the Executive and Delegations of Functions

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

29 Appointment of Overview and Scrutiny Co-ordinator and Scrutiny Leads

The Council was requested to consider the appointment of the Overview and Scrutiny Co-ordinator and the appointment of scrutiny lead members for 2013/2014. An updated Appendix 2 was circulated prior to the meeting.

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

- (i) that Councillor Thomas (J) be appointed as the Overview and Scrutiny Co-ordinator for the 2013/2014 municipal year; and
- (ii) that the following Councillors be appointed as the Scrutiny Leads as indicated for the 2013/14 municipal year:

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

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

30 Appointments to Committees and other Bodies

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

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

- (i) that the committees be appointed with the terms of reference set out in appendix 2 to the submitted report in accordance with the political balance requirements;
- (ii) that nominations be received to fill the seats on the Committees;

- (iii) that Councillor Excell be appointed as the Council's nominated representative on the Devon and Cornwall Police and Crime Panel;
- (iv) that Councillor Brooksbank and Councillor Ellery be appointed as the Council's nominated representatives on the Devon and Somerset Fire and Rescue Authority; and
- (v) that the Overview and Scrutiny Board continue to exercise (via its sub-committee, the Health Scrutiny Board) the Council's health scrutiny powers and that its terms of reference be amended as set out in the appendix 2 to the submitted report.

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

Following the vote, the members to serve on each committee and other bodies were nominated by the Group Leaders. The Mayor advised that, following circulation of Appendix 2 (revised) of the submitted report, Councillor Bent would also be a member of the Health Scrutiny Board.

31 Calendar of Meetings 2013 - 2014

The Council considered the submitted report setting out the proposed calendar of meetings for 2013/2014.

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

- (i) that the provisional calendar of meetings for 2013/2014, set out in Appendix 1 to this report, be approved for final ratification at the Annual Council Meeting; and
- (ii) that meetings of the Employment Committee and Civic Committee be held on an ad-hoc basis, to be determined by the Governance Support Manager in consultation with the relevant Chairman.

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

32 Scheme of Delegation for Council Functions

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

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

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

Chairman

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Record of Decisions

Notice of Motion - Save Our Seabirds

Decision Taker

Mayor on 15 May 2013

Decision

That the motion be supported.

Reason for the Decision

To respond to the motion.

Implementation

This decision will come into force and may be implemented on Wednesday, 29 May 2013 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

At the Adjourned Annual Council meeting held on 15 May 2013, members received a motion, as set out below, notice of which had been given in accordance with Standing Order A14 by Councillors Darling and Doggett:

Torbay Council notes that over 400 birds have been rescued during two separate pollution incidents in the past two months on the south coast of the UK, and that over 2000 more have died.

This Council further notes that the birds (including Guillemots, razorbills and puffins) have been found covered in polyisobutylene (PIB), a synthetic clear lubricating oil. This substance clings to the feathers of seabirds, preventing them from flying and destroying the waterproofing of their plumage. According to the Devon Wildlife Trust, it is legal for this substance to be deposited in the sea just 12 miles off shore.

Torbay Council calls on Richard Benyon MP, the Minister for the Environment, the Members of Parliament for Torbay and the Members of the European Parliament in the South West Region to bring about changes in legislation to prevent such pollution incidents from happening again.

This Council asks the Chief Operating Officer to write to Richard Benyon MP, the two Members of Parliament for Torbay and the South West Region's Members of the European Parliament to advise them of this Council's views.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

Councillor Doggett and James declared personal interests as they are both members of the RSPB.

Published

20 May 2013

Signed: _____
Mayor of Torbay

Date: 20 May 2013

Record of Decisions

Notice of Motion - Fire Safety

Decision Taker

Mayor on 15 May 2013

Decision

That the motion be supported, subject to the word 'mandate' being replaced with 'strongly advises'.

Reason for the Decision

To respond to the motion.

Implementation

This decision will come into force and may be implemented on Wednesday, 29 May 2013 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

At the Adjourned Annual Council meeting held on 15 May 2013, members received a motion, as set out below, notice of which had been given in accordance with Standing Order A14 by Councillors Cowell and Stockman:

Torbay Council has major concerns about fire safety in Torbay if the Draft Plan presented by the Devon Fire Rescue and Service is accepted.

Therefore this Council, in opposing Proposal 10 of the draft plan which reduces full time fire cover at Torquay, mandates our representatives to oppose this option and calls upon the Fire Authority to look at alternative ways of finding the £5.5m cuts required by government.

Council further raises its' concerns that the lack of detailed engagement with its' staff has led to a flawed set of options and the Authority should instruct officers to fully engage with its' staff and produce a new set of proposals.

It was considered that it was not possible to 'mandate' the Council's representatives to oppose the option and this was accepted by Councillor Cowell and the Mayor amended the wording accordingly.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

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

None

Published

20 May 2013

Signed: _____
Mayor of Torbay

Date: 20 May 2013

Record of Decisions

Brixham Town Centre Car Park Redevelopment

Decision Taker

Mayor on 15 May 2013

Decision

That the purchase price payable pursuant to the contract be reduced by the same amount as that to be paid directly by the developer to the Council in Section 106 contributions.

Reason for the Decision

The development does not remain viable with the additional cost of the required Section 106 contributions due to the significant site contamination and flood alleviation works necessary. The decision will result in the Section 106 monies being spent within Brixham and for its community rather than elsewhere in Torbay.

Implementation

This decision will come into force and may be implemented on Wednesday, 29 May 2013 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The contract entered into with Tesco Stores Ltd for the redevelopment of Brixham town centre car park included a term that the purchase price of £2,000,000 was calculated on the assumption that the developer would not be required to make any further payments to the Council acting in any other capacity or to third parties.

The Development Management Committee granted planning permission on 6 March 2013 subject to a number of conditions which included the developer to enter in to a Section 106 agreement to pay a contribution of approximately £285,000. It is considered that the additional sum required by the Section 106 agreement and the significant site contamination and flood alleviation works necessary would make the development unviable.

The Mayor supported the recommendations of the Council made on 15 May 2013, as set out in his decision above.

Alternative Options considered and rejected at the time of the decision

None

Is this a Key Decision?

Yes – Reference Number: I013237

Does the call-in procedure apply?

Yes

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

None

Published

20 May 2013

Signed: _____
Mayor of Torbay

Date: 20 May 2013

Record of Decisions

Disposal of Council Assets

Decision Taker

Mayor on 15 May 2013

Decision

- (i) that the feedback received from Ward Members to the disposal of the 6 Assets listed in Appendix 1 to the submitted report be noted;
- (ii) that the 6 Assets listed in Appendix 1 to the submitted report be declared no longer required for service delivery, with the exception of Asset T1061 (land and unused garages adj Alpine Road, Torquay) and that the Head of Commercial Services be requested to advertise their intended individual disposal in accordance with both the Council's Community Asset Transfer Policy 2008 and where appropriate Section 123(2A) of the Local Government Act 1972;
- (iii) that, subject to any expressions of interest received from the Community and any objections received to any disposal advertised pursuant to s123 of the Local Government Act 1972 and subject to paragraph 2.3, the Assets listed in Appendix 1 to the submitted report (excluding Asset T1061) be individually disposed on such terms as are acceptable to the Executive Head Commercial Services in consultation with the Head of Asset Management of the Torbay Development Agency;
- (iv) that the disposal of asset reference T200 (Land adj to 7 Rock Road, Torquay) be conditional upon planning permission be obtained within an acceptable timeframe and that if possible, without significantly impacting the capital receipt, an obligation be included in the disposal documentation that the development of the asset in accordance with such planning permission be completed by a fixed date;
- (v) that the Executive Head Commercial Services in consultation with the Head of Asset Management of the Torbay Development Agency be delegated authority to consider any objections received on the advertisement of any of the proposed disposals pursuant to s123 of the Local Government Act 1972; and
- (vi) that the decision to dispose of Asset Ref T1061 (land and unused garages adj Alpine Road, Torquay) be deferred to enable the feedback provided by Ward Councillors to be explored further and an accurate plan to be prepared.

Reason for the Decision

The disposal of assets not required for service delivery will enable capital receipts to be reinvested into the Council's capital programme which will contribute towards achieving the Council's objectives. The expenditure and repair liability across the Council's assets exceeds the available resources. The delay in determining the disposal of land off Alpine Road, Torquay will enable the feedback by ward councillors to be explored further.

Implementation

This decision will come into force and may be implemented on Wednesday, 29 May 2013 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The following assets were considered for disposal which are no longer required by the Council:

- (i) Approx 500 sq.m. of enclosed land adjoining 45 Stanley Gardens, Paignton.
- (ii) Approx 389 sq.m. of open land adjoining 4 Plym Close, Torquay.
- (iii) Approx 2733 sq.m. of partly open, partly enclosed land to the rear of 2 - 40 Parkfield Road, Torquay.
- (iv) Approx 948 sq.m. of enclosed 'brownfield' land adjoining 7 Rock Road, Torquay.
- (v) 2 derelict garages and adjoining land in front of 3 Rhodanthe Road, Paignton.
- (vi) 6 mostly unused garages and adjoining land off Alpine Road, Torquay.

The disposal would generate capital receipts and cost savings.

The Mayor considered the recommendations of the Council made on 15 May 2013 and his decision is set out above.

Alternative Options considered and rejected at the time of the decision

Alternative options were set out in the submitted report and the Mayor considered the feedback given by a ward member at the meeting.

Is this a Key Decision?

Yes – Reference Number: I013152

Does the call-in procedure apply?

Yes

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

None

Published

20 May 2013

Signed: _____
Mayor of Torbay

Date: 20 May 2013

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Agenda Item 6

Meeting of the Council

Thursday, 18 July 2013

Questions Under Standing Order A13

Question (1) by Councillor Stringer to the Executive Lead for Highways, Transport and Environment	The problem of dog fouling in Hele and Barton. How many people have had prosecutions, or fixed penalty notices served. How many dog bins do we have in Barton, Hele and Watcombe area?
Question (2) by Councillor James to the Executive Lead for Highways, Transport and Environment	How many non-native trees have been planted in Torbay in the last year, what types are they and do any pose a threat to native species?
Question (3) by Councillor J Faulkner to the Executive Lead for Employment and Regeneration, Finance and Audit.	Has the Council made any progress on retrieving the £50000 outstanding in rent from the Balloon on Torre Abbey meadows and has the Council started to make provision for this bad debt? If provision is being made, from which budget is it coming from?
Question (4) by Councillor Darling to the Executive Lead for Employment and Regeneration, Finance and Audit	On 17 April 2013 Torbay Council hosted the Local Government Association officers to conduct a work shop in which Councillors and Senior officers considered what financial pressures would be facing Torbay Council beyond 2015 and how cross party solutions could be developed in the interests of protecting our community from Government cuts. At the meeting there was an assurance that there would be a follow up meeting to develop such a way forward. At the time of submitting this question three months have passed and no meeting has been arranged. I would welcome an explanation?
Question (5) by Councillor Cowell to the Executive Lead for Highways,	Can you confirm exactly what the decision making process was for the service cuts as part of the Tor2 budget reduction. Who agreed the final menu of cuts and when was the decision taken?

Transport and Environment	
Question (6) by Councillor Darling to the Executive Lead for Highways, Transport and Environment	The removal of 160 dog and litter bins across the bay have left many residents outraged. This exercise has been very poorly executed. Why no notice on the effected bins of immanent removal and where the next nearest bin is? Why do some dog walking areas have no bins and yet a nearby coach station has a dog bin? Is the remaining bin network more designed for the convenience of collection, rather than to tackle litter and dog fowling problems?
Question (7) by Councillor J Faulkner to the Executive Lead for Employment and Regeneration, Finance and Audit	Please can you let us know how much finance has been spent on agency staff especially where schools are concerned since the moratorium was set on permanent staff?
Question (8) by Councillor A Faulkner to the Executive Lead for Children', Schools and Families	Changing Places. I have been given to understand that in the past money was allocated to provide Changing Places facilities in Torquay. This has not happened could you please advise when this will take place, as it is of great concern.
Question (9) by Councillor Pentney to the Executive Lead for Strategic Planning, Housing and Energy	Please can you explain why due process was not carried out with regard to Torre Valley North where land was taken over by Cockington Primary School and turned into hard standing?
Question (10) by Councillor Stocks to the Executive Lead for Highways, Transport and Environment	<p>Could you please explain the reasoning behind the removal of two litter bins from Ellacombe Road during the recent cull? The council gave assurances that no bin would be removed unless there was another one close by but this is not the case in this area.</p> <p>There are no doggy bins in the immediate vicinity for dog users to dispose of the pets waste so these bins have been used for that purpose as well as the disposal of general waste. The residents of Ellacombe Road planned to have these bins included in the street scene when Ellacombe Road was a pilot scheme for DIY streets in 2008 to combat the amount of take away litter dropped by people walking up from the town and to support the dog walkers.</p>

	<p>The closest bin is in Ellacombe Park but cannot be seen from the road nor will people divert into the park to use it, Ellacombe Park is a no dog park therefore dog users cannot go in there to use the bin anyway. Residents have shown a social responsibility and picked up rubbish from the street and the planters and disposed of it in the bins. The bins were emptied daily and I know through experience that they were full everyday, where are two bin full's of rubbish going now?</p> <p>The road has already taken on an aura of shabbiness and decline as the general rubbish and small bags of doggy poo piles up.</p> <p>By contrast when I visited Coronation Park (located in front of All saints Church, Babbacombe) on the afternoon of Saturday 29th June, I noted that there were two doggy bins, each by a separate entrance and a double litter bin within 12 strides of a doggy bin,. On inspection the litter bin was not even a quarter full despite it being a hot afternoon with a play park full of children and parents and a higher than average footfall due to the Flower Festival that was running in All Saints Church next to the park. Please explain the reasoning of such a contrast of support to these two communities when both have residents and both have dog walkers.</p>												
<p>Question (11) by Councillor Davies to the Executive Lead for Highways, Transport and Environment</p>	<p>I understand that contractors from North Somerset are currently undertaking maintenance works of lamp posts in Paignton town centre. Can you please explain why, when commissioning these works a clause was not included to promote local employment?</p>												
<p>Question (12) by Councillor Pountney to the Executive Lead for Employment and Regeneration, Finance and Audit</p>	<p>With the effects of the recent reduction to departmental budgets only now being to impact on the general public, has the Executive lead for Finance considered reviewing the £170,000 paid to 20 members of the Council over and above their basic allowance? Does he consider this value for money?</p> <table border="1" data-bbox="405 1565 1517 1926"> <thead> <tr> <th>Position</th> <th>Amount (£)</th> <th>Councillor</th> </tr> </thead> <tbody> <tr> <td>Elected Mayor</td> <td>52,747</td> <td>Gordon Oliver</td> </tr> <tr> <td>Deputy Mayor</td> <td>19,596</td> <td>David Thomas</td> </tr> <tr> <td>Executive Members</td> <td>6,532</td> <td>Chris Lewis Dave Butt Ray Hill Christine Scouler Ken Pritchard Dave Thomas Jeanette Richards</td> </tr> </tbody> </table>	Position	Amount (£)	Councillor	Elected Mayor	52,747	Gordon Oliver	Deputy Mayor	19,596	David Thomas	Executive Members	6,532	Chris Lewis Dave Butt Ray Hill Christine Scouler Ken Pritchard Dave Thomas Jeanette Richards
Position	Amount (£)	Councillor											
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			Robert Excell Derek Mills
	Overview and Scrutiny Co-ordinator	9,798	John Thomas
	Scrutiny Lead Members	2,265	Neil Bent Mark Kingscote Ruth Pentney Bobbie Davies
	Chairman Development Management Committee	6,534	Beryl McPhail
	Chairman Licensing Committee	3,265	Pete Addis
	Chairman of Council	3,265	Julien Parrott
	Chairman of Harbour Committee	3,265	Nicole Amil
	Chairman of Audit Committee	3,265	Alan Tyerman
	Chairman of Health and Wellbeing Board	3,265	Chris Lewis
	Leaders of Political Groups	317 per member	Gordon Oliver Steve Darling Mike Morey
	Police		Councillor Excell
	Fire	2,500 basic (link to allowance scheme: Fire Allowances)	Councillor Brooksbank and Ellery
Question (13) by Councillor Cowell to the Executive Lead for Safer Communities, Parking and Sport	Are you aware that a 40 year lease is about to be signed by the Council and the sports clubs at Torquay Recreation Ground ? Can you explain why these leases are not in the public domain?		
Question (14) by Councillor Cowell to the Executive Lead for Safer Communities, Parking and Sport	Can you explain why a strip of land at Torre Valley North has been taken by Cockington School with the lightest level of consultation, and can you assure me, on behalf of Torbay Sports Council, that any further transfer of sports pitches, such as White Rock, will not proceed unless there has been full consultation that includes ward members, the community partnership and Torbay Sports Council.		

Council meeting – 18 July 2013

Notice of Motion – Supermarket Levy

This Council submits the following proposition under the Sustainable Communities Act:

‘That the Secretary of State gives Local Authorities the power to introduce a local levy of 8.5% of the rate on large retail outlets in their area with a rateable annual value not less than £500,000 and requires that the revenue from this levy be retained by the Local Authority in order to be used to improve local communities in their areas by promoting local economic activity, local services and facilities, social and community wellbeing and environmental protection.’

The Council notes that if this power was acquired it would present the opportunity to raise further revenue, and if such a levy was provided in Torbay it would result in the impact set out in the table below.

The Council resolves to submit the proposal to the government under the Sustainable Communities Act and to work together with Local Works in order to gain support for the proposal from other councils in the region and across the country.

Proposed by Councillor Darling
Seconded by Councillor Pountney

PLACE-REF	ANAL-CD	PROP-DESC	ADDRESS	Currently rated Large Supermarkets with RV GE			
				POST-CODE	RATEABLE-VAL	8.5% Levy	Total
364753000140	CS9	SUPERSTORE AND PREMISES	J Sainsbury;Nicholson Road;Torquay;;	TQ2 7HT	2,060,000	£175,100	
364753000300	CS9	SUPERSTORE AND PREMISES	Marks & Spencers;Nicholson Road;Torquay;;	TQ2 7XA	1,700,000	£144,500	
147715003900	CS9	SUPERSTORE AND PREMISES	Sainsbury's Superstore;Yalberton Road;Paignton;;	TQ4 7PE	1,550,000	£131,750	
141397000300	CS9	SUPERSTORE AND PREMISES	Morrisons;Claylands Drive;Paignton;;	TQ4 7EX	1,370,000	£116,450	
345613000200	CS10	RETAIL WAREHOUSE AND PREMISES	ASDA;Regent Close;Torquay;;	TQ2 7AN	600,000	£51,000	£618,800
347675001500	CS10	RETAIL WAREHOUSE AND PREMISES	B & Q;Woodland Road;Torquay;;	TQ2 7AS	1,070,000	£90,950	
363045018050	CS10	RETAIL WAREHOUSE AND PREMISES	Dunelm, Unit 2 Bridge Retail Park;Hele Road;Torquay;;	TQ2 7PY	575,000	£48,875	
365642000300	CS10	RETAIL WAREHOUSE AND PREMISES	Currys, Unit 2;Riviera Way;Torquay;;	TQ2 7AP	545,000	£46,325	£186,150
							£804,950

Council Meeting

18 July 2013

Council Motion – Supporting the Financial Transactions Tax

This Council notes that:

- local government will see real term cuts in central grant of 30% over the 2010 Comprehensive Spending Review period, meaning a cut of £6bn in annual grant by 2015;
- extending the current FTT on shares to other asset classes such as bonds and derivatives could raise £20bn of additional revenue in the UK a year; and
- At least 11 European nations including France, Germany, Italy and Spain are moving ahead with FTTs on shares, bonds and derivatives estimated to raise £30bn a year, and the policy is supported by nobel prize winning economists like Paul Krugman and Joseph Stiglitz.

Council believes that:

- revenues from the FTT could help repair the damage caused by cuts in public services since 2010 and would be a way to reduce the impact of austerity on hard pressed Torbay taxpayers and our most vulnerable residents.
- local government deserves to receive a significant proportion of FTT revenues, making an important contribution to both capital and revenue expenditure such as reversing cuts to council tax benefits; and that
- whilst an FTT might have a negligible effect on jobs in the City of London, investing FTT revenues in a smart and progressive way would see a significant increase in employment levels in other sectors.

Council resolves that:

- the UK government should extend the current FTT on shares to other asset classes, such as bonds and derivatives.

Council further resolves to:

- write to the Prime Minister, Deputy Prime Minister, Leader of the Opposition, Chancellor and Shadow Chancellor of the Exchequer, and Secretary of State for Communities and Local Government stating this council's support for extending FTTs; and
- write to all local MPs outlining the Council's position.

Proposed by Councillor James
Seconded by Councillor Morey

Agenda Item 7c

Council meeting – 18 July 2013

Making a more sustainable Torbay.

This Council notes that in the RSPB State of Nature Report 2013.

- 60% of 3,148 UK species have declined over the last 50 years, with 31% declining strongly;
- Conservation Priority Species have declined overall by 77% in the last 40 years.
- Evidence shows that climate change is having an increasingly harmful impact.

In light of the above this Council instructs officers to develop policies that will promote more sustainable management of our horticultural environment, particularly promoting wildlife (including our bee population) and promoting council parks and gardens for the production of food by local communities.

Proposed by Councillor Baldrey
Seconded by Councillor Doggett

Council Meeting

18th July 2013

Following the £500,000 cut to the Tor2 budget and the resulting impact on frontline services such as reductions in toilet opening times, a reduced number of dog and litter bins, an adverse effect on street cleansing and less frequent car park cleansing, council notes that residents, businesses and members were not consulted on the detailed options.

Council recognises that there can be alternative options available to cutting services and these can only emerge through the widest possible engagement.

Therefore, this council requests that the Mayor ensures partner organisations are able to engage directly with residents, businesses, the Community Development Trust and ward members in the lead up to the forthcoming budget round.

Proposed: Councillor Cowell

Seconded: Councillor Morey

Agenda Item 8



Meeting: Council

Date: 18 July 2013

Wards Affected: All

Report Title: Home to School Transport

Executive Lead Contact Details: Ken Pritchard; Richard Williams, Director of Children's Services: 01803 20840, richard.williams@torbay.gov.uk

Supporting Officer Contact Details: Matt Redwood, Head of Schools Commissioning: 01803 208238 matthew.redwood@torbay.gov.uk

1. Purpose and Introduction

1.1 This report seeks a decision on proposals to phase out concessionary home to school/college transport assistance. Initial proposals to remove all concessionary transport support from September 2013 have been replaced with a proposal to phase their removal over three years. A consultation has been undertaken on these revised proposals.

2. Proposed Decision

2.1 To phase out all discretionary home to school/college transport assistance over a period of three years as detailed in section 5.2 a) - f).

2.2 Reason for Decision

To reduce expenditure on home to school/college transport by removing non-statutory elements of support. The present home to school transport spend is not sustainable. The main impact of these changes will be an increase in the cost of transport for parents of some post-16 students, also for parents of a small number of pupils attending faith or selective schools.

Supporting Information

4. Position

4.1 The Council is reviewing its policy as it currently spends approximately £113k per year in providing discretionary travel support to pupils across Torbay. This funding could be saved if the Council were only to provide statutory home to school/college transport. The current policy only provides discretionary help to pupils for transport to some

secondary schools and not others so removing this discretionary transport would provide a 'level playing field' for home to school/college transport across schools.

- 4.2 Discretionary transport assistance is currently provided by the council as follows:
- a) support towards the cost of a bus pass for pupils attending St Cuthbert Mayne on grounds of faith, where they live further than 3 miles away and do not qualify for statutory assistance.
 - b) support towards the cost of a bus pass for pupils attending a selective school who live more than 3 miles away, are not entitled to statutory transport assistance and live within the designated transport area for the school.
 - c) The provision of a free bus pass to pupils from low income families to any secondary school between 2 and 6 miles away, even if it is not one of the three nearest suitable schools.
 - d) A financial contribution to the cost of a bus pass for post-16 students studying in school sixth forms, where they live further than three miles away.
 - e) A block contribution to South Devon College to fund the current scheme for subsidised travel to South Devon College.

5. Possibilities and Options

- 5.1 Members first considered changes to discretionary home to school transport assistance at the Priorities and Resources 2013/2014 Review Panel on 15 January 2013 <http://democratic-svr1:9070/documents/g4496/Public%20reports%20pack%20Tuesday%2015-Jan-2013%2009.30%20Priorities%20and%20Resources%2020132014%20Review%20Panel.pdf?T=10> Maximum savings could be made by removing all discretionary assistance from September 2013; however, feedback from Panel Members indicated that this would be too drastic a change to make at one time.
- 5.2 An alternative set of proposals has therefore been drawn up to phase out all discretionary transport assistance over a three year period. Specifically, this would involve:
- a) ceasing discretionary support towards the costs of transport for pupils attending St Cuthbert Mayne because of parental preference. The proposal is to phase this in by removing sibling subsidies for both existing and new pupils in September 2014 and ceasing all subsidies in September 2015. The subsidy for 2014-15 will continue to be at the same level as 2012/13 - £25. Estimated savings would be in the region of £4,000 per year.
 - b) ceasing discretionary support towards the costs of transport for pupils attending selective schools. The proposal is to phase this in by removing sibling subsidies for both existing and new pupils in September 2014 and ceasing all subsidies in September 2015. The subsidy for 2014-15 will continue to be at the same level as 2012/13 - £25. Estimated savings would be in the region of £2,500 per year.
 - c) from September 2014, supporting all new low income applicants to the nearest 3 suitable secondary schools between 2-6 miles. From September 2015 Torbay's policy to come into line with the legal requirements so that all support for pupils attending a

secondary school that is not one of the three nearest suitable secondary schools ceases. Estimated savings would be in the region of £15,000 per year.

d) ceasing discretionary support towards the costs of transport for post-16 students attending school sixth forms . The proposal is to phase this in by removing sibling subsidies for both existing and new pupils in September 2014 and ceasing all subsidies in September 2015. The subsidy for 2014-15 will continue to be at the same level as 2012/13 - £25. Estimated savings would be in the region of £22,000 per year.

e) increasing the contribution that parents of post-16 students from low income households pay towards a bus pass (currently £100) to £250 in September 2013, £400 in September 2014 and ceasing this subsidy in September 2015.

f) reducing the Council's contribution to the joint scheme run with South Devon College by £30,000 in September 2013 and by a further £20,000 in September 2014. The Council will cease its funding completely for this scheme in September 2015. Whilst the Council is reducing its contribution the scheme will still be available for students in the 2013/14 and 2014/15 academic years. Savings in total will be £70,000 per year.

5.3 Because the proposal is to phase in these changes, savings will not be fully realised until 2015-16 financial year. Projected savings are £26,000 for 2013-4, £44,000 for 2014-5 and £43,000 for 2015-16.

5.3 The alternative of continuing to fund discretionary transport at current levels is not sustainable, as the transport budget is insufficient to meet the current need and increasing demands are being made on it for statutory transport assistance for pupils with Special Educational Needs.

6. Fair Decision Making

6.1 An Equality Impact Assessment (EIA) has been undertaken and is attached as an appendix to this report. Key findings from the EIA are that a small number of families will be affected whose children attend denominational schools on faith grounds; also post-16 students including those from low income households will be affected. However, there will be an appeals process in place so that families experiencing exceptional circumstances or extreme hardship can continue to request discretionary assistance. Post-16 bursaries are available directly from schools and colleges to assist students from families on low incomes, also students in care or leaving care. Entitlement to statutory transport assistance is not affected by these proposals.

7. Public Services (Social Value) Act 2012

7.1 These proposals will not involve additional procurement or provision of services.

8. Consultation

- 8.1 A public consultation was undertaken for a period of 4 weeks in April and May. The consultation was posted on the council's web site. All schools and academies were contacted, also South Devon College, and asked to alert parents, pupils and governors to the consultation. The consultation was sent to other key stakeholders including the Dioceses of Exeter and Plymouth and a press release was issued.
- 8.2 Three drop-in sessions were held where officers were available to answer questions. These were held in Brixham, Paignton and Torquay. A total of six people attended these sessions. Seven phone enquiries were received. All those making enquiries were directed to or given a response sheet to complete; however, only one response was actually submitted. The person responding disagreed with the proposals and stated that education cuts should be 'a long way down the list of proposed cuts'. Representations had previously been made by South Devon College and Stagecoach to the Review Panel in January 2013.

9. Risks

- 9.1 If the decision is not implemented, the school transport budget will be further overspent; this will impact on other, essential services to be provided by the council. If the decision is implemented, some families and students will face increased travel costs in future years. The biggest impact will be on post-16 students. However, school students can access financial support towards travel costs by applying to the Bursary funds that are now allocated by the DfE to all secondary schools with sixth forms to help students from low income households. South Devon College students from low income households are able to apply to the South Devon College bursary fund allocated by the DfE for a contribution towards travel costs.

Appendix

Equality Impact Assessment.

Additional Information

None.

Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Home to School Transport	Business Unit:	Schools Commissioning
Name (Key Officer/Author):	Tricia Harwood	Tel:	01803 208245
Position:	Admissions, Transport & Development Officer	Email:	Tricia.harwood@torbay.gov.uk
Date:	29-05-13		

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

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

Relevance Test – ‘A Proportionate Approach’

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

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

1)	Does this report relate to a key decision?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>			
2)	Will the decision have an impact (i.e. a positive or negative effect/change) on any of the following: <ul style="list-style-type: none"> • The Community (including specific impacts upon the vulnerable or equality groups) • Our Partners • The Council (including our structure, ‘knock-on’ effects for other business units, our reputation, finances, legal obligations or service provision) 	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Y <input checked="" type="checkbox"/> N <input type="checkbox"/></td> <td style="width: 33%; text-align: center;">Y <input checked="" type="checkbox"/> N <input type="checkbox"/></td> <td style="width: 33%; text-align: center;">Y <input checked="" type="checkbox"/> N <input type="checkbox"/></td> </tr> </table>	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>			

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>To phase out discretionary transport assistance for home to school/college transport. Children's Services will continue to provide the statutory services in relation to home to school / college transport.</p> <p>All local authorities have a statutory duty to make arrangements for the provision of transport as they consider necessary to facilitate school attendance. This includes:</p> <ul style="list-style-type: none"> ● Providing transport assistance to pupils of statutory school age travelling to and from school if they live further than the statutory walking distance from their nearest school (this is two miles for pupils aged 7 and under and three miles for pupils aged 8 and over). ● Secondary pupils from low income families are entitled to free transport to any of the three nearest suitable schools that are more than two and less than six miles away, and to a denominational school up to 15 miles away. ● Normally assistance is in the form of a free bus pass. <p>Local Authorities have a duty to have regard to parental wishes for a faith/denominational school. They also have a duty to raise the participation in Post 16 education and training.</p> <p>Currently Torbay Council provides additional non-statutory (discretionary) assistance in a range of circumstances, as follows:</p> <ol style="list-style-type: none"> i. A financial contribution to the cost of a bus pass for pupils attending St Cuthbert Mayne on grounds of faith, where they live further than 3 miles away and do not qualify for statutory assistance. In 2012-13 the cost of a bus pass to the council is £515 and we charge parental contributions at £490 so the net cost to the council per paying pupil is £25. There is an additional subsidy of £245 per second child and £490 per third and subsequent child in a single family. The total annual cost to the council of this support to 62 pupils is approximately £4,000. The cost of purchasing an annual bus pass from Stagecoach by a parent is £575. ii. A financial contribution to the cost of a bus pass for pupils attending a selective school who live more than three miles away, are not entitled to statutory transport assistance and live within the designated transport area for the school. The net cost and subsidy are as in (i) above. The total annual cost of this support to 42 pupils is approximately £2,520. iii. The provision of a free bus pass to pupils from low income families to any secondary school between 2 and 6 miles away, even if it is not one of the three nearest suitable schools. This costs the council around £15,000 a year. iv. A financial contribution to the cost of a bus pass for 144 post-16 students studying in school sixth forms, where they live further than three miles away. The council makes a net contribution of £25 per student, or £415 per student for low income families. The annual cost to the council is approximately £22,320. <p>A block contribution to South Devon College for assistance with transport of £70,000 per year.</p>

No	Question	Details
2.	Who is intended to benefit / who will be affected?	<p>Families who currently have access to free or subsidised transport on a statutory basis will continue to receive the appropriate assistance.</p> <p>Families who currently have access to free or subsidised transport on a discretionary basis will be impacted by this decision.</p> <p>There may also be an adverse impact on denominational (i.e. Church of England / Roman Catholic) schools and selective schools (i.e. Grammar schools) in Torbay and on South Devon College.</p> <p>The key stakeholders in relation to this proposal are:</p> <ul style="list-style-type: none"> • Schools • South Devon College • Families
3.	What is the intended outcome?	To review the policy and criteria in relation to discretionary transport assistance for home to school transport.

Section 2: Equalities, Consultation and Engagement

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

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

Evidence, Consultation and Engagement

No	Question	Details
4.	Have you considered the available evidence?	<p>Pupils living more than 2 miles from school (under 8) or 3 miles (over 8) are legally entitled to free transport and are provided with a bus pass.</p> <ul style="list-style-type: none"> • The number of pupils currently eligible for discretionary transport on faith grounds and paying a contribution towards the cost of transport is 62. • The number of pupils currently eligible for discretionary transport to a selective school and paying a contribution towards the cost of transport is 42. • Parents currently pay £490; the full cost of an annual Stagecoach bus pass is currently £575. • At the moment, parents with a second child receiving this discretionary transport get a 50% discount in their contribution and third children within a family travel free. This discounted travel affects very few pupils. <p>The greatest impact will be on post-16 students.</p> <ul style="list-style-type: none"> • 48 students attending school sixth forms from low income families currently receive a substantial transport subsidy, paying £100 towards the cost of an annual bus pass. • Approximately 90 students purchase discretionary passes at a cost of £490 per year. • 1026 students on low income attending South Devon College receive free passes funded entirely by the College so these students will not be affected by this proposal. • A further 356 students attending South Devon College receive a discretionary transport subsidy provided in part by Torbay Council and partly by the College. They pay an annual contribution that varies according to the number of days they attend. <p>Bursaries are now available for post-16 students in care, leaving care or in receipt of some income support. Discretionary bursaries are available for other students to help with costs such as transport. These are distributed directly by post-16 institutions.</p>

No	Question	Details
		<p>From September 2013, all secondary schools across Torbay will offer post-16 provision. Students will therefore have the option of studying locally.</p> <p>The alternative of continuing to fund discretionary transport at current levels is not sustainable, as the transport budget is insufficient to meet the current need and increasing demands are being made on it for statutory transport assistance for pupils with Special Educational Needs.</p>
5.	<p>How have you consulted on the proposal?</p>	<p>This proposal was considered by the Overview and Scrutiny Priorities and Resources Panel on the 15th January 2013. The panel invited members of the public and stakeholder organisations to attend and make representations if they wished to do so. Representations were received from South Devon College, Stagecoach Devon and the Headteacher and parents of pupils of St Cuthbert Mayne School about the proposals to no longer provide discretionary transport assistance.</p> <p>Further to representations made regarding this proposal it was agreed that there would be a consultation in February/March on phasing these proposals over 3 financial years (two academic years) to enable parents and students to plan for changes phased over a longer period. This will mean some pupils/students will have completed their courses and others will have longer to plan for the necessary financial arrangements for travel to school/college to finish their courses if concessionary travel is removed. Parents of children moving school will be able to choose school places in the knowledge of the new policy.</p> <p>A consultation was held for 4 weeks from 29th April to 24th May 2013. Consultees included all parents and pupils in Torbay, school staff and governors, South Devon College, Anglican & Catholic dioceses and Devon County Council. The consultation was posted on the council's web site. All schools and academies were contacted, also South Devon College, and asked to alert parents, pupils and governors to the consultation and via a press release. Three drop-in sessions were held during the consultation period in the different towns within Torbay.</p>
6.	<p>Outline the key findings</p>	<p><u>Priorities and Resources:</u></p> <p>Representations made at the Priorities & Resources (Overview & Scrutiny) Panel:</p> <ul style="list-style-type: none"> ● <i>“Transport is a key barrier to participation”</i> ● <i>“...the reduction in funds is inevitably going to lead to some loss of patronage on bus services as parents and students decide to either relocate or find alternative means of transport such as the car”</i> ● <i>“...Several of the routes, particularly for South Devon College, only run at the start and end of the day there is no</i>

No	Question	Details
		<p>scope for minor reductions. <i>Withdrawing a route would of course disadvantage all students, not just those who are receiving the support</i></p> <ul style="list-style-type: none"> • <i>“Short-sighted decision that may increase the use of cars, or remove children from school”</i> <p>Please Note: The comments of the Overview and Scrutiny Board are set out in paragraphs 4.21-4.24 of its report “Review of Priorities and Resources 2013/2014”</p> <p><u>Consultation</u> There was a very low level of interest shown. The drop-in sessions attracted a total of six people 1 family and 2 members of the youth parliament, who asked questions and were invited to complete a response sheet. 7 calls were received with queries about the proposals. Only one response was actually submitted. The respondent disagreed with the proposals.</p>
7.	<p>What amendments may be required as a result of the consultation?</p>	<p>Amendments were made following the earlier discussion at Scrutiny Committee. Original proposals were to cut all concessionary transport from September 2013. Amended proposals have now been put forward to phase out over three years. No further amendments have been identified as a result of the consultation. <i>At the meeting of the Overview and Scrutiny Board on 24 January 2013, the Mayor and the Executive Lead for Children, Schools and Families announced that they would be recommending that these proposed changes would be phased in and no reductions in discretionary school transport would made until 2014/2015.</i></p>

Positive and Negative Equality Impacts

No	Question	Details		
8.	<p>Identify the potential positive and negative impacts on specific groups</p>	<p><i>It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the ‘neutral’ column to explain why.</i></p>		
	<p>All groups in society generally</p>	<p>Positive Impact</p> <p>Children’s Services will continue to provide the statutory services in relation to home to school / college transport.</p> <ul style="list-style-type: none"> • Children / young people on low incomes attending South Devon College will continue to receive free passes. • Young people who are post-16 carers are eligible for bursaries – bursaries are administered directly by post-16 institutions and young people are advised to talk to their school / college for assistance. Those children / young people who are carers and under the age of 16 are entitled to the same transport provision as all other young people. 	<p>Negative Impact</p> <p>Policy only applies to children / young people attending school or further education. This decision may cause some financial hardship and/or limit the choice of schools available for some families to choose from.</p>	<p>Neutral Impact</p> <p>To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.</p>
	<p>Older or younger people</p>			<p>1026 students on low income attending South Devon College receive free passes funded entirely by the College so these students will not be affected by this proposal.</p>

No	Question	Details
		children / young people. This decision may cause some financial hardship and/or limit the choice of schools available for some families to choose from.
People with caring responsibilities		Pre-16 carers are entitled to the same transport provision as all other young people.
People with a disability		The proposed changes to discretionary transport will not affect entitlement to transport on the basis of inability to walk to school/use public transport to travel to school.
Women or men		The policy will affect all young people eligible for discretionary transport assistance, not just one gender.
People who are black or from a minority ethnic background (BME)		This decision does not differentially impact upon those of different ethnicity over and above that detailed above in respect of all groups generally.
Religion or belief (including lack of belief)		There will be a negative impact on a number of families who choose to send their child to a faith school and who do not qualify for low income support. This will affect around 60 pupils.
People who are lesbian, gay or bisexual		This decision does not differentially impact upon a person's sexuality over and above that detailed above in respect of all groups generally.

Details	
No	Question
	<p>People who are transgendered</p> <p>People who are in a marriage or civil partnership</p> <p>Women who are pregnant / on maternity leave</p> <p>Socio-economic impacts (including impact on child poverty issues and deprivation)</p>
	<p>This decision does not differentially impact upon those who are transgendered over and above that detailed above in respect of all groups generally.</p> <p>This decision does not differentially impact upon those who are married or in a civil partnership over and above that detailed above in respect of all groups generally.</p> <p>This decision does not differentially impact upon those who are pregnant or on maternity leave over and above that detailed above in respect of all groups generally.</p>
	<p>Policy only applies to children / young people attending school or further education. This decision may cause some financial hardship and/or limit the choice of schools available for some families to choose from.</p>
	<p>Children's Services will continue to provide the statutory services in relation to home to school / college transport.</p> <ul style="list-style-type: none"> Children / young people on low incomes attending South Devon College will continue to receive free passes. <p>Young people who are post-16 carers are eligible for bursaries – bursaries are administered directly by post-16 institutions and young people are advised to talk to their school / college for assistance. Those children / young people who are carers and under the age of 16 are entitled to the same transport provision as all other young people.</p>
9.	<p>Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and</p> <p>Assistance with transport to and from school is provided for anyone living more than the statutory distance from their nearest school. There is an additional legal entitlement to support for pupils of statutory school age from low-income families to give them access to a wider choice of learning institutions. Transport assistance is also provided for young people with disabilities who are unable to walk to school or use public transport on medical grounds.</p>

No	Question / or foster good relations?	Details
		To mitigate against the negative impacts on families of increased costs, there will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship. This process is open to all families.

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	Summarise any positive impacts and how they will be realised most effectively?	Children's Services will continue to provide the statutory services in relation to home to school / college transport. Children / young people on low incomes attending South Devon College will continue to receive free passes. Young people who are post-16 carers are eligible for bursaries – bursaries are administered directly by post-16 institutions and young people are advised to talk to their school / college for assistance. Those children / young people who are carers and under the age of 16 are entitled to the same transport provision as all other young people.
11	Summarise any negative impacts and how these will be managed?	The negative impact will be an additional cost for transport to school or college for a range of pupils and students. Statutory assistance will continue to be given to those who are entitled to it. The council will work with post-16 institutions where possible to encourage and support access to education and training for all young people up to the age of 18. There will be an appeals process where parents will be able to request discretionary support in exceptional circumstances and cases of genuine hardship.

Section 4: Course of Action

No	Action	Details
12.	State a course of action [please refer to action	Outcome 3: Continue with proposal - Despite having identified some <u>potential</u> for adverse impact / missed opportunities in relation to equalities or to promote equality. Full justification required, especially in relation to equalities, in line with the duty to have 'due regard'.

	<p>after section 5] Although the council has a duty to have regard to parents' wishes for their child to attend a faith school, this does not mean that the council is obliged to offer transport assistance by default. An appeals process will be available for parents to request discretionary transport assistance in exceptional circumstances. New guidelines will be drawn up for the panel. The opening of school sixth forms in former 11-16 schools will mean that most young people will be able to access post-16 provision locally.</p>
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Section 5: Monitoring and Action Plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	The number of appeals for discretionary assistance will be monitored.

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

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Draw up new guidelines for appeal panel members	To ensure consistency, compliance with the law etc.		Tony Hele/ Tricia Harwood	31 October 2013
2	Monitor the number of appeals made and allowed for discretionary transport assistance	To assess the impact of the change in policy		Tony Hele/ Tricia Harwood	Ongoing, termly

Agenda Item 9



Meeting: Overview and Scrutiny Board **Date:** 10 July 2013
Council 18 July 2013

Wards Affected: All Wards

Report Title: Acquisition of Torbay and Southern Devon Health and Care NHS and the commissioning contract for Adult Social Care

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1. Purpose and Introduction

1.1 This report sets out how Torbay Council will deliver adult social care as a result of the NHS reforms and their impact on the NHS organisations within Torbay.

2. Proposed Decision

2.1 That Torbay Council's supports the acquisition of Torbay and Southern Devon Health and Care NHS by South Devon Healthcare NHS Foundation on the basis of the evaluation of the business case put forward by the Foundation Trust and, as such, adult social care provision should form part of the single Integrated Care Organisation.

2.2 That the Council seek to share and align resources with the NHS locally where it benefits our community.

2.2 Reason for Decision

To ensure that integrated health and social care model in Torbay is maintained and developed in the future for the benefit of Mrs Smith and her family.

Supporting Information

4. Position

- 4.1 Members will be aware that, in December 2005, Torbay Care NHS Trust and Torbay Council entered into an agreement whereby the Care Trust was commissioned by the Council to provide adult social care services. This led to the creation of the only fully-integrated health and social care trust in the South West with the Trust having responsibility for both the commissioning and provision of integrated health and social care services to people in the Torbay area.
- 4.2 The partnership agreement is set out in the Annual Strategic Agreement (ASA) which provides a commissioning framework for the Council by, amongst other things, setting out the financial inputs and the key performance targets for the year ahead. The Council remains accountable for the performance of these delegated statutory functions.
- 4.3 The partnership arrangements were established against the backdrop of the specific demographics of the area with Torbay having a higher population of older people than the national average and therefore more people requiring support and care from a variety of health and social care services. The Care Trust was created to remove the barriers that existed between these services, by co-locating staff and enabling them to work together to understand the whole needs of each client and patient, and to plan care accordingly. Single points of contact for all services and a single assessment process were created, so support could be put in place more quickly and efficiently and could be effectively monitored by multi-disciplinary teams of staff.
- 4.4 The recent NHS reforms have meant that a number of changes have had to take place within Torbay:
- (a) The separation of health commissioning and provider responsibilities meant that, on 1 April 2012, Torbay Care NHS Trust became the Torbay and Southern Devon Health and Care NHS Trust. As such it is a provider organisation responsible for community health services in Torbay and Southern Devon. However, it currently retains responsibility for commissioning and providing adult social care in Torbay.
 - (b) Government policy has been that there is a requirement that all NHS Trusts must become, or be part of, a Foundation Trust by April 2014 (although this timetable has been extended to April 2016 at the latest, to take account of the recent changes in the NHS). In May 2012, the Trust Board took the decision that, rather than continue the application process to become a standalone NHS Foundation Trust, the better option, and the best way of sustaining and developing the Torbay model of integrated health and social care, would be to join with another, bigger organisation that was already a Foundation Trust. The Trust Board have been working with its commissioners and the NHS Trust Development Authority on the process needed to agree an acquisition partnership with an existing NHS Foundation Trust.

- 4.5 A Pre-Qualification Questionnaire was issued in October 2012 and, by the closing date, one organisation (South Devon Healthcare NHS Foundation Trust (SDHFT)) had completed the documentation. Following evaluation, SDHFT was shortlisted to move to the next stage of the process and was asked to work up a full business case. In order for the acquisition to progress, a strong business case is needed to demonstrate value for money alongside continued patient choice and competition within the local healthcare community. A comprehensive plan would also be prepared detailing how the two organisations would achieve integration of all services.
- 4.6 A summary of the Business Case together with the evaluation report and recommendations is attached at Appendix 1.
- 4.7 The Council established a cross-party Adult Social Care Commissioning Working Group which has been involved in each stage of the acquisition process to ensure that the Council's views and interests are reflected. In developing the Commissioning Intentions document on which the Business Case was prepared, the Council has assumed a 3% cash terms reduction in the funding of adult social care. Generally, members of the Working Group have identified that as the two largest public sector employers in the area, the Council and local NHS organisations should continue to explore other areas where resources could be shared or aligned for the benefit of the community as a whole.
- 4.8 The Business Case has been subject to a range of assessments, as described in the attached Project Board evaluation report, and has included a presentation by SDHFT board members to the cross-party working party, followed by question and answer session, which was formally evaluated by the members of the group.
- 4.9 In a separate development, the Care and Support Minister (Norman Lamb MP) announced in May this year the Government's ambition to make joined-up and co-ordinated health and care the norm by 2018 with projects in every part of the Country by 2015. Expressions of interest were sought from local areas to become integration "pioneers" as a means of driving forward change at scale and pace, from which the rest of the Country could benefit.
- 4.10 An expression of interest has been submitted by the South Devon and Torbay Clinical Commissioning Group (CCG) which aims to build on the success of integration of health and social care in Torbay. The bid takes account of the synergies already in place and being developed between the CCG, the Torbay and Southern Devon Health and Care NHS Trust, South Devon Healthcare NHS Foundation Trust and Torbay Council (with its responsibilities for Children's and Adults' Services). Devon Partnership NHS Trust and Devon County Council have also been involved in the preparation of the bid.
- 4.11 In conclusion, the proposed acquisition of the Torbay and Southern Devon Health and Care NHS Trust by South Devon Healthcare NHS Foundation Trust is the next level of integration which will result in a strategic alliance for the benefit of local people. If the bid for pioneer status is successful, this will further enhance the pace and scale of the

delivery of a joined-up health and care system. Obviously, there is still detail to be worked on but strong commissioning will ensure that change is embedded.

5. Possibilities and Options

5.1 The Council could determine that adult social care should not be provided via the new vertically integrated provider trust as it does not believe that the Business Case is robust enough. If the Council took this decision, the current acquisition process would fail and the NHS elements of the Torbay and Southern Devon Health and Care NHS Trust would need to be re-tendered.

5.2 The Council would need to determine how it would continue to provide adult social care given that the Board of the Health and Care Trust has previously decided that it is not in a position to pursue Foundation Trust status itself and therefore the status quo cannot be maintained.

6. Fair Decision Making

6.1 An Equality Impact Assessment has not been carried out as the proposal will not impact on service delivery.

7. Public Services (Social Value) Act 2012

7.1 The Public Services (Social Value) Act 2012 is not applicable.

8. Consultation

8.1 The process to date has been in line with the requirements of the Strategic Health Authority and its successor organisation, the NHS Trust Development Authority.

9. Risks

9.1 The risks associated with the recommendation are that adult social care will become marginalised within a large vertically integrated NHS organisation. However, as noted above, the integrated health and social care model has been operating successfully in Torbay for a number of years and there are good local working arrangements and relationships between the Health and Care Trust, the Council and the Foundation Trust.

9.2 There is also a risk that, given the commissioning intention of a 3% cash terms reduction in funding for adult social care, services for local people cannot be maintained at the current level.

9.3 The proposed acquisition is still subject to approval by the NHS regulator (Monitor) and the Office of Fair Trading. If it is not approved by these bodies, the Council would need to determine how it would deliver adult social care in the future.

Appendices

Appendix 1: Summary of the Business Case, Evaluation Report and Recommendation from the Project Board

Additional Information

None



Trust Development Authority

Torbay and Southern Devon 
Health and Care
NHS Trust

Acquisition and Divestment Project Board Report

**South Devon Healthcare NHS Foundation Trust
business case submission**

Evaluation and recommendations

Part One

South Devon Healthcare NHS Foundation Trust Business case in support of the acquisition of Torbay and Southern Devon Health and Care Trust Summary to Project Board

1. Overview

- 1.1 The business case submitted by South Devon Healthcare NHS Foundation Trust (SDHFT), in support of its bid to become the acquisition partner of Torbay and Southern Devon Health and Care Trust (TSDHCT), describes the case for the acquisition, the benefits to the local community, the ways in which services will be delivered differently in the future, and integration plans in support of this strategic agenda.
- 1.2 This paper provides a brief summary of the main points of the SDHFT business case, to support the evaluation report to the Project Board.
- 1.3 The expected outcome of the proposed acquisition would be the creation of a new single Integrated Care Organisation (ICO) providing integrated community and acute services to cover the geographical areas currently covered by the two existing trusts involved.
- 1.4 It is envisaged that the acquisition would enable further development of TSDHCT's innovative service delivery model, creating opportunities for stronger strategic partnerships with Devon County Council and Torbay Council, and with local voluntary sector organisations, to deliver improved outcomes for people.
- 1.5 The value for money (VFM) elements of the acquisition business case has been considered as follows:
 - maximise benefits arising from delivering integrated care at pace through organisational consolidation;
 - optimise economies of scale benefits from management integration;
 - offer better VFM through better contracting arrangements.
- 1.6 These approaches are summarised under benefits realisation.

2. Current situation

- 2.1 SDHFT is a medium sized district general hospital with a full range of secondary care services.
- 2.2 TSDHCT operates an integrated health and social care model in the Torbay area (providing and commissioning adult social care Torbay) and is responsible for providing community health services in Torbay and Southern Devon. The two organisations already work in close partnership, and with

other organisations within the health and social care community. Currently the two Trusts share several back office functions to include IT, HR and estates.

2.3 SDHFT cites two of its three options, given TSDHCT's decision to divest as follows:

- no acquisition or merger;
- creating an ICO.

2.4 SDHFT concluded creating an ICO was the preferred option to ensure the best possible provision of a full range of services to local people.

3. The New Integrated Care Organisation

3.1 The new ICO would be formed as a result of the acquisition, with a vision:

'to become the best provider of health and social care services, delivering excellence in all that we do'

3.2 The proposed strategic objectives based on an ethos of wellbeing, quality, partnership and value would be to:

- promote the health and wellbeing of individuals and communities;
- provide high quality health and social care, at the right time in the right place;
- work collaboratively through partnerships to develop and improve services;
- provide best value.

4. Key Milestones and timescales

4.1 The SDHFT acquisition business case has been evaluated to the agreed process, involving key stakeholder organisations, staff, and stakeholder representatives.

4.2 Subject to the support of Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and Southern Devon Health and Care Trust, the NHS Trust Development Authority can approve the status of preferred acquirer, on the basis of completion of a business transfer agreement and articulation of a compelling case for change, to be reviewed by the NHS TDA Board in September.

4.3 Further to this stage the business case can be reviewed by Monitor (the Independent Regulator for foundation trusts), with this process likely to take several months.

5. Benefits Realisation/ Key impact of the business case

Strategic Impact

- 5.1 The business case states one of the key reasons for this acquisition as the likeness of the two trusts' vision and strategic objectives, and the proposed ICO being consistent with national policy, to include the drive for 'seamless care' (The Clinical Cabinet).
- 5.2 The other key reason cited is building on existing and successful integrated services and management arrangements, to maintain the momentum of change at a pace and scale exceeding that of other partners.
- 5.3 It is proposed that the ICO will simplify contracting arrangements, allowing greater flexibility and effective use of resources, and support a stronger network of alliances with partner providers. This in turn will facilitate resilience and quality within other local providers, and create an environment in which more people are cared for closer to, or at, home, even as the complexity of their needs increases.
- 5.4 The ICO will continue to move away from a 'disease based model' of service delivery to a more holistic joined up model of health and social care, with a re-ablement/ restorative focus and a capacity-building approach. The key aim will be to develop and improve individuals independence and well supported self-care, whilst recognising there is a time when intensive medical intervention is the best course of action, to ensure people stay as active as possible for as long as possible and take responsibility for their own health and wellbeing.

Patient Impact

- 5.5 The single ICO would provide services for a combined population 675,000 covering Torbay, parts of Teignbridge, South Hams, West Devon, Kingsbridge and Tavistock.
- 5.6 With a population of 35% over the retirement age, age related conditions, including dementia will increasingly be more prevalent.
- 5.7 Additionally the population has specific pockets of deprivation (high teenage pregnancy; smoking; drinking; domestic abuse) and vulnerability (bereaved/ separated elderly), with a potential for Torbay to be one of the most affected areas by welfare reforms, leading to 37% of its population living on the edge of poverty.
- 5.8 The tangible benefits of an ICO as described in the business case are the further lowering of hospital death rates and non-elective lengths of acute stay. The ICO will achieve this by focusing on delivering care in the most

appropriate setting, with the removal of organisational barriers between community healthcare, social care and acute care.

- 5.9 The ICO's care strategy is stated as fundamentally reviewing the system around the person and redesigns it to meet their needs, as well as providing the service at lower cost and improved quality.

Quality & safety impact

- 5.10 The aim of ICO will be to strengthen quality by focusing on removing variation in care and improving the continuity and consistency of care, particularly as people move between services. Quality would be measured and improved across the entire system, adding real value and seamless governance.
- 5.11 The new ICO will develop innovative ways of reducing inequalities in access to services as well as a focus on the most vulnerable groups within the populations (people with dementia; learning disabilities; children/adults at risk).

Service delivery impact

- 5.12 The ICO care strategy will see a fundamental shift in focus and resources to support people as close to home as possible, these include:
- re-ablement and shifting care from acute to community settings;
 - medical support to care homes;
 - caring for orthopaedic patients in community hospital settings;
 - improved care and reduced acute admissions for heart failure;
 - integrated dementia care to include early diagnosis/ intervention and support in or near home;
 - enhancing intermediate care to manage cases of increased complexity and severity in community settings;
 - fracture liaison service to support reduced incidence/ admissions for falls;
 - better co-ordination/ multi-disciplinary working when caring for troubled families to ensure interventions are not in isolation
 - flexible staffing to support patients in the right place at the right time.
- 5.13 This care strategy will be supported in its delivery by five key enablers:
- partnership working with a provider network;

Acquisition and Divestment Project Board Report - South Devon Healthcare NHS Foundation Trust
business case submission - Evaluation and recommendations, July 2013

- estate development to provide services in local communities in the future;
- IT development to facilitate data sharing between primary, secondary, community and social care;
- workforce – in terms of creation and fostering of a new organisational culture;
- financing - as an FT new ICO would be in a position to secure an additional £12m of capital funding over the five year period.

Workforce Impacts

- 5.14 The new ICO will have a workforce model of joined up professional practice with further integration of health and care teams and closer working relationships with primary care. This will require a flexible workforce to deliver care in the right place/ time and will be reflected in a shift of resources from acute to community settings and a reduction in workforce numbers, while also extending the hours during which some services are available.
- 5.15 Workforce efficiencies from the ICO will comprise of 'back office' functions that do not currently have a shared service arrangement, as well as wider management structure review to remove duplication.
- 5.16 The workforce of the ICO will have a total reduction of 2.31% (116.56 WTE) by 2017/18 and comprises of a net reduction of 4.59% administrative and clerical; 2.1% registered nurses; 3.78% non registered nursing/support staff. The registered and non-registered nursing staff reduction directly relates to a reduction of 56 acute beds.
- 5.17 Reductions in numbers of staff in clerical roles will be managed by vacancies and redeployment, whilst clinical staff will be incrementally reduced over a four year timescale.

Value for money

- 5.18 This is summarised in three areas as follows:
- Service activity – represented by a reduction in capacity of two acute wards, and a release in capacity in community hospitals. This would equate to a projected total of 30,835 bed day savings by 2017/18 (21432 acute and 9403 community bed days);
 - workforce – as described in points 5.14 – 5.17, financial savings will be achieved from further integration of back-office staff and a shift in staff towards community based services;

- financial impact of integration which encompasses the workforce element above is said to equate to £35.7m, (£22m net as offsets transaction and transitional costs), over the first five years of the plan and also includes estate rationalisation and a simplified contracting model.

Key drivers

- 5.19 TSDHCT is a key care partner of SDHFT so divestment of TSDHCT other than via an acquisition by SDHFT would lead to variable sustainability of service delivery for SDHFT
- 5.20 The demographics of an aging population increases demand for health and social care which an ICO would be better placed to deliver
- 5.21 Acquisition of TSDHCT by SDHFT is forecast to deliver economies of scale regarding budget pressures through efficiencies so avoiding duplication and fragmentation to create economical and efficient care systems

6. Financial Implications of the business case

- 6.1 There are three main income streams for the two trusts:

	Source of Income	Income in £
	NHS Commissioning (Acute)	£205m
	NHS Commissioning (Community)	£82.6m
	Torbay Council (Social Services partnership agreement)	£43.3m
Total Income	£330.9m	

- 6.2 The business case presents a model of vertical integration, and is said to afford opportunity for significant savings through pathway redesign. The model describes a £1.5m surplus in 2014/15 (post non recurrent costs), rising to £12.9m in 2018/19. The increased surplus is associated with improved profitability of the Pharmacy Manufacturing Unit (PMU) subject to its planned expansion.

- 6.3 The assumptions behind the financial model are as follows:

- income from Local Authority commissioners at a reduced 3% per annum;

- income from health commissioners at 0.6% rise per annum in 2015/16 then 2.3% thereafter, which has been agreed with South Devon and Torbay CCG (commissioner). The CCG has also agreed to the allocation of non-recurring headroom funding of circa £4m for each year of the plan;
- a rise in pay costs for both NHS staff and adult social care staff has been assumed of 3% per annum, (2% pay award/ 1% incremental cost).

6.4 In the long term the business case envisages the new ICO would plan to target general efficiency savings at around 3% per annum. This is acknowledged in the business case as below NHS and local authority norms but is felt to be more realistic for the proposed new organisation and is in addition to the specific savings from the merger synergies (£22m net over the 5 years).

6.5 The business case states that this targets savings at a higher level than is required to deliver the surplus position set out in the business case financial model, which enables creation of development reserves of around £9m per annum after five years. This is viewed in the business case as creating flexibility to invest in the future and having a pool of funding to effect change and continually adapt services to meet future needs. This includes investing in partnership with health and social care commissioners in jointly agreed schemes to improve health and well being in the medium term and reducing reliance on bed based care in the longer term.

6.6 The finance plans for the ICO have been developed on a flexible 'total funds available' approach supported by joint contracting arrangements with the main health and social care commissioners. Allowances will be sought for local tariffs to match the service delivery model spanning health and social care, that as a minimum cover cost plus a reasonable margin from the provider perspective, which commissioners have accepted in principle.

7. Conclusion/ Summary

7.1 It is stated in the business case that both trusts' visions and strategic objectives reflect a clear commitment to integrated working, which the acquisition would facilitate in terms on a new ICO.

7.2 The business case forecasts financial saving from the acquisition and establishment on a new single organisation, whilst enhancing patient quality and care and continued value for money.

7.3 Additionally the business case indicates that without acquiring TSDHCT that SDHFT with have issues with sustainability of some services due to their interdependency with TSDHCT.

7.4 Finally integrated care delivery is the core business of TSDHCT, and is fully supported by the SDHCT business case and the development of an ICO.

Part Two

Project Board evaluation report and recommendations

1 Introduction

- 1.1 Torbay and Southern Devon Health and Care NHS Trust (TSDHCT or the Trust) is a community provider serving a population across Torbay and South and West Devon. It provides integrated health and social care specifically for the Torbay population. In May 2012 the TSDHCT Board decided to discontinue its foundation trust application and, in agreement with its commissioners and the South of England Strategic Health Authority (NHSSE), to seek a suitable NHS Foundation Trust to acquire the business by way of statutory transfer.
- 1.2 Until 31 March 2013 NHSSE was the Authority for purposes of this Divestment, after which time the responsibility moved to the NHS Trust Development Authority (NHSTDA).
- 1.3 In July 2012 a TSDHCT Acquisition and Divestment Project Board was established, comprising senior representatives from NHSSE, TSDHCT, and its main commissioners. The Senior Responsible Officer for the TSDHCT Acquisition and Divestment Project is Lisa Manson, previously Director of Performance West for NHSSE, now Portfolio Director (South) for the NHSTDA. The Project Manager for the TSDHCT Acquisition and Divestment Project is Pauline McCluskey, who has a dual role with the divesting Trust and the TDA. Table 1 gives the core membership, which has been supplemented by other stakeholder organisation representatives as required.

Table 1: TSDHCT Divestment Project Board – core membership

Name	Job Title	Organisation Representing
Lisa Manson	Portfolio Director (South)	NHS TDA
Pauline McCluskey	Project Manager	NHS TDA/TSDHCT
Sam Barrell	Accountable Officer	South Devon and Torbay CCG
Caroline Taylor	Chief Operating Officer and Director of Adult Social Care	Torbay Council
Jennie Stephens	Strategic Director People	Devon County Council
Pam Smith (until 31 March 2013)	Director of Transition	PCT Cluster of Plymouth, Devon and Torbay
Anthony Farnsworth, and subsequently, from November 2012, Mandy Seymour	Chief Executive	Torbay and Southern Devon Health and Care Trust

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Carole Self, and subsequently, from July 2013, Helen Thorn	Company Secretary	Torbay and Southern Devon Health and Care Trust
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- 1.4 The Project Board approved a phased competitive selection process, with applications invited from existing foundation trusts only. Only one bidder, South Devon Healthcare NHS Foundation Trust (SDHFT), submitted a completed Pre-Qualification Questionnaire, which was successfully shortlisted.
- 1.5 Agreement was initially reached via NHSSE and the NHSTDA that SDHFT would move to submission of a full business case, by 31 March 2013. This submission date was subsequently extended to 31 May 2013. The intention was that the full business case could be produced with the involvement of senior members of the TSDHCT team, who would work alongside SDHFT colleagues on each of the work streams, giving the SDHFT team the opportunity to draw on the experience and knowledge of staff familiar with a community based organisation, delivering integrated health and social care. This approach was agreed on the understanding that a separate rigorous assessment process was planned and implemented, such that the bid would be evaluated as if still in a competitive process. It was also agreed that those TSDHCT team members involved in the detailed development of the business case could not therefore be involved in the evaluation process.
- 1.6 A set of evaluation criteria was developed, against which the SDHFT bid would be assessed. Early work on the criteria had been completed at the PQQ stage, such that themes were outlined in the document. The criteria were published in the Invitation to Submit a Full Business Case, and are contained in this document in Section 4.
- 1.7 Following the South Devon Healthcare NHS Foundation Trust (SDHFT) submission of its full business case on 31 May 2013, an evaluation process was conducted as outlined in Section 2. A summary of the business case itself

2 Evaluation process

- 2.1 Further to receipt of the SDHFT business case, via the NHS TDA, and the necessary checks in regard to essential information and sign off by SDHFT officials (legal and regulatory requirements, and declaration), the document was distributed to evaluation panel members.

- 2.2 Panels were configured to evaluate each criteria heading. In some instances, where there was obvious synergy between headings, these were combined, though each element was still scored separately. As far as possible, each panel had membership from Torbay Council, South Devon and Torbay CCG, TSDHCT and the NHSTDA. The detailed composition of each panel is described in Section 3. During the panel meetings each member was given the opportunity to comment on their individual evaluation of the relevant sections of the business case, after which time the chair of the panel obtained consensus on a panel score for each element.
- 2.3 A clarification meeting was held in regard to some elements of the finance submission. This was a normal part of the process, and essential to ensure that SDHFT could achieve convergence with the commissioning organisations financial plans. This was achieved.
- 2.4 As part of the assessment process, senior members of the SDHFT team attended three meetings, at which they gave a presentation of the bid, and responded to questions. These meetings were with Torbay Council cross-party working party, a joint meeting of the Project Board and TSDHCT Board, and a staff and stakeholder representative group. Attendees at these meetings conducted a scored assessment, as part of the overall evaluation process. The staff and stakeholder evaluation concentrated on two headings, workforce and leadership, and benefits to service users, carers and relatives.
- 2.6 Subsequent to the individual meetings a consolidation meeting was held, again with representation from each organisation, and each individual panel. This afforded an opportunity to ensure consistency of approach, and clarification of any outstanding issues.
- 2.7 The individual evaluation panel assessments and presentations followed a scoring and weighting system as described in Table 2 overleaf:

Table 2: Scoring and weighting

Section	Heading	Maximum score	Section weighting
A	Organisational values and aspirations	80	11%
B	Quality and safety	60	11%
C	Service delivery and framework	70	11%
D	Leadership and workforce	70	11%
E	Integration plans (i.e. bringing the two organisations together)	50	11%
F	Partnership and engagement	70	11%
G	Benefits to service users, carers and relatives	60	11%
H	Finance, productivity and value for money	60	11% (Plus pass/fail elements)
I	Legal and regulatory	n/a	Pass/fail
J	Declaration	n/a	Pass/fail
n/a	Bidder presentation to Torbay Council elected members	80	4%
n/a	Bidder presentation to general stakeholder group (staff, voluntary sector, carers)	120	4%
n/a	Board to Board	80	4%

3 Panel configuration

- 3.1 Panels were convened with representation from the NHS TDA, the Trust, Torbay Council and South Devon and Torbay CCG, with the intention of achieving a balance between local knowledge of the health and social care system with objectivity and experience of previous assessment processes. A TSDHCT Non-Executive Director (NED) was involved at each panel, for the purposes of Trust Board assurance.
- 3.2 Where there were obvious links between criteria headings, panels were configured to bring the evaluations together. This was the case with organisational values and aspirations/service delivery and framework and workforce and leadership/integration plans.
- 3.3 Quality and safety

Name	Job title	Organisation
Lisa Manson	Portfolio Director	NHSTDA
Debbie Stark	Director of Public Health	Torbay Council
Elaine Hobson	Associate NED	TSDHCT
Sarah Hughes	Head of Quality (South)	NHSTDA
Sue Ball	Assistant Director of Professional Practice	TSDHCT
Elaine Hobson (in attendance)	Associate Non-Executive Director	TSDHCT
Adam Morris (in attendance)	GP representative	CCG

3.4 Leadership and workforce/Integration plans

Name	Job title	Organisation
Andrew Cooper	Non-Executive Director	TSDHCT
Louise Hardy		CCG
Pat McDonagh	Assistant Director for Southern Community Hospitals	TSDHCT
Mandy Seymour (Chair)	Chief Executive	TSDHCT
Julie Blumgart	Clinical Quality Director (South)	NHSTDA
Jo Roberts	Clinical Lead for Innovation, Communication and Engagement, Medicines Optimisation	CCG

3.5 Organisational values and aspirations/Service delivery and framework

Name	Job title	Organisation
Jon Andrewes (Chair)	Chair	TSDHCT
Phil Heywood	Assistant Director – Strategic Development	TSDHCT
Anne-Marie Bond	Executive Head of Commercial Services	TC
Simon Tapley	Director of Commissioning	CCG
Mandy Seymour	Chief Executive	TSDHCT
Pauline McCluskey	Project Lead	NHSTDA/TSDHCT
Jo Roberts	Clinical Lead for Innovation, Communication and Engagement, Medicines Optimisation	CCG

3.6 Finance

Name	Job title	Organisation
Tim Tamblyn	Non-Executive Director	TSDHCT
Louise Wellesley	Finance Manager	TDA
Kaye Bentley (Chair)	Head of Financial Planning	TDA
Nicky Mowatt	Senior Business Consultant	TDA
Simon Bell	Chief Finance Officer	CCG
Paul Looby	Executive Head – Finance	TC

3.7 Partnership and engagement

Name	Job title	Organisation
Elaine Hobson	Associate Non-Executive Director	TSDHCT
Anne-Marie Bond	Executive Head of Commercial Services	TC
Debbie Stark	Director of Public Health	TC
Lisa Manson (Chair)	Portfolio Director	TDA
Simon Tapley	Director of Commissioning	CCG
Sarah Hughes	Head of Quality (South)	TDA
Sam Barrell	Chief Clinical Officer	CCG

3.8 Benefits to service users, carers and relatives

Name	Job title	Organisation
Mark Procter	Director of Corporate Affairs	CCG
Julie Foster	Assistant Director	TSDHCT
Pat McDonagh	Assistant Director for Southern Community Hospitals	TSDHCT
Lisa Manson (Chair)	Portfolio Director	TDA
Sarah Hughes	Head of Quality (South)	TDA
Paul Mills	Associate Non-Executive Director	TSDHCT

Key to organisations

TSDHCT	Torbay and Southern Devon Health and Care Trust
TC	Torbay Council
CCG	South Devon and Torbay Clinical Commissioning Group
TDA	NHS Trust Development Authority

4 Criteria

4.1 During the early stages of the project a Stakeholder Engagement and Communications Strategy was approved by the Project Board. This strategy provided the framework within which the evaluation criteria were developed. A series of meetings was held with staff, and with stakeholder representatives, to develop the thinking, and an iterative process created a set of statements, under the headings below. (The general considerations in relation to finance were incorporated into other headings as appropriate, with the finance evaluation itself taking a standard structured form, to ensure compatibility with the Monitor (Independent Regulator for Foundation Trusts) process, to come at a later stage.) The work was reported regularly to the Stakeholder Engagement and Communications Subgroup, the Project Board, and the three key stakeholder organisations.

4.2 Section A - Organisational values and aspirations

- Existing values and aspirations that are compatible with those of TSDHCT.
- Organisational development plans to fully align the two organisations cultures, demonstrating understanding and recognition of TSDHCT strengths and achievements
- Plans demonstrating the intention to further develop the Torbay model of integrated health and social care, making best use of expertise and building on the existing reputation of the Trust as a leader in the field
- Plans demonstrating the continuation and development of current partnership arrangements (with Local Authorities, primary care, GPs,

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the voluntary sector etc), to ensure consistency in service delivery during the transition and the capacity to work in whole system partnership to design models of care delivery to fit population needs well into the future

- Plans demonstrating the capacity and capability to modernise and innovate beyond current models of care.
- Integration plans that demonstrate a willingness to enter into a partnership with TSDHCT, recognising the benefits of acquisition for patients, users and carers, and for staff, beyond the typically quantitative measures.
- Integration and OD plans that facilitate the retention and development of Trust staff expertise
- Plans for a Board and senior management configuration that are properly representative of new organisation's profile

4.3 Section B - Quality and safety

- A strong track record on the full range of quality indicators for the secondary care sector, with evidence over several years of priority setting, initiatives and outcome measures that have brought about improvement, consistent with national and local priorities.
- An understanding of quality indicators as they apply to community and social care settings, and a demonstration of how these will be aligned with existing practice and adopted within the new organisation, taking account of best practice in community and social care settings (to complex care for example)
- A good understanding in regard to the statutory responsibilities for the delivery and commissioning of adult social care.
- Summary, with evidence from CQC and other inspection reports, Serious Incidents Requiring Investigations and safeguarding concerns, plus any other areas of recent concern or investigations, demonstrating the ability of the bidding organisation to deliver quality, keep people safe, and its responsiveness to serious lapses or incidents. Explain how any outstanding issues are being addressed, what learning will be taken forward.
- Describe how TSDHCT governance processes will be assimilated to ensure the merged organisation has an equitable distribution of resources and focus community and secondary care issues
- Demonstration of openness, transparency and patient/user focussed outcome measures in relation to safety and quality
- Provide evidence of early learning from the Francis Report 2013¹, and the ways in which the newly configured organisation will reflect the

¹ Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, Chaired by Robert Francis QC, February 2012

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main recommendations of both Winterbourne View Report 2012² and the Francis Report in relation to communication, culture, quality and safety on a whole organisation basis.

4.4 Section C - Service delivery and framework

- Obvious links between vision, strategy and service delivery plans for the newly configured organisation
- Plans that evidence an organisational approach in which community provision has equal status with the bidder's existing service portfolio, at all levels in the organisation
- Service delivery plans that are organised and managed to ensure strong links with local communities, demonstrating a thorough understanding of a good whole system pathway for people with complex health and social care needs and what part the merged organisation would play in delivering this.
- Understanding of the distinct role and function of adult social care for each of the Torbay and South Devon catchment areas
- A model of service delivery that maximises the opportunities for care as close to home as possible and reduces the reliance on bed-based services, with examples of existing good practice and innovation.
- Plans that address the challenges of delivering services over a wide geographical area
- Description of priorities for improvements in service quality, productivity and value for money across the TSDHCT range of services, demonstrating a clear understanding of each service area, and alignment with national and local priorities

4.5 Section D - Leadership and workforce

- Review of bidding organisation's Board configuration (both executive and non-executive director) and senior management structure, demonstrating that the composition of both fully represents the constituent parts of the newly configured organisation post acquisition, and that TSDHCT expertise is retained at a senior level
- Integration plans that demonstrate an understanding of the TSDHCT management and workforce by team and function, and how the bidding organisation will align these with its existing structure.
- Integration plans that recognise the new service portfolio as a whole, with all elements contributing to the health and wellbeing of the population it serves
- A workforce strategy, linked to the service delivery model, that demonstrates the movement of staff resource from the acute to the community setting, to support the emphasis on care delivered closer to home

² Transforming care: A national response to Winterbourne View Hospital. Dept of Health Review: Final Report, December 2012

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- Existing excellent track record as an employer of choice, responsive to staff, with a strong emphasis on organisational and individual development
- Organisational development strategy that supports the integration plans and demonstrates the key benefits of the acquisition to staff in both organisations, highlighting specific outcomes, timeframe, risks and mitigation
- Torbay Council will expect appropriate representation of elected members, with a description of how it will ensure involvement of Torbay elected members at the Board of Directors in the context of Monitor requirements, and the ways in which elected members will be engaged in the business of the new organisation to the extent that they receive sufficient assurance of well commissioned and delivered social care services, as the integration model continues to develop.

NOTE: Torbay Council may also wish to explore the potential for the formation of a Partnership Governance Board, with membership from the new organisation, to fully explore governance/assurance issues in relation to social care delivery, and the interdependency between social and health care delivery.

4.6 Section E - Integration plans

- A vision for how the merged organisation will look in three years' time, compared with the two current separate organisations, highlighting key activities by 100 days, one year, two years and three years, to achieve this change
- A plan that demonstrates involvement of TSDHCT staff, by service area, at all levels in the merged organisation, pre-and post-target acquisition date
- A thorough understanding of the roles of staff not traditionally linked to health care provision, and the practicalities of health and social care integration.
- A mobilisation plan covering the appointment as preferred bidder to transfer date (August 2013 to February 2014) covering proposed transitional governance arrangements, a detailed organisation chart describing key project roles, and description of the resources you will commit during the Mobilisation Period, a description of the principal risks associated with the statutory transfer and integration of services and the mechanisms for managing these risks (e.g. risk identification, evaluation, reporting, treating, monitoring etc.).
- Confirmation of the steps taken by the Bidder Trust Board to satisfy itself that Monitor's requirements (including as set out in the Compliance Framework) can be met in relation to the transfer.

4.7 Section F - Partnership and engagement

- Demonstration that the bidding organisation frames future business in the context of the health and wellbeing of the population it serves, with all elements being designed to ensure the best possible outcomes for users, recognising the distinction between the Torbay and Southern Devon areas, and the maintenance of relationships in each.
- Description of existing key partnerships for the bidding organisation, explaining how these have been developed, and how they have contributed to service development, ensuring strong governance and accountability is in place, and how they would be extended to contribute to a successful integration with TSDHCT
- Description of bidding organisations current approach to working with Clinical Commissioning Groups, and how this will be extended with the integration of TSDHCT services
- Description of bidding organisations current approach to working with Local Authorities, and how this will be extended with the integration of TSDHCT services
- Strategic directions and a business model that demonstrate a collaborative and outcome based approach with all partner organisations (LAs, voluntary sector, GPs etc), with an understanding of the potential to extend this partnership approach beyond the existing health and social care framework
- Detailed description of the current level of engagement and involvement of governors and members in the work of the organisation, with examples of ways in which they have influenced strategic development and service change respectively, and how this will be specifically extended to the TSDHCT demographic
- Fully worked up plans describing the changes to membership and make-up of the Council of Governors to properly represent the new demographic, linked to Patient and Public Involvement work, and encompassing the relevant membership recruitment, governor elections and communications approaches

4.8 Section G - Benefits to service users, carers and relatives

- Track record of service improvement and patient/user involvement (linked to Governor and member activity in Partnership and Engagement)
- Describe the key benefits the bidding organisation would expect the acquisition of TSDHCT to bring to TSDHCT's service users, carers and relatives, over and above those which would be achieved through existing health and social care community joint working. Provide an outline of the timeframe in which it is anticipated these benefits will be realised (short, medium or long term) and the rationale for this
- Describe the specific benefits that the proposed integration with TSDHCT will deliver for people with complex health and social care

needs. Outline the key risks to the benefits realisation plans and describe the arrangements to be put in place to mitigate them.

- Description, with supporting reasoning, of how completion of the divestment to the bidding organisation will retain patient choice. If completion of the divestment may lead to a loss of patient choice in some areas, describe the proposals for benefit realisation which could outweigh such a loss
- Plans for the allocation of resources, the exploitation of opportunities and development of relationships specific to the various localities that make up the area that TSDHCT currently serves. This will be particularly important in the context of the levels at which relationships with GPs are developed and managed.
- Demonstration of ways in which patient and user choice will be preserved within the newly configured organisation, (e.g. between teams, consultants, methods of treatment and intervention).

4.9 Section H - Finance productivity and value for money

Historic Financial Performance

- 1 Please submit your most recent Annual Plan (2013/14) and confirm that it remains the plan against which you are measuring performance and reporting to Monitor. If a revised plan has been agreed with Monitor, please submit this with an explanation of the revision. **(pass/fail)**
- 2 Please provide copies of your Q4 financial monitoring submissions to Monitor including commentary. If there are any material changes in the reported position since submission to Monitor please identify these and provide an explanation. Please also supply copies of any exception reports relating to finance submitted to Monitor during 2012/13. **(pass/fail)**
- 3 Please provide details of your Cost Improvement Plans (CIPs) and details of achievement of the CIPs for 2020/2011, 2011/12 and 2012/13 split by major type and give examples of where CIPs in your organisation have been delivered through:
 - a) productivity;
 - b) innovation; and
 - c) quality improvement.

For 2013/14 provide details of your CIP plans (and actual achievement to date). For all years these should identify separately recurrent and non-recurrent savings. Where actual recurrent savings are for part of the current year please show the forecast full year effect for 2013/14. Please distinguish between improvements that deliver cost reduction and improvements that that rely on increased income. Where there are variances between planned cost improvements and actual improvements delivered (whether positive or

adverse) these should be explained, again distinguishing variances in cost reduction and income generation.

Financial Forecasts

- 4 Please advise whether Monitor has been notified that your organisation is considering any other major investment as described in Monitor's Compliance Framework 2012/13 (or most recent version if this is superceded within the submission timetable). If a notification has been made please provide copies of the notification and any accompanying financial analysis. **(pass/fail)**
- 5 Please provide a Monitor LTFM for the merged organisation showing 2013/14 forecast outturn, part year impact of the transaction for 2013/14 plus 5 years post acquisition operations. As well as the new combined entity the LTFM should clearly identify separately the impact of the acquired services. **(pass/fail)**
- 6 Please provide the key assumptions used in the LTFM. These should distinguish between assumptions in respect of the Bidders' existing services and assumptions in respect of the acquired TSDHCT services where these are different. This should include the identification of any savings assumptions and CIPs made in order to achieve an acceptable financial risk rating (FRR). If savings are required to achieve an acceptable FRR please indicate whether you have identified areas where you consider such saving could be made, what those areas are, and any estimates of the savings that you have made. Where savings have been identified please provide a detailed analysis identifying your CIPs and the extent to which these relate to your existing services and to TSDHCT services.

Details of other key assumptions made within the LTFM should include:

- a. NHS income inflation
- b. other income inflation
- c. income growth/reduction assumptions supported, where appropriate, by activity assumptions including details of the assumed impact of any 'demand management';
- d. assumptions in relation to projected CQUIN income and any investment requirements;
- e. pay costs inflation;
- f. pay cost pressures (agenda for change, consultants, contract, EWTD);
- g. service developments and other key drivers of projected trading performance.
- h. any planned asset disposals;
- i. any significant capital expenditure anticipated over the projected period;

- j. key working capital balance assumptions (e.g. debtor days, creditor days etc.) and rationale for the assumptions made;
- k. required CIP savings targets supported by plans for the delivery of required targets (including the identification of recurring and non-recurring savings);
- l. acquisition and implementation costs and funding for these costs;
- m. clinical supplies and consumables;
- n. other material costs categories e.g. estates;
- o. marginal cost assumptions;
- p. QIPP assumed within projection period; and
- q. details of any PFI/LIFT schemes and funding requirements (where applicable).

All assumptions should be consistent with responses provided in respect of other sections of the business case e.g. service delivery, workforce and support functions.

In constructing your LTFM for the merged entity you should assume that:

- a. the business transfer will take place on 1 February 2014;
- b. the TSDHCT forecast outturn for 2013/14 is a surplus of £765k with a turnover of £136m; Additional details can be found in the model LTFM which has been populated with 2013-2014 data, and via a Finance Directors briefing, to be arranged;
- c. current NHS South of England /TSDHCT planning assumptions for 2013/14 and 2014/15 are set out below:
 - i. Tariff inflation - 2.7.% applied to all services.
 - ii. Tariff efficiency - 1.3% i.e. net tariff reduction of ..4.0%.
 - iii. Pay awards – 1.0 % uplift for 2013/14, 1.0% uplift for 2014/15

If these assumptions are not used in respect of the TSDHCT services please provide an explanation and justification of any alternative assumptions used.

Copies of any output from any independent due diligence commissioned/undertaken by you on the combined LTFM and on your 'Post Transaction Integration Plans', that may have already been undertaken at the time of the submission of your business case should be provided (where applicable).

7 Unless clearly demonstrated in the information supplied under 6 above please provide your latest forecast of the impact on your financial risk rating of acquiring the TSDHCT services and confirm, with supporting explanation, that your Board feels comfortable it will be able to complete the Acquisition following Monitor's processes as contained in its Compliance Framework. For each of the next five financial years (2014/15 to 2018/19) you should provide forecast risk ratings for:

- a. EBITDA margin
- b. EBITDA % achieved
- c. ROA

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- d. I&E surplus margin
- e. Liquid ratio;
- f. Weighted average and
- g. Overall rating.

In the event the overall rating has been adjusted by application of any of the overriding rules please identify this and provide an explanation. **(pass/fail)**

- 8 Details of your 'downside' case along with any mitigations identified to offset or manage the impact of the identified 'downside' scenario. **(pass/fail)**
- 9 Please describe the main areas where you consider that you will be able to achieve efficiencies and synergies as a result of the acquisition and the process you would use to identify and quantify these. You should include an estimate of the likely values and timescales for the delivery of any efficiencies and synergies. Please identify acquisition and implementation costs that you expect to be incurred in managing the acquisition and integration and how these will be funded.
- 10 Please describe your plans for extracting maximum value from TSDHCT's estates.
- 11 Please describe the application of service line management and reporting in your organisation, with particular reference to the apportionment and management of support service and overhead costs, and outline how you will apply the lessons learnt to the acquisition and integration with TSDHCT.
- 12 Please outline your approach to ensuring the organisation remains competitive on price and quality in the social care market.

5 Evaluation results

5.1 The scoring for individual elements of the bid was achieved by awarding points, 0 – 10, in multiples of two, for each element, as outlined in Table 3.

Table 3: Scoring matrix

Number of Points	Definition for scoring
0	Question not answered or attempted.
2	Question attempted but answer provides little or no relevance to meeting the competence of the question.
4	Question answered however some information missing to give assurance of compliance.
6	Question answered to an acceptable standard that would meet our requirements.
8	Question answered to a good standard that would meet our requirements.
10	Excellent standard answer meeting or potentially adding value to our requirements.

5.2 Guidance indicated a score of 0 or 10 was considered unusual, with the expectation that a detailed rationale would be provided for awarding such a score. Scoring was therefore anticipated to be in the middle range, 2 – 8.

5.3 Overall, taking all elements into account, the SDHFT business case achieved a pass, that is with a score falling in the middle of the anticipated range.

5.4 The Project Board considered several issues in relation to the evaluation

- The local health and care environment, the Torbay model of integration of health and social care, and the consistently high level of inter-organisation co-operation has been nationally recognised for several years. This approach has most recently been progressed under the guidance of the Joined Up Health and Care Cabinet, with representation from all stakeholder organisations. It is therefore more challenging to fully demonstrate benefits over and above those that are currently achieved, if the acquisition was completed and the creation of an Integrated Care Organisation was taken forward.

- Similarly, in the context of national policy and agenda, with the rapidly changing understanding of the importance of integration, it has been inevitable that there would be gaps in the business case, in relation to being able to clearly articulate the full range of possible benefits. This would have been the case with any bidder, had the process elicited a greater number of shortlisted organisations. This is because the full potential cannot genuinely be known until after the acquisition takes place, and all possible opportunities explored, once organisational barriers are removed, contracting and budgetary arrangements are reviewed, and different relationships developed.
- During the latter stages of the development of the business case, communities such as Torbay and Southern Devon were asked to submit a bid to become a pioneer site, as part of initiative fostered by Norman Lamb MP, Minister for Care and Support. The intention of this project is to create several pioneer areas to support delivery of integrated care at scale and pace, by encouraging local innovation and experimentation. Whereas it was not possible to reflect the aims described in the bid for pioneer status in the SDHFT business case, it is now well understood within the health and social care community that the community-wide strategic ambition is to achieve the aims and objectives of pioneer bid.
- If conferred, pioneer status will not only support the creation of an Integrated Care Organisation, but will provide a framework and outcome measures against which the early development of the ICO and the benefits to local people can be clearly articulated and measured.

6 Project Board recommendations

- 6.1 Having reviewed all elements of the evaluation process, and considered the context as described in 5.4, the Project Board has made the recommendation that the SDHFT bid to become the acquisition partner to TSDHCT can successfully move to the next stage in the evaluation and approval process.
- 6.2 The Project Board recommendation to Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and Southern Devon Health and Care Trust is therefore that each organisation now consider this evaluation report within their own organisation governance framework, and support the bid in its progress towards NHSTDA approval, as the next step in the process.



Meeting: Council

Date: 18th July 2013

Wards Affected: All

Report Title: Torbay Economic Strategy

Executive Lead Contact Details: Mayor, Gordon Oliver

Supporting Officer Contact Details: Charles Uzzell, Director of Place & Resources – charles.uzzell@torbay.gov.uk

1. Purpose and Introduction

- 1.1 The Torbay Economic Strategy is a plan to deliver jobs and sustainable economic growth in Torbay. It reflects the key changes that have taken place locally and nationally since 2010.
- 1.2 The strategy will provide the Council and its various departments with a framework for shaping other policies and services which impact upon the local economy.
- 1.3 There have been improvements to the economic regeneration of Torbay in recent years which the strategy takes account of, most notably the beginning of construction of the South Devon Link Road. However, the strategy also reflects the scale of the challenge and the need to build on existing sectoral strengths and explore new opportunities for growth. Securing the necessary funding to deliver the action plans set out within the strategy will be essential to its success.

2. Proposed Decision

- 2.1 It is recommended that Council approves adoption of the Torbay Economic Strategy 2013-18 and its core objective:

To create more full time and sustainable employment by encouraging the growth of existing businesses and the creation of new businesses and social enterprises.

- 2.2 It is recommended that Council endorses delivery of this objective through the four key priorities of the strategy and their associated action plans. These priorities are:
 - Driving business growth
 - Sustaining the core economy
 - Raising skill levels and promoting opportunities for all
 - Nurturing the knowledge economy
- 2.3 It is recommended that the Council supports delivery of the strategy through the delivery of its corporate plan and the use of relevant powers, the work of the Torbay Development Agency and by identifying and securing investment.

2.4 It is recommended that the strategy is reviewed annually by the Council through the Overview and Scrutiny committee.

3. Reason for Decision

3.1 The Economic Strategy provides a framework for delivery of the Council's economic growth objectives for Torbay. It supports the local plan but sits outside of the local plan process as it is not statutory document and is not intended to be a definitive or exclusive list of interventions that will support local economic growth. Rather it exists to provide the framework for making wider decisions on the key economic priorities and more importantly as a tool to identify and justify where the public sector at local, national or European level might intervene.

3.2 The economic strategy promotes the opportunities and priorities of Torbay. In an increasingly competitive landscape for public resources it is important that Torbay has a robust and clear strategy articulating how the Council and its partners will support plans to create jobs and support economic growth benefiting businesses, the community, the Local Enterprise Partnership and Government. Development of the new economic strategy, in line with the Local and Neighbourhood Plans, will provide this.

3.3 The strategy is based on a good understanding of the local economy and needs of businesses and the community. The evidence base has been developed through existing information, research commissioned by the Council, the TDA and the Local Enterprise Partnership, the emerging Local and Neighbourhood Plans and information from the TDA's Business Barometer survey.

3.4 This evidence shows the Torbay economy faces a number of challenges which the strategy seeks to address including low productivity levels (Gross Value Added), below average wages, high unemployment and lack of full time job opportunities. The continued reduction in public sector funding is a particular challenge given the large proportion of the Torbay workforce currently employed in education, healthcare and public administration.

However, there are also a number of opportunities for growth which the strategy seeks to develop including:

- High start up rates
- Strength and reputation as a tourism destination
- Hi Tech cluster
- Potential to become a market leader in the healthcare sector
- The marine economy

3.5 The evidence suggests that in the short term the priority must be to create jobs if the economy is to grow and the core objective is centred on this with complementary activity seeking to nurture growing sectors that may in the longer term add significant value to the local economy.

Supporting Information

4. Position

- 4.1 Since the 2010 general election a number of changes have taken place nationally which have had a notable impact on economic development. These include a reduction in public sector spending and the introduction, and growing importance of Local Enterprise Partnerships and City Deals. Torbay is now playing a key role in the Heart of the South West LEP and is a signatory to the Plymouth City Deal, both developments which will be important across the lifetime of the new economic strategy.
- 4.2 Over the last two years within Torbay a number of projects and investments have come forward which are projected to create up to 800 jobs, including:
- The beginning of construction works on the South Devon Link Road
 - Securing £1.4m from the Coastal Communities Fund to create 350 jobs
 - Developments at South Devon College such as the Studio School and Energy Centre
 - Further investment at Torre Abbey.
 - Increased inward investment offer and work with businesses such as Sutton Seeds to encourage their continued development in the Bay
 - Securing Arts Council funding of £1.5m
 - Investment in Leisure at Clennon Valley and ambitious plans for the future
 - Private sector investment in hotel sites such as Oldway and Palm Court, with more in the pipeline

These projects are examples of Torbay's desire and potential to create jobs and create a momentum which will be continued through the economic strategy.

- 4.3 The new Local Plan 'A Landscape for Success' is also under development and will be closely linked to delivering the objective of job creation set out in section 2 above. The strategy reflects many of the priorities set out in the emerging Local Plan including more vibrant town centres, creation of employment space and work to develop the existing tourism offer. The strategy also develops new opportunities linked to key sectors such as marine. The Local Plan identifies the top class research and development facilities available within the hi tech industry in Torbay, something the strategy seeks to build on.
- 4.4 To secure the investment needed to deliver the strategy, and new jobs in the Bay, there will be a need to ensure – over the next 10 years – a careful balance between investment, infrastructure improvements, new job creation and new homes. That balance is even more important in an area of such environmental quality, which itself is one of the Bay's economic drivers. There is already, and will continue to be, consistency on these issues between the Economic Strategy and the Local Plan and robust annual / 5 yearly monitoring will ensure a careful balance of new development is achieved.

- 4.5 Alongside the Local Plan the Neighbourhood Planning process in Brixham, Paignton and Torquay is ongoing. The importance of these documents has been recognised and the work completed so far by the Neighbourhood Forums reviewed to ensure relevant priority projects are reflected in the strategy. The priorities vary across the three towns and this is reflected in the plans, but importance is placed on town centre regeneration and employment space in keeping with each area and its key industries, both of which are priority actions within the strategy.
- 4.6 The economic structure of the Torbay economy has not altered significantly in recent years and remains characterised by a heavy reliance on the service (including the public sector) and tourism sectors. There are below average levels of employment in knowledge intensive and manufacturing industries and the amount of full time employment is also below average which impacts on spending power.
- 4.7 In the short term the evidence means that there is a priority to stimulate business creation and growth which will in turn drive the need for more employment.

Key Activities

- 4.9 The strategy will prioritise the following activities:
- Town centre regeneration
 - Market led masterplanning, dovetailing with Local and Neighbourhood Plans, to identify appropriate town centre regeneration projects for Torquay Town Centre development by the end of 2013
 - Market led masterplanning, dovetailing with Local and Neighbourhood Plans, to identify appropriate town centre regeneration projects for Paignton Town Centre development by the end of 2014
 - Ensuring that the right land, buildings and infrastructure are in place to support business growth.
 - Implement local development orders for White Rock, Torquay Gateway and a town centre site to be confirmed
 - To bring forward new and revitalised employment space in the Torquay Gateway
 - Bring forward the Claylands site in Paignton for an employment scheme
 - Supporting delivery of the marine economy action plan for Torbay including seeking support for harbour infrastructure improvements in Brixham and Torquay and improved infrastructure for the fish processing sector
 - To work with the Heart of the SW Partnership and partners to increase investment in economic infrastructure in Torbay
 - Growth in and retention of small and medium sized businesses in Torbay
 - Secure funding for the White Rock Innovation Centre
 - Seek to identify funding in support of small business grants in Torbay

- Support the tourism sector through continuing to seek to extend the tourism season, increase the number of events and identify the potential for a new all weather attraction
- Support home based businesses through the creation of Workhub facilities
- Develop and deliver with partners a growth programme for businesses and social enterprises including start up support, innovation and export

4.10 Delivery of the strategy objective and the associated key activities will be through four priorities, each with an action plan setting out individual projects. These priorities reflect the need to create more jobs in the short term by **driving business growth, sustaining the core economy and raising skill levels/promoting opportunities for all**, but also to **nurture the knowledge economy** and other sectors which will increase Gross Value Added and wage levels in the medium to longer term. Each priority has a detailed action plan setting out how it will be achieved.

Driving Business Growth

4.11 This priority seeks to expand the existing business base through start ups and increase entrepreneurial activity in Torbay. Both of these are widely acknowledged as being important drivers of economic prosperity.

4.12 By driving business growth the strategy will support the creation and growth of new businesses and the jobs which come with these, building on the existing business support pathway. Funding for activities such as support to start new businesses and social enterprises, enabling access to finance and to support the growing sectors of the local economy will remain vital over the strategy lifetime because of the continued challenges that the local economy faces. This priority will ensure that an effective range of business support services and facilities are in place which will increase the rate of business start-ups, support business growth and help to create a climate of entrepreneurship.

4.13 Key activities under this priority include:

- Development of Torbay Enterprise Areas – setting up Local Development Orders and utilising the Torbay Growth Fund
- Opening up the Claylands site for development
- A business support programme including access to finance and start up support

Sustaining the Core Economy

4.14 The core sectors of the Torbay economy are largely service driven and include fisheries, tourism, retail and healthcare. The economy is heavily reliant on these core sectors meaning development and diversification of them is crucial to improving Torbay's economic performance.

- 4.15 This priority seeks to increase the attractiveness of Torbay as an inward investment destination within the core economy through improved infrastructure and a distinctive offer to promote the area. The actions promote appropriate uses of sites and premises, and facilitate their development through agreeing planning frameworks and working with developers, linked to priority sectors.
- 4.16 There are also actions designed to improve the tourism offer and support the fishing industry to enable Torbay to continue to compete in these sectors.
- 4.17 Key activities under this priority include:
- Town centre regeneration
 - Identification of a new visitor attraction
 - Supporting implementation of the marine economy action plan for Torbay, including harbour infrastructure and infrastructure for the fishing sector (such as a fish processing development)

Raising Skill Levels and Promoting Opportunities for All

- 4.18 Low skill levels and worklessness are closely linked, and this priority seeks to address the barriers to employment faced by some groups within Torbay. Based around the Work and Skills Plan the aim is to create a coordinated approach to addressing worklessness and improving skill levels. This work will be supported by the activity of the emerging Community Development Trust with its aim to promote economic and social regeneration.
- 4.19 In addition to supporting those with low skill levels the evidence suggests that Torbay struggles to retain graduates and those with higher level skills. Actions within this priority seek to address the perceived lack of graduate roles locally, particularly within core industries, and to encourage businesses and education providers to work together to ensure a suitably trained workforce is available within Torbay to allow sectors such as electronics and photonics to grow.
- 4.20 Key activities under this priority include:
- Strengthening links between local education and training providers and businesses
 - Development of a 'Torbay Works' programme – an encompassing brand under which all back to work support and provision is promoted
 - Development and delivery of a key sector workforce development programme – assessing demand for technical skills and stimulating development of a knowledge intensive workforce
 - Supporting Social Enterprise Development – Social Enterprise can help support some of the most disadvantaged in our communities back into employment. Through development of the Torbay Social Enterprise Network

this project will facilitate opportunities for social enterprise and encourage collaborative working.

Nurturing the Knowledge Economy

- 4.21 As set out above the core Torbay economy is underpinned by the public, service and tourism sectors. If we are to increase Gross Value Added and wage levels in the longer term there is a need to develop the more productive and better paid knowledge economy.
- 4.22 Manufacturing and hi tech related businesses are important components of the local economy and offer the opportunity for future growth if supported in the correct way.
- 4.23 Linked to improving skills levels and retaining graduates the actions in this priority will improve the provision of support for firms within the creative, professional services, medical and healthcare technology, electronics and engineering sectors. In addition it will raise awareness of the opportunities within these sectors for graduates and trainees.
- 4.24 Key activities under this priority include:
- Development of the medical and healthcare technology sector
 - Raising awareness of opportunities to young people and graduates by working with local businesses and education providers
 - Development of a virtual electronics and photonics innovation centre

Investment

- 4.25 The actions set out in the strategy will require significant investment to be successful. The investment will need to be secured from various sources locally, nationally and at European level. The strategy gives indicative costs for projects where they can be identified and also indicates where funding could potentially be sought. Work is already being done to secure investment through the Local Enterprise Partnership, 2014-20 European funding and development of the Plymouth City Deal. The Council and its partners will need to ensure that Torbay is well placed to influence regional partners and national government. The Council will also need, in the face of challenging budget pressures, to use its financial and non financial powers and resources to support the delivery of the strategy.

Outcomes

- 4.26 As set out above the key focus of the strategy is job creation and this is one of the main factors by which success will be measured. However, in line with the longer term goal to promote a more diverse and productive economy if the action plans within the strategy are implemented we would anticipate the following outcomes:
- Create 1900 gross new jobs by 2015

- Develop Torbay as a vibrant economy with its Gross Value Added increasing faster than the regional average by 2020
- Raise residents wage rates to 90% of the South West average by 2020
- Sustain improvements in the skills attainment of local people
- Secure investment to support delivery of the strategy and its action plan

Other relevant indicators will include:

- An increase in exports/export ready businesses
- A reduction in the number of individuals Not in Employment Education or Training/18-24 year old unemployed
- An increase in business productivity as measured by GVA
- Businesses assisted
- Improved business rate level for Torbay Council

4.27 In order for the outcomes to remain relevant it is important that the strategy is a live document. As such it is recommended that at a minimum the actions plans are reviewed annually through either the Overview and Scrutiny process or a policy development group.

5. Possibilities and Options

5.1 The political landscape has altered significantly at both national and regional levels since the previous economic strategy was produced. There is a clear need for the new economic strategy which articulates Torbay's current priorities to Government and other partners in the public and private sectors.

5.2 The way in which Government funding is allocated is changing, with more being devolved to Local Enterprise Partnerships. By continuing to use the existing strategy Torbay risks being less able to influence development of a LEP wide strategy reflecting our current priorities.

5.3 Local Authorities are increasingly being expected to have projects developed which can be implemented quickly once funding is awarded. Without the new strategy there will be no coordination of these projects meaning Torbay is likely to miss out on funding if it becomes available.

5.4 In order to secure the investment needed to promote growth Torbay must have a clear, well supported strategy in place. Adoption of the Torbay Economic Strategy 2013-18 will ensure this is the case and that Torbay is best placed to communicate its priorities to local and national bodies.

6. Equal Opportunities

6.1 An Equality Impact Assessment has been undertaken on the Economic Strategy. No major change is required and no significant negative impacts identified.

- 6.2 The economic strategy has four priorities through which we are seeking to deliver the main objective. These are designed to ensure the economic growth generated by the strategy will benefit all groups in Torbay, creating new jobs at a range of skill levels.
- 6.3 The projects set out in the strategy action plans will be required to adhere to equal opportunities recruitment policies in both the tender process and for the jobs created through them. Each project set out in the economic strategy will be required to promote equalities and the impact of the proposals will be monitored on an individual project basis.

7. Public Services (Social Value) Act 2012

- 7.1 Adoption of the strategy itself will not require any direct procurement, however, delivery of the actions plans set out within it will require the procurement of a number of services. This will include delivery of capital projects as well as revenue spend for projects such as business support.
- 7.2 Given the key aim of the strategy is to encourage economic growth and job creation in Torbay projects brought forward by the strategy will encourage the use of local businesses wherever possible. One project within the strategy includes maximising the benefits of local procurement, focussing particularly on increasing the awareness of local businesses of public procurement opportunities.
- 7.3 The TDA and Council are also working to adopt the Client Based Approach to construction which should increase the volume and quality of employment and skills outcomes through construction procurement. The strategy will look to support this approach.

8. Consultation

- 8.1 Development of the strategy has involved consultation with various groups across the Bay including businesses, social enterprise and elected members. While the strategy seeks to address many of the issues raised by businesses it does not specifically reference all of them for instance business rate levels. It is acknowledged that these issues are a challenge, particularly in the town centres, however it is felt that the economic strategy is not the appropriate vehicle through which to address them.
- 8.2 Businesses – there has been engagement with the business community in development of the evidence base for the strategy through the Business Barometer survey, individual company visits and through the English Riviera Tourism Company. The Torbay Business Forum have set out their support for the strategy.
- 8.3 Elected members – the strategy has been presented to elected members through group briefings and refined further through the overview and scrutiny process. . At its

meetings in September 2012 and April 2013 the scrutiny Board highlighted the following points, which have since been addressed¹:

- *There is a continued need to move away from a low-wage economy within Torbay to a mid- to high-wage economy.* – While there is a clear need to create jobs within Torbay the strategy also recognizes the need to improve productivity levels by nurturing the knowledge economy and improving skill levels. The links between businesses and education have been expanded and the provision of HE looked at in more detail.
- *There should be recognition that the South Devon Link Road will provide an opportunity for inward and outward migration and that everything possible should be done to ensure that skills can be maintained and enhanced within Torbay.* – Feedback from business suggests that a lack of suitable sites and premises within Torbay is impeding growth. The strategy seeks to address this by ensuring that land, buildings and infrastructure are in place to enable businesses to remain in and relocate to Torbay rather than moving elsewhere once the SDLR is open.
- *The Strategy should include targets and milestones against which success can be measured* – There are a number of milestones against which the strategy will be measured and for the proposed actions. A recommendation that the strategy is a live document reviewed annually has been incorporated.
- *The Strategy needs clear prioritisation in order to show a clear focus on what the Council (through Torbay Development Agency) can achieve. This is especially important which the increased competition for funds.* – The strategy action plans list some ambitious projects which will be challenging to fund. However, in the current economic climate there is a need to ensure projects are well developed in order to take advantage of any funding streams which become available. As such the strategy priorities a number of activities including supporting business growth, town centre regeneration and infrastructure, but does not prioritise the activities beneath these to allow flexibility.
- *The need that has previously been highlighted by the Overview and Scrutiny Board to develop and work with the voluntary and community sectors should be highlighted within the Strategy. The current work on this issue should have a clear linkage with the Economic Strategy. In particular, work to encourage social enterprise should be mainstreamed.* – The revised strategy contains a greater emphasis on social enterprise and also recognises the creation of the Community Development Trust. Torbay Social Enterprise Network have been consulted on the strategy and their comments incorporated.
- *The Council should work, through the Local Government Association, with similar coastal resort authorities to gain maximum advantage from capital funding to address broad structural issues.* – By approving the economic strategy the Council will be setting out its priorities, making it easier to identify other coastal areas with similar issues.

¹ <http://www.torbay.gov.uk/DemocraticServices/mgAi.aspx?ID=9378>

8.5 Voluntary Sector – Torbay Social Enterprise Network had the opportunity to comment on the draft and their comments have been incorporated.

9. Risks

9.1 If the strategy is not adopted Torbay will not have a clear plan for economic growth. This will make the area less competitive and there will be a high risk of not securing competitive public funds or creating jobs. Failure to improve the economic status of the area is also likely to lead to increased pressure on Council services and therefore higher costs for the Council.

9.2 Delivery of the strategy faces a number of potential risks from external sources and policy changes. A significant change in the way funding is allocated for example, or cuts to services such fire and rescue could provide challenges to growth in Torbay.

9.3 There is a risk that if the strategy is adopted but not sufficiently funded that it will not deliver the outcomes set out above.

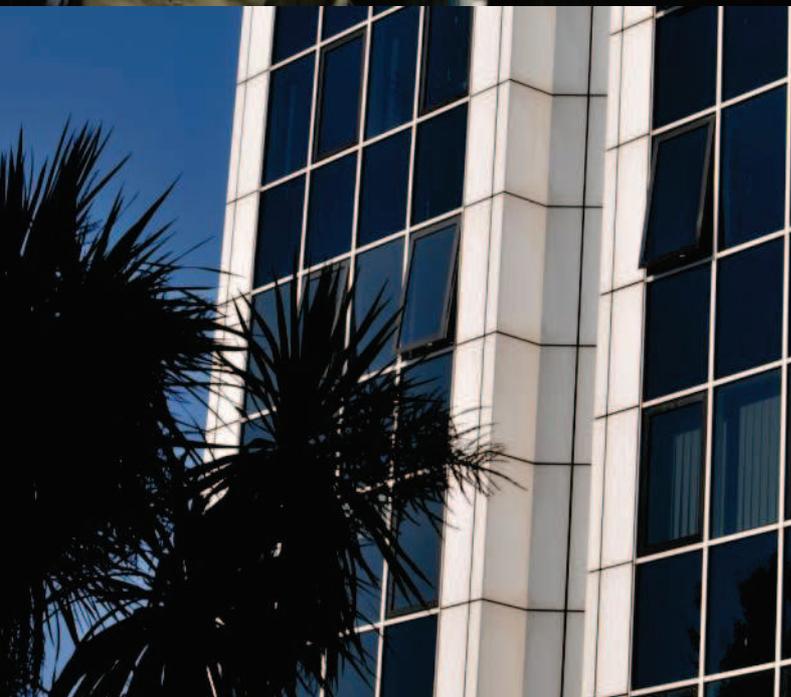
Appendices

Appendix 1 Torbay Economic Strategy 2013-18

Appendix 2 Economic Evidence Base

Appendix 3 Equality Impact Assessment

Additional Information



Torbay Economic Strategy 2013-2018



Publication date: July 2013

This document can be made available in other languages and formats. For more information please telephone 01803 208973

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Mayoral Foreword

Since becoming Mayor of Torbay I have been committed to turning Torbay's potential into the successful and prosperous economy we all want. We are a place of great economic potential. We are building the South Devon Link Road and it was my great privilege to be the Mayor of Torbay that received this funding for an investment that will be a game changer for our economy. I am pleased to report Devon has received EU Transition Status which means Torbay and more importantly inward investors coming to Torbay to create jobs and wealth will get increased EU funding and support. Over the past two years we have put considerable effort into making this happen and now we will put even more effort into making it work for us.

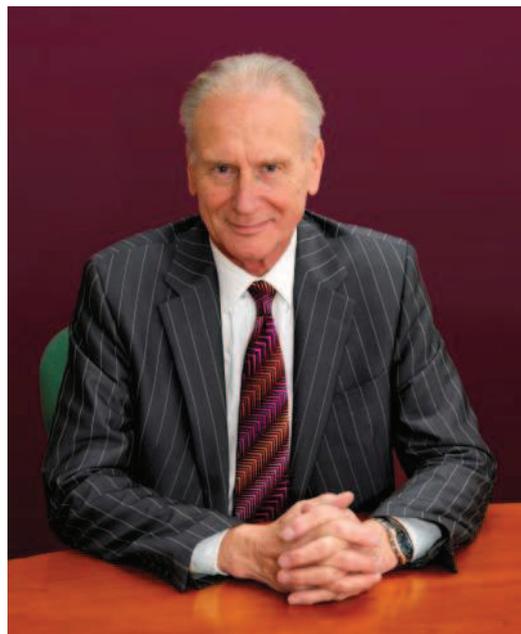
I recognise that Torbay will need to realise its economic potential by working with its neighbours. That is why I have committed to improve our partnerships across Devon. We are a key signatory to Plymouth City Deal that will boost the economy of South Devon and I have created an Enterprise Task Force with Teignbridge and South Hams. This will enable us to coordinate our efforts as we all know we are stronger if we work together. That is why I am working hard as Torbay's representative on the Heart of the South West Local Enterprise Partnership (LEP). This group is the key interface between Government, business, universities and the wider local public sector for the whole of Devon, Plymouth, Somerset and Torbay. It is my role to ensure that our whole LEP area and Torbay maximise their economic potential.

This economic strategy is about realising our potential to boost our economy. The work we have been doing over the past two years is starting to pay dividends with new businesses starting and the recent award of £1.35 million from the Coastal Communities Fund to create 350 new jobs. BT is investing significant sums so we will have superfast broadband which is vital in any modern economy. The work we are doing with our local businesses from new start ups, to saving existing jobs and creating new is delivering on my top election priority of jobs, jobs, jobs.

I understand the value of our tourism sector and have made a major commitment to it with the investment in the RICC and the support I have given to promoting events across the Bay. The partnership working we have with South Devon College, whose Energy Centre and Studio School will make a real impact on two important sectors, and the NHS are all making a tangible difference to our economic performance. We need to continue to build to make the most of the international airport we have on our doorstep, to let the world know how great our schools are and that arguably we have the best quality of life opportunities in the Country.

Since becoming Mayor I have been working to create new jobs, save jobs where they could be lost and create investment to promote the sustainable growth of our economy to improve everyone's quality of life. This Strategy includes the successes we have had such retaining Sutton Seeds within the Bay, inward investment and projects that are creating 800 jobs and the funding of approximately £320m¹ that has been invested or secured for Torbay since I became Mayor.

Gordon Oliver
Elected Mayor and
Leader of Torbay Council



¹ This figure includes grant funding, investment in the South Devon Link Road and a number of housing and private sector schemes which have begun or had funding allocated.

Executive summary

This strategy is built on a robust evidence base and provides direction to the Heart of the South West local enterprise partnership, Government and other partners on the economic development objectives for Torbay.

The strategy reflects key changes that have taken place locally and nationally in recent years. It provides a framework for the Council and its partners over the next 5 years, prioritising the creation of jobs for Torbay in the short term and leading to the sustainable growth of the local economy in the longer term.

The proposed actions seek to capitalise on the award of funding for the South Devon Link Road which presents the opportunity of improved access, productivity and attracting new investment for the area.

The strategy will be delivered against a challenging context but is building on successes which include;

- Securing Government support for the crucial South Devon Link Road
- Supporting the private sector to bring forward the development of sites including Oldway, Brixham Town Centre, the Palm Court site, the White Rock Business Park
- Securing planning consent for the third phase innovation centre at White Rock
- Creating over 100 additional jobs through growth in innovation centre tenants
- Growth of the Hi Tech Forum leading to changes in skills provision and the successful MTI conferences
- Continued support for start up businesses through the EU and Government supported programmes where over 150 new businesses have been created
- Establishment of the Ambassadors group in support of the inward investment programme which has seen three relocations and 90 jobs created in the past twelve months
- Development of an action plan for growth of the marine economy in Torbay
- Increased skills attainment in Torbay in particular moving level 3 and 4 skills levels closer to the national average.

This updated strategy and action plan sets out the context for the development of the local economy, the strategy which is being pursued and how we will measure our success.

Through the strategy, and with the local plan, we will aim:

- To create 1900 gross new jobs by 2015
- To develop Torbay as a vibrant economy with its Gross Value Added increasing faster than the regional average by 2020
- To raise residents wage rates to 90% of the South West average by 2020
- To sustain improvements in the skills attainment of local people
- To secure investment to support delivery of the strategy and its action plan

The strategy will prioritise the following activities

- Town centre regeneration:
 - Market led masterplanning, dovetailing with Local and Neighbourhood Plans, to identify appropriate town centre regeneration projects for Torquay Town Centre development by the end of 2013
 - Market led masterplanning, dovetailing with Local and Neighbourhood Plans, to identify appropriate town centre regeneration projects for Paignton Town Centre development by the end of 2014
- Ensuring that the right land, buildings and infrastructure are in place to support business growth:
 - Implement local development orders for White Rock, Torquay Gateway and a town centre site to be confirmed
 - To bring forward new and revitalised employment space in the Torquay Gateway
 - Bring forward the Claylands site in Paignton for an employment scheme
 - Supporting delivery of the marine economy action plan for Torbay including seeking support for harbour infrastructure improvements in Brixham and Torquay and improved infrastructure for the fish processing sector
 - To work with the Heart of the SW Partnership and partners to increase investment in economic infrastructure in Torbay
- Growth in and retention of small and medium sized businesses in Torbay:
 - Secure funding for the White Rock Innovation Centre
 - Seek to identify funding in support of small business grants in Torbay
 - Support the tourism sector through continuing to seek to extend the tourism season, increase the number of events and identify the potential for a new all weather attraction.
 - Support home based businesses through the creation of Workhub facilities
 - Develop and deliver with partners a growth programme for businesses and social enterprises including start up support, innovation and export

Objective & Priorities

Objective

To create more full time and sustainable employment by encouraging the growth of existing businesses and the creation of new businesses and social enterprises.

We will achieve this objective by working with the business community, third sector and other partners including the Heart of the South West Local Enterprise Partnership (HoSW). The HoSW partnership has been established with partners across Devon and Somerset and will be critical in ensuring the success of this strategy as the enterprise partnerships will be principally responsible for securing funding for economic growth. Locally the strategy will align with community aspirations as set out through the emerging Neighbourhood Plans and the Local Plan.

The objective is founded on the evidence that underpins this strategy. That evidence demonstrates that the local economy faces a number of challenges while the national and global economies continue to recover from the global recession. Particular challenges that this strategy responds to include;

- low levels of business growth,
- regionally high unemployment,
- a shortage of demand from businesses for full time labour and
- less than optimal infrastructure for business with transport and premises issues regularly being highlighted as barriers by business.²

Torbay does benefit from strong levels of business start ups and has seen improvements in wage rates and skills attainment. It remains by nature of its natural assets and low costs for premises and labour an attractive place in which to locate and grow a business, particularly as the key business infrastructure improves.

Businesses in Torbay have access to European and UK markets, a skilled and motivated workforce, access to research and development, and competitive operating costs. Torbay today offers companies a rare combination of quality of life and quality of opportunity which is enhanced by the approval of the South Devon Link Road. The road will act as a major stimulus for growth in the area, improving access to Torbay, helping businesses get products to external markets more quickly and complementing additional investment in the infrastructure serving Torbay which will encourage faster growth.

Cost effectiveness and affordability are key considerations for business. Rents in Torbay are lower than other parts of the country. The property portfolio is improving with business parks, incubation units and planned developments offering competitively priced space for all types of businesses. This strategy also explicitly identifies the need for space to be brought forward more quickly to accelerate local growth.

² Torbay Development Agency Business Barometer 2012

Employers can benefit from an available workforce with good skills and a low staff turnover rate. Torbay has a higher than average proportion of the working population with NVQ1 and NVQ2 qualifications, and with the help of a progressive local education sector, skill levels continue to improve ahead of regional and national averages. **Torbay offers real opportunities for local businesses and inward investors.**

An indication of the gross full time jobs³ which could be created if a number of committed, contracted, planned and proposed sites and projects come forward is set out below. These are indicative figures and based on the projects and sites being fully developed.

	Gross new FTE jobs
2013-15	
Committed	745
Contracted	530
Planned	295
Proposed	330
Sub Total 2013-15	1900
Indirect jobs	285
Construction jobs (excluding SDLR)	480
Total 2013-15	2665
2016-18	
Planned	1150
Proposed	1160
Sub Total 2016-18	2310
Indirect jobs	347
Construction jobs (excluding SDLR)	720
Total 2016-18	3377
Grand Total	6042

Committed projects are those which are either in progress or due to start on site shortly. These include Brixham Town Centre, Oldway Mansion and the Energy Centre at South Devon College.

Contracted projects are those where the Council or TDA provides a contracted service which will create jobs, for example business support provision and the Innovation Centres.

Planned projects are those with either a submitted planning application or consent, or where a procurement process is underway. These include Claylands and Clennon Valley.

Proposed projects are those at an early stage or which have yet to secure funding. These include Torquay and Paignton Town Centres and the White Rock Innovation Centre.

³ The job numbers referenced in the table are gross, and therefore do not take into account the issues of deadweight (jobs that would have been created anyway) and displacement (jobs that would have been created elsewhere).

The above projects will result in estimated capital investment from the private and public sectors of circa £400 million over the strategy period.

In order to achieve this projected growth a range of actions are set out in this strategy which will support growing businesses and inward investments. That growth will in turn enable the Council to benefit from incentives such as Community Infrastructure Levy, New Homes Bonus and the Business Rate Retention proposed by Government.

The indicators which impact on the local economy are set out in detail in the supporting evidence review. The data there demonstrates the mix of sectors which are dominant, wage rates, productivity of business and the number of full time jobs available in the economy. These are all indicators of concern as confirmed by childhood poverty figures. However there are positive trends being seen on business start ups and on skill levels.

Torbay Council, through both this updated strategy and the Local Plan, is setting out that its overwhelming objective in the short term is to create more full time employment. To do this means encouraging innovation and ensuring that the Council uses its powers and services to support businesses in making the decision to invest in Torbay.

This updated strategy and action plan sets out that there is a need for the local economy to respond to changing market conditions by ensuring that the assets of Torbay are best harnessed for sustainable economic growth. These assets include the natural environment of the area which underpins the tourism, and other core, sectors of the local economy and the growing skills base that exists in the local workforce and underpins potential future growth of the alternative economy. The entrepreneurial assets evidenced by business starts and the physical assets of the area which will be enhanced by the South Devon Link Road are also important factors in Torbay's future growth.

The strengths of the Torbay economy are set out in more detail in the following SWOT analysis, alongside the weaknesses, opportunities and threats the strategy will need to address if it is to be successful in creating the jobs required.

SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> ○ Continued business services growth ○ Enterprising economy ○ Attractive natural location – the maritime environment and proximity to Dartmoor ○ Quality of life ○ A leading tourism destination ○ Active business community influencing the public sector ○ Programme of business support from local and regional partners is coherent ○ Outstanding South Devon College, already providing some courses linked to identified growth sectors. ○ Cost advantages to businesses - competitive wage and rental costs ○ High quality healthcare and research through the hospital ○ New Energy Centre at South Devon College ○ Improving higher level skills ○ Hi-Tech Forum is a world-class network which offers the potential for further specialization ○ Potential for clustering through links between the hi tech sector and other growth sectors including medical technology and healthcare ○ Developing Social Enterprise Network 	<ul style="list-style-type: none"> ○ Peripheral location ○ Coastal location limits size of market for local services ○ Transport links within Torbay, for example the Western Corridor ○ Low levels of flexibility & skills in local labour market, particularly higher level skills ○ Lack of serviced premises for employment ○ Too few businesses growing past VAT threshold/lifestyle businesses ○ Low GVA per head, linked to the decline in higher value employment and manufacturing ○ Increasing levels of deprivation and worklessness – in particular child poverty ○ Low (and decreasing) levels of job density ○ Ageing population ○ Lack of R&D and weak links with universities ○ Reputation as holiday destination rather than a business centre ○ High levels of economic inactivity and benefit claimants ○ Housing affordability ○ Struggling town centres

Opportunities	Threats
<ul style="list-style-type: none"> ○ South Devon Link Road as a catalyst for growth ○ Business Growth Fund offering incentives for growth ○ Development of key sectors in particular high tech engineering and healthcare ○ Capitalise on demands of ageing population to become a market leader within the healthcare sector ○ Develop retail offer ○ Implementation of tourism strategy ○ Improvement to rail and other forms of public transport (frequent ferry and investment in cycle network) ○ Green economy, SW Energy Centre and Marine Energy Park ○ Plymouth City Deal ○ Skills development ○ South Devon College and the growth of Higher Education ○ Development of stronger links with Universities for knowledge transfer and graduates ○ Increased use of Innovation Centres to foster new growth through the building of a third centre. ○ Engagement of knowledgeable older works within the labour market ○ Independent traders – less reliance on big chains ○ Support the language schools in promoting the area and establishing links with new places ○ Develop private sectors ability to supply public sector ○ Strengthened inward investment and promotional activities ○ Collaboration with, and influence of, the Heart of the SW Local Enterprise Partnership ○ New local plan ○ The emerging Community Development Trust ○ Growth through local and business to business procurement 	<ul style="list-style-type: none"> ○ Continued reliance on Tourism & Hospitality sector (highest in the country) ○ Dominance of part time and seasonal employment ○ Reliance on shrinking public sector employment with sustained government funding cuts ○ Impact of benefit reform ○ No university means a lack of graduate retention with 18-30 workers and young talent leaving the Bay to continue their education ○ Competition from other areas of the region, e.g., Exeter, Newton Abbot, Plymouth and Taunton, for funding and inward investment ○ Climate change and flood risk ○ Reduced funding for regeneration & economic development ○ Political instability ○ Lack of investment in transport links ○ Lack of investment in town centres ○ Lower wage costs overseas ○ Investment incentives on offer elsewhere

Priorities

The objective set out above will be delivered through a number of priority actions. These reflect the need to create jobs in the short term but also to grow the knowledge economy and more productive sectors in the medium to longer term.

Priority 1- Driving business growth

This priority will expand the existing business base and increase entrepreneurial activity in Torbay. Both of these are widely acknowledged as being important drivers of economic prosperity. They are important because the creation and growth of new businesses typically creates more jobs than the development of more mature businesses. The presence of enterprising and innovative businesses also increases productivity by improving processes and bringing new products and services to the market.

Delivery of activities such as support for new businesses and social enterprises, connecting growing businesses with access to finance and supporting the growing sectors of the local economy will remain vital because of the continued challenges that the local economy faces.

Key in supporting this entrepreneurial and business growth will be links to the emerging LEP Smart Specialisation Strategy. Being developed as part of LEPs EU Structural and Investment Fund Strategy smart specialisation will focus on the sectors and clusters which drive innovation with the Heart of the South West area. To capitalise on this a number of the activities below focus on the Hi Tech and high value sectors which have been identified as key to driving innovation, and on providing the commercial space required to make Torbay a destination for this type of business.

It is also recognised that competitive economies tend to be those with clearly identifiable specialisms or clusters of activity, which stimulate productivity growth. The actions here will seek to engage businesses in networking with others in their sector, or in related industries to improve local supply chains, inter-firm trading and help to strengthen local clusters.

Activities to be delivered under this section will ensure that an effective range of business support services and facilities are in place. These aim to increase the rate of business start-ups, support business growth and help to create a climate of entrepreneurship. They support businesses by providing advice, facilities and the services they need in their different stages of development.

Key actions

- Torbay Enterprise Areas – The enterprise areas are key development sites within Torbay. Financial incentives through the Torbay Growth Fund will be complemented by Local Development Orders enabling suitable businesses to move onto the sites quickly and with reduced planning restrictions.
- Claylands – One of the sites identified as a potential enterprise area is Claylands. Closely linked to the existing industrial areas in Paignton there has been a great deal of interest from businesses in the site. However, the challenging rental market in Torbay means the cost of servicing the site makes development prohibitively expensive. By putting the servicing in place the site will be opened up for employment use and job creation.

- Business support programme – Torbay currently has a successful business support programme, and the continued development of this is essential to delivering the objective of this strategy. This action will include support for start up and existing businesses such as access to finance and business mentoring and advice.

Priority 2- Sustaining the core economy

Retaining investment and strength in the core sectors of the economy is critical to the economic performance of an area. The core sectors of the Torbay economy include fisheries, tourism, retail and healthcare. These sectors account for a large proportion of employment within the Bay, with 23% of people employed in the healthcare sector and one in six people (17%) in employment in the Bay working within tourism related industries. Fisheries continue to be an important part of the economy for Brixham in particular and the strengthening of this is identified within the Neighbourhood Plan.

Strengthening and adding value to these sectors will require that the connectivity and accessibility of Torbay is optimised and quality of life for workers and businesses is enhanced. As global and national competition for investment intensifies Torbay needs to ensure it provides attractive locations to enable investment, and a distinctive offer to promote the area.

The activities here seek to increase confidence in the local economy and for inward investors through planned infrastructure improvements and other investments that support the traditional sectors of the local economy namely tourism, retail and fisheries. The actions promote appropriate uses of sites and premises, and facilitate their development through agreeing planning frameworks and working with developers, linked to priority sectors.

Key actions

- Town centre regeneration – Businesses and the community have highlighted town centre regeneration as essential to improving the Torbay economy. A number of projects have been identified within this action including a development of a Torquay town centre regeneration scheme, redevelopment of Station Lane in Paignton and identification of a new use for the Coastguard Station in Brixham.
- Identification of a new visitor attraction – The tourism strategy highlights the need to identify new visitor attractions to diversify the Torbay offer.
- Supporting an expansion of events to extend the tourism season – In addition to the visitor attractions detailed above the strategy also supports the need to extend the tourism season by developing through projects such as development of activity sports and the creation of a training hotel.
- Supporting delivery of the marine economy action plan for Torbay including harbour infrastructure and infrastructure for the fishing sector – The marine economy action plan details a number of activities to better use our coastline which are supported through the strategy. This includes development of a fish processing park to retain the value of the catch locally, Torquay Harbour Extension, development of the Northern Arm in Brixham and development of the marine science sector.

Priority 3 – Raising skill levels and creating opportunities for all

Skills are a critical driver of competitiveness and productivity. Skilled workers are more readily employed, and once at work are more productive and have the capability to take on more complicated and productive tasks. Conversely, low educational attainment and skills levels are often cited as one of the principal reasons for productivity gaps between different areas of Great Britain, and between Britain and other countries.

Closely related to low skill levels, worklessness is often characterised by multiple disadvantage. Some categories of individuals face a number of barriers to participating in the labour market and a higher risk of being workless. The activities here, based on the Work & Skills Plan, seek to co-ordinate local interventions in this area, improving productivity through workforce training and aligning education provision with business needs. Within this there is also a need to ensure those in need of employment in Torbay have improved access to opportunities across the wider South Devon area. This work will be supported by the activity of the emerging Community Development Trust with its aim to promote economic and social regeneration.

Skill levels within Torbay continue to improve at most qualification levels. This improving picture is testament to the work which has been done in this area by a number of partners. However the number of working age residents qualified to NVQ level 3 and 4 remains below the regional and national average, as the economy develops and higher skills are required this will need to be addressed if the economy is to grow.

While school attainment is good, this consistently lower proportion of working age residents qualified to the highest level could be due, in part, to a lack of graduate roles within the Bay. Talented young people do not see opportunities within the Bay so choose to move away. By developing key sectors in the economy and working with businesses to highlight graduate roles this is a trend which can be reversed.

While there is no university in the Bay, South Devon College, working in partnership with Plymouth University enrolled 500 students onto its Higher Education courses in 2012. Many of the emerging sectors in the Torbay and South Devon economy require graduate level skills, and the College has identified that to achieve this growth, an increasing supply of graduates is needed with skills in these areas. The College's higher education curriculum provision maps well to the identified local priority sectors and there is a strong shared ambition to grow the availability of HE provision locally.

To improve the skills of existing employees this strategy supports improved collaboration and links between local business and higher education institutions. Developing the right mix of courses and increasing awareness of the jobs available within Torbay, for example within the hi-tech and manufacturing sectors, will ensure a trained workforce is available locally and does not need to be recruited from elsewhere.

There is also a need to ensure training is available locally in more specialist sectors such as fish processing, adding value to the Brixham catch by ensuring it is prepared in Torbay rather than transported to other parts of the country.

Key actions

- Strengthening links between local education and training providers and local businesses – Feedback from local employers suggests school leavers are not always employment ready, or lack the specialist skills needed in specific industries. By better linking the needs of employers with local education and training providers we can ensure local school leavers can meet business needs.
- Development and delivery of the Torbay Works Programme – Torbay has an above average unemployment rate, and the need to address this is identified within the strategy. By creating a 'one-stop shop' for back to work support under the Torbay Works banner the process for securing employment will be simplified.
- Development and delivery of the Key Sector Workforce Development programme – There is a need to work with businesses to identify specific skills gaps and priorities, before working to address these. This project will develop programmes which meet business needs and give people within Torbay the skills needed to meet the identified gaps.
- Supporting Social Enterprise Development – Social Enterprise can help support some of the most disadvantaged in our communities back into employment. Through development of the Torbay Social Enterprise Network this project will facilitate opportunities for social enterprise and encourage collaborative working.

Priority 4 – Nurturing the knowledge economy

There is a growing understanding of the strengths and weaknesses of the local economy in relation to the distribution of businesses across sectors of the economy. Manufacturing and hi tech related businesses remain important components of the local economy and offer the opportunity for future growth if supported in the correct way. The importance of improved broadband speeds and use of ICT in growing the knowledge economy should not be underestimated. As such there is a need support local businesses to exploit the opportunities available through ICT, ecommerce and the superfast broadband across Torbay.

Torbay is already home to a number of advanced electronics businesses. Silicon Valley headquartered businesses like Oclaro and Spirent are thriving, alongside homegrown successes like Syntech Technologies. Add in Gooch & Housego, Digitron, Eltek Semiconductor and the Hi-Tech Forum is a world-class network which offers the potential for specialisation and further growth alongside related sectors including medical technology and healthcare. The success of the Torbay Hi Tech Forum demonstrates that companies are enthusiastic about the opportunities of collaboration to promote the area as a career location, to improve links between education and the knowledge sectors and to grow their businesses.

Torbay has high potential in marine related industries. Astra Zeneca continues to maintain its world-class Environmental Laboratory research facility at Brixham. Marine life and environmental research is also boosted by the presence of two leading universities; Plymouth and Exeter plus South Devon College, creating opportunities for a regional network of research and development.

Torbay is at the heart of a strong health-based research corridor running from Exeter to Plymouth, taking in the renowned Peninsula Schools of Medicine and Dentistry. The Horizon Centre, based at Torbay Hospital is also a centre of excellence operating as a hub for many

innovations. This environment offers opportunities for entrepreneurial start-ups to supply assisted living and related healthcare technologies.

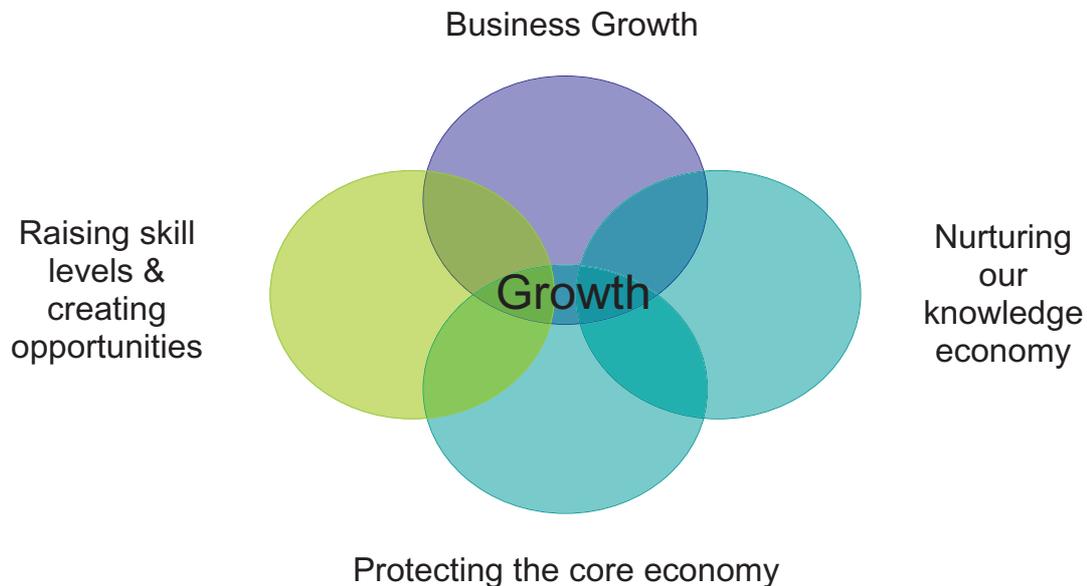
It is recognised that sectors such as these which could benefit from specialised advice, marketing, and research and development need to be supported. The activities set out here will improve the provision of specialised support for those firms. Research carried out by the TDA has clearly evidenced that many companies are concerned about recruitment of talent into their business and there is a requirement for a concerted campaign to raise awareness of the opportunities open to people here both graduates and school age children. Other issues that will be addressed include improving support for businesses in identifying and submitting bids for appropriate funding and improving supply chain connections.

Key actions

- Development of the medical and healthcare technology sector – Torbay has an above average older population coupled with assets such as Torbay Hospital and an established Hi Tech sector. The strategy identifies development of a medical/healthcare cluster as a real opportunity to grow knowledge based employment in Torbay.
- Improving technical skills in support of the local hi tech sector – Torbay has a legacy of Hi Tech businesses who are keen to remain in the Bay, but to do this they need to be able to recruit suitably trained employees locally, By raising awareness of the opportunities for young people in the sector the future of the sector can be secured.
- Further expansion of local higher education provision – Torbay currently loses many of its graduates, who relocate for university and do not return until later in life. Development of HE provision will support graduate retention within Torbay.

Delivery

The priorities and actions contained in this strategy are proposed to create the conditions for sustained job growth in Torbay.



Delivery of this strategy will require leadership from the Councilman strong working relationship with the private sector and other partners and investment. The Council's economic development company, Torbay Development Agency, will be instrumental in delivering the actions alongside other partners which will include the HoSW LEP and others.

Council leadership of this strategy will be critical and it will be important that relevant corporate policies and functions are aligned to support the objective and priorities set out in this strategy and to maximise the opportunity to successfully deliver the objective. The Council and the wider public sector continue to have a major influence on the economy of Torbay, both as employers and as large buyers of goods and services.

Delivery of this strategy will require significant investment from the private and public sectors. Proposals such as the enterprise areas with Local Development Orders are designed to make it easier for the private sector to invest in Torbay. Turning to public sector funding the way in which Government seeks to allocate funding is changing. Government endorsement of Lord Heseltine's report⁴ means a significantly increased role for LEPs in driving economic growth. As such the growing importance of the HoSW LEP and the role it will play in setting strategic priorities and allocating funding in the future should not be underestimated.

From 2014 onwards European funding which Torbay has historically benefitted from will be channelled through LEPs, and from 2015 a large proportion of Government funding will be allocated into a 'Single Local Growth Fund' which LEPs will bid into. This strategy will form the basis for Torbay's case for investment and it will be important to ensure links are made between the strategy and the LEPs emerging EU prospectus.

⁴ "No stone left unturned" October 2012

Action plan

The projects set out here are proposed as a specific response to the economic evidence and to promote the immediate priority of creating jobs. The action plan will be crucial in influencing the Heart of the SW Enterprise Partnership strategy and ensuring that the investment priorities for Torbay are understood and supported by the activities of the HoSW partnership.

The action plan also prioritises key actions which are aimed at addressing issues which businesses agree are affecting the Torbay economy such as shortage of appropriate sites and premises (40%), a weaker than desired infrastructure (70%), low levels of business growth (93%) and lack of skilled workforce (45%)⁵. Together these actions form a package of activity, setting out how a combination of well developed, interlinked projects can grow the Torbay economy and create jobs over the lifetime of the strategy and beyond. This joined up approach is essential if Torbay is to successfully bid into future Government funding, as is ensuring projects are developed to a level where they can be implemented quickly.

The actions include a number which have been drawn from other strategies including:

Work & Skills Plan - The focus of the Work and Skills Plan is concerned with creating a healthy labour market and improving the employability of local residents, within this helping people back into work and ensuring that individuals are encouraged to develop their skills once in employment in order to maintain their employability and progress within the labour market. Delivery of the projects under this area will improve in young people's career aspirations and positive attitude towards work and specifically it will

- An increase in the number of local residents in sustainable employment.
- Improved engagement between local schools and other training providers with businesses in key growth sectors.
- Improved opportunities and local career prospects for graduates and higher level skilled residents. An increase in skills provision appropriately delivered to meet articulated business need.

Emerging Local and Neighbourhood Plans – The strategy has drawn heavily on the evidence base collated for 'A Landscape for Success', the emerging Local Plan. The Local Plan will be closely linked to delivering the objective of job creation set out in this strategy and as such many of the priorities set out in the planning document are reflected below including:

- More vibrant town centres
- Creation of employment space

⁵ Autumn 2012 Business Barometer Survey

- Work to develop the existing tourism offer while developing new opportunities linked to key sectors such as marine
- Identification of the top class research and development facilities available within the hi tech industry in Torbay

The Neighbourhood Planning process in Brixham, Paignton and Torquay is ongoing. We recognise the importance of these documents alongside the Local Plan and have sought to include projects which are identified within them which will deliver economic growth. The actions vary across the three towns and this is reflected in the plans, but importance is placed on:

- Town centre regeneration
- Employment space in keeping with each area and its key industries

Maritime Economy Action Plan - The focus of the Marine Economy Action Plan is to assess the potential for development of the marine economy in Torbay. It identifies opportunities and appropriate actions needed to deliver outcomes which are linked to the economic strategy. These outcomes will include:

- An increase in the number of businesses operating in the marine economy.
- An increase in the number of people employed in the marine economy.
- An increase in the proportion of people employed all year round in the marine economy.
- An improvement in the productivity of existing marine economy businesses.
- Stimulating or identifying new markets for marine businesses to provide goods and services for.
- Attracting new marine economy and businesses into Torbay.
- Enhancing the existing forum offer.
- Enhancing and sustaining the environment and Torbay's natural assets as well as enhancing opportunities for disadvantaged people in Torbay.

Tourism Strategy – Tourism continues to be an integral part of the Torbay economy, with 17% of the workforce employed in tourism related industries, and is supported through the English Riviera Tourism Company. However, the Tourism Strategy demonstrates that Torbay can no longer rely on traditional long stay tourism, and that the industry must diversify to meet the needs of the modern holiday market. It identifies five key opportunities for growth;

- Maritime leisure
- Agatha Christie legacy
- Global Geo Park Status events, Festivals and exhibitions
- Business tourism

Driving business growth

These actions are proposed in order to expand the existing business base and increase entrepreneurial activity in Torbay. Both of these are widely acknowledged as being important drivers of economic prosperity. They are important because the creation of new businesses and the growth of young businesses typically creates more jobs than the development of more mature businesses. The presence of enterprising and innovative businesses also increases productivity by improving processes and bringing new products and services to the market.

Project Name	Description	Likely Outcomes	Scheme Cost	Potential External Funding Source
Access to finance	Work with banks, intermediaries and specialist lenders to raise awareness of funding options for growing businesses and improve their investment readiness.	<ul style="list-style-type: none"> Increased success rates for businesses in securing external investment in support of their growth. 	To be confirmed	EU Funding
Torbay Enterprise Areas	<p>A twin track approach to accelerate investment and growth in key areas. This action will introduce a Torbay Growth Fund. This new investment fund will be for Torbay's growing businesses. Expected to be delivered from April 2013.</p> <p>Complementing the financial investment Local Development Orders will also be introduced in three areas to give confidence to</p>	<ul style="list-style-type: none"> Provision of new employment space at the location of local development orders. New jobs. Improved business rate revenues 	£1,000,000	Funding Secured

<p>Collaborative Project Development for Hi Tech and High Value sectors</p>	<p>businesses that their growth plans can be supported and delivered.</p> <p>This action is primarily demand driven based on the existing and future needs of companies already in Torbay but also to ensure that those considering investment can see clearly that locally there is a planned programme of sector skills development activity. To date work has begun with South Devon College and NAS to develop an electrical engineering framework. Centrax have also stated that they would be willing to provide 'half baked' apprentices which is another potential avenue that both hi tech and manufacturing forums could take advantage of.</p>	<ul style="list-style-type: none"> It would be hoped that other apprentice frameworks or training needs could be identified that supports the Forum. Industrial placements would also help here and help to provide real experience. Member companies would be encouraged to announce available placement opportunities to school/college/university students providing much needed real experience and also an opportunity to promote the Forum on various levels. 	<p>To be confirmed</p>	<p>EU Funding</p>
<p>Maximising the benefits of local procurement</p>	<p>This activity would provide training from the Council, in conjunction with the TDA and Federation of Small Businesses to increase the number of local businesses aware of public procurement opportunities.</p> <p>The project will also promote the benefits of social value which can be added through the procurement</p>	<ul style="list-style-type: none"> Increased amount of Council spending retained within local economy. 	<p>To be confirmed</p>	<p>Public sector to be identified</p>

	process and encourage private sector companies to utilise the local supply chain.			
Marketing to Businesses and Students	<p>The Hi-Tech Forum has expressed the need for more awareness raising of the Torbay sector strengths and forum ongoing to support inward investment activities. This activity will provide a slide deck, images and other associated detail and can be adapted to fit.</p> <p>Many of our larger organisations may find this useful to encourage their head office to consider putting more of the business in their Torbay satellite.</p>	<ul style="list-style-type: none"> Improved awareness of the strength of the hi tech sector within the local economy. Stronger connections between local schools and the key growing sectors in the local economy 	To be confirmed	Public sector to be identified
Preparing for Export programme	Implement an export programme supported by UKTI and local exemplar businesses. Learn from successful examples such as Export Cornwall. To be specified but look for extra UKTI assistance to support new to export businesses and would require advisory resource, access to market information, support in securing export licenses etc	<ul style="list-style-type: none"> Increased numbers of businesses exporting from Torbay. 	To be confirmed	EU Funding UK Trade & Investment
Torbay enterprise and business	To enable the TDA to directly deliver a comprehensive programme of	<ul style="list-style-type: none"> Businesses assisted Job creation 	£2,000,000	EU Funding

improvement programme	business support to raise productivity, rates of enterprise and growth across both the traditional and social business stock. This builds on the current focus on enterprise creation and extends this to include business growth. This would programme would incorporate; intensive start up support, enterprise coaching, access to finance and business mentoring advice.	<ul style="list-style-type: none"> Improved business productivity 		
Torbay ICT Adoption	To help businesses make investments that will exploit the opportunities of superfast broadband provided by Next Generation Broadband. This activity will focus on both targeted business investment aimed at significantly increasing the GVA of high growth businesses in Torbay by maximising the opportunities that will arise with the roll out of NGB as well as demand stimulation and basic ICT skills.	<ul style="list-style-type: none"> 200 businesses assisted Improved business productivity 	£868,500	EU Funding
Barton Landfill	Site currently a heavily contaminated former land fill. Project to promote a sports pitch scheme with ancillary employment.	<ul style="list-style-type: none"> Employment opportunity / Sports Opportunity or a combination of both 'Brown Field' development of a problem site Potential capital receipt if 	To be confirmed	Public & private sector to be identified

Claylands	Employment opportunity to provide a range of unit sizes to support local business expansion and inward investment. Scheme would require substantial infrastructure works to include land stabilisation, remediation and highways access.	<ul style="list-style-type: none"> • employment use • Substantial employment generation if employment • Employment opportunity • Support local business expansion and inward investment • Focus for grant applications • A tool to advance town centre redevelopment through strategic relocation 	£1.75m for highways access, surveys, estate road, site preparation. Build costs inc fees (excluding finance) = £6.1 m (B1 / B2 industrial) or £22.5 m (B1 office).	Growing Places Fund
Old Mill Road	Proposed scheme to refurbish, refit and enhance the existing school on Old Mill Road to provide business start up accommodation with high grade sustainable and energy efficiency features. Demolition of external classrooms and rebuild 250 m2 B1 business unit / workshop.	<ul style="list-style-type: none"> • Support the Local Centre • Catalyst for regeneration 	Approx £600k	Private sector

Sustaining the core economy

Retaining investment and strength in the core sectors of the economy is critical to the economic performance of an area. This often means ensuring that the connectivity and accessibility of the place is optimised and the quality of life for workers and businesses is enhanced. As global and national competition for investment intensifies Torbay needs to ensure it provides attractive locations to enable investment, and a distinctive offer to promote the area.

Project Name	Description	Likely Outcomes	Scheme Cost	Potential Funding Source
Create Northern Arm breakwater in Brixham.	This project would consist of the construction of a Northern Arm Breakwater in Brixham, this would enclose the open water area of the outer harbour to provide calmer wave conditions and a safer harbour in all weather conditions, this would allow for increased use by existing users and development of further leisure opportunities (including additional marina facilities)	<ul style="list-style-type: none"> • Increase the useable water space in Brixham harbour for leisure and commercial use. • Provision of shoreside space for a variety of employment uses, particularly marine engineering. 	£30,000,000	Public Works Loan Board & other public sources to be identified Private sector
Development of a Fish Processing Park (FPP).	Brixham is home to a productive fishing fleet – one that lands the highest value of catch in England (£21.7m). At present little value is added to the catch locally and the project aims to address this by expanding the	<ul style="list-style-type: none"> • Increased retention of the proceeds of the fishing industry locally. • Improved branding of Torbay fish. • Increased employment in the fisheries sector. 	To be confirmed	EU Funding Fisheries Fund

<p>Torquay Town Centre</p>	<p>existing fish processing capacity and developing a purpose built Fish Processing Park (FPP).</p> <p>A town centre regeneration scheme to attract higher order retailers to Torquay.</p>	<ul style="list-style-type: none"> • Revitalise Town Centre • Arrest Retail leakage to Exeter, Plymouth, Newton Abbot & the Willows • Place changing transformation • Enhance visitor experience / boost to tourism • Quality of life improvements to residents / Pride in the Bay 	<p>£200M+</p>	<p>Public & private sector to be identified</p>
<p>Station Lane</p>	<p>Multi interest town centre regeneration and public realm improvement scheme following the Paignton Library scheme and Station Square improvements. Includes, the fundraising, renovation and restoration of the Paignton Picture House with the Devon Historic Building Trust and National Trust. Redevelopment to include pavilion retail, Bar café, Hotel, sheltered housing, residential. Improvements to the transport infrastructure.</p>	<ul style="list-style-type: none"> • Public realm improvements including the establishment of the Paignton Town square and Station square. • Restoration of a grade II* heritage cinema. EH building at risk, providing an important visitor facility and attraction. • Catalyst for regeneration. • Investment in deprived ward • Improved transport infrastructure 	<p>To be confirmed</p>	<p>Public & private sector to be identified</p>
<p>Brixham Town Centre</p>	<p>Support development of a town centre regeneration scheme</p>	<ul style="list-style-type: none"> • Revitalise Town Centre • Improved infrastructure 	<p>£20m</p>	<p>Private sector funded</p>

<p>Redevelopment</p>	<p>within Brixham.</p>		
<p>Torquay Harbour Extension</p>	<p>Extend Haldon Pier by approximately 300m to the SW and dredge the seabed to allow cruise ships to berth alongside the inner face of the new harbour wall. Additional alongside berthing at Princess Pier and a possible location for the fast ferry terminal. Pontooning the inner harbour and creating additional marina berths by the existing marina. Additional car parking at Beacon Quay and proposals to consider a new dinghy platform off Haldon Pier by Living Coasts.</p>	<ul style="list-style-type: none"> • Cruise ships and fast ferries to Torquay and Torbay • Supporting existing local businesses with increased tourism • Employment opportunities • Income from marina extension and inner harbour pontooning • Increased business rates from the marina extension • Berthing fees from cruise ships • Additional car park income 	<p>To be confirmed</p>
<p>Torquay Pavilion & Marina Car Park</p>	<p>To retain the existing car park and build a 4* + hotel and private, open market apartments above, with cafes, restaurants and a small element of retail, all at ground floor fronting the inner harbour. To improve the public realm adjacent to the inner harbour. To repair the structure of the Pavilion and refurbish it to include the public areas of the</p>	<ul style="list-style-type: none"> • Year round employment at the hotel, cafes, restaurants • Extending the hotel offer in Torbay with a 4*+ hotel • Adding to the local economy • Restoring the Pavilion and creating a viable use for the building • Improving the build environment along the inner harbour and masking the car park • Improving the public realm by the inner harbour, Fish Quay and in front 	<p>£20-25m</p> <p>Private Sector</p>

	<p>hotel (reception, bar, restaurant, spa). Landscaping and car parking within Cary Green, retaining Peaceful Cottage and the ziggurat.</p>	<ul style="list-style-type: none"> • of the Pavilion • Creating an active frontage along the inner harbour • Extending Torquay's restaurant offer, esp. evening offer around the harbour • Retaining current levels of income (rent) to the authority 		
<p>Supporting and developing skills in marine sectors</p>	<p>A number of skills gaps have been identified in marine sectors across Torbay including within the fishing industry. A project building on investment by South Devon College to develop marine based provision, including a marine centre of excellence to support all sub sectors is proposed to support this (this would link with other key developments such as the planned centre of excellence for water sports).</p> <p>Marine science is an underdeveloped sector within Torbay. The location of Astra Zeneca within Torbay presents an opportunity to build the marine science sector and develop a health corridor running from Exeter through Torbay to Plymouth and</p>	<ul style="list-style-type: none"> ■ Encourage marine businesses to take on apprentices ■ Test feasibility of a marine science field station. ■ Establish marine biology courses ■ Promote Geopark marine environs ■ Encourage work based diplomas ■ Create greater community involvement in watersports through support for volunteering. <p>The development of knowledge infrastructure such as field stations and higher education provision will help create the conditions for growth in the marine science sector in the future.</p>	<p>To be confirmed</p>	<p>To be identified</p>

	encompassing the Peninsula Medical school and Devon's two universities.				
Maximise benefits of the Marine Energy Park and renewable energy opportunities	The importance of renewable energy continues to grow, and Torbay is well placed to explore the potential of this.	Continued exploration of the opportunities available for Torbay's businesses as part of the South West Marine Energy Park.	To be confirmed	To be identified	
Development of activity sports (rock climbing, coast steering etc).	This project would create Integration of maritime leisure activities into generic brand/marketing activities, competition for water sports, events from other destinations that have better facilities and are prepared to 'pay more and provide more for free'		To be confirmed	To be identified	
English Riviera Tourism Academy	The 2010-2015 Tourism Strategy for Torbay outlines the importance of tourism and leisure as a priority sector for development. One of the key actions from the Strategy to enable growth is to encourage all tourism businesses to take part in quality training programmes to improve customer service and quality.	To create a well developed training programme to develop the skills in the tourism sector in support of higher level skills and the Council's objectives for the sector.	£1,000,000		Coastal Communities Fund

Clennon Valley	Procurement of replacement or refurbished sports facilities at Clennon Valley. Potential for additional tourism and leisure facilities.	<ul style="list-style-type: none"> • Employment opportunity • Support local tourism offer • Provide improved sporting facilities for residents 	To be confirmed	Private sector
Brixham Coastguard Station	The Coastguard station will cease operations in 2014. It is a landmark building on the harbourside in Brixham which has been identified as a potential all weather tourist attraction such as a heritage centre or marine science facility. This project will explore potential uses for the station and how it can best be used in future.	<ul style="list-style-type: none"> • Identification of preferred use for Coastguard Station • Creation of an all weather tourist attraction with wider benefits for Brixham 	To be confirmed	Public & private sectors to be identified
Public sector 'hub'	Development of a proposition for inward investors, which could include national Government relocations.	<ul style="list-style-type: none"> • Opportunity to create skilled jobs • Increased prominence of Torbay 	To be confirmed	To be identified

Raising skill levels & creating opportunities for all

Skills are a critical driver of competitiveness and productivity. Skilled workers are more readily employed, and once at work are more productive and have the capability to take on more complicated and productive tasks. Conversely, low educational attainment and skills levels are often cited as one of the principal reasons for productivity gaps between different areas of Great Britain, and between Britain and other countries.

Project Name	Description	Likely Outcomes	Scheme Cost	Potential Funding Source
Key sector workforce development programme	The project is to assess the employer demand for technical skills, support delivery, and stimulate the continued development of the KIS workforce. This will encompass an audit of the skills gaps and specific skills requirements of Torbay's priority sectors.	<ul style="list-style-type: none"> • Current skills gaps/requirements identified. • Appropriate programme developed to meet employer need. 	£1,000,000	EU Funding
Asset Based Community Development	Building on a successful pilot the ABCD project aims to reach marginalised residents in their own communities; unlocking talent and mobilising individual and community skills and assets. The project will be community led with community connectors supporting people to develop co-operatives and social enterprises	<ul style="list-style-type: none"> • Increased employment in deprived areas • Better connected and engaged communities • Increased uptake of training 	£200,000	Coastal Communities Funding (secured)

<p>Apprenticeship Development</p>	<p>Small businesses are not always aware of the advantages of hosting apprentices or how to get the most out of them. This project will offer an enhanced apprentice scheme, including funding, enabling employers to take on a Level 2 or Level 3 apprentice to help grow their business</p>	<ul style="list-style-type: none"> • Increased numbers of apprenticeships in key sectors • Better understanding by businesses of the role of apprentices 	<p>£471,000</p>	<p>Coastal Communities Funding</p>
<p>Torbay Works</p>	<p>An encompassing brand under which all back to work support and provision is promoted, providing a one-stop 'shop' of information, advice, guidance and support for providers and clients alike</p> <p>Provision under the banner would be delivered cost-effectively through existing funding streams and allocations</p>	<ul style="list-style-type: none"> • Co-ordinator role developed • Torbay Works brand developed with partner agencies delivering to relevant objectives • Recognition by external agencies as the 'one stop shop' for information within this agenda • Creation of Torbay Works website/webpages. • Delivery of a successful all-round campaign • Reduction in local unemployment • Promotion of local jobs, matching employers with good quality locally-based candidates • Showcasing the broad-range of excellent skills in the area 	<p>TBC</p>	<p>Utilising existing funding streams and allocations the SFA adult funding budget and DWP back to work provision</p> <p>Potential Jobcentre Plus support through secondment opportunities and/or flexibilities</p>

				funding for initial project creation. Future LEP & EU funding
Improve links between businesses and schools	Feedback from local employers suggests school leavers are not always employment ready. This project aims to improve links between schools and businesses to ensure young people have the skills needed to secure employment.	<ul style="list-style-type: none"> • Reduced youth unemployment 		Public sector to be identified
Social Enterprise Development	Support development of Torbay SEN.	<ul style="list-style-type: none"> • Perform a mapping exercise to identify local social enterprises • Share information • Facilitate development of commercial opportunities amongst the social enterprise sector • Enable more collaborative working • Encourage learning and sharing of expertise • Provide a forum for discussion at regular meetings • Provide ongoing business support to enable social enterprise development 	£30,000	£10,000 Awards for All Funding secured TBC
Employer Engagement	Building a programme of TDA run events which complement	<ul style="list-style-type: none"> • Quarterly breakfast events held • Average 50 businesses in attendance 	£10,000	TDA

<p>Events</p>	<p>existing provision, involving key partner agencies, and delivered to business</p> <p>Events will be themed, focussing on key areas of Employment and Skills support and provision and/or specific issues that may be affecting businesses locally</p>	<ul style="list-style-type: none"> Improved business understanding of local provision and support available 		
<p>Attracting and retaining higher level skills</p>	<p>Higher Level Skills (HLS) are an essential component of a productive and innovative economy. Torbay possesses no substantial indigenous HE and so does not 'generate' HLS. The Bay then is in the position that, in order to raise HLS, it must first attract and then retain graduates.</p>	<ul style="list-style-type: none"> Increased awareness of opportunities available to higher level graduates. A creation of jobs to accommodate those qualified in higher level skills. Access to local learning and training. Advertisements through businesses of available positions. 	<p>£499,400</p>	<p>EU Funding</p>
<p>Graduate Milk Round</p>	<p>This activity would work to identify businesses recruiting graduates currently or where graduate level talent would help that business grow. By identifying those businesses the Universities can be engaged and opportunities in those local firms can be promoted.</p>	<ul style="list-style-type: none"> Improved skills in the workforce 	<p>To be confirmed</p>	<p>Public sector to be identified</p>

Nurturing the knowledge economy

There is growing understanding of the strengths and weaknesses of the local economy in relation to the representation of businesses across sectors of the economy. Manufacturing and hi tech related businesses remain important components of the local economy and offer the opportunity for future growth if supported in the correct way.

Project Name	Description	Likely Outcomes	Scheme Cost	Potential Funding Source
Virtual Electronics and Photonics Innovation Centre (EPIC)	To develop and facilitate the Electronics and photonics sectors in innovation centres across Torbay. To provide support where needed for growth, exportation, commercialisation, grants for funding and provision of space for technical/product development also to provide Links to graduate internships and higher level apprenticeships.	<ul style="list-style-type: none"> An innovation advisor would be employed by TDA, working closely with the existing (TDA funded) business advisor to ensure joined up diagnostic and referral. The role would be responsible for developing the activities of the Hi Tech forum, undertaking diagnostic and business reviews, and referring businesses to professional expertise and advice, as well as facilitating links with the knowledge base in the region to foster collaborative innovation and R&D activity. Potentially this could include an innovation voucher scheme, providing a subsidy to businesses that require specific professional expertise or research support. 	£837,000	EU Funding Technology Strategy Board
Torbay Knowledge Access Partnership	Access to the research and knowledge to HEIs with national	<ul style="list-style-type: none"> To work with Universities South West and other regional partners to 	£436,900	EU Funding

<p>(TKAP)</p>	<p>and international research strengths aligned to its key sectors for businesses.</p>	<ul style="list-style-type: none"> investigate the potential for a wider Programme. To review the UK Partnership Contract to establish Programme fit across the CSF funds. To develop the evidence base (number of KTPs in Torbay, demand for KT approach etc). To examine alternative funding opportunities. 		
<p>Awareness Raising Amongst & Retention of Younger People as a prospective career in the Advanced Electronics, Hi Tech Engineering sectors.</p>	<p>This would develop and deliver marketing activity and physical visit programme into schools and colleges.</p> <p>Key Hi Tech Forum members would visit schools to outline their company, the sector and the forum. This would increase awareness of the strength of the sector locally, retain our brighter stars and encourage/aspire students to attain the necessary qualifications and skills to succeed in a career closer to home.</p>	<ul style="list-style-type: none"> Increased engagement between schools and the business community in Torbay Increased awareness from careers staff and young people of the job opportunities and careers available locally 	<p>To be confirmed</p>	<p>Public sector to be identified</p>
<p>Employer Ownership of Skills</p>	<p>The Employer Ownership of Skills (EOS) pilot is a government initiative aimed at</p>	<ul style="list-style-type: none"> Route into employment in the hi tech sector Greater engagement between 	<p>£1,000,000</p>	<p>Bid submitted</p>

	<p>encouraging employers in taking the lead with developing solutions to skills gaps. The TDA is working with the Hi Tech Forum and South Devon College in developing an application to the fund to deliver solutions to skills issues identified by the sector.</p>	<ul style="list-style-type: none"> businesses and schools Improved careers advice Apprenticeships which meet the need of local hi tech sector businesses Graduate recruitment programme High tech sector businesses taking ownership of the skills agenda for their sector Improved retention of younger people Greater awareness of the employment opportunities created by high tech sector businesses 		
Medical Technology Sector Development	<p>The population demographics, reputation of Torbay hospital and existing hi tech businesses mean we are well positioned to grow the medical and healthcare technology sectors. Specific opportunities which should be explored include development of a medical technology cluster linked to the research and innovation opportunities available at Torbay hospital. Further work to test and develop new models of care and collaboration between the hi tech and healthcare sectors.</p>	<ul style="list-style-type: none"> Increased innovation Increased productivity through higher paid jobs Better links to other research institutions Establishment of a gateway into the health services, providing access for business to clinicians, researchers and other experts and decision makers for local businesses 	£150,000	EU Funding – Smart Specialisation
Marine sector	<p>The marine economy sector is</p>	<ul style="list-style-type: none"> An increase in the number of 	£100,000	Public sector

<p>development</p>	<p>growing across the South West and Torbay has a foundation that can be developed particularly in marine leisure but extending into engineering, science and aquaculture. This area of work will</p>	<p>businesses operating in the marine economy.</p> <ul style="list-style-type: none"> • An increase in the number of people employed in the marine economy. An increase in the proportion of people employed all year round in the marine economy. • An improvement in the productivity of existing marine economy businesses 	<p>to be identified</p>
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Monitoring

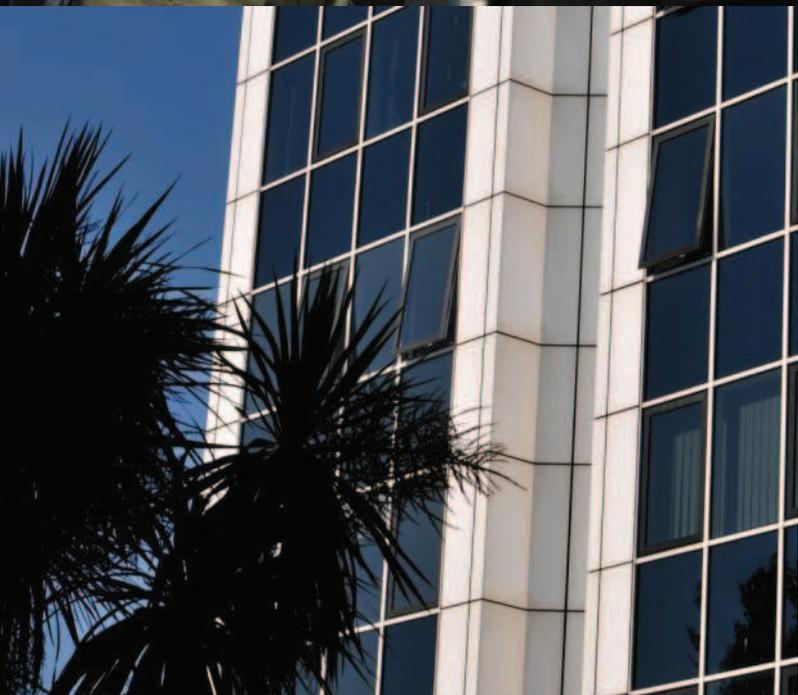
The success of the strategy plan will be measured by progress against the actions set out above and the outcomes associated with the actions and projects. . Ultimately the key indicator for success of the plan will be job creation.

- Create 1900 gross new jobs by 2015
- Develop Torbay as a vibrant economy with its Gross Value Added increasing faster than the regional average by 2020
- Raise residents wage rates to 90%% of the South West average by 2020
- Sustain improvements in the skills attainment of local people
- Secure investment to support delivery of the strategy and its action plan

Other relevant indicators will include

- An increase in exports/export ready businesses
- A reduction in the number of individuals Not in Employment Education or Training/18-24 year old unemployed
- Businesses assisted
- Improved business rate level for Torbay Council

The indicators and performance measured against them will be reviewed regularly to ensure the strategy remains a relevant and live document which clearly articulates the needs of the Torbay economy.



Torbay Economic Strategy 2013-18

Evidence Base – July 2013



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Publication date: July 2013

Economic Strategy Evidence Base

In 2010 the TDA produced the Torbay Economic Assessment¹ which set out in detail the state of play at that time in the local economy. In reviewing the economic strategy the evidence base presented in that document has been retested is summarised here.

Since the Torbay economic strategy was produced in 2010 the economic climate within the UK and across the world has remained challenging. A quick recovery seems unlikely in the short term with economists predicting low levels of growth, continued low interest rates and further reductions in public sector spending.

Latest data suggests that the Torbay economy in particular remains fragile with the availability of jobs, particularly full time, an issue although some indicators, such as wage levels, have improved. Job density levels, indicating the total number of jobs for the working age population, in Torbay is significantly below the regional and national average although there was some improvement between 2010 and 2011.

Business & Enterprise

Wages, income and output within Torbay are low, and the area suffers from a narrow industrial base with a sectoral reliance on low wage industries including tourism, retail and social care, although there are some opportunities, including business services, healthcare and technology.

Productivity & Income

The annual release of the Gross Value Added (GVA) data each year is an important indicator of how the regional and sub-regional economy has been performing. Figures released at the end of 2012 highlight the challenges faced by the Torbay economy. GVA per head levels in the Bay are the lowest in the South West and the 4th lowest in the UK.

GVA per head Indexed where UK=100

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Torbay	68.3	66.9	66.2	66.6	66.7	66.9	65.3	63.5	61.3	60.9	60.5
South West	92.1	92.4	92.5	92.6	91.7	91.7	91.1	90.9	91.0	91.3	91.5
England	102.6	102.6	102.6	102.6	102.5	102.4	102.4	102.4	102.4	102.3	102.3

Source: ONS Regional GVA, December 2012 (2011 data is provisional)

It is also worth noting that there has been significant revision to historical data which alters previous analysis and our understanding of past output performance – particularly at a sub-regional level. The figures for Devon as a whole (including Plymouth and Torbay) have been revised, altering the Bay's ranking compared to the data provided in the previous strategy.

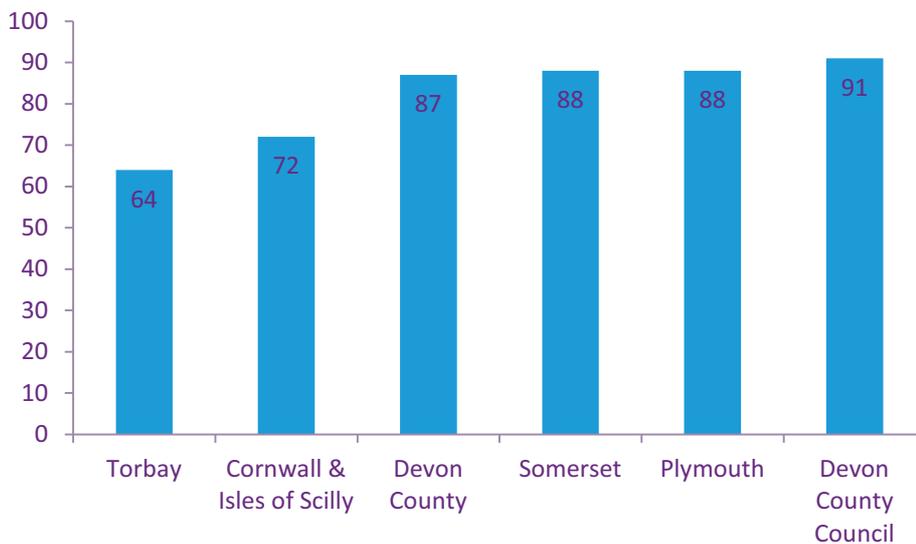
Between 2009-11 headline GVA across England began to grow year on year following the impact of the recession, and productivity rates in the South West and Torbay mirrored this. Of concern however, is that Torbay's GVA growth was slower than the regional average at 2% between 2009-10 and only 1% 2010-11. Coupled with a sharper and earlier decline in

¹ <http://www.torbaydevelopmentagency.co.uk/dbimgs/torbayeconomicassessment-july2010.pdf>

GVA between 2007-09 the result is a growing gap in productivity levels between Torbay and national average, highlighted by the steady drop when GVA per head is indexed, compared to a reasonably static figure for the South West and England. The need to focus on increasing productivity is therefore critical, and the need to support the sectors which will drive this if the Torbay economy is to improve.

Productivity is also used to determine levels of European investment, and as such Torbay's productivity levels can be benchmarked against other European areas. According to the latest (2010) data Torbay has a GDP of 64% of the EU27 average. This figure is significantly lower than the rest of the Heart of the SW LEP and Cornwall, and the lowest figure for comparable size NUTS3 areas in England.

GDP – EU27 average = 100%



Source: Eurostat

With LEPs currently drawing up their strategies for 2014-20 EU structural funds it will be essential to use the economic strategy to set out Torbay's challenges, and the opportunities for growth which EU investment could catalyse.

An alternative productivity measure is Gross Domestic Household Income (GDHI), a residence based indicator, representing the amount of money available to households after taxes, National Insurance and property costs (including interest payments) have been deducted.

GDHI per head

	2005	2006	2007	2008	2009	2010
Torbay	87.5	87.3	85.9	86.7	88.5	89.4
South West	99.6	99.5	98.8	98.9	99.4	99.6
England	101.7	101.6	101.5	101.4	101.4	101.4

Source: ONS

In 2010 Torbay's GDHI was 89% of the UK average, compared to GVA of 61%. This suggests that the Bay is relatively better off on measures of disposable income than measures of gross output or income. The Bay was ranked 51st lowest in the UK in terms of

GDHI per head in 2010, significantly above the 6th lowest for GVA. The GDHI measure has also remained notably more constant than GVA when indexed against the UK average.

One explanation for this is that households locally benefit from the redistributive effects of pensions, taxes and benefits which are not reflected in the GVA productivity measure. High benefit claimant levels and an above average proportion of older residents suggest this could be the case and this is borne out in that three of the four dominant profile groups within the Bay are older or retired with relatively high levels of disposable income. This is something which needs to be taken into account when considering how productivity levels can be grown, and also the impact changes to the benefit system will have.

Earnings

Reflecting the low productivity levels within the Bay, incomes are also below average. People working in Torbay earn, on average, £413 per week, while the average for residents is slightly lower at £408.

Average wage rates for those living in Torbay in 2012 were £105 below the national average compared to £92 lower in 2011. This increase sees a return to the growing divide in wages between Torbay and the national average prior to 2011 and is something which needs to be monitored and addressed particularly with work beginning on the South Devon Link Road.

Median Average Weekly Wage Rates

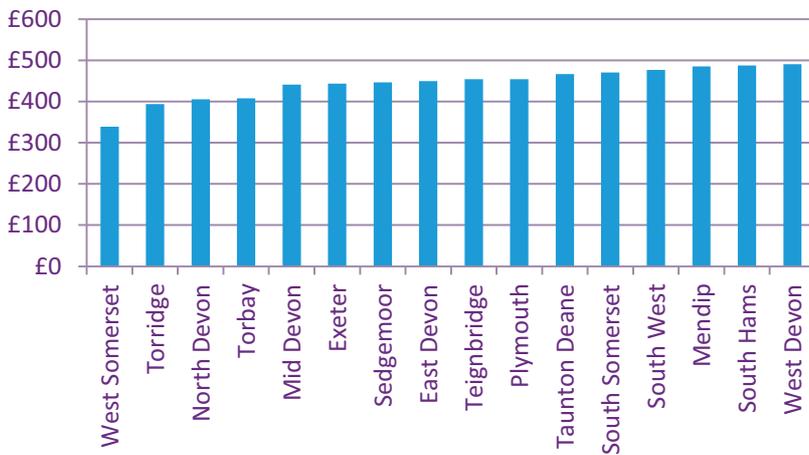
	Median Gross Weekly Pay - Resident			Median Gross Weekly Pay – Workplace		
	Torbay	South West	England	Torbay	South West	England
2008	368.5	451.9	484.5	369.0	446.9	483.9
2009	375.3	460.0	495.9	356.5	454.0	495.0
2010	371.8	468.3	506.0	378.7	460.3	504.5
2011	412.9	471.5	504.7	412.3	461.5	504.0
2012	407.9	476.5	512.7	412.9	467.0	512.1

Source: ASHE 2012, NOMIS

Between 2011 and 2012 resident wage rates decreased by 1.2% while workplace rates saw a 0.2% rise; this is compared to a 1.6% increase for both measures nationally. While there was a significant increase in both Torbay's resident and workplace wage levels between 2010-11 however it needs to be noted that data from 2011 onwards uses different classification system so care needs to be taken when making comparisons with earlier years.

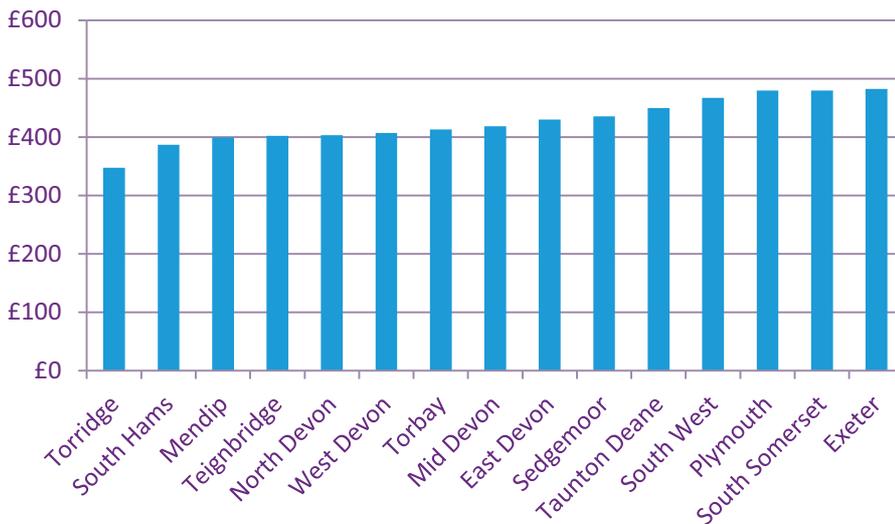
More locally Torbay's workplace wage levels are similar to many other areas within the Heart of the South West LEP, although they are lower than the other urban areas of Taunton, Plymouth and Exeter. Resident wage levels are noticeably higher than workplace earnings in areas such as the South Hams, suggesting higher paid workers choose to live in these areas and commute, one of the reasons Torbay's workplace wages are slightly higher than its resident figure.

Heart of the SW LEP resident wages by Local Authority 2012²



Source: ASHE 2012, NOMIS

Heart of the SW LEP workplace wages by Local Authority 2012



Source: ASHE 2012, NOMIS

Business Base

The majority of businesses in the Bay are small, with 90% employing 19 people or less³. In 2012 there were 4,550 active VAT/PAYE registered businesses in Torbay. This is an increase from 2011 when there were 4,250. This figure does not capture some of the small 'under the radar' businesses locally so the overall number of businesses in the Bay is thought to be higher.

² Data for West Somerset was not available

³ Source: ONS UK Business: Activity, Size and Location - 2012

Business size by number of employees

	0 - 4	5 - 9	10 - 19	20 - 49	50 - 99	100 - 249	250 - 499	500 - 999	1,000 +
Torbay	63.6%	17.3%	9.1%	6.6%	2.2%	0.9%	0.2%	0.1%	0.0%
South West	68.3%	15.1%	8.4%	5.3%	1.7%	0.9%	0.3%	0.1%	0.0%
England	68.4%	14.6%	8.2%	5.4%	1.9%	1.0%	0.3%	0.1%	0.0%

Source: UK Business: Activity, Size and Location, 2012

In 2011 the proportion of business start ups in Torbay was 9.3% of the total enterprise stock, up from 8.2% in 2010. Deaths have also reduced, from 10.4% to 9.8% meaning there was a net decrease in business stock between 2010-11 of 1.85%, which is higher than the year on year decrease at both the regional and national level.

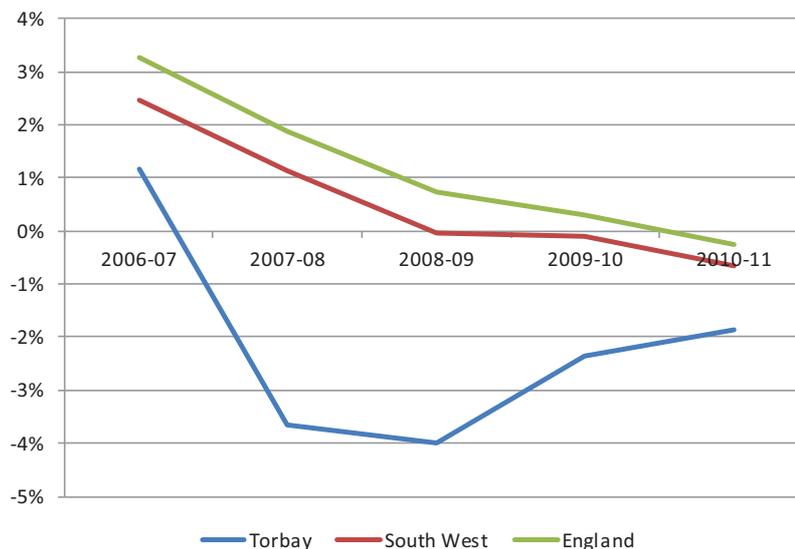
Start ups/survival rates

	Business Births as a percentage of total stock	Business Deaths as a percentage of total stock	Active Enterprises in 2011	Change in stock 2010-11 (%)
Torbay	9.29%	9.76%	4,250	-1.85%
South West	9.61%	9.16%	205,470	-0.66%
England	11.39%	9.92%	2,040,980	-0.26%

Source: ONS Business Demography 2011

More positively the number of enterprises has declined less steeply between 2007-11, meaning the gap between Torbay and the English average is shrinking rather than growing.

Change in number of active enterprises year on year



Source: ONS Business Demography 2011

Survival rates for businesses in Torbay are largely in line with the national average, and above at one year, but below the regional figure. Interestingly though, 88.7% of businesses started in 2010 were still trading one year later, compared to 88.1% regionally and 86.8% in England.

Business Survival rates for 2006 start ups



Source: ONS Business Demography 2011

Sectoral breakdown

When looked at in more detail the Torbay economy has a number of dominant industries, the majority of which are in the public and tourism sectors, particularly health, accommodation & food and retail. According to official data Torbay has the highest proportion of people with main or second jobs in tourism industries in the UK. At 16.7% of employees this figure is nearly double the UK and regional averages of 9.1% and 9.4%⁴ and means one in six people in employment in the Bay work within tourism related industries. There is a significant gap between Torbay's reliance on tourism and any other area in the South West, perhaps highlighting the need to work with other areas with a similar economic make up to share best practice and identify how best to diversify the tourism offer.

57% of Torbay's GVA comes from the public administration, education & health and distribution, transport, accommodation & food sectors and a similar proportion of the population are employed in these sectors. As shown below employment in manufacturing, construction, transport & storage, information & communication, professional and business support services is lower than national average.

Between 2010-11 wholesale, accommodation & food services and arts, entertainment & recreation all contracted more quickly, but still remain dominant industries reflecting the large part they play in the economic make up of the Bay. Public administration also shrank more quickly than elsewhere, suggesting the impact of public sector cuts are being felt locally.

⁴ Source: ONS, The Geography of Tourism Employment – November 23rd 2012

Percentage sectoral breakdown by broad industrial groups – 2011

	Torbay %	HOSW LEP %	England %	Torbay % Change 2010-11
Health	22.5	15.8	12.7	0.4
Accommodation & food	14.5	9.1	6.8	-1.5
Retail	13.5	12.5	10.2	0
Education	10.0	10.0	9.5	0.9
Business admin & support services	8.2	6.4	8.3	2.5
Public admin & defence	4.4	5.0	5.0	-0.7
Manufacturing	4.2	10.2	8.7	-0.1
Arts, entertainment, recreation & other services	4.1	3.9	4.5	-1.7
Professional, scientific & technical	3.6	5.2	7.5	-0.7
Construction	2.9	4.7	4.5	0.4
Wholesale	2.3	3.3	4.2	-1.1
Transport & storage	2.3	4.2	4.7	-0.2
Motor trades	1.6	2.4	1.8	0.2
Financial & insurance	1.6	1.7	4.0	0.2
Mining, quarrying & utilities	1.4	1.6	1.1	1.1
Property	1.4	1.5	1.6	0.2
Information & communications	1.2	2.3	4.2	0.2

Source: BRES 2011

Location quotient analysis can also be used to demonstrate at a basic level Torbay's relative sectoral strengths and weaknesses when compared to the HOSW LEP and England. A location quotient result of higher than one indicates that a greater percentage of the region's workers are employed in an industry (as a proportion of the other industries) than are employed in the same industry at a regional or national level. This indicates that to some extent the area specialises in that industry. Below one suggests a weakness, or a below average number of people employed in that sector.

The graph below suggests that health, accommodation and food services and retail are more important to employment in Torbay than across England as a whole. With a location quotient of over two, accommodation and food services are particularly important to the local economy. When compared to the LEP are Torbay has strengths in the same sectors, but also has a higher proportion of people employed in business administration and support services.

At the other end of the scale, with location quotients of below one Torbay's industry mix shows a weakness in terms of numbers of high value jobs, particularly in the manufacturing, IT, financial and professional, scientific & technical industries. This further emphasises the challenges Torbay faces in raising GVA levels and highlights the need to create sustainable higher skilled jobs in order to do this.

Industry Mix - 2011



Source: BRES 2011

Growth Sectors

By reviewing employment data over a period of time it is possible to see in which sectors the Torbay job growth is outperforming the national average and which are declining. Between 2008-11 the number of people employed in Torbay remained largely unchanged, increasing by 75 from 47,740 to 47,815. Across England overall employment declined very slightly by 0.01% over the same time period.

The “shift-share” analysis compares the employment change with what would have happened if each industry had increased in line with the overall national average, the national average for that industry and the difference between Torbay’s employment change and the national rate. For example health as a sector grew more quickly than the national average for all industries and business administration within Torbay grew significantly more quickly than the national average for the sector, suggesting opportunities in these sectors for the future.

The analysis demonstrates that while job number in the Bay remained largely static between 2008-11 certain sectors grew while others contracted. Most notably 1075 jobs were created in business administration, accommodation and food services gained 409 jobs and health 536. Mining and utilities also increased by 455 but this is likely to be due to an anomaly in the way sectors are accounted for.

Shift-share Analysis

	Employment Change 2008 - 11 Torbay	National Share (Expected change in employment using national rate)	Industry Mix (Difference between industry's growth rate & all industries growth rate)	Regional Share (Difference between region's industry growth rate & national rate)
Agriculture, forestry & fishing	54	-1	-9	64
Mining, quarrying & utilities	455	-2	40	418
Manufacturing	-297	-27	-151	-119
Construction	-505	-22	-165	-318
Motor trades	42	-8	-9	59
Wholesale	-373	-17	-32	-324
Retail	10	-75	-132	217
Transport & storage	-57	-14	-25	-19
Accommodation & food services	409	-76	81	404
Information & communications	100	-5	23	82
Financial & insurance	90	-8	-26	124
Property	-459	-13	71	-517
Professional, scientific & technical	-236	-23	128	-341
Business admin & support services	1,075	-33	-105	1213
Public admin & defence	-193	-27	-72	-95
Education	-105	-57	100	-148
Health	536	-119	910	-254
Arts, entertainment, recreation & other services	-469	-28	-37	-403
Column Total	77	-557	591	43

Source: BRES 2011

As nationally employment numbers shrank slightly if Torbay's industries had followed that average exactly all would have shrunk. However, in some cases industries contracted faster – construction shrank by 505, arts and recreation lost 469 jobs and property 459.

Manufacturing also decreased by 297. Nationally the recession has hit the construction sector, but the analysis suggests it shrank faster between 2008-11 than average.

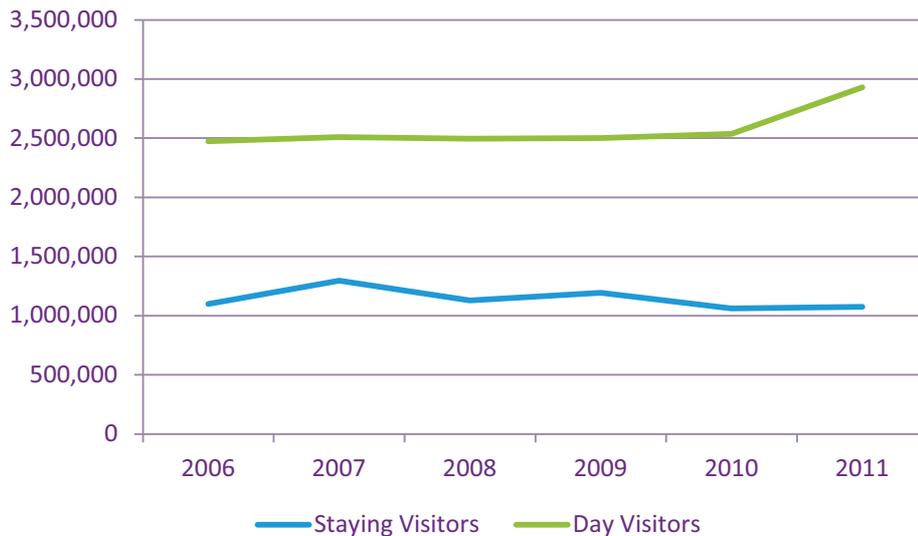
The “shift-share” demonstrates that the strategy needs to continue to support the core industries in Torbay such as accommodation and health, but business administration also offers an opportunity. If we are to grow a higher value economy in the future support to begin increasing job numbers in higher value knowledge based industries such as manufacturing and professional services is essential.

Sectoral reliance

Given the reliance of the Torbay economy on the tourism and public sectors for employment, the impact of these is examined in more detail below.

In 2011 the estimated visitor related spend in Torbay was £382m demonstrating the value of tourism to the Torbay economy and the challenge which is faced in retaining consistent visitor numbers. Since 2006 the number of day visitors to the Bay has increased from 2.5m to 2.9m; however staying visitors have dropped slightly over the same time period.

Torbay Visitor Numbers 2006-2011 (millions)



Source: South West Tourism Alliance, Value of Tourism 2011

While the increase in day visitors is positive, the steady decline in overnight visitor numbers was highlighted in the 2010 economic assessment and while this levelled off between 2010-11 needs monitoring. Given the reliance of a large proportion of the Torbay workforce on the accommodation and food sector, this decline in overnight stays highlights the need to continue ongoing work to diversify the sector.

The Torbay economy continues to be heavily reliant on the public sector. This is demonstrated through a sub-regional analysis of public and private sector employment released in November 2011. 27.4 % of people working in Torbay were employed in the public sector, compared to 23% across the UK as a whole and 21.8% in the Heart of the SW LEP area.

Public Sector Employment

	Public Sector Employees as a Share of Total Employees	Public Sector Employee Density	Public Sector Employment Rate	Private Sector Employee Density	Private Sector Employment Rate
UK	23.0	15.2	17.7	50.7	51.9
Torbay	27.4	16.0	17.2	42.4	50.2
HOSW	21.8	14.0	18.8	50.0	52.7

Source: ONS Sub-regional analysis of public and private sector employment, November 2011

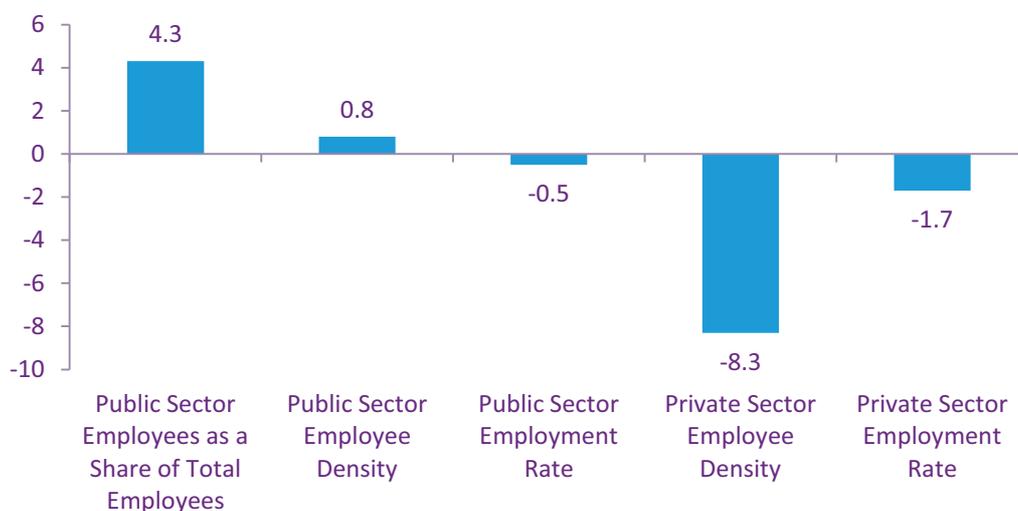
Public sector employment rates can also be reviewed as a density in comparison to the total number of residents in an area. In Torbay the public sector employee density is 16%, meaning for every 100 residents in the Bay, 16 people are employed in the public sector. This is slightly higher than the UK average of 15.2% and the LEP average of 14%. It is worth noting that this does not take into account commuting so not all workers may be resident in Torbay.

The first bar of the graph below shows that public sector employees make up a higher proportion of total employees in Torbay than in the UK as a whole. However, from this measure alone it is not possible to tell whether this is due to a high level of public sector employees working in the region, a low level of private sector employees or a combination of the two.

The remaining information helps to further explain the public/private split of the Torbay economy. The public sector employment rate is level with the UK average, while the private sector employment rate is nearly 2% lower. The net effect of this is that the total employment rate for Torbay is just over 1% below the UK average.

More importantly private sector employee density is over 8% lower in Torbay than the UK average, suggesting the shortage of private sector jobs is a more pressing concern than the over reliance on public sector jobs.

Torbay percentage point difference from UK average



Source: ONS Sub-regional analysis of public and private sector employment, November 2011

Reliance on the service sectors for a large proportion of employment has also contributed to the below average proportion of full time employment in Torbay.

Business Needs

The TDA takes a regular snapshot of how businesses in the Bay are feeling through its Business Barometer survey.

In the Autumn 2012 survey businesses were asked if they felt the main issues affecting the Torbay economy have not fundamentally changed in the last two years. 81% agreed Torbay has a weaker than desired infrastructure (both roads and communications), and 93% agreed low levels of business growth remained an issue.

Full time jobs were deemed by 74% of respondents to be high priority, which fits with the economic strategy objective to create more full time and sustainable employment by encouraging the growth of existing businesses and the creation of new businesses and social enterprises. 65% of respondents said higher value jobs were highly important so the priority to nurture the knowledge economy is also significant.

Business visits and enquiries to the TDA property database also suggest a lack of grow on space is hampering business growth. In the period January 2011 to April 2013 the TDAs property search received 106 enquiries for industrial / warehouse accommodation requiring 363,820 sq m of space. 92 of these enquiries were for accommodation below 464 sq m. In the same period there were 64 enquiries for office accommodation requiring a total of 17,032 sq m. From these enquiries 59 required accommodation below 464 sq m. There were a further 31 enquiries in this period for serviced office accommodation. This evidence suggests that while the Innovation Centres are well utilised and have high occupancy rates there is a lack of space for businesses to expand into, reducing their ability to grow.

People & Communities

The coastal geography of Torbay shapes our economy to a large extent. Tourism related sectors account for around a third of employment and the draw of the South Devon lifestyle attracts people of all ages to relocate here permanently, often setting up small businesses within the sector such as guest houses. In contrast it also means an outflow of young people (often graduates) seeking employment elsewhere before returning to the Bay later in life.

The in migration of older people brings with it additional spending power that supports the local economy and it presents economic opportunities in the development of goods and services for that group. However it also presents additional costs for the public sector particularly in respect of care costs.

Demography

Latest population estimates show Torbay is home to 131,000 people, with 52% aged 45 and over. This is significantly above the national (42%), regional (47%) average and has an inevitable impact on income levels and healthcare provision. At the other end of the age spectrum 27% of Torbay's population are aged between 20-44, 7% below the national average. This highlights the challenge Torbay faces in retaining graduates and supports the view that many students who leave the Bay to enter higher education do not return until later in life, impacting on productivity levels.

Population estimates by age



Source: Census 2011

Using Acorn population data it is possible to make a number of assumptions about the profile of the population in and around Torbay, and the opportunities and challenges this poses to the economy. Acorn works by categorising UK postcodes using demographic statistics and lifestyle variables to build up a profile for each area which can then be compared to the national average.

% of population by Acorn classification - 2012

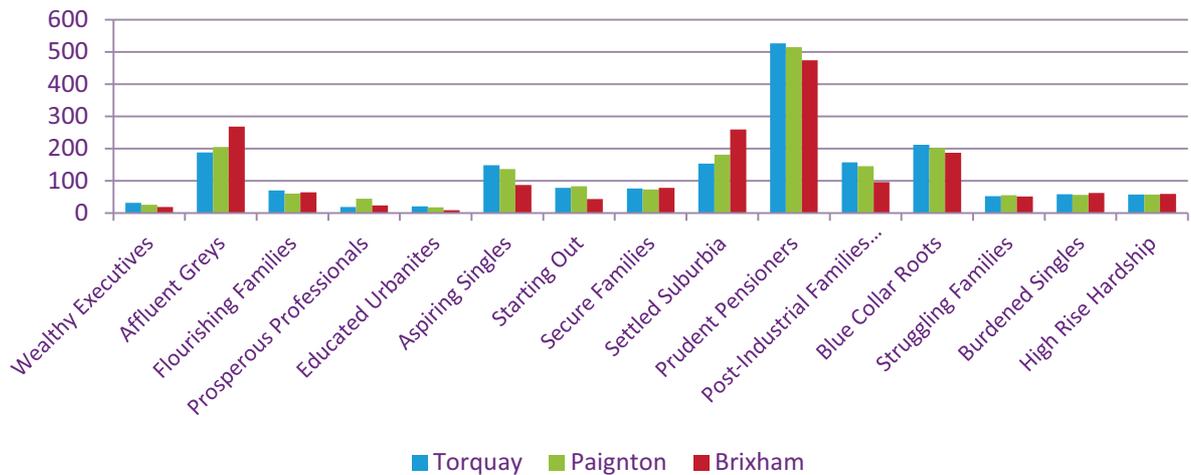
	Torquay	Paignton	Brixham	GB
Wealthy Executives	2.9	2.4	1.7	9.3
Affluent Greys	14.2	15.4	20.2	7.5
Flourishing Families	5.6	4.8	5.1	8.0
Prosperous Professionals	0.4	0.9	0.5	2.0
Educated Urbanites	1.4	1.2	0.6	6.8
Aspiring Singles	5.6	5.2	3.3	3.8
Starting Out	3.6	3.8	2.0	4.6
Secure Families	11.3	10.9	11.6	14.9
Settled Suburbia	8.8	10.3	14.8	5.7
Prudent Pensioners	12.7	12.4	11.5	2.4
Post-Industrial Families (Ex-Blue Collar)	7.5	6.9	4.6	4.7
Blue Collar Roots	15.9	15.1	13.9	7.5
Struggling Families	6.8	7.2	6.6	13.0
Burdened Singles	2.4	2.4	2.6	4.1
High Rise Hardship	1.1	1.1	1.1	1.8

Source: Acorn population profile, 20 minute drive time

Using this system four dominant classifications emerge within a 20 minute drive time of the three towns in Torbay Prudent Pensioners, Affluent Greys and Blue Collar Roots around Paignton and Brixham and Prudent Pensioners, Affluent Greys and Settled Suburbia around Brixham.

Unsurprisingly given the demography of Torbay the dominant groups, with the exception of blue collar roots are predominately older and have a relatively high level of disposable income. Certainly when indexed against the national average the levels of prudent pensioners is significantly higher.

Index where average =100



Source: Acorn population profile – 2012

This information suggests that there is disposable income available to spend within the Torbay town centres, which is perhaps being spent elsewhere. The challenge remains for the economic strategy to facilitate improvements within the town centres to encourage those with income to spend it locally rather than in cities such as Plymouth and Exeter, or other local towns.

Labour Market

There is a shortage of full time employment in Torbay. Job density, the number of jobs per resident aged 16-64 is currently at 0.69⁵, significantly lower than the national average of 0.78, while full time employment levels are also below average. 42% of workers are part time, 7% higher than the average for the South West and 11% above the national figure. This data suggests that creating full time employment needs to remain a priority if the economy is to grow.

Job Density

	Torbay	HoSW LEP	England
2007	0.73	0.79	0.80
2008	0.71	0.78	0.79
2009	0.71	0.80	0.78
2010	0.69	0.79	0.78
2011	0.73	0.79	0.78

Source: Nomis

Across Torbay the statistics demonstrate that there remains a stronger prevalence of part time work with 45% of those in employment work part time, compared to 32% across England as a whole. This underemployment suggests either a lack of demand for labour or that the labour market has other issues, perhaps caring given the local demographics that

⁵ Source: ONS Job Density 2010

prevent full time work. Statistics for those economically inactive, recorded through the Annual Population Survey, also show that 32% of the economically inactive are seeking work compared to national and regional figure which is less than 25% again demonstrating that the creation of more jobs is critical.

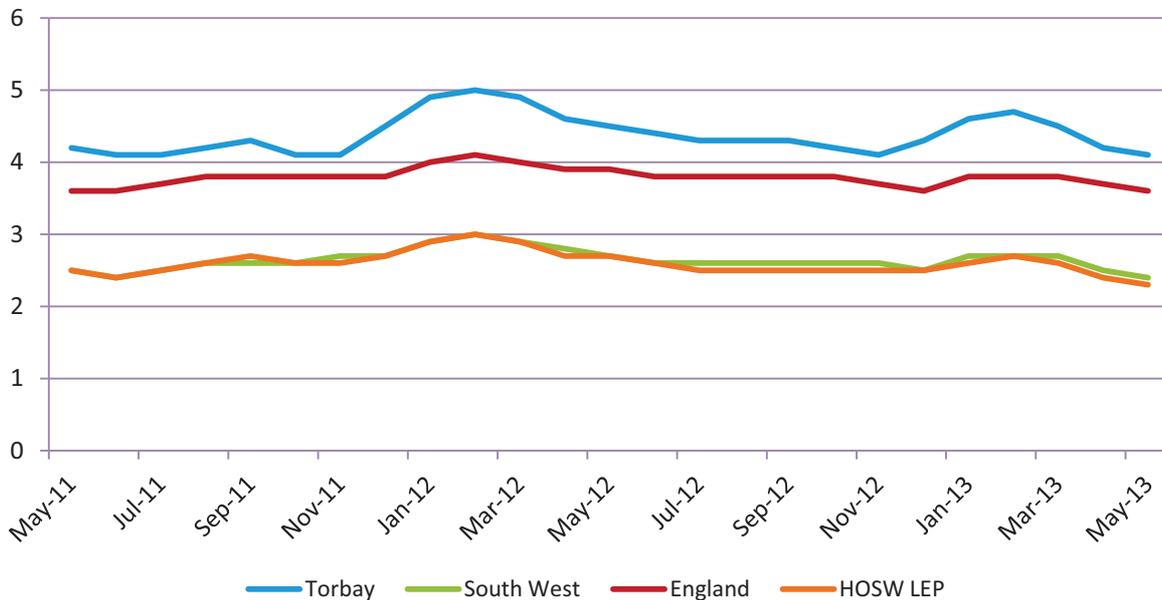
Worklessness

Since the publication of the previous strategy, unemployment, measured through Job Seekers Allowance claimants, has continued to run well above the average for both the South West region and the Heart of the SW LEP area. In May 2013 4.1% of the working age population in Torbay were claiming Job Seekers Allowance, compared to 3.6% nationally and 2.3% at LEP level.

The seasonal trend highlighted previously has continued, with the claimant count rising sharply in January each year, before reducing slightly over the summer months. It is worth noting that while still well above the national average unemployment levels in Torbay were 0.4% lower in May 2013 than they were in the same month in 2012, mirroring the year on year decrease seen nationally.

While the seasonal trend in unemployment levels identified above is mirrored to some extent at national level it is more exaggerated in Torbay, reflecting the seasonal nature of the economy and the need to create full time, year round employment. Youth unemployment levels are high with 7.8% of 18-24 year olds currently claiming JSA.

% of 16-64 Job Seekers Allowance Claimant Count: May 2011-May 2013



Source: ONS Claimant Count – June 2013

Job Centre Plus vacancy rates highlight the challenge to create more jobs in order to tackle unemployment. The latest data showed Torbay has 4.7 job seekers allowance claimants for every job centre vacancy compared to 2.6 in the LEP area and 3.8 in England⁶.

⁶ Job Centre Plus vacancy data, November 2012

Worklessness is a real challenge within Torbay, with 23% of working age households in Torbay having no one in employment⁷. 19.7% of the working age population are claiming some form of benefit⁸. This compares to 14.6% across England, and 13.4% in the LEP area. The bulk of the claimant count is made up of 2 key out of work benefits, employment support allowance (ESA) and job seekers allowance (JSA). With claimant rates of employment support allowance (ESA) 3.4% higher than the national average this continues to be an issue.

JSA/ESA claimant count



Source: DWP Benefit Claimants via NOMIS (Nov 2012)

Given the high number of claimants within Torbay the proposed welfare reforms, and particularly the benefit cap may have a significant impact on residents of the Bay and therefore on the economy.

Deprivation

Although located in a predominately rural county Torbay as an urban area suffers from many of the deprivation problems normally associated with big cities. The scores within the indices of deprivation support this as the majority of deprived areas in England (98%) are located in cities. There are inequalities between different wards in the Bay, with the most deprived areas tending to be clustered within the town centres in Paignton and Torquay.

The recognised measure of deprivation, the indices of deprivation have been updated since the previous economic strategy was published, however similar methodology was used to the 2007 publication allowing trends to be observed. The number of lower super output areas within Torbay which are within the top 10% most deprived has increased gradually over time from 4 in 2004, to 10 in 2007 and 12 in 2010. This means that when compared to the rest of the region Torbay has the highest proportion of its population (14.1%) living in areas among the most deprived 10% in England⁹.

⁷ Source: Annual Population Survey 2011

⁸ Source: DWP Benefit Claimants - Nov 2012

⁹ Source: Indices of Deprivation 2010 – Deprivation in the SW, SWO Core Unit and HCA, April 2011

It is also worth highlighting the inconsistency between areas of Torbay, with one area of Brixham seeing an improvement between 2007 and 2010 and one lower super output area moving into the least deprived 10% of areas in England. When ranked in terms of average score within the indices of deprivation Torbay's position has slipped from 71 in 2007 to 61 in 2010, this is significantly worse than the neighbouring districts of Teignbridge and South Hams which rank 184 and 215 respectively, but more in line with the other more urban area of Plymouth (72) and Bristol (79).

Child poverty also remains an issue, with 24% of children in Torbay classed as living in poverty. This is the second highest proportion in the South West, however, given this is defined as the proportion of children living in families in receipt of out of work benefits is perhaps not surprising.

Skills

Skill levels in Torbay remain above the national average at NVQ levels 1 and 2, but fall below at the higher levels.

Percentage of working age population qualified to NVQ level

	Torbay	HOSW LEP	South West	England
% with NVQ4+	27.6	31.8	34.1	34.2
% with NVQ3+	53.9	56.3	57.1	54.9
% with NVQ2+	72.3	76.2	75.2	71.8
% with NVQ1+	86.7	89.1	88.1	84.2
% with no qualifications	8.7	6.0	7.0	9.5

Source: Annual Population Survey 2012

There has however been steady improvement in skill levels over the last 5 years, with 6% more of the working age population qualified to NVQ level 4 in 2012 than in 2008, and 8% more to level 3.

More specifically in Autumn 2010 the following percentages of respondents to the Business Barometer survey¹⁰ reported skills gaps in the following types of role.

Management - 7%
 Customer Service - 9%
 IT/Computing - 11%
 Technical - 10%
 Practical - 7%

Work with the Torbay Hi Tech Forum also suggests that specific skills gaps locally need to be addressed if businesses are to grow. Torbay has a modest but thriving technology industry – a legacy of previous investment during the telecoms boom. However, in order to keep this competitive advantage it is necessary to encourage a new generation into the industry, equipping them with the skills needed to succeed.

Many companies are deeply concerned about the difficulty of recruiting young people and attracting graduates to the area, and this is reflected in the below average proportion of the population qualified to NVQ level 4 and above. To alleviate this, there is strong demand for a

¹⁰ TDA Business Barometer survey – Autumn 2010

concerted campaign to raise the image of the area as career and a dynamic quality of life destination to the younger graduate demographic. There is also the potential to harness the passion of existing businesses to inspire the next generation of young people to pursue technical careers.

This suggests a need to facilitate better links between businesses and education providers to ensure the workforce have the right skills to support business growth.

Economic Projections

Economic projections are a tool for indicating where future growth may come from. However, projections are based on past trends and typically reflect a 'do nothing' approach, i.e. if no action was taken to create jobs this is what could be expected to happen to employment in Torbay.

The projections below were created by Oxford Economics In March 2013.

Oxford Economics Projections

Employment (jobs, 000s)	2013	2015	2018	2025	2030
Agriculture, forestry and fishing	0.4	0.4	0.4	0.3	0.3
Mining and quarrying	0.0	0.0	0.0	0.0	0.0
Manufacturing	2.2	2.0	1.7	1.0	0.9
Electricity, gas, steam and air conditioning supply	0.1	0.1	0.1	0.1	0.1
Water supply; sewage, waste management and remediation activities	0.5	0.5	0.5	0.5	0.4
Construction	2.9	2.9	2.8	2.5	2.3
Wholesale and retail trade; repair of motor vehicles and motorcycles	9.8	10.0	10.1	10.2	10.0
Transportation and storage	1.3	1.4	1.4	1.4	1.4
Accommodation and food service activities	8.4	8.6	8.8	8.9	8.8
Information and communication	0.7	0.7	0.8	0.8	0.8
Financial and insurance activities	0.8	0.8	0.8	0.8	0.8
Real estate activities	0.8	0.8	0.8	0.8	0.8
Professional, scientific and technical activities	2.8	3.0	3.2	3.5	3.7
Administrative and support service activities	5.0	5.2	5.5	5.8	6.0
Public administration and defence; compulsory social security	2.0	1.9	1.8	1.8	1.8
Education	4.5	4.3	4.2	4.2	4.2
Human health and social work activities	12.1	11.8	11.7	12.1	12.3
Arts, entertainment and recreation	2.0	2.1	2.2	2.4	2.4
Other service activities	1.3	1.3	1.3	1.3	1.3
Total	57.8	57.8	58.0	58.2	58.4

Source: Oxford Economics, 2013

These figures suggest that without intervention the Torbay economy will not grow in line with the objectives of the economic strategy by 2015, however they do not take into account interventions such as the South Devon Link Road or any projects outlined in the strategy.

Peter Brett Associates examined the Oxford projections set out above, alongside some older South West Observatory data (which did not factor in the recession) to create an adjusted projected growth level for Torbay.

Growth Scenarios

Scenario	Employment Change 2011 – 2032	Average annual net increase
Scenario E1 – Oxford Economics Projections (March 2013)	1,998	95
Scenario E2 - SWO projections by Experian (August 2011)	17,097	814
Scenario E3 – PBA adjusted	5,337	254

Source: Torbay Local Plan Evidence Study, Requirement Assessment – Peter Brett Associates, 2013

Using the PBA average net increase Torbay could expect to see an uplift in employment of 508 jobs by 2015 increasing to 1270 by 2018. This is still significantly below the numbers the strategy seeks to attain, however it should be noted that the PBA projections are for net job increase, whereas the strategy figures are gross and do not take into account deadweight or displacement.

Local & Neighbourhood Plans

The emerging Local Plan, 'A Landscape for Success' sets out key issues, aspirations for the future, and policies for delivering and managing change over the next 20 years. It is essential that the economic strategy is consistent with the Local Plan and the need to balance investment, infrastructure improvements, new jobs creation and new homes.

In addition to this Neighbourhood Plans are a new type of plan which will focus on very local areas, to be produced by communities. When adopted, they will form part of the overall development plan for Torbay and be used to consider all planning applications in that area, in the context of the Torbay Core Strategy. Three plans are being developed across the Bay, in Brixham, Paignton and Torquay and the strategy will need to reflect the key economic priorities of these plans.

Brixham Neighbourhood Plan

The latest economy section of Brixham Neighbourhood Plan identifies a number of key actions around the town centre, tourism, industry, transport and the green economy. The group has identified key issues for improving the town centre and retail areas, Brixham's tourism offer, small businesses and marine industry, transport and the green economy. They have identified development opportunities in key economic sectors including small niche businesses and arts/ crafts shops, high quality restaurants and food establishments, outdoor leisure and recreation, indoor tourist attractions, local food production, marine industry & education and high quality accommodation.

A number of projects are suggested which will need to be considered for inclusion in the strategy including:

- Coastguard – Marine Related Training Centre e.g. Diving. It could include diving facilities, a training centre, a shop and possibly accommodation.
- The Lanes – A hub for small businesses e.g. Workshops/ studios, retail/ crafts. The area could be covered over and this would also be a tourist attraction. The council would need to do a land swap with current occupiers, probably to oxen cove.
- Oxen Cove – area for marine related industry e.g. Fish processing and smoking, muscle farming units, marine engineering, boat building and repair etc.
- Northern Arm – a northern arm allowing additional marine facilities, areas for watersports etc
- Lupton House – a central hub for the green wedge including information for tourists, a food hub and social enterprises/Cockington style cottage industries.
- Town Centre – A Car park, new town square, transport interchange and possibly some retail.
- Transport – Expand the road area near the park and ride and include a public footpath, cycle path and cycle hire facilities.

Paignton Neighbourhood Plan

According to the Stage 3 skeleton draft the Paignton Neighbourhood Plan has four key emerging themes.

For the town centre and seafront area:

- Make more of the tourism and retail offer
- Improve points of arrival and connectivity

For the Western area:

- Protect the local identity
- Ensure there is balanced development

The Western side of Paignton is home to a number of the Bay's industrial sites, and development of these as part of the economic strategy will need to be balanced with the desire for balanced development in the Neighbourhood Plan.

Torquay Neighbourhood Plan

The Torquay Neighbourhood Plan is concentrating on two key areas¹¹, the Gateway, broadly Edginswell, Shiphay, The Willows, and the environs of the Newton Road, and the Town Centre, which includes the seafront. Within these a number of potential projects are being explored.

Gateway – Projects in the Gateway area are largely centred on employment at sites including:

- Improvement to Woodland Industrial Estate
- Retention of Edginswell for B1/B8 use
- Torre Station yards
- Broomhill Way
- Newton Road
- Kerswell Gardens

Town Centre:

- Redevelopment of the Town Hall car park for a potential supermarket
- Improvements/redevelopment of Temperance Street, Rock Road, Pimlico and Swan Street
- Expansion of Princess Theatre to accommodate bigger shows
- Potential redevelopment of Cary Parade arcade for residential/office use
- Improvement to the Strand
- Marina car park development

¹¹ Torquay Neighbourhood Plan leaflet

Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Torbay Economic Strategy	Business Unit:	Place and Environment
Name (Key Officer/Author):	Charles Uzzell	Tel:	7701
Position:	Director of Place & Resource	Email:	charles.uzzell@torbay.gov.uk
Date:	18 th June 2013		

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

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

Relevance Test – ‘A Proportionate Approach’

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

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

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

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>The purpose of the Torbay Economic Strategy 2013-18 is to clearly articulate how the Torbay economy will be developed over the next 5 years to a number of groups including businesses, the community, Government and the Local Enterprise Partnership.</p> <p>The strategy identifies the resources needed to deliver the proposed actions and will also enable the Council to make a case for investment. Securing the necessary funding to deliver the action plans set out within the strategy will be essential to its success.</p> <p>The Torbay Economic Strategy 2013-18's core objective is:</p> <p>To create more full time and sustainable employment by encouraging the growth of existing businesses and the creation of new businesses and social enterprises.</p> <p>Delivery of this objective will be through the four key priorities of the strategy and their associated action plans. These priorities are:</p> <ul style="list-style-type: none"> ○ Driving business growth ○ Sustaining the core economy ○ Raising skill levels and promoting opportunities for all ○ Nurturing the knowledge economy
2.	Who is intended to benefit / who will be affected?	<p>A clear economic strategy setting out the economic regeneration aims of Torbay will improve the economic performance of the area and benefit all groups within the Bay.</p>
3.	What is the intended outcome?	<p>The overarching aim of the economic strategy is to create more full time and sustainable employment by encouraging the growth of existing businesses and the creation of new businesses and social enterprises. This will be measured through delivery of the action plans within the strategy. The intended outcomes include:</p> <ul style="list-style-type: none"> ○ Create 1900 new jobs by 2015 ○ Develop Torbay as a vibrant economy with its Gross Value Added (GVA) increasing faster than the regional average by 2020

No	Question	Details
		<ul style="list-style-type: none"> ○ Raise residents wage rates to 90% of the South West average by 2020 ○ Sustain improvements in the skills attainment of local people ○ Secure investment to support delivery of the strategy and its action plan <p>Other relevant indicators will include:</p> <ul style="list-style-type: none"> ○ An increase in exports/export ready businesses ○ A reduction in the number of individuals Not in Employment Education or Training/18-24 year old unemployed ○ An increase in business productivity as measured by GVA ○ Businesses assisted ○ Improved business rate level for Torbay Council

Section 2: Equalities, Consultation and Engagement

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

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

Evidence, Consultation and Engagement

No	Question	Details
4.	Have you considered the available evidence?	<p>The economic strategy is based on comprehensive and up to date economic evidence base. This takes into account the structure of the Torbay economy and trends over recent years and has informed the central objective of job creation. We have also reviewed the emerging Local and Neighbourhood Plans to ensure parity of key priorities and projects.</p> <p>The evidence base for the strategy is submitted as a separate document.</p>
5. 162	How have you consulted on the proposal?	<p>We have sought the views of local businesses and the community through:</p> <ul style="list-style-type: none"> ○ Business Barometer surveys – 150 responses across the last 3 surveys (Spring 2012, Autumn 2012 and Spring 2013) ○ Aftercare visits to businesses – 45 in last 12 months ○ Consultation through the Marine Economy Action Plan and Workhub focus groups (approx 50 business/organisations) ○ Hi Tech and Manufacturing Forums (approx 50 members) ○ Future EU programme development – LEP workshops ○ Neighbourhood Forums - review of evidence from Neighbourhood Plans ○ Voluntary Community – Torbay SEN have commented on the draft ○ Trade Unions – The TUC have reviewed the document and provided feedback
6.	Outline the key findings	The strategy is based on the assumption that the key issues for the Torbay economy have not changed dramatically

No	Question	Details
		<p>since the last strategy was published. This is consensus from the businesses who responded to the Business Barometer survey that a weaker than desired infrastructure (81%) and low levels of business growth are still key issues (93%).</p> <p>Consultation with the voluntary community highlighted a need for greater emphasis on social enterprise, while the Neighbourhood Planning forums picked up individual projects which are priorities for the local community and it was felt should be included.</p>
7.	<p>What amendments may be required as a result of the consultation?</p>	<p>The feedback received has been largely supportive meaning there have been no significant changes to the strategic priorities. However, as a result of consultation with the Overview & Scrutiny Board, voluntary sector and Neighbourhood Planning forums a number of amendments identified by these groups as critical have been added to the action plans and strategy itself.</p> <p>These include –</p> <ul style="list-style-type: none"> • Brixham Coastguard Station • A greater emphasis on social enterprise/community development throughout the strategy • Additional data being included in the evidence base.

Positive and Negative Equality Impacts

		Details		
No	Question	Positive Impact	Negative Impact	Neutral Impact
8.	Identify the potential positive and negative impacts on specific groups	It is not enough to state that a proposal will affect everyone equally. There should be more in-depth consideration of available evidence to see if particular groups are more likely to be affected than others – use the table below. You should also consider workforce issues. If you consider there to be no positive or negative impacts use the 'neutral' column to explain why.		
	All groups in society generally	The aim of the strategy is to create more jobs and improve the economy of Torbay. This will have a positive impact on all groups in society by making Torbay a more attractive place to live. The strategy also highlights the need to promote social enterprise and is there more to this sentence (ends in and)		
	Older or younger people	Youth unemployment is an issue in Torbay and is specifically identified within the strategy as a priority. This means implementation of the strategy should have a positive impact, creating job opportunities for younger people in particular. (Add stats on youth unemployment?)		
	People with caring responsibilities			The strategy aims to improve the Torbay economy as whole and create job opportunities for all. Where possible we will encourage employers to create flexible opportunities but this may not always be possible.
	People with a disability			The strategy aims to improve the

No	Question	Details
		Torbay economy as whole and create job opportunities for all. Any jobs created will need to be recruited in accordance with disability legislation.
Women or men		The strategy aims to improve the Torbay economy as whole and create job opportunities for all regardless of gender.
People who are black or from a minority ethnic background (BME)	<i>(please note Gypsies / Roma are within this community)</i>	The strategy aims to improve the Torbay economy as whole and create job opportunities for all regardless of ethnicity.
Religion or belief (including lack of belief)		The strategy aims to improve the Torbay economy as whole and create job opportunities for all regardless of religion or belief.
People who are lesbian, gay or bisexual		The strategy aims to improve the Torbay economy as whole and create job opportunities for all regardless of sexual orientation.
People who are transgendered		The strategy aims to improve the Torbay economy as whole and create job opportunities for all regardless of gender.
People who are in a marriage or civil partnership		The strategy aims to improve the Torbay economy as whole and create job opportunities for all regardless of marital/civil partnership status.

Details	
No	Question
	Women who are pregnant / on maternity leave
	Socio-economic impacts (including impact on child poverty issues and deprivation)
	The aim of the strategy is to create more jobs and improve the economy of Torbay. This will have a positive impact on all groups in society by making Torbay a more attractive place to live. The strategy also highlights the need to promote social enterprise and is there more to this sentence (ends in and)
	The action plans within the economic strategy propose a number of projects which will improve the Torbay economy and create jobs. All Torbay Economic Development Company/Torbay Council led projects will be required to promote equality of opportunity through procurement of goods and services and recruitment where this is applicable. Private sector partners will also be expected to adhere to equalities legislation and TEDC/Council policy.
	The strategy aims to improve the Torbay economy as whole and create job opportunities for all including those who are pregnant or on maternity leave.
9.	Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and / or foster good relations?

Section 3: Steps required to manage the potential impacts identified

Details	
No	Action
10.	Summarise any positive impacts and how they will be realised most effectively?
	The economic strategy sets out how the Torbay economy can be improved. If it is implemented successfully it will have a positive impact on all groups in Torbay by offering improved quality of life and public space (ie town centre regeneration), more jobs and more training opportunities. Having this overarching strategy in place will maximise the positive impacts of regeneration projects by making sure they interlink. A clear strategy setting out Torbay's aims will also mean we are better placed to secure funding from local (ie Heart of the SW Local Enterprise Partnership) and national sources. Without the strategy in place we will be less competitive in accessing funding and the Torbay economy risks deteriorating further and deprivation increasing.

11.	Summarise any negative impacts and how these will be managed?	As projects advocated by the strategy are developed there will be consultation with relevant groups to ensure any potential negative impacts are managed on a project by project basis.
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Section 4: Course of Action

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

Section 5: Monitoring and Action Plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	Each project set out in the economic strategy will be required to promote equalities and the impact of the proposals will be monitored on an individual project basis.

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

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Ensure all relevant projects set out in economic strategy action plans maximise equalities opportunities.	To ensure lead officers on all projects are aware of this equalities impact assessment.		Lead officer for each project	Ad Hoc
2					
3					
4					
5					

Economic Regeneration and the Torbay Regeneration Strategy

REPORT OF THE OVERVIEW AND SCRUTINY BOARD TO THE MAYOR
JULY 2013

1. Background

- 1.1 When seeking views from councillors and officers about the content of its Work Programme for 2012/2013, the category with the most suggestions was Economic Regeneration. In undertaking this element of its Work Programme, the Board requested that Mayor provide a briefing note which explained:
- The Mayor's economic strategy and its aims and objectives
 - How the economic strategy was being implemented and what outcomes were expected from the Regeneration Task Force
 - How the Council was encouraging new businesses and job creation and ensuring the long term sustainability of those businesses and jobs
 - The links between the economic strategy and housing strategy
 - How the needs of locals would be balanced against those of tourists
 - How the economic strategy would protect the vulnerable within Torbay's community
- 1.2 Over the course of the year, the Board has met with the Mayor, the Chairman, Chief Executive and Director of Economic Strategy and Performance of the Torbay Development Agency and the Chairman of the Heart of the South West Local Enterprise Partnership¹.
- 1.3 The final meeting in the series enabled the Overview and Scrutiny Board to review the draft Economic Strategy for Torbay prior to its consideration by the Council.
- 1.4 This report sets out the findings, conclusions and comments of the Board in relation to the Mayor's priority of economic regeneration.

2. Findings

- 2.1 The Board heard that the award of funding for the South Devon Link Road presented an opportunity of improved access, productivity and attracting new investment to the area. It was reported that the Link Road was forecast to create around 3000 new jobs. Closer working arrangements between the Council and Teignbridge Council allowed for a focus on identifying sites that would be suitable for business development.
- 2.2 In considering the use of local labour and apprenticeships in the contract for the Link Road, it was noted that a specific clause had not been included within the contract with Galliford Try. However, it had been agreed between the Council and Devon County Council that they would encourage the contractor to use local labour or supplies where possible although the cost effective delivery of the project was the key priority.

¹ The meetings of the Overview and Scrutiny Board to consider economic regeneration took place on 12 September 2012, 20 February 2014 and 30 April 2014.

- 2.3 Whilst the contract was still in its infancy, it was noted that:
- Galliford Try had partnered with South Devon College to provide support to the contractor and its supply chain in education and training
 - A number of adverts had been placed in the local newspaper for job opportunities on the project
 - Galliford Try had appointed a local graduate to commence his training on the project
 - The project was currently being run from offices in Newton Abbot with many of the key site staff already appointed living locally.
- 2.4 [At its meeting in June 2013, the Board received an update which showed that 62% of the 37 full time staff on site were recruited locally (with it envisaged that, when the full team of 45 staff were in place, 54% would be recruited locally). In addition, 53% of the 30 sub-contractors were either based locally or had a local regional office.]
- 2.5 The Mayor explained to the Board that he had instigated regular meetings with local banks to understand the local lending market, trends and business confidence. This had led to an initiative between Torbay Development Agency and a number of local lenders and finance sources on access to finance in Torbay which was part of the approach to encourage job growth and sustain local businesses.
- 2.6 The Mayor also highlighted:
- The establishment of the Torbay Manufacturing Group and the Hi-Tech Forum
 - The continued successful management of the three Innovation Centres at Lymington Road, Vantage Point and Cockington
 - The ongoing capital projects which were underway including the development of the former Palm Court site and the White Rock Business Park
 - The need for young people and existing employees to improve their skills through a variety of means including apprenticeships
- 2.7 In September 2012, the Mayor presented his briefing note which set out how the Economic Strategy was being revised taking account of the economic issues which Torbay continues to face. The Mayor stated that his main priority remained the creation of jobs (whether part-time or full-time). The number of jobs available needed to be increased and the numbers needed to be maintained.
- 2.8 The briefing note also gave details of Lord Heseltine's report "No Stone Unturned in the Pursuit of Growth" which had been published at the end of October 2012. It was noted that the Local Economic Partnerships (LEP) would have an increasingly significant role in economic regeneration acting as a conduit for funding from central government to the regions. However, the level of funds available had substantially reduced and therefore bidding rounds were becoming ever more competitive.
- 2.9 The Chief Executive of the Torbay Development Agency was confident that he currently had the resources available to make successful bids. However, whilst recognising the increased pressure that Council finances were under, he expressed concern about his organisation's ability to sustain the long term delivery of schemes to regenerate the economy if the funding of his organisation continued to be reduced.

- 2.10 It was also noted that match funding which in the past had been provided by the South West Regional Development Agency (RDA) for schemes was not available through the LEP and that the Council would need to take a different approach to providing match funding which may be consider more risky than in the past (such as use of Community Infrastructure Levy or increased Business Rates).
- 2.11 In response to questions about the number of inward investment inquiries, it was noted that the loss of RDA had created a vacuum and that there was a need to put in place new initiatives. This was also a role which could be filled by the LEP and it was noted that the Council's relationship within the Partnership was crucial. The LEP needed to be in a position to be able to talk positively about Torbay as a good place to invest.
- 2.12 In considering the emerging Economic Strategy, it was noted that it needed to align closely with the Local Plan and the Neighbourhood Plans. The Chief Executive of the TDA reported that it was difficult to set a strategy within the context of an annual (rather than longer term) budget cycle.
- 2.13 When the Board met with Tim Jones, the Chairman of the Heart of the South West Local Enterprise Partnership (LEP), he briefed the Board on the operation of the LEP, its relationship with Torbay and how it would be measuring its success. Mr Jones gave details of the funding that was being made available to the LEP through the Single Local Growth Fund, the combination of EU structural funds into a single pot and the allocation of Devon as having "transition" status and the Plymouth City Deal.
- 2.14 As had previously been noted by the Board at earlier meetings, funds would be allocated to the LEP through a competitive bidding process. The Partnership would need to demonstrate the resilience of its plans and how it was collaborating with the local authorities, chambers of trade and other business bodies within its area. There was also a need to ensure that economic priorities across the area aligned coherently with the spatial plans.
- 2.15 Whilst the LEP would be seeking to raise the Gross Domestic Product of the whole of its area, it was acknowledged that EU Transition Funding would be directed to areas of "market failure". However, how match funding for projects could be identified was an issue which different authorities were addressing in different ways.
- 2.16 At this stage, the Board were able to consider the draft Economic Strategy for Torbay. The Strategy aimed to put in place the right landscape to grow businesses within Torbay which would drive productivity and increase skills. This, in turn, would help address issues around child poverty and deprivation; with those living in deprived areas having access to work (although not necessarily within Torbay).

3. Conclusions and Comments

- 3.1 There is an encouraging direction of travel in relation to economic development be noted especially the continuing move away from a low-wage economy to a mid- to high-wage economy. However, the views expressed in this paper should be considered alongside those within the Board's recent report on Youth Unemployment.
- 3.2 The Strategy should include targets and milestones against which success can be measured and progress tracked.
- 3.3 There should be recognition that the South Devon Link Road will provide an opportunity for inward and outward migration and that everything possible should be done to ensure that skills can be maintained and enhanced within Torbay.

- 3.4 The Strategy needs clear prioritisation in order to show a clear focus on what the Council (through Torbay Development Agency) can achieve. This is especially important which the increased competition for funds.
- 3.5 The need that has previously been highlighted by the Overview and Scrutiny Board to develop and work with the voluntary and community sectors should be highlighted within the Strategy. The current work on this issue should have a clear linkage with the Economic Strategy. In particular, work to encourage social enterprise should be mainstreamed.
- 3.6 The Council should work, through the Local Government Association, with similar coastal resort authorities to gain maximum advantage from capital funding to address broad structural issues.



Meeting: Council

Date: 18th July 2013

Wards Affected: Wellswood

Report Title: Meadfoot Beach Chalets Development

Executive Lead Contact Details: Cllr Jeanette Richards – Executive Lead for Tourism and Environment, tel: email: Jeanette.richards@torbay.gov.uk

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1. Purpose and Introduction

- 1.1 Chalet provision at Meadfoot is an all year round provision however the latest condition surveys show the need for urgent and extensive repairs with some chalets recommended for demolition. The condition of these assets and the affect this has on income generation and customer satisfaction is negative and it will soon be that they are not generating enough income to match the expenditure. There is a capacity within the existing beach managers building and stores to also create chalets or alternative enterprises for income generation. The proposal would increase the number of rentable units from 69 to 133.

2. Proposed Decision

- 2.1 That it is approved, subject to planning approval, to replace the existing beach chalets at Meadfoot Beach with new purpose built facilities identified in Option 1.
- 2.2 That the Council makes available £1.55million in prudential borrowing to allow the redevelopment of the Meadfoot Beach Chalets which will be repaid over 25 years from income as identified in the Business Plan in **Appendix 2**.
- 2.3 That a planning application is submitted for the redevelopment of Meadfoot Beach Chalets.
- 2.4 Subject to Planning the project to redevelop the chalets at Meadfoot commences in the Winter of 2013 unless the works cannot be completed by Summer 2014 in which case the project will be delayed until Winter 2014.

2.5 Other Considerations

A geological survey has been carried out as part of the feasibility of this scheme and the results have recommended certain works to be carried to stabilise the cliff. The results have given some concern on the stability of 2 areas with some larger rocks requiring rock netting and a rock catcher fence being installed at the bottom of the cliff

face for its whole length as shown in **Appendix 1**. These works would be required whether this proposal is agreed or not.

Other proposals for this development would be the replacement of the promenade railings and refurbishment of the infrastructure including steps. The works would enhance the area and increase public satisfaction with facilities available at Meadfoot.

The business plan (**Appendix 2**) gives various management options if this proposal is agreed; the plan highlights the financial benefits of the various management options. The proposal if undertaken will provide an opportunity to continue the scheme at a later date for the full development of the remainder of the site.

2.6 Reason for Decision

- The present huts and chalets are reaching the end of their useful life.
- There is a considerable amount of repair work required under planned maintenance.
- The present income level cannot be maintained as units are taken out of use as they become unsafe or un-rentable.
- There will be a significant rise in public dissatisfaction as this area would look to be neglected.
- The decision needs to be made now to enable work to commence over the winter period to be complete by spring to minimise income loss.
- The loss of footfall as a result of taking units out of use would have a negative effect on local business.
- Increased numbers of huts and chalets would increase footfall for business and also for car parks.

2.7 Impacts

Positive impacts

- The proposal would result in the betterment of the local area.
- Increasing the number of units available for rent, so reducing the waiting lists.
- Increasing the offer by including chalets of varying sizes.
- Including electricity to all beach chalets and providing some facilities within the chalet.
- Increasing the visitor numbers and making it a destination area that helps the local businesses and may encourage other water based activities to be undertaken.
- Replacement and repair of the infrastructure at the promenade so enhancing the area
- Carrying out work to secure the cliff face from possible rock falls and provision of rock catcher fencing to minimise problems caused to the café.
- Reduction of the long waiting list for Meadfoot beach chalets

Negative Impacts

- Possible increase in traffic flow

- Decrease in available car parking caused by increase in the number of tenants
- Increased borrowing linked to income repayments
- Customer complaints due to higher prices. The annual charge will increase from £610 per year to £1300 per year for lower chalets and from £1,230 per year to £2,100 per year for roof chalets. However, there will be a discount of 30% for the first year 20% for the second year and 10% for the third year for existing customers. Members should be aware the new chalets at Broadsands are rented at £1,500 per year and have a 100% take up.

3 Supporting Information

Position

- 3.1 The beach hut provision by Residents and Visitor Services is an important part of the service delivery, while the rental received contributes a major part of the service budget. The main customers of the service are local residents and as such the beach hut and chalet provision plays a significant part in increasing public satisfaction. The viability of the seafront recreation, leisure and local businesses is enhanced by the custom generated from the beach hut users. It is therefore important that Torbay Council continue to provide top quality facilities to meet the needs of all.
- 3.2 Condition Surveys have been carried out on Meadfoot Beach Chalets; the findings have indicated that the units are now beyond economic repair. There are several chalets that can no longer be hired out because of the structural condition. Residents and Visitor Services currently manage 69 chalets, these consist of 23 concrete units and 46 timber built chalets at ground level. The proposals are to demolish all of the existing chalets and replace with 133 concrete pod units that can be configured over 2 levels. The pods can be readily constructed into varying size units this will increase the options on offer to customers. The scheme will enable the council to provide facilities to meet the customer requirements and provide the first phase to redevelop Meadfoot Beach area. The option of using concrete pods means that it decreases the build time on site, they are easily configured for various sizes required by possible future use and future maintenance costs are greatly reduced.
- 3.3 The chalets and huts at Meadfoot have been surveyed and are deemed to be beyond economic repair, there is an opportunity to replace the existing 50 year old units with more modern facilities. The wooden chalets have been repaired many times as required in the past years and have now deteriorated to such an extent that several are being closed for rental because of the structural condition; this situation will only get worse. To the rear of the units the loose material of the cliff face is continuing to slip down the cliff and is deposited against the chalet structure this exacerbates the deterioration of unit.
- 3.4 Meadfoot has a substantial waiting list for Beach chalets and there is a current 100% occupancy; this development will enable the Council to increase the number of units thus increasing footfall and providing a further potential to improve the café and toilet provision in a second phase.

3.5 The present condition of the wooden huts is such that a number were condemned in 2011 and required substantial work to make them rentable. Further huts and chalets will be in the similar poor state each season. A report on the condition is included in **Appendix 3**.

4. **Possibilities and Options**

There are several options that could be undertaken, only option1 would give a regular future income as well as minimising the costs of future maintenance of the site. It would enhance the area and provide facilities that the Council know the customer requires.

4.1 **Option1:** To demolish all existing chalets as well as the concrete store rooms and beach managers office. The proposed scheme would be for the building of new concrete built chalets from prefabricated panels with the upper tier having private balconies. All units would have an electricity supply although it is not proposed at this time to supply water to each unit. The chalets would be available for whole year use. The proposal to have the units prefabricated is to deliver the whole project over the closed season with as little disruption as possible. The cost implications are outlined in the business plan in **Appendix 2**.

Option 2: To include for the demolition of existing units but replace with normal beach huts, this would not allow for a two tier system but would allow an increase in number of beach huts. This would not necessarily increase income generated but would reduce the customer offer for this prime location. The scheme would increase customer dissatisfaction levels and would possibly inhibit the length of the season by reducing the winter letting availability.

Option 3: Would be to demolish the existing units as they become unusable and rent out the available space for a ground rent, for customers to site their own units. This option would greatly reduce the future maintenance costs and minimise the need for any capital contribution. The option would also reduce management requirements and greatly reduce customer satisfaction. It would reduce income generation capabilities as this would only be a 1 tier system and would not encourage residents or visitors to that area. The cost implications are outlined in the business plan in **Appendix 2**.

Option 4: To do nothing and carry on with ad hoc repairs as the units require, minor maintenance at present is carried out by Beach staff however the staff numbers have now been reduced so it is doubtful whether that capability is still there. Patch maintenance would still be undertaken using contractors but this could be costly and the council will still face the requirement to demolish within the next few years. The structural issues around the present beach chalets restrict the ability to obtain a realistic market rent for the units with tenants not willing to pay the amount for a substandard structure with no facilities. The cost implications are outlined in the business plan in **Appendix 2**.

5. **Fair Decision Making**

- 5.1 Consultation has been carried out with users, local businesses, Community partnerships and various departments within Torbay Council. The project has also been considered and received support from the Place Policy Development Group.
- 5.2 The customers including the people presently on the waiting lists and the local businesses affected by the decision the development have been consulted. There will be an increase in seasonal, weekly and day let rental options enabling customers renting on a daily basis to become seasonal customers. The proposal has been designed to ensure that all groups will benefit from improved facilities. The project will develop increased winter footfall spreading economic activity over the shoulder months and increase trade for existing businesses and the potential for further economic development.
- 5.3 The proposals have been presented to Wellswood Community Partnership and from the feedback they see this development as a major step forward in enhancing the opportunities at Meadfoot Beach.
- 5.4 Officers have consulted with the relevant departments within the council including planning, engineers, property services, legal and finance and include the TDA. The only comments received were concerns regarding the demolition and ensuring that this did not happen until the whole scheme was in place in order to safeguard the continuation of the Beach Hut offer. The completed scheme was seen as a major boost to the reputation of Torbay Council and a welcomed opportunity to increase the offer of the Leisure service whilst generating more income for Torbay Council whilst reducing maintenance liabilities.

6. Public Services (Social Value) Act 2012

- 6.1 The following issues will be considered as part of the procurement process:-

Pre-procurement: Commissioners and procurement officers should consider the subject matter of the contract and identify any non-commercial considerations which are relevant linked to the subject matter of the contract

Contract terms: by the incorporation of social and environmental requirements into the contract terms including any “special “ conditions. However, consider any cost associated with including such terms and whether essential and affordable.

Selection stage: consider whether you can build these considerations in as mandatory requirements or scoreable questions. Ensure that these are compliant with the Regulations around ‘selection’

Award stage: social and environmental issues may be included within the award criteria of most economically advantageous tender provided linked to the subject matter of the contract and expressly referred to in the OJEU contract notice and/or the tender documents. Consider how such issues will be evaluated and any applicable weightings.

Post award: what is expected from suppliers in delivering the contract? How will contract managers monitor any non-contractual obligations and derive any benefits

and how will you build this in to the performance management section of the Specification?

7. Consultation

Consultation has been carried out with Ward Councillors, Beach Hut User Group (BHUGS), Meadfoot Beach huts users, and the Wellswood area Community Partnership. Talks have also been held with the two local businesses

7.1 Questions asked at BHUG committee:

- Would you be interested in renting all year
 - Would be willing to pay more for a larger hut with some utilities?
- The majority responded positively.

7.2 Consultation with users at Meadfoot

Officers received a positive response to the idea of the development, people contacted were definitely interested, as there is a long waiting list, a number of users were expecting to eventually take over a hut or chalet. When asked would you be interested in renting all year and be willing to pay more for a larger hut with some utilities?
The majority responded positively.

7.3 Questions from BHUGs annual meeting

Beach hut users said “we have heard you are going to rebuild some or all of Meadfoot chalets, we are interested in it, when are you going to do it?”

7.4 Community Partnership

The proposal with artist impressions were presented to Wellswood Community Partnership all were in favour but required more information on how the project would be managed. They felt it was highly important that the project was started and completed in the off season, the group voiced concerns that we don't demolish the existing facilities without providing replacements immediately.

7.5 Local Businesses

The two local businesses, café and the dive shop have been consulted on the proposals and are happy that the scheme is undertaken with some thought being given to a phase 2 which would develop the remaining area.

8 Risks

8.1 If the scheme is not implemented; the condition of these facilities will continue to deteriorate, they will in turn be in such poor condition that they cannot be rented. The condition may make it difficult to rent even the useable chalets as they would be less attractive for the customer. At best the Council would not realise the rentable value that could be obtained if new huts were in place. Public dissatisfaction would increase and the Meadfoot beach area would be less well used this having some impact to the two local businesses.

8.2 There is a risk if doing nothing as the structures are in such poor condition they could cause injury and would certainly be a risk to the council leisure and tourism offer. The café would be affected if there is a drop in visitor numbers as a result of customer dissatisfaction.

8.3 There is a risk of not completing the preparatory work and each step of the development, to ensure that the council are confident that all of the work can be completed in the given time scale.

Decisions are not taken in time to plan works if the condition of the units deteriorates quickly, possibly as a result of storms and bad weather.

Meadfoot Sea Wall requires work to be carried out below the site of the beach chalets but this problem would need to be resolved whatever option is developed.

The remaining infrastructure requires replacement and repair and this would need to be carried out at the same time.

The land behind the chalets at present is prone to slipping and stabilising or netting work would be required, this slippage could cause further problems if it occurs before development takes place.

Appendices

Appendix 1 Geotechnical report and recommendations

Appendix 2 Business plan

Appendix 3 Costing Options

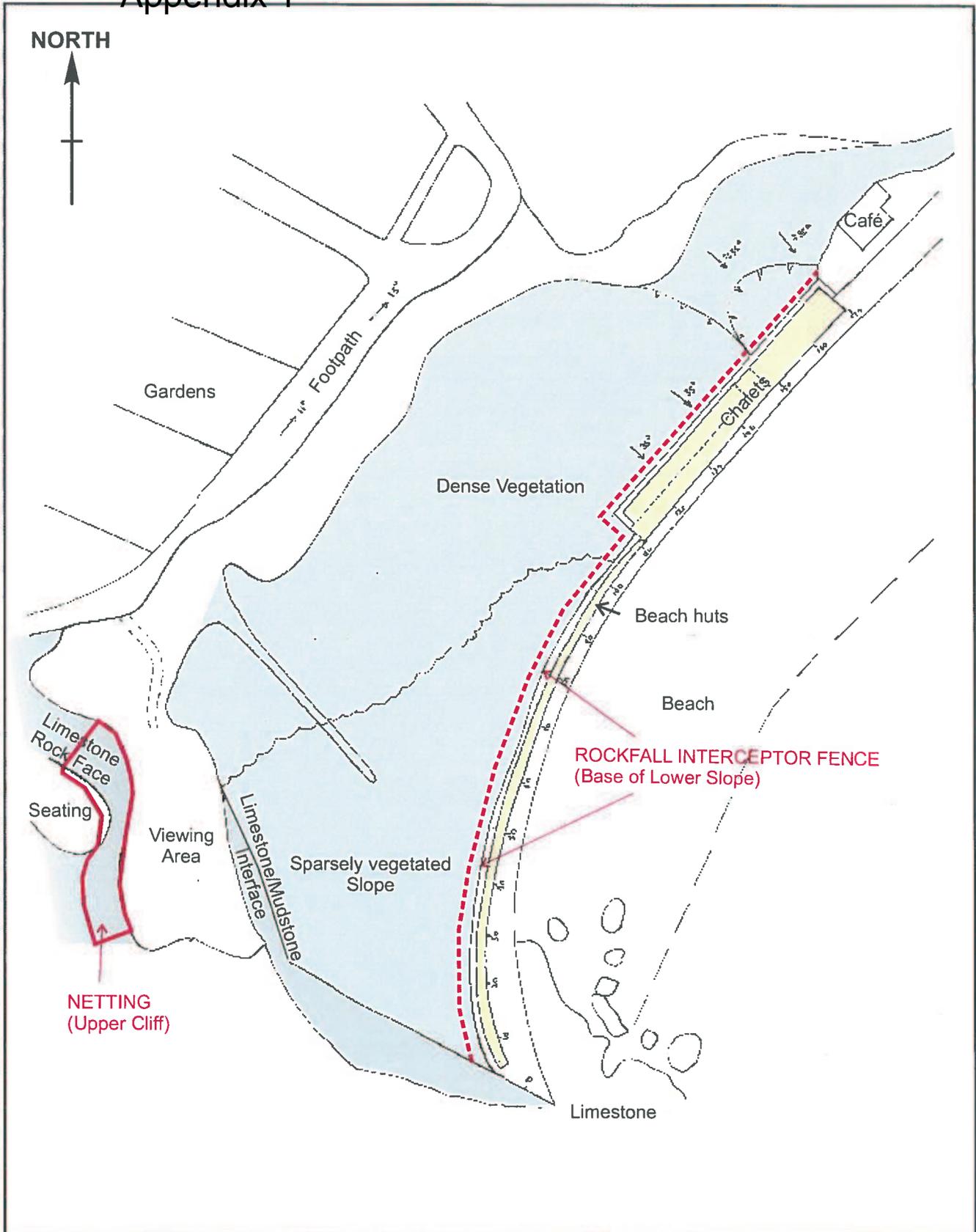
Appendix 4 Report from property services on Condition of Chalets

Appendix 5 Photographs of units

Appendix 7 Outline proposals

Appendix 7 Equality Impact Assessment

Additional Information



Title	CLIFF BEHIND BEACH HUTS AT DADDYHOLE COVE, TORQUAY		Approximate Scale	Drawing No.	
	SKETCH PLAN SHOWING LOCATION OF DROPS		1:1000@A4	FIGURE 2	
Client	TORBAY COUNCIL	Drawn	Checked	Date	Job Ref.
		NS	RG	Jun. 2013	3880
		FREDERICK SHERRELL LTD CONSULTING ENGINEERING GEOLOGISTS AND GEOTECHNICAL ENGINEERS			

Meadfoot Beach Chalet Development Business Plan

Project Goal

To renew and expand beach chalets at Meadfoot beach whilst upgrading the general area and maximising income from the available space by increasing the rentable units available and in turn increasing customer satisfaction.

Background of Meadfoot Beach

Meadfoot beach is located at the northern end of the bay in the Torquay area nestled below Ilsham Valley. The beach itself benefits from beautiful views which include the stunning Thatchers Rock, it consists of a pebbly beach which is fully tidal.

On the lower prom level there is a Beach Manager's office and large storage and workshop area. The Beach Manager's office is used during the summer period for the provision of Beach Management and supervision of the site and its chalets. The site also benefits from amenities which consist of a generously sized beach café with both internal and external seating with a thriving takeaway service. There is also a dive shop which provides holiday makers and locals with the opportunity to explore the undersea life. To the entrance of Meadfoot there is also a large public convenience facility.

There are currently a total of 69 chalets available for all year round use along the southern end of Meadfoot, consisting of 23 concrete roof chalets and 46 timber built chalets at ground level. The 23 roof chalets are 8' x 8' with a small work surface on the rear interior wall next to the single entrance doorway, there is also the provision of electricity, the chalet also benefits from a double opening glazed door leading to a private balcony. The lower 46 timber built prom level chalets are 8' x 6' and of which some include a rear storage container and all benefit from double non glazed wooden security doors opening straight out onto the promenade.

This aging facility has undergone a condition survey which has shown the need for urgent and extensive repairs with some chalets recommended for demolition. This report shows the chalets have fallen into such a state of disrepair where it is uneconomical to repair. The faults that are being experienced on the lower prom level chalets are that the wooden structures are suffering with extensive signs of rotting and with the securing steel anchoring bars failing. The chalets are also no longer fully watertight due to the ingress of water through the roofs and the back of the chalets. Furthermore the concrete roofs chalets are showing signs of failing. This includes the electricity supply, the ingress of water through the faulty roof structure and with extensive work needed to the floors, this facility is also suffering from the double opening glazed doors not allowing access to the private balconies and/or being able to be secured.

The Aim

The aim of the project is to demolish and clear the site to allow the erection of a new two storey chalet complex to consist of 65 lower prom level chalets which would benefit from a 8'x 6' interior with a work surface and an under surface cupboard to the rear, and to include a double opening glazed doors situated behind double opening security shutters, the interior glazed doors will allow the units to be used in the winter, these chalets may also include the provision of electricity and lights. At this lower level the structure would include a provision of one double unit for Commercial use and a double unit for the provision of the Beach Manager's office and storeroom. These lower chalets will extend the full length of the southern end of Meadfoot beach.

This structure would also help support the 68 roofs chalets which will be erected offset above the lower chalets to allow the roofs chalets to benefit from an 8' private balcony which will be accessed through double opening glazed doors. Inside these doors will be 8'x 8' including the provision of electricity and lights to allow use all year round. The roof chalets will also include a small work surface with under unit cupboard, they will have a door to the rear accessing a rear walkway.

This could also see some of the chalets being developed into double units for the use of overnight accommodation. Units would consist of 16' x 8' doubled room interior with a wet room consisting of shower, toilet and sink, and a kitchenette area, along with a living compartment. This option would benefit any visitors to the area looking for a unique short stay accommodation. The overnight accommodation would also allow the expansion of the dive centre enabling them to run intensive diving courses with the benefits of convenient accommodation for their clients.

This overall scheme would also see the increase to the all year round (12 months) use of the area which would in turn benefit the amenities on site, such as the beach café, allowing them to expand their business to include winter operation and could also allow them to open later into the evenings to reach out to a new client base wishing to experience a unique location to dine.

Further aims of the project are to upgrade the three communal drinking water outlets, this would see this facility upgraded to allow cold water shower and drinking water outlets for the use of the chalet renters and general beach users. This upgrade along with renewing the railings and upgrading the beach access steps will see Meadfoot beach brought up to date and a must visit location for locals and visitors alike.

With the above in mind the overall aim of the project must be to select a product that gives the best zero/low cost maintenance to allow for the future success of the area.

Other Considerations

A geological survey has been carried out on this site as part of the feasibility of this project; the results from this survey have recommended work to be carried out to stabilise the cliff. The results have given some concern on the stability of two main areas, some of the larger unstable rocks requiring rock netting and pinning, a rock catcher fence is required at the bottom of the cliff face along its entire length. This work may be necessary even with a do nothing option as the current structure is at risk.

Impacts

Positive impacts

- The proposal would result in an improvement of the local area.
- The extensive waiting lists will be reduced and regenerated by increasing the number of units available for rent.
- Increasing the offer by including chalets of varying sizes.
- Better all year round use by including electricity to beach chalets and upgrading the interiors.
- By bringing the facility up-to-date will increase visitor numbers to the area, which in turn will allow investment for further businesses perhaps the expansion of the water based activities.
- To upgrade and repair the infrastructure at the promenade level so to enhance the overall ambience of the area.
- To secure the cliff face from possible rock falls; which in turn would protect the existing and/or new structure along with the existing businesses.
- Significant increase in revenue.
- It would increase the income to the currently underused car parks above the site.
- Increase chalet all year round charges due to improved facilities.
- Savings can be made on existing and planned maintenance for a number of years.
- Develop increased winter footfall spreading economic activity over the shoulder months and increase the potential for further economic development.

Negative Impacts

- Possible increase in traffic flow.
- Disruption to the site during the closed season (winter).
- Customer complaints due to higher prices.

Risks

- Low take up of chalets rentals due to increase in chalet fees.
- Completion date slippage due to poor weather, planning, technical problems will reduce estimated income.
- Insufficient resources – staff capability – to progress the project – admin/coordination – this large chalet development will require an increase of one day per week for the beach hut coordinator – part time at present. (Accommodated within business plan).

Supporting Information

The beach hut provision by Residents and Visitor Services is an important part of the service delivery, while the rental received contributes to a major part of the service budget. The main customers of the service are local residents and as such the beach hut and chalet provision plays a significant part in increasing public satisfaction. The viability of the seafront recreation, leisure and local businesses is enhanced from the custom generated by the beach hut users. It is therefore important that Torbay Council continue to provide top quality facilities that meet the needs of all.

Meadfoot has a substantial waiting list for Beach chalets and a current 100% occupancy; this development will enable the Council to increase the number of units thus increasing footfall and providing a further potential to improve the café and toilet provision in a second phase.

The following Groups have been consulted

Beach hut Users Group (BUGS)

Question was asked at the BUGS Committee Meeting:
Would the users be interested in renting all year round?
Members gave a positive response to all year round rental.

Existing Users

A letter was sent advising that there would be a development on the Meadfoot site with a questionnaire attached.

Responses showed that the majority of the existing users would be happy to support this project, however, concerns were raised with the possible increase in rental. It was shown that the current users would like the provision of electricity.

Annual Survey

Questions that were asked on the survey were:

Would you be interested in renting all year round?

Would you be prepared to pay more for an improved chalet with some facilities?

There was a positive response to both these questions from the returned surveys.

Community Partnership

Wellswood Community Partnership have been consulted in an open meeting where they were shown artists impression and presentation of the scheme and the feeling from this was positive towards the new development at Meadfoot.

Reason for Decision/Timescale

- The present huts and chalets are reaching the end of their useful life.
- There is a considerable amount of repair work required under planned maintenance.
- The present income level cannot be maintained as units are taken out of use as they become unsafe or un-rentable.
- There will be a significant rise in public dissatisfaction as this area would look to be neglected.
- The loss of footfall as a result of taking units out of use would have a negative effect on local business.
- Increased numbers of huts and chalets would increase footfall for business and also for car parks.
- To ensure minimum site disruption and maximum generation of income whilst keeping loss of income to a minimum it will be necessary to plan and phase the works carefully. Works would need to commence as soon as the summer season is over.

Proposed Options

There are four proposal for consideration that could be undertaken:

Proposal 1: To demolish the existing wooden framed and concrete structures to allow for the erection of a new two tiered structure consisting of 65 lower rentable chalets, one double commercial unit, one double beach office facility, and 68 roof chalets for day use. This option would see an increase in the overall rentable units thus greatly reducing the waiting list and generating a much higher income. These new modern chalets would vastly improve the customer satisfaction of the overall area. Furthermore this option would allow for an increased use of the facility during the shoulder season therefore improving the local economic climate. In recent years extra beach huts equaling to a 20% overall growth across the Bay have impacted on the

administration of the service, therefore, this option also takes into account an increase in Admin support by one additional day per week to accommodate past and future developments. (See Appendix 2a). The proposals show a net loss against current income in year 1 with a net income in following years.

Proposal 2: To demolish the existing wooden framed and concrete structures to allow for the erection of a new two tiered structure consisting of 65 lower rentable chalets, one double commercial unit, one double beach office facility, and 48 roof chalets for day use and 10 double sized overnight units. This option would see an increase in the overall rentable units thus reducing the waiting list. These new modern chalets would vastly improve the customer satisfaction. Furthermore this option would allow for an increased use of the facility on the shoulder season therefore improving the local economical climate. This option would also offer a unique holidaying experience with the ability to rent the chalets for overnight use, this may also benefit the local dive centre for use of intensive training with onsite accommodation. This development would help support any future projects to re-develop the café thus allowing it to widen its customer basis to allow for a unique dining experience. In recent years extra beach huts equaling to a 20% overall growth across the Bay have impacted on the administration of the service, therefore, this option also takes into account an increase in Admin support by one additional day per week to accommodate past and future developments. This also sees the management and change over of the overnight accommodation factored out reducing the impact on the Resort Team. (See Appendix 2b). The proposals show at least five years of losses against the current income before a profit is made.

Proposal 3: To do nothing and carry on with ad hoc repairs as and when required, minor maintenance at present is carried out by Beach staff, however, the staff numbers have recently been reduced which has resulted in future repairs not being able to be carried out in a timely fashion. Major maintenance could be undertaken by Contractors but this would see a significant increase in the maintenance cost to the site. The Council will still face the requirement to demolish within the next few years. The current structural issues and overall appearance of the asset restrict the ability to obtain a realistic market rent for the units with renters not willing to pay the amount for a substandard structure with no facilities. This option would see an increase in customer dissatisfaction and criticism raised towards the Council, this option still shows an increase in Admin support due to the increased workload of refunding and dealing with complaints and also to take into account that in recent years extra beach huts equaling to a 20% overall growth across the Bay have impacted on the administration of the service. (See Appendix 2c). The profit and loss account shows a reduction in income as the huts deteriorate.

Proposal 4: Would be to demolish the existing units as and when they become unusable and rent the available space on a ground rent basis only allowing customers to site their own units. This option would reduce the future maintenance costs, minimise the need for any capital contribution. However, this would greatly reduce customer satisfaction and furthermore it would reduce income generation capabilities as this would only be a one tier system for only the summer season and would not encourage residents or visitors to the area.

Construction Capital Costs

69 Lower Chalets @ £8,000	552,000.00
68 Roof Chalets @ £8,000	544,000.00
Electricity	87,750.00
Water	6,400.00
Interior Fitting Out £250 per unit	33,250.00

Sub Total: 1,223,400.00

Additional Costs

Railings and Steps	85,000.00
Rock Bolting/Pins	75,000.00
Rock Fencing	25,000.00

Sub Total: 185,000.00

Contingency (10%) 147,340.00

Total Construction & Demolition Cost: 1,555,740.00

Operating Costs

	Year 1	Year 2	Year 3	Year 4	Year 5
Admin Support	4,259.84	4,259.84	4,259.84	4,259.84	4,259.84
Facility Management	9,500.00	9,500.00	9,500.00	9,500.00	9,500.00
Repair and Maintenance	3,000.00	3,000.00	3,000.00	5,000.00	5,000.00
Insurance	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
National Non Domestic Rates (NNDR)	27,000.00	27,000.00	27,000.00	27,000.00	27,000.00
Prudential Borrowing @ £1,555,740 over 25 years	104,993.00	104,993.00	104,993.00	104,993.00	104,993.00
<i>Total:</i>	<i>149,752.84</i>	<i>149,752.84</i>	<i>149,752.84</i>	<i>151,752.84</i>	<i>151,752.84</i>

Income

Based on 100% occupancy for 133 units for 52 weeks

	Year 1 (30%)	Year 2 (20%)	Year 3 (10%)	Year 4	Year 5
19 Lower Chalets @ £1300	24,700.00	24,700.00	24,700.00	24,700.00	24,700.00
46 Lower Chalets @ £1300 (Discounted for existing Customers)	41,860.00	47,840.00	53,820.00	59,800.00	59,800.00
45 Roof Chalets @ £2100	94,500.00	94,500.00	94,500.00	94,500.00	94,500.00
23 Roof Chalets @ £2100 (Discounted for existing Customers)	33,810.00	38,640.00	43,470.00	48,300.00	48,300.00
1 Double Commercial Unit @ £5,000	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
1 Double Beach Office/Store	0.00	0.00	0.00	0.00	0.00
<i>Total:</i>	<i>199,870.00</i>	<i>210,680.00</i>	<i>221,490.00</i>	<i>232,300.00</i>	<i>232,300.00</i>
<i>Less Bad Debt/Void (Non occupation) @ 2%</i>	<i>3,897.40</i>	<i>4,113.60</i>	<i>4,329.80</i>	<i>4,546.00</i>	<i>4,546.00</i>
<i>Less VAT @ 20%</i>	<i>32,662.10</i>	<i>34,427.73</i>	<i>36,193.37</i>	<i>37,959.00</i>	<i>37,959.00</i>
<i>Total:</i>	<i>163,310.50</i>	<i>172,138.67</i>	<i>180,966.83</i>	<i>189,795.00</i>	<i>189,795.00</i>
<i>Overall Total Minus Operating Costs</i>	<i>13,557.66</i>	<i>22,385.83</i>	<i>31,213.99</i>	<i>38,042.16</i>	<i>38,042.16</i>
<i>Loss of current net income (Appendix 2c)</i>	<i>-14,973.49</i>	<i>-12,373.49</i>	<i>-8,373.49</i>	<i>-8,373.49</i>	<i>-8,373.49</i>
	<i>-1,415.83</i>	<i>10,012.33</i>	<i>22,840.50</i>	<i>29,668.67</i>	<i>29,668.67</i>

Meadfoot Beach Chalet Development Proposal 2

(Day Lets with Overnights)

APPENDIX 2b

Construction Capital Costs

69 Lower Chalets @ £8,000	552,000.00
68 Roof Chalets @ £8,000	544,000.00
Electricity - Roof Chalets	87,750.00
Drainage	90,000.00
Water	6,400.00
Fitting Out Interior @ £250 per unit	33,250.00
Fitting Out for Overnight @ £2,000 per unit	20,000.00

Sub Total: 1,333,400.00

Additional Costs

Site Lighting for overnight	50,000.00
Railings and Steps	85,000.00
Rock Bolting/Pins	75,000.00
Rock Fencing	25,000.00

Sub Total: 235,000.00

Contingency (10%) 147,340.00

Total Construction & Demolition Cost: 1,715,740.00

Operating Costs

	Year 1	Year 2	Year 3
Admin Support (1 day per week)	4,259.84	4,259.84	4,259.84
Facility Management	3,000.00	3,000.00	3,000.00
Repair and Maintenance	9,000.00	9,000.00	9,000.00
On-site Supervision	3,000.00	3,000.00	3,000.00
Cleaning, Consumables etc	6,000.00	6,000.00	6,000.00
Insurance	1,000.00	1,000.00	1,000.00
National Non Domestic Rates (NNDR)	37,000.00	37,000.00	37,000.00
Repair/Replacement of internal furnishings	2,000.00	2,000.00	2,000.00
Inventory Cutlery, Pots and Pans	3,000.00	3,000.00	3,000.00
Borrowing @ £1.715.740.00 over 20 years	131,979.49	131,979.49	131,979.49
<i>Total:</i>	200,239.33	200,239.33	200,239.33

Income

	Year 1	Year 2 (+10%)	Year 3 (+10%)
19 Lower Chalets @ £1300	24,700.00	24,700.00	24,700.00
46 Lower Chalets @ £1300 (Discounted for existing C	41,860.00	47,840.00	53,820.00
25 Roof Chalets @ £2100	52,500.00	52,500.00	52,500.00
23 Roof Chalets @ £2100 (Discounted for existing C	33,810.00	38,640.00	43,470.00
10 Double Overnight @ £500 per wk based on			
10 wks high season	50,000.00	55,000.00	60,500.00
10 Double Overnight @ £300 per wk based on			
16 wks shoulder season	48,000.00	52,800.00	58,080.00
1 Double Commercial Unit @ £4,000	4,000.00	4,400.00	4,840.00
1 Double Beach Office	0.00	0	0

Meadfoot Beach Chalet Development Proposal 2
 (Day Lets with Overnights)
 APPENDIX 2b

<i>Total:</i>	254,870.00	275,880.00	297,910.00
<i>Less Bad Debt/Void (Non occupation) @ 2%</i>	6,210.00	6,831.00	7,514.10
<i>Less Marketing/Management/Booking</i>	19,600.00	21560.00	23716.00
<i>Change Over Cost</i>	9100.00	10010.00	11011.00
<i>Less VAT @ 20%</i>	41,443.33	44,841.50	48,399.32
<i>Total:</i>	178,516.67	192,637.50	207,269.58
<i>Overall Total Minus Operating Costs</i>	-21,722.66	-7,601.83	7,030.25
 <i>Loss of current net income (Appendix 3)</i>	 -14,973.49	 -12,373.49	 -8,373.49
	<u>-36,696.16</u>	<u>-19,975.32</u>	<u>-1,343.24</u>

Meadfoot Beach Chalet Development Proposal 3

(Do Nothing)

APPENDIX 2c

Construction Capital Costs

46 Lower Chalets	0.00
23 Roof Chalets	0.00
Refurbishment Costs	0.00

Sub Total: 0.00

Additional Costs i.e. Railings & Steps 0.00

Sub Total: 0.00

Contingency (10%) 0.00

Total Construction & Demolition Cost: 0.00

Operating Costs

	Year 1	Year 2	Year 3
Admin Support (1 day per week)	4,259.84	4,259.84	4,259.84
Facility Cleaning	3,000.00	3,000.00	3,000.00
Repair and Maintenance	3,000.00	3,000.00	3,000.00
On-site Supervision	3,000.00	3,000.00	3,000.00
Cleaning, Consumables etc	5,000.00	5,000.00	5,000.00
National Non Domestic Rates (NNDR)	14,000.00	14,000.00	14,000.00

Running Cost Total: 32,259.84 32,259.84 32,259.84

Loss of Income prediction (due to unfit being unfit for purpose) 2 lower, 1 roof (2600.00) 4 lower, 2 roof (5200.00) 8 lower, 3 roof (9200.00)

Income

Based on 100% occupancy for 100 units for 52 weeks

	Year 1	Year 2	Year 3
46 Lower Chalets @ £700	32,200.00	32,200.00	32,200.00
23 Roof Chalets @ £1,200	27,600.00	27,600.00	27,600.00

Total: 59,800.00 59,800.00 59,800.00

Less VAT @ 20% 9,966.67 9,966.67 9,966.67

Total: 49,833.33 49,833.33 49,833.33

Less Loss of Income 2,600.00 5200.00 9200.00

Total: 47,233.33 44,633.33 40,633.33

Overall Income Less Running Costs: **Page 190 14,973.49 12,373.49 8,373.49**

From: Haywood, Steve
Sent: 28 February 2011 08:54
To: Singleton, Derek
Cc: Mumford, Paul
Subject: Meadfoot Beach Chalets

Derek

Just a line to confirm my conversation with you last week, re the condition of the chalets at Meadfoot. (I believe Paul has issued you with all of the photos that he took of the site as I have only attached the photos that I consider to show the elements I have based my recommendations on)

The roofs and walls of the last eight chalets are in a condition that can only be described as very very poor and as such are past the point of any practical repairs and we are strongly recommending that they are removed from site in the interests of safety.

I have attached photos to highlight our concerns and it can be clearly seen that the roofs have been patched in an ad-hoc manner and in a way that would not offer any longevity to the life of the building, to repair these roofs the old coverings would need to be removed, this would then lead to exposure of suspected rotten roof support timbers which will require reconstruction, it is noted that the overhanging canopy has no means of support on its leading edge and is relying on rotten roof timbers to retain it in place. It is our considered opinion that this structure is likely to fail at any time and could possibly injure any one stood/laid below it. To carry out any repairs to the roofs the work would need to comply with Health & Safety legislation, the whole structure would require access scaffolding to be erected both for safe working above and for edge protection to prevent falls from height. The cost of these works including all H&S issues would probably cost more than the cost of installing new chalets and we still have the rear walls and floors to consider. The rear walls have suffered damage from large rocks and other objects striking it, possibly due to the lack of any protection from the scree slope that is directly behind these units. Again various attempts have been made to patch and mend but not to a suitable standard, the rear walls require sheeting completely with a marine grade ply or a shuttering grade board, the floors of the chalets are also showing signs of water penetration and rot and would need works to ensure that they continued to support persons using the chalet.

Our recommendations would be to remove completely the eight units at the far end of the row and replace them with free standing beach chalets. I would also recommend that some form of protection is installed to protect the new chalets from rock falls by either a mobile barrier or the construction of a small retaining wall.

The remainder of the chalets are not on the face of it in too bad a condition and with prudent maintenance and, some well considered and executed repair works, the life of the remaining units could be extended for a further few years.

As to regards the structure below these beach huts we have engaged our structural engineer to look at some of the concrete sections where it would appear that the internal reinforcing steel bars are starting to leech rust stains onto the outer surface and where the concrete is showing signs of cracking. A more detailed report will follow once his investigations have been completed.

If we can assist you in any way either now or in the future please do not hesitate to contact me.

Regards

Steve Haywood.

Principal Services Engineer - Property Services

Torbay Development Agency

Tor Hill House

Union Street

Torquay

TQ2 5QW



Tel: 01803-207335

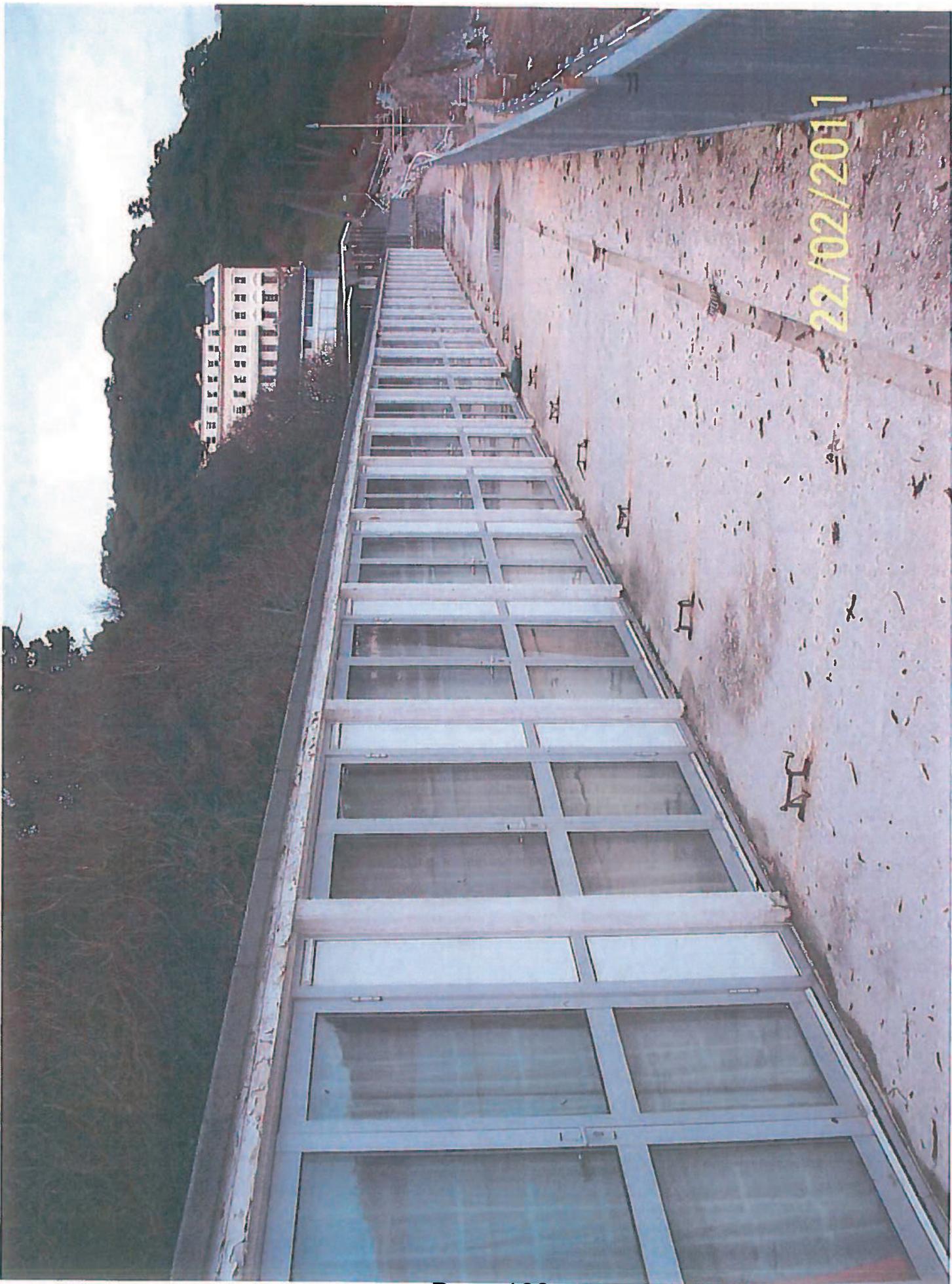
Fax: 01803-207511

Email: steve.haywood@torbay.gov.uk

www.torbay.gov.uk www.torbaydevelopmentagency.co.uk

Torbay Development Agency is a public private sector partnership working with Torbay Council to deliver economic regeneration, asset and estate management, strategic tourism, business support, and voluntary & community sector development.

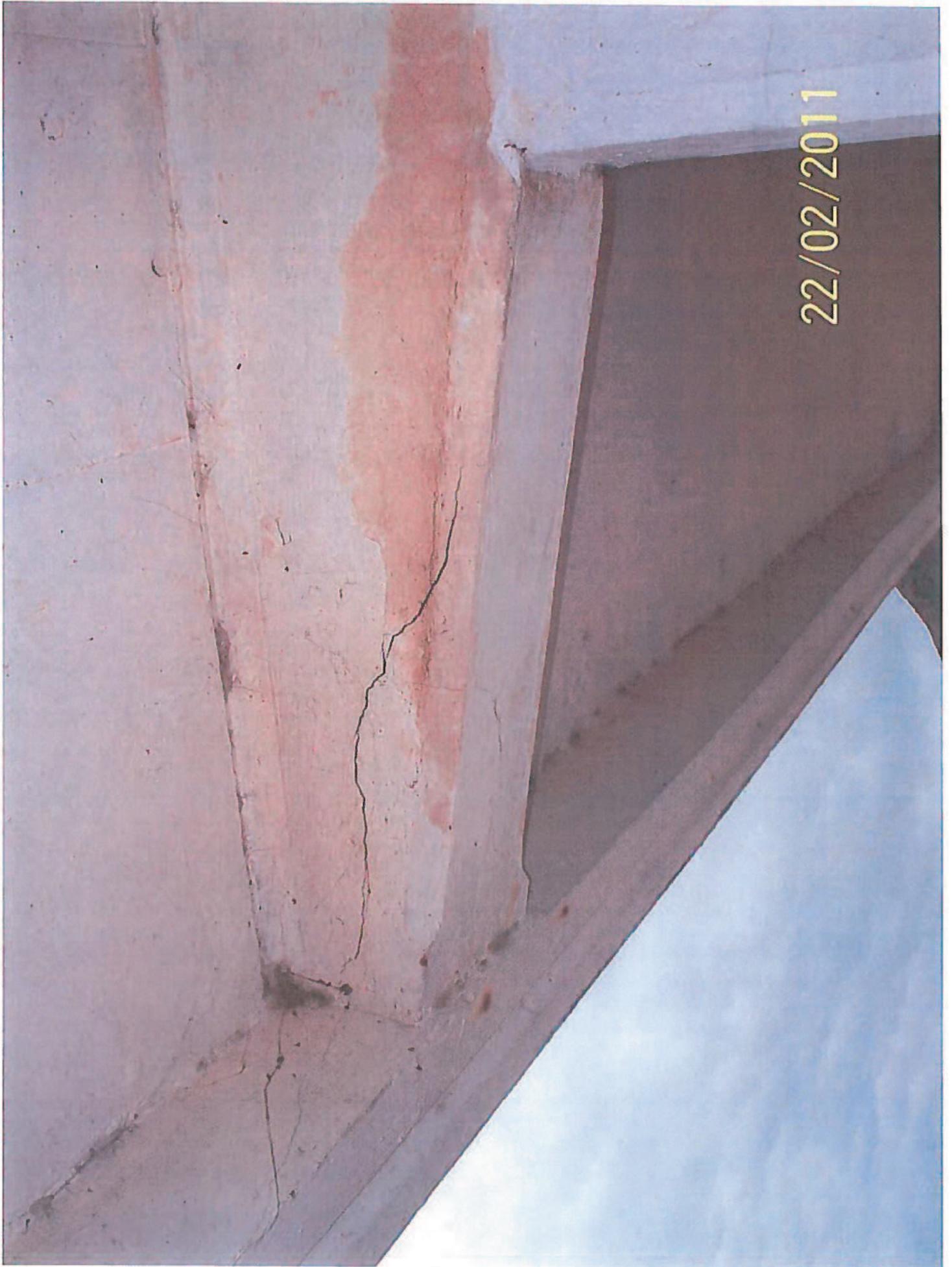
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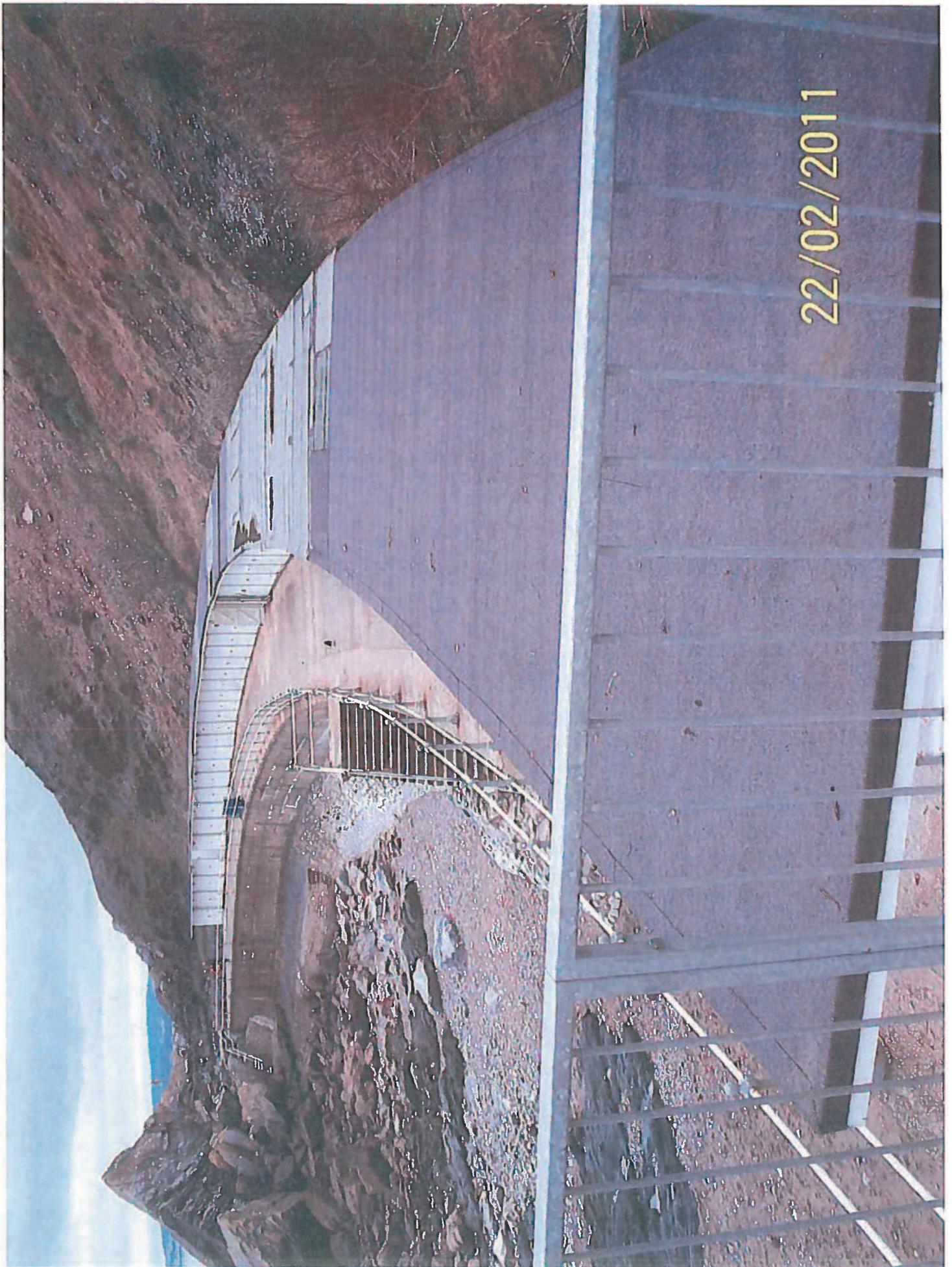


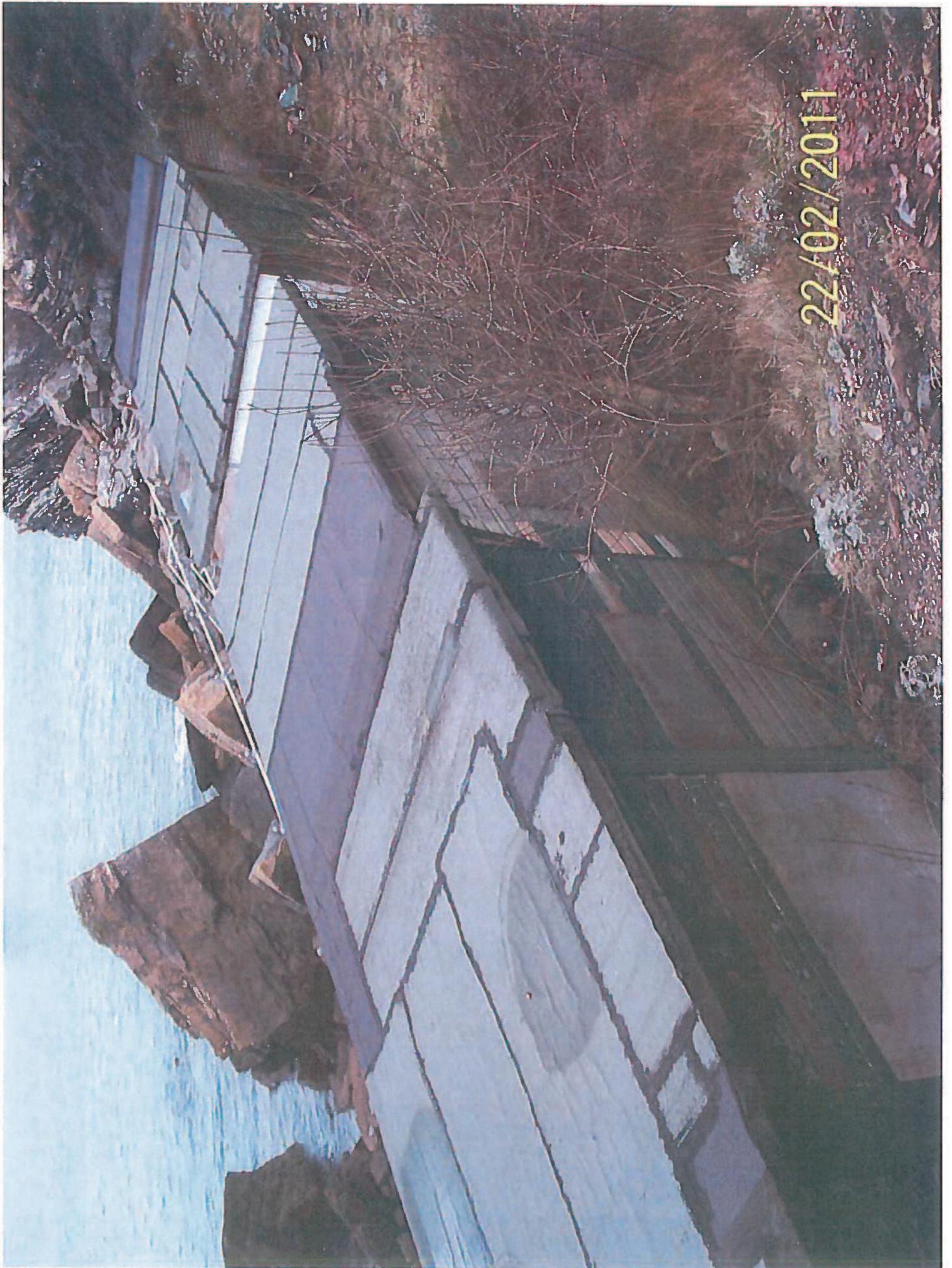


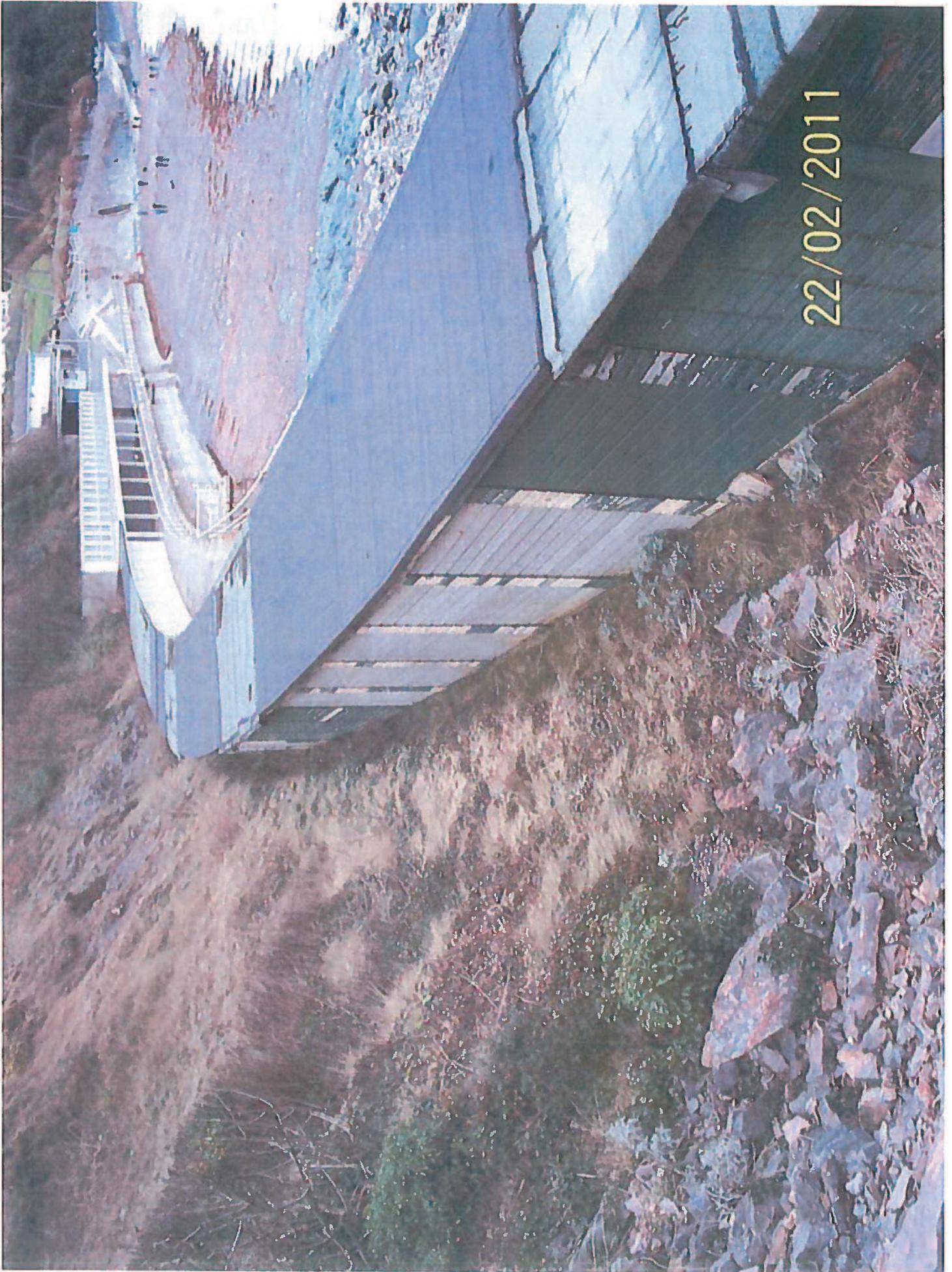
















Pebble balast roof



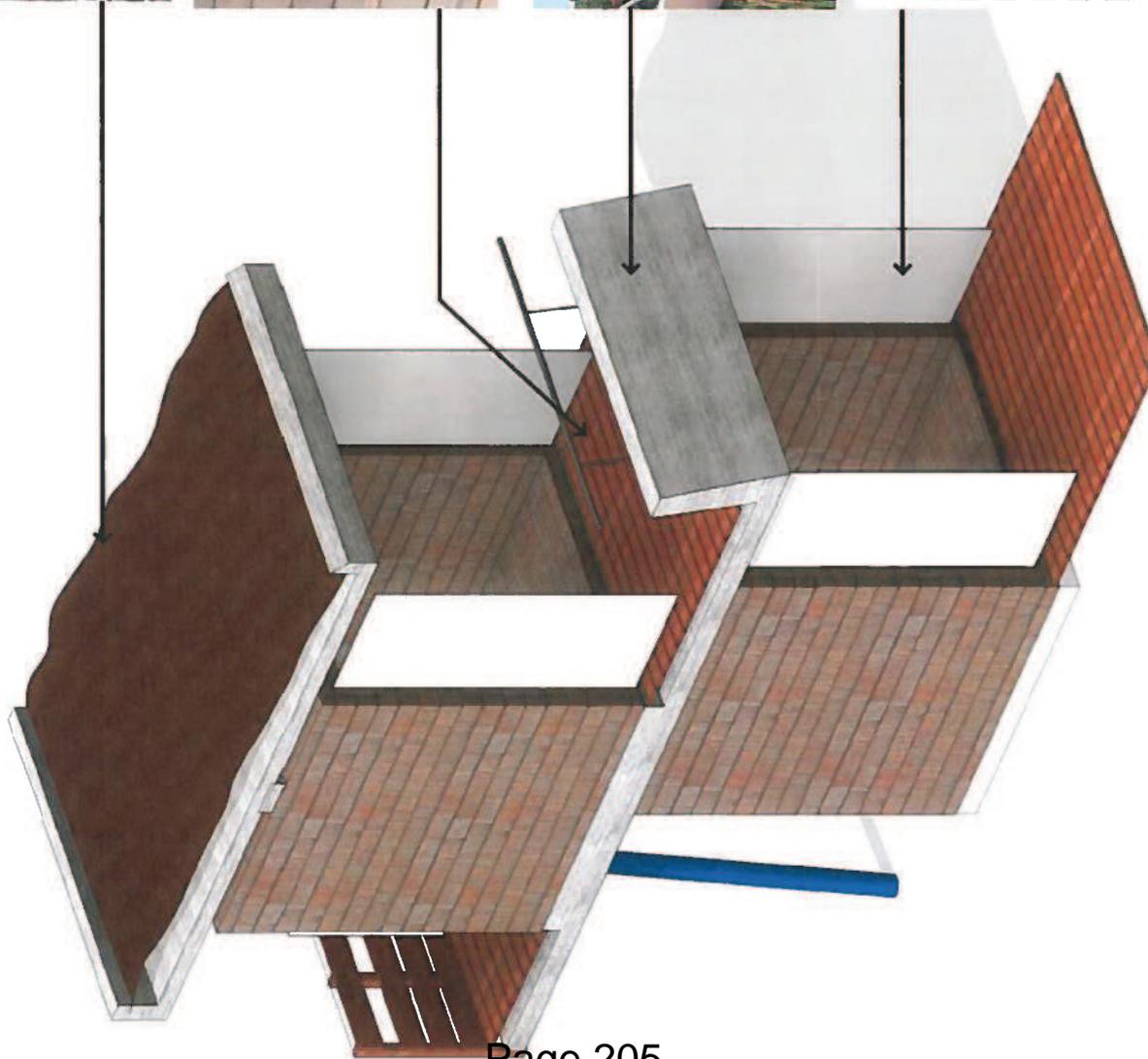
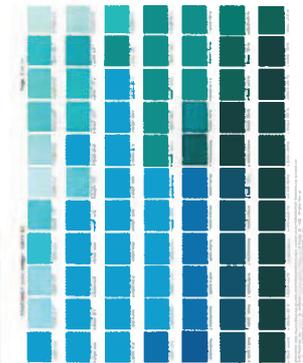
Timber deck



Open Balustrade



Playful Colours





Equality Impact Assessment (EIA):

Name of Report/Proposal/Strategy:	Meadfoot beach Huts and chalets	Business Unit:	Resident and Visitor Services
Name (Key Officer/Author):	Sue Cheriton	Tel:	7972
Position:	Executive Head Resident and Visitor Services	Email:	sue.cheriton@torbay.gov.uk
Date:	21 st June 2013		

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

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

Relevance Test – ‘A Proportionate Approach’

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

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

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

Section 1: Purpose of the proposal/strategy/decision

No	Question	Details
1.	Clearly set out the purpose of the proposal	<p>The chalets and huts at Meadfoot are now beyond economic repair and a number have already been condemned, this project provides an opportunity to replace the existing 50 year old units to improve the rental offer, and increase the regular income.</p> <p>Meadfoot has a substantial waiting list for Beach chalets and a current 100% occupancy; this development will enable the council to increase the number of units thus increasing footfall and providing a further potential to improve the café and toilet provision in a second phase.</p> <p>There is a considerable amount of repair work required under planned maintenance. The present income level cannot be maintained as units will be taken out of use as they become unsafe or un-rentable. The decision needs to be made to enable work to commence over the winter period to be complete by spring 2014 this will enable income loss to be minimised.</p> <p>The replacement units are expected to total 137, this provides an extra 68 units. There is a substantial waiting list predominately populated by local people.</p> <p>Increased numbers of huts and chalets would increase footfall for business and also for car parks.</p> <p>There would loss of income reputation and goodwill as a result of taking units out of use, with potential reduction in footfall having a negative effect on local business.</p>
2.	Who is intended to benefit / who will be affected?	<p>It is intended that all existing and prospective users will benefit from the development. The key stake holders are the beach hut / chalet users, also members of the community represented on the waiting list.</p> <p>Other stake holders include the existing businesses trading in that location and general beach users. The project will also improve the appearance and value of the amenity for the local community, residents and visitors to Torbay as a whole.</p>
3.	What is the intended outcome?	<p>There will be an increase in income from seasonal, weekly and day let rental options enabling customers renting on a daily basis to become seasonal customers. There is a substantial waiting list predominately populated by</p>

No	Question	Details
		<p>local people the extra huts will enable those that have been on the list longest to have an option on one of the new units. All users will benefit from the improved facilities. The project will develop increased winter footfall spreading economic activity over the shoulder months and increased trade for existing businesses and the potential for further economic development, in subsequent phases.</p> <p>There will be a substantial reduction in the planned maintenance and reactive maintenance costs.</p>

Section 2: Equalities, consultation and engagement

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

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

Evidence, consultation and engagement

No	Question	Details
4.	Have you considered the available evidence?	The project has been considered by the Beach Development Strategy Project Board with evidence being presented from the various consultations outlined below.
5. Page 210	How have you consulted on the proposal?	Consultations have been carried out with Ward Councillors, Beach Hut User Group (BHUGS), Meadfoot Beach huts users, and the Wellswood area Community Partnership. Beach Development Strategy Project Board.
6.	Outline the key findings	<p>Consultation with <u>all</u> existing users at Meadfoot (69) We received a positive response to the idea of the development; people contacted were definitely interested, as there is a long waiting list, a number of short let users were expecting to eventually take over a hut or chalet. When asked would you be interested in renting all year and be willing to pay more for a larger hut with some utilities? The majority responded positively. Of those responding negatively the majority had chalets still in reasonable condition.</p> <p>Response from BHUGs annual meeting (attendance 75) Beach hut users attending the meeting had a positive response; it was said “we have heard you are going to rebuild some or all of Meadfoot chalets, we are interested in having a new hut, and when are you going to do it?”</p>

No	Question	Details
		<p>Questions asked at Beach Hut User Group committee: Would you be interested in renting all year and be willing to pay more for a larger hut with some utilities? The majority responded positively. The Committee of BHUGS have been consulted and involved from the projects inception and have agreed and supported the project.</p> <p>Consultation with all Wellswood Community Partnership The project was presented to members of the partnership and received a positive response.</p>
7.	<p>What amendments may be required as a result of the consultation?</p>	<p>Some of the responses received from the consultation with Meadfoot users have indicated there is a lack of understanding on the true overall condition of the huts and chalets; it is proposed that following the consultation already undertaken and the project is confirmed by council as going forward we will provide further detailed information to the existing occupiers.</p>

Positive and negative equality impacts

No	Question	Details		
		Positive Impact	Negative Impact	Neutral Impact
8.	<p>Identify the potential positive and negative impacts on specific groups</p>	<p>We would like to rebuild and subsequently improve facilities at Meadfoot:</p> <ul style="list-style-type: none"> • The project would improve the facilities for all groups. • A further phase could improve access for all groups • Income would be increased, potentially improving service and facilities • There would be a greater footfall over the shoulder months and winter season increasing income for business and potentially reducing the effects of vandalism. 		
	<p>All groups in society generally</p>	<p>The project is likely to have an overall positive effect on all users</p>		
	<p>Older or younger people</p>	<p>There have been difficulties with the poor condition of beach huts and chalets. The new units with modern doors and fittings will be easier to use for older customers.</p>	<p>The base line for charges is that achieved by real market testing at Broadsands where the new chalets with similar amenities achieve £1,500 per annum. There is the potential that the increased charges at Meadfoot could disadvantage some older users on low fixed incomes. It is accepted that the use of a beach chalets is non-essential expenditure. However to ameliorate the effect of the increase in charges price rises will be spread over three years.</p>	
	<p>People with caring responsibilities</p>			<p>The differential impact is neutral</p>
	<p>People with a disability</p>	<p>Due to the topographical constraints of this site access throughout the whole of this steep site is difficult. As</p>		<p>Impact for this phase of the works is neutral.</p>

Question		Details	
		part of a further phase of these works access will be maintained and improved as far as is practicable.	
	Women or men		The differential impact is neutral
	People who are black or from a minority ethnic background (BME)	<i>(please note Gypsies / Roma are within this community)</i>	The differential impact is neutral
	Religion or belief (including lack of belief)		The differential impact is neutral
	People who are lesbian, gay or bisexual		The differential impact is neutral
	People who are transgendered		The differential impact is neutral
	People who are in a marriage or civil partnership		The differential impact is neutral
	Women who are pregnant / on maternity leave		The differential impact is neutral
	Socio-economic impacts (including impact on child poverty issues and deprivation)		The differential impact is neutral
9.	Is there scope for your proposal to eliminate discrimination, promote equality of opportunity and	This project creates a facility that can be used equally by all, it does not have any negative impact on any particular group; and is good for all groups to enjoy equally. Due to the topographical constraints of this site access for all throughout the whole of this steep site is not easy. As part of a further phase of these works access will be maintained and improved as far as is practicable.	

No	Question	Details
	/ or foster good relations?	

Section 3: Steps required to manage the potential impacts identified

No	Action	Details
10.	Summarise any positive impacts and how they will be realised most effectively?	This project creates a facility that can be used equally by all, completing the works over the winter period will minimise disruption, loss of income and be most effective way to carry out the project. Due to the topographical constraints of this site access for all throughout the whole of this steep site is not easy. As second phase of these works again carried out over the winter months will be able to improve access as far as is practicable.
11	Summarise any negative impacts and how these will be managed?	The base line for the new increased charges is that achieved by real market testing at Broadsands where the new chalets with similar amenities achieve £1,500 per annum. There is the potential that the increased charges at Meadfoot could disadvantage some older users on low fixed incomes. It is accepted that the use of a beach chalets is non-essential expenditure. However to ameliorate the effect of the increase in charges price rises will be spread over three years. Customers not able to afford the new rates for the improved units will be offered suitable sites at other locations.

Section 4: Recommended course of action

No	Action	Details
12.	State a recommended course of action [please refer to action after section 5]	It is recommended that this project be approved; there is the potential to provide improvements to access. Any negative impact can be controlled as outlined. Outcome 1: No major changes the project are required –

	The EIA has not identified any potential for adverse impact in relation to equalities and all opportunities to promote equality have been taken.
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Section 5: Monitoring and action plan

No	Action	Details
13.	Outline plans to monitor the actual impact of your proposals	The impact on existing customers will be reviewed and monitored. Further phases of this project will be designed to improved access to the site where practicable

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

Action plan

Please detail below any actions you need to take:

No.	Action	Reason for action / contingency	Resources	Responsibility	Deadline date
1	Maintain contact with all existing Beach Huts Chalet users to provide addition on-going updates.	Customer service	Staff / time	Resident Visitor Services	September
2	Additional phases of the development to further improve access where practicable	Compliance with DDA	Project funding Staff time	Resident Visitor Services	September 2014
3	Where existing customers are unable to afford the new rates to enable transfers to other available locations	Customer service	Staff / time	Resident Visitor Services	September

Agenda Item 12



Meeting: Council **Date:** 18 July 2013

Wards Affected: All wards

Report Title: Adult Social Care – Local Account

Executive Lead Contact Details: Christine Scouler, Executive Lead for Adult Social Care and Older People, (01803) 553236, Christine.scouler@torbay.gov.uk

Supporting Officer Contact Details: Caroline Taylor, Director of Adult Social Care, (01803) 207116, caroline.taylor@torbay.gov.uk

1. Purpose

1.1 This is the second Local Account for Adult Social Care. It sets out what we have achieved for local people in relation to adult social care and outlines our level of performance for last financial year and our commitment to future service delivery. The Government has asked that Local Accounts are put in place to offer councils the opportunity to share a common approach to the performance of adult social care. It also outlines the details of our multi agency approach to adult safeguarding. This reflects the view of government in the Health and Social Care Bill that adults safeguarding is on a statutory basis in the same manner that children's safeguarding is a statutory responsibility.

2. Proposed Decision

2.1 That, subject to any additional recommendations from the Mayor and Group Leaders, the Local Account in Appendix 1 which sets out performance for 2012-13 and sets out intentions for the Annual Strategic Agreement for services for 2014-15 be approved and that the multi agency safeguarding report set out in Appendix 2 be approved.

Supporting Information

3. Position

3.1 In Torbay, adult social care is commissioned by the local authority and is delegated and delivered by the Torbay and Southern Devon Health and Care NHS Trust. This builds on the integrated model for health and social care services which we have been rightly proud of in the Bay. The Local Account relates to last financial year but indicates the context of adult social care delivery is that of navigating a

variety of reforms in the NHS, and a considerable reduction in public service spending which will mean we need to deliver services differently in the future whilst maintaining quality for communities and individuals.

3.2 The Council and the Trust continue to use the concept of 'Mrs Smith' and her family in order to focus on the individual within their community setting and to ensure we have shared values across health and social care.

3.3 Councillors and the community are asked to comment on how this Local Account and the multi agency safeguarding report supports understanding of services we deliver as well as providing a local focus and holding to account for service delivery.

4. Possibilities and Options

4.1 The alternative option is not to produce a Local Account but current Government guidance expects local authorities to produce this account for the benefit of local people and then the Council would not be conforming to best practice.

5. Preferred Solution/Option

5.1 To publish the Local Account.

6. Consultation

6.1 The Local Account has been sent to Healthwatch Torbay and has been sent to members of the Experience and Engagement Group, that includes representatives from various service user groups and organisations across the Bay. It has also been discussed and amended by debate at the Health Scrutiny Board.

6.2 The statements from Healthwatch Torbay and the Health Scrutiny Board are set out in the Local Account which is attached to this report.

6.3 It is expected that the Local Account will be an annual publication and therefore service users and the public will be invited to comment and be involved in service feedback on a rolling programme. The more service user feedback in the future will help the Council and the Trust to identify what is most important to residents of Torbay. The positive impact on specific service users being presented should provide assurance and trust in the work of the Council and the Trust which in turn has a positive psychological effect on individuals and carers as they approach services for the first time.

7. Risks

7.1 There are no risks to the Authority in accepting the Local Account and the multi agency adults safeguarding report

Appendices

Appendix 1 – Your Local Account of Adult Social Care Services

Appendix 2- Multi agency safeguarding report for adults.

Adult Social Care Local Account 2012- 2013

A Local Account of how adult social care services in Torbay have been delivered and performed throughout 2012-13



www.tsdhc.nhs.uk

July 2013

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1. Foreword by Councillor Christine Scouler – Executive Lead for Adult Social Care and Older People



Dear Reader,

This is the second edition of your Local Account, which reviews the year from 01 April 2012 to 31 March 2013, as well as looking forward to 2014-15.

Torbay and Southern Devon Health and Care NHS Trust and Torbay Council have had a history of successful partnership working and this year's Local Account reflects the continuation of this despite the difficult economic environment and the population changes that Torbay currently faces, with an ever increasing elderly population.

Torbay Council commissions Torbay and Southern Devon Health and Care NHS Trust to provide adult social care in Torbay. These arrangements have been in place since 2005, however in April 2012 both organisations made an important change to transfer the Director of Adult Social Services (DASS) role back to the Council. This was so the Council could take overall responsibility as Commissioners of adult social care and therefore be able to influence the strategic balance of the adult social care portfolio. The DASS role is responsible for setting the strategic direction for adult social care and represents adult social care at an executive and non-executive (Scrutiny) level; providing accountability for the Council's decisions on the adult social care budget and service changes. The DASS also draws up the Annual Strategic Agreement between the Council and the Trust. The Trust reports to the DASS both on performance and financial matters.

The Local Account also provides you with details our successes but also information about how the local NHS and the Council has managed significant change which although difficult at times, has led to a greater quality of life for individuals and provides us with huge learning when embarking on change in the future.

The forthcoming year will undoubtedly provide both organisations with an equal amount of challenges not only because of the financial constraints but also because of the demands on our service as our population grows older. We are, as always, committed to facing those challenges and changes with you by ensuring that we listen to what you have to say and including you in the decision making processes that we must go through.

We will continue to want, wherever possible, for people to be able to support themselves and remain as independent as possible, for as long as possible by ensuring they have the right support, advice or services available.

Delivering the right care, in the right place, at the right time, and the right cost is key and we hope that the Local Account will provide you with an insight into our work, the outcomes for local people and our priorities for delivering adult social care over the next year.

Yours Faithfully

Councillor Christine Scouler
Executive Lead for adult social care and older people

2. Our commitment to adult social care services in 2014-15

This section of the local account sets out our intentions for 2014-15.



When we first embarked upon integrated health and adult social care services in 2005 we had a vision about ensuring that every person receives the right care, in the right place and at the right time. This is still something that flows through all that we do at the Trust and an ethos that all of our staff hold. We remain the only place in the South West to provide integrated health and social care and as a Trust and Council we will be working with mental health services, Torbay Hospital, our commissioners and Devon County Council to continue to build upon our successful model of care.



There have been a number of benefits from becoming an integrated organisation for the health system as a whole as it has allowed us to be more creative with the way that run and resource health and social care services, but the most important thing is what it has achieved for our population. Clients have a single point of contact for their care; people only every have to tell their story once, more people in Torbay die in their place of choice than anywhere else in England and anyone who needed urgent equipment has it in their homes within 72 hours.

As partnership organisations we only ever want to build upon and continue to improve the services we provide and the outcomes for our local population. We do have to do this within tighter financial constraints but the statement below sets our commitment for the next year to the people of Torbay.



Jon Andrewes
Chair
Torbay and Southern Devon Health and Care NHS Trust



Mandy Seymour
Chief Executive



In Torbay the Council and Torbay and Southern Devon Health and Care NHS Trust have successfully used the idea of Mrs Smith and her family to symbolise people who need health and social care support. This metaphor has helped focus Councillors, NHS board members, senior officers, managers and front line staff on the purpose of our services and 'doing the right thing' for individuals in our community as part of our shared values.

The commitment statement below sets out what this continuing journey will mean for Mrs Smith, and her family, in the changing policy context of adult care, public sector reform and reducing public resources. Our aspirations have to be set in this context.

Local authorities will have to make significant reductions in spending on adult social care as part of the reduction to council budgets. When focusing on the needs of Mrs Smith, and her family, resources will continue to be used to support people to be as independent as possible for as long as possible and we will work jointly with NHS partners to make sure we provide the best we can for our community.



Caroline Taylor
Director of Adult Social Care Services (DASS)
Torbay Council

Keeping Mrs Smith at the heart of an integrated health and social care system

The Council remains committed to making sure that services are integrated across health and social care, and believes that this is the best way to ensure Mrs Smith experiences person centred services at a consistent quality. We will build on the success we have had to date by seeking to achieve integration of services for those experiencing mental health difficulties and working closely with GPs and primary care services. An integrated system means that commissioning across health and care needs to be aligned; in Torbay we will use the Health and Wellbeing Board to provide system leadership to drive these changes and ensure that provision is aligned and integrated where it is sensible to do so.

Independent Living

Our commitment, which reflects national policy as expressed through the new Health and Social care Act, is to keep Mrs Smith as independent as possible for as long as possible. We will continue to ensure that Mrs Smith is supported at home whenever possible with less reliance on traditional bed based care. Home could be with family, in supported accommodation, in extra care housing or an adapted property through disabled facilities or telecare/telehealth support, as well as personal care. Where Mrs Smith is unwell and needs hospital or other acute treatment we will work with her and her family through reablement to get her back to being as independent as possible as soon as possible.

Supporting Carers

Part of remaining independent and having quality of life is to make certain that those who support 'Mrs Smith' as carers get the support and wellbeing checks that they need to have a good quality of life. We remain committed to supporting carers, both young and old, that want to support their loved ones in a family setting.

Actively supporting carers will continue to be a high priority for the Trust, Torbay Council and local NHS commissioning group. Work will continue to ensure that we continue to identify hidden carers, particularly carers of people with memory problems or those with early indications of dementia. We will also want to ensure that more carers receive regular health checks by their GPs and higher proportion of our carers feel involved in discussions about

the support provided to the person they care for. In addition to this we will want to make sure that our carers feel supported and are able to access services with a specific focus on hospital discharge arrangements. This will be done by following up carers of patients with a phone call once they have been discharged from a community hospitals, as well as providing carers with contact details for support post discharge from hospital. We will also continue to raise carer awareness amongst our staff.

Dementia

We know one of the rising demands in our health and care system will be supporting people who experience forms of dementia. This is not just developing specialist services, it is making sure that all services in Torbay, including managers and staff understand and can meet the needs of people with all types of dementia. We will work with health colleagues to make sure people have an early diagnosis, and work with our communities to encourage people to come forward early if they experience potential symptoms. Our aim is to make Torbay a dementia friendly place.

Fair access to care services

The increasing pressure on resources, and the rising demands on services, makes it important to ensure that access to services provided by the Council is fair and equitable. It is now only possible for the Council to meet needs which are assessed as being 'substantial' or 'critical' against the nationally set Fair Access to Care Criteria (known as 'FACS').

This has not always been the case so to make sure that in similar circumstances everyone receives similar levels of care it will be necessary to ensure that services are only being provided to meet substantial and critical needs whenever a review or reassessment of needs is carried out by, or on behalf of, the Council.

In all other circumstances people would normally be expected to arrange and fund care services for themselves. However we know this is not always easy for people and so we are developing local, community based, advice and information hubs. It is expected that these 'Hubs' will be run and staffed by voluntary organisations to provide advice and support to people who need to find and arrange care services such as meals, shopping, housework and alarms.

Personal budgets

Where people have substantial and critical needs we will continue to encourage them to hold their own personal budget to give them more control over the way in which the care they need is managed and provided.

Self care and self service

We know many people already organise their own care, either formally by paying people for housework, meals or other support, or informally through family and friends. The advice and information 'Hubs' mentioned above will make sure there is good quality advice and information available to encourage people to make direct arrangements for support when there is no added value of arranging for these services through the local authority or NHS systems.

Paying for care and support

We welcome the governments support to the Dilnot review. This makes a commitment to cap the cost of care. The Dilnot reforms address the question of who should pay and the extent of individual risk. However they do not provide any new money for the system to actually pay for care. We therefore need to both quantify the costs of implementing the funding reforms and consider how such funding needs to be distributed. This is important because the impact will vary significantly across the country and the costs to different local authorities will vary widely.

We will be working through what that means in practice for implementation and to clarify what the impact will be for providers of care in the market. Whether people are supported by the public purse or pay for care and support themselves we will do more to understand and plan for Dilnot and ensure we know more about people who pay for care themselves in the bay, as well as those paid for by the public purse.

Ordinary Residence

When someone who has existing care needs moves to live in Torbay there are some circumstances in which it is right that the cost of their care should be met by this Council. However there are other circumstances in which the local authority for the area they used to live should continue to be responsible for the cost of care. There is legislation and case law to govern these situations which we are committed to applying in the most rigorous way.

It is also important to ensure that if it seems the responsibility for meeting care needs might transfer to this Council the placing authority, the person involved and their family are clear about what can be provided by the public purse in Torbay and what they will have to pay for themselves.

Children to adults

The transition from childhood to adulthood is important for everyone and this is particularly so where people need care and support. We will continue to improve this transition for children with support needs as they become adults so that they and their families are clear about what options they have and choices they can make, well in advance of adulthood to ensure quality of life.

Employment for people with learning disabilities and mental health conditions

We have made some improvements in the choices people have to live independent lives by initiating projects to provide employment experience and jobs for people with disabilities and mental health conditions. We will continue to work on innovative schemes with employers and providers to support people into work where that supports independence and equity. For those with conditions where this is not possible we will work across the peninsula to ensure there is specialist quality support for individuals.

Working with the market

We will work with providers of services, based on a market position statement, to help focus future provision of a system which supports prevention and recovery for Mrs Smith. Independent businesses can then be clear what the public purse is likely to buy in future years, and therefore what innovations in service delivery will be needed.

Safeguarding and quality

At the heart of support for Mrs Smith is assurance that whatever support is provided and wherever it is received it is of a good quality and is safe. We will continue to work with

providers on quality systems and assurances that people are safe and treated with dignity and respect and care at all times. The national reports on both 'Winterbourne View' and 'Mid-Staffs hospital' remind us that we can never take safe care for granted. We will continue to work on a multi-agency basis on adult safeguarding to make sure we have the best system we can, and where safeguarding alerts are made we act quickly on those concerns to get things right and take all appropriate action.

3. Our performance in 2012-13

This section of the Local Account looks at how we have performed and delivered on our responsibilities for adult social care in 2012-13. It aims to provide information to local residents to enable them to determine whether the NHS and the Council have done everything possible to ensure that the best care is provided to the elderly and the most vulnerable in Torbay.

The document provides the reader with the results of the national targets and local performance targets set by the NHS and the Council and where possible indicates whether the performance has been achieved or not by using Red, Amber and Green ratings.

Green	Exceeded, achieved or within 1 per cent of the performance target
Amber	Narrowly missed performance target but on track
Red	Performance in this area needs to improve

Both organisations are aware from previous feedback that this information on its own is not always helpful to the reader in determining whether things have improved for themselves, their loved ones or the people they care for. So with that in mind the commentary that follows seeks to provide some real examples of how the work this year has made a difference to individuals or groups.

The themes for these examples will be aligned to the four performance outcomes that we agreed at the start of the year, these being:

- Outcome 1 – Enhancing quality of life for people with care and support needs
- Outcome 2 – Delaying and reducing the need for care and support
- Outcome 3 – Ensuring people have a positive experience of care and support
- Outcome 4 – Safeguarding people whose circumstances make them vulnerable and protecting them from avoidable harm

A description of what you might expect under these headings is also provided so that you can judge whether this is what you told us or experienced. Torbay and Southern Devon Health and Care NHS Trust and Torbay Council are always striving to improve, develop and enhance services through lessons learnt and best practice and we have described how we plan to do that in the future. We have also included details of some things you might not be aware of which might help you or someone you know in the future; these include some of the very latest innovative solutions to providing high quality care.

As always there is the inevitable focus on the financial position and performance from 2012-13 as well as details of the budget going forward into 2013 -14 and how we plan to allocate and spend the resources available to us. There will be a review of how we have used the

resources available and how we have ensured best value for money at all times. We are also keen here to provide you with an open and transparent review of the risks both organisations are facing in the forthcoming year together with plans to mitigate these risks where possible.

Finally we have asked your Local Healthwatch in Torbay and Overview and Scrutiny Members to review the Local Account and ensure we have provided an open and transparent view of client experience and oversight of the service provided, in line with the views of members and constituents in Torbay. We have also asked our experts by experience panel to review the local Account and have made amendments to the account to improve the information, layout and look of the Account.

We do hope that you will find this Local Account useful and informative and would encourage you to contact us to provide feedback on this or to ask where you can find out further information which might be of use to you or a loved one.

4. How have we performed?

i. Outcomes 1 – Enhancing quality of life for people with care and support needs

What does this mean for the people of Torbay?

This is about individuals being able to live their lives to the full by maintaining their independence, not feeling isolated or lonely because they were able to receive the right level of high quality support, designed by them. It is also about carers being able to balance their role as a carer as well as maintaining their desired quality of life.

How have we performed?

Measure	Expected Target	Actually Achieved	Rating
Number of people receiving a direct payment & contracting for their own care	541	551	✓
Proportion of clients who know the size of their weekly care costs (3,143 /5,411)	55%	58%	✓
Proportion of clients who have received an annual review (3,559 / 4,031)	85%	88%	✓
Proportion of clients who have a copy of their care support plan (4,946 /5,272)	95%	94%	✓
Proportion of assessments completed within 28 days of referral (1,531 / ,201)	70%	69.6%	✓
Proportion of clients receiving their care within 28 days of assessment (1,073 / ,087)	85%	99%	✓
Adults with learning disabilities living in settled accommodation	60%	69%	✓
Adults in contact with secondary mental health services in settled accommodation	70%	77%	✓
Adults with learning disabilities in employment	4.6%	5%	✓
Adults in contact with secondary mental health services in employment	6%	5.5%	✗
Number of people supported through telecare (including community alarms)	1,100	881	!
Proportion of service users who believe that care and support services help them to have a better quality of life *	New for 12/13 Survey	86.5%	✓

* Responses from Adult Social Care survey

The table above shows service users within Torbay continue to have rapid access to social care services. 70 per cent of people referred for an assessment are seen within 28 days

and practically all packages of care needed for service users start within a month of assessment. In line with national expectations, 58 per cent of service users are aware of how much their care costs each week. Knowing the amount helps people take greater control in the care they receive and determine whether it provides value for money. Some of the people supported by Torbay Council funding opt to organise their own care and so receive what is known as a 'direct payment'. However, just under 90 per cent of clients prefer the Council to contract for the services on their behalf.

The number of clients assisted by the community alarm and telecare service appears low. We know the total number of alarms being used by people within the bay remains relatively stable at 2,200. However, the number funded directly by the Council has reduced in line with the assessment criteria.

The number of adults with learning disabilities and those supported by secondary mental health services is lower than we would like. The high unemployment rate and seasonal employment patterns within Torbay contributes to this. Improving employment opportunities for learning disability and mental health service users is a key priority for 2013-14 and our multi-agency work will continue to ensure that this happens.

Developments in community support solutions

In 2012-13 the community support solutions team got involved in a number of projects and won some external bids designed to improve the lives of people in the local community.

1. The Dementia Challenge – This is a government led programmed designed to make a difference to the lives of people with dementia, their families and carers. The team are currently working on this to ensure that we can deliver significant improvements to the wellbeing of people with dementia locally.
2. The Ages2 Project- This is a research project giving a simplified computer and training to a service user to find out whether this influences their social inclusion. There are trial groups of people in Somerset, Torbay and Ancona (Italy).
3. Finer Day-This is a new concept where computers are set up in selected residential homes. The residents are taught to use it to keep in contact with friends and family. It also can be used for medical purposes where a nurse or GP can have a face to face consultation.

Mr H and his gardening hobby

Mr H is a very independent octogenarian living alone in a remote area with no neighbours and is a keen gardener.

One morning he went into the garden to do some weeding, and he fell. He was unable to move and had to lay there until his gardener arrived some hours later.

Mr H contacted Torbay Lifeline and asked if we had any equipment that would call help in an emergency if he fell in the garden again.

He was assessed and had a lifeline alarm unit and a range of falls detector pendants put in his home.

Mr H hung his pendant by the front door and would simply put it on every time he went into the garden. His notes for the call operators say "Uses the pendant outside only". Should the

alarm be raised by the pendant the operators would call him to ensure he was safe. If there was no response they would activate the emergency process Mr H had arranged with them.

Dementia care and awareness in Torbay

There are about 800,000 people across the UK with dementia and around one in eight people over the age of 65 have it. It is estimated that only 43 per cent of those who have the condition have had it diagnosed. The Trust recognises the significant impact dementia can have on a person and their family life. In Torbay and southern Devon the Trust has made significant progress in providing the right kind of care for people with dementia. The Trust has adopted the national standards of best practice and in the last year we have introduced a wide range of measures aimed at helping people with dementia. We are also working closely with carers who look after people with dementia so they can understand what to expect and know how to respond in situations

Mr X and his dog Froddo

Mr X lives alone with Froddo supported by carers who go in daily enabling him to manage in the community.

He has dementia - he does not always recognise his close family. His family worry about him especially as he walks Froddo many times daily and they worry he may not find his way home.

The Occupational Therapist approached the community support solutions team and a Buddi device (using satellite and mobile phone technology) was attached to Froddo's lead as he never left for a walk without Froddo on the lead.

The device was set to allow Mr X to follow the route that he always uses when walking Froddo. If he deviated out of this zone a text message would be triggered to a smart phone which would show where Mr X was located, his speed and direction of travel

Mr X remains independent, keeps his dignity and lifestyle. The family are reassured and know they can find him should he wander.

Community based supported employment service

The new Torbay community based supported employment service commissioned by Supporting People, and provided by Pluss, has been in operation since October 2012. This service provides intensive support to people with learning disabilities and autistic spectrum condition to find and maintain employment.

Supporting People has also been involved in the creation of Project Search, an internationally recognised project which provides opportunities for young people with learning disabilities to gain employment. The project is based at Torbay Hospital and is a partnership between the hospital, South Devon College and Pluss, who provide employment support, funded through Supporting People. Young people experience real placements in hospital departments, coupled with support to gain a vocational qualification. The project has an impressive track record of supporting people into employment, both in the UK and the USA

ii. Outcome 2 – Delaying and reducing the need for care and support

What does this mean for the people of Torbay?

This is about individuals having the best opportunity possible to manage their own health and care because they have the right support and information. Early diagnosis and intervention means that dependency on intensive services is reduced and when it is required it means that individuals are helped to recover in the right setting which isn't necessarily in a hospital environment.

How have we performed?

Measure	Expected Target	Actually Achieved	Rating
Number of people living permanently in a care home as at 31 March 2013	703	717	!
Proportion of people discharged from hospital receiving reablement and still at home 91 days later	80%	81%	✓
Number of people with a delayed discharge from hospital p/wk per 100,000 population	9	1.5	✓
% of emergency readmissions to the local acute hospital for over 65's within 28 days	6.6%	6.6%	✓
Number of emergency bed days used for over 75's with 2 or more admissions	13,308	14,834	✗

In order to help people live as independently as possible for as long as possible we are committed to reducing the reliance on nursing home and residential home care.

During the last five years the number of individuals living permanently in a care home has reduced by approximately 40 placements each year. Although we missed the target of 703 people living in a care home in March this was achieved during April 2013. With an ever growing elderly population this enable those who most need this type of specialist care to received it, whilst helping other to stay as independent as possible in the comfort of their own home.

We continue to work closely with the care homes within Torbay and rely heavily on the support they provide to temporary clients which can often avoid an emergency admission in to Torbay Hospital. Our ability to place people at very short notice into temporary beds is part of our intermediate care service. This service is renown nationally with many other local authority and NHS organisations looking to replicate it. The joined up (or integrated) nature of services also helps ensure patients have shorter stays at the local acute and community hospitals. The average length of stay for emergency patients at South Devon Healthcare NHS Foundation Trust (Torbay Hospital) is amongst the lowest in the country and those patients experiencing a delayed discharge are minimal. This is achieved by having a streamlined communication processes between teams which ensures patients can have rapid access to the service they need when they return home.

Torbay Hospital experienced an increase in emergency admissions during the year. It included a rise in the number of people aged 75 or over admitted two or more times and the number of days they stayed in hospital. Staff in the community continue to work closely with GPs and the hospital to find ways to reduce this reliance on the acute hospital by enabling people to stay at home, whenever possible.

New supported accommodation for recovery and independence

After a review of supported accommodation, Supporting People commissioned (planned, purchased and developed) a new service in Torbay which provides supported accommodation to help people become independent. This service supports people with a range of needs, for example mental health needs, or physical or learning disabilities. The service offers 'pre engagement' where a support worker works with a person to look at their needs to ensure the right accommodation is found. This is followed by a period in supported housing where support is given to gain the skills needed to live independently. Finally the service offers a period of resettlement support when people leave supported accommodation, to ensure that they are able maintain their own accommodation.

Reablement story, Miss S

Miss S is a 45 year old agoraphobic female living alone in a centrally located flat. She has significant mental health problems and is known to the mental health team. She suffers from high levels of anxiety and believes that she has fictitious illnesses which prevent her from participation in activities of daily living.

Miss S had become completely dependent on her partner and carer for all personal care, meal preparation, shopping, laundry and housework. Her carer adopted a mothering role, encouraging dependence and shielding Miss S from available services. In June 2009 her carer left suddenly.

Adult social care and the community mental health team put the following package of care in place to ensure her safety. The Provider advised they were concerned about lone working due to mental health issues stating two carers were required to deliver package of care.

In November 2012, Miss S was referred to the reablement Team, a pilot project aimed at encouraging independence. Miss S met with the team leader and agreed initially to practice with the support workers to make her own breakfast. She was anxious at the prospect but gained confidence in the support workers as they encouraged her to participate.

Following seven weeks of participation in the reablement programme delivering an average of 3.5 hours per week, Miss S achieved several goals and is now independent with all personal care and gets dressed every day without prompting. She is able to wash and dry dishes (something which she was fearful of as she believed she may sustain a cut), she can make her bed, make her own breakfast and hot drinks throughout the day and is able to put herself to bed independently.

Miss S had a total package of care costing £119.81 per week, plus an additional contribution she made herself. This included meals on wheels, domiciliary care and support to, undertake shopping, laundry, housework and to manage her finances. After receiving care from the reablement team Miss S still has a small amount of care that she self-funds but she no longer needs an extensive package of care.

'Miss S' reports back to the Reablement team : ***“I am proud that I can do things for myself”***

iii. Outcome 3 – Ensuring people have a positive experience of care and support

What does this mean for the people of Torbay?

This is about individuals and carers being aware of the support that is available to them and when it is accessed that it is sensitive to their needs and provides them with a positive experience.

How have we performed?

Measure	Expected Target	Actually Achieved	Rating
Number of people on Torbay's Carer's Register	3,050	3,604	✓
Carers receiving a needs assessment, a review, information, advice, etc. (1,409 / 4,782)	31%	29%	!
Proportion of clients who are "very satisfied" or "extremely satisfied" with their care	No Target Set	71%	
Proportion of carers who report they have been included in discussions about the person they care for *		74%	

* Responses from Adult Social Care or Carer's surveys

The proportion of carers receiving a needs assessment, review or information and advice is a nationally reported indicator with a formal definition that must be abided by. The carers' service is well developed in Torbay and includes partnership working with many other organisations. It is difficult to capture the advice, support and information these organisations provide to individuals and consequently, in accordance with the strict definitions we are unable to include them when calculating this measure.

As can be seen from the section below supporting carers – both young and old, has been and remains a high priority in 2013-14.

Development in services for Carers

In the past year there have been a number of new developments in local carers' services which is particularly encouraging in view of the fact that more than 12 per cent of the population of Torbay are providing unpaid care and support to older people, or those with disability, mental health or substance misuse issues.

A partnership with Torbay Hospital and community health and social care has improved support for carers both during and after hospital stays. Independent evaluation found good staff awareness of the importance of identifying carers, and we are continuing to improve communication between staff and carers.

In response to what you told us we have initiated a number of new developments such as:

- Recruitment of a carers' support worker in the hospital discharge team to undertake carers' assessments and to be a link where complex, unpaid caring impacts on patients when they leave the hospital.
- Distribution of a new carers' contact card which gives key numbers for carers to ring for support after discharge from hospital. This card will be given out through wards and by community staff.
- A project in the emergency assessment unit at Torbay Hospital to test new ways of working with carers, encouraging their involvement in ward rounds and decisions about future care. It is hoped that learning from this pilot can be rolled out to other areas.
- A programme of staff awareness training in hospitals, community nursing and other key services to improve contact between staff and carers.

Alongside this, we developed a fresh approach to young carers under 25 by combining the work of the Trust's Young Adult Carers Service with Torbay Council's Young Carers Service to produce a joint strategy. The approach is aimed at designing services around the needs of young carers.

In addition to this work this, the Personal Social Services Survey of Adult Carers has provided us with a whole host of information about carers experiences of care and support and this information will be used to inform local priorities as well as the national carers' strategy.

This survey, which was undertaken in October 2012, asked questions about the carer and the person cared for, the needs and experiences of support, the impact of caring and quality of life, the quality of information and advice, and support and services arrangements available in the last 12 months.

There are over 3600 people on the Carer's Register within the Bay and surveys were distributed to 800. The percentages given below are based on the 499 responses received.

Key findings showed:

- 64 per cent of carers were satisfied with the support received from social services in the last 12 months, with 15.1 per cent of those extremely satisfied. 19 per cent said they hadn't received any support.
- In the last 12 months nearly 50 per cent of people being cared for used equipment or adaptations to their home, 33 per cent used home care and 29 per cent lifeline alarms. Around 20 per cent used various services which allowed them a break or rest from caring.
- 48 per cent feel they have encouragement and support in their caring role, 37 per cent some encouragement but not enough, while 15 per cent have no encouragement and support.
- In the last 12 months 54 per cent of carers have used information and advice services. Fewer carers used support from carers groups (35 per cent), carers training (9 per cent), or employment support (2 per cent).
- In the last 12 months 34 per cent of carers have not sought information and advice. 50 per cent found it easy to find with 15 per cent finding it difficult to find.
- Of the information and advice received by carers 66 per cent found it helpful, while only 6 per cent found it unhelpful.
- In the last 12 months 34 per cent of carers felt involved in discussions about the support provided to the person they care for.
- 77 per cent of carers have joined the Torbay Carers Register (23 per cent have not), additionally 80 per cent of carers have told their GP that they are a carer (20 per cent have not).

The Trust and Council were also shortlisted at the Health Service Journal (HSJ) Awards in November 2012 for the Improved Partnerships between Health and Local Government award. The shortlisting in this category was based on work that has taken place to support carers throughout Torbay.

Transformation in Learning Disability services

The Learning Disability Service has undergone a huge transformation programme during this reporting period and we are pleased to report some positive outcomes for individuals despite the difficult processes that families and carers were asked to engage in. One example included here is the review of duplicate funding which was undertaken, this is when an individual with learning disabilities who lives in residential care (which is resourced 24 hours) also accesses day care during the week, which in effect means that care during the day is resourced twice. This situation does not arise in other care settings but was unique to the learning disabilities service for historic reasons. The NHS and the Council had to address this inequality and looked for ways to engage with individuals and their carers to make this a worthwhile experience. The case study below describes the positive outcome for one individual:

"My name is S.C. I used to go to Hollacombe five days a week. Now I'm doing lots of different things. On Monday I go to Fabulous Flowers. It is a flower shop in Paignton. Pluss helped me to get work experience at the shop. On Tuesdays I am going to work at the Spot office. I work on computers, help other people to learn new things and speak up about important things. I do pottery on Wednesdays. On Wednesday evenings I go to a horticultural meeting. There are talks about plants and gardening. I know lots of new people. I really enjoy it. On Thursday I do gardening at a community allotment with other people from Hollacombe. Fridays I work with SPOT at Cockington Court. I volunteer in the Walled Art Garden.

I feel better for being out in the community because I see friends and do lots of new things. It feels good now I'm doing new things. I like gardening and all the work I do. It is a good thing for me. I've got a lot of skills. I've met new people. I am very busy"

The Trust and Council have been working closely with families of the residents of Ocombe House, a residential home for people with learning disability over the past year and are now beginning to see some positive results for the future. The aim of this area of work was to ensure that the needs of the residents of Ocombe House are met in a suitable environment on an on-going basis, in line with their preferred outcomes and aspirations. The latest progress includes the following:

- Exploring the possibility of developing a supported living arrangement on the Ocombe site for the Ocombe residents, to meet their on-going care needs.
- That the NHS will not be the long term provider or developer of this supported living arrangement
- That the families, the Council and the Trust work together to procure an alternative provider for this development

The Trust and the Council have now identified a preferred bidder (Sandwell Community Caring Trust) with whom a contract is being negotiated. The contract will see the NHS and the Council managing the residential home while the preferred bidder builds the supported living bungalows for the residents on the site. Just before completion of the bungalows the service will transfer to the preferred bidder who will work with staff and clients to complete the transition from residential care to supported living.

iv. Outcome 4 – Safeguarding people whose circumstances make them vulnerable and protecting them from avoidable harm

What does this mean for the people of Torbay?

This is ensuring that vulnerable individuals are kept safe and free from harm and are protected from avoidable death, disease and injuries.

How did we perform?

Measure	Expected Target	Actually Achieved	Rating
Safeguarding referrals triaged within 48 hours (157 /194)	80%	81%	✓
Proportion of safeguarding meetings held within 5 days to agree a strategy for client (125 /153)	75%	82%	✓
Proportion of safeguarding multi-organisational case meetings held within 20 days (103 /129)	35%	80%	✓
Number of repeat safeguarding referrals in last 12 months	16	16	✓
The proportion of people who use services who feel safe *	59%	59%	✓
Proportion of people who use services who say that those service have made them feel safe and secure *	63%	65%	✓

* Responses from Adult Social Care or Carer's surveys

Safeguarding has been, and continues to be, a high priority. The national reports on 'Winterbourne View' and 'Mid Staffordshire Hospital', remind us the quality assurance processes we operate must deliver high quality care and patient safety. Our safeguarding process is intended to promote a positive and proactive person centred framework to safeguard adults who may at some point in time be at risk from significant harm or exploitation. The procedures worked to are based on tight timescales which have been exceeded during 2012-13. This demonstrates the level of importance we place on empowering and protecting individuals.

The results from the social care surveys show a slight improvement in the proportion of people who use services who feel safe and secure moving from 63 per cent to 65 per cent.

How do we ensure that vulnerable adults are protected?

Torbay Safeguarding Adults Board continues to work closely with partner agencies to safeguard those most vulnerable in our society by acting on concerns, raising awareness, and training and informing the public on how to raise a safeguarding concern.

As a multi-agency response team, we have made some significant improvements over the last year. In particular, the number of case conferences held within 20 days of the initial strategy meeting rose to 83 per cent. A case conference is a multi-agency meeting and can involve care providers, the police, health professionals, for example, and is designed to find the best solution for the client. By completing case conferences sooner, clients get the benefits of care plans quicker.

We aim to ensure that all safeguarding concerns are handled in a consistent way and acted upon in accordance with local multi-agency policies and procedures.

Training and the sharing of learning and ideas are the cornerstones of service development. Professional forums throughout 2012 were designed to keep frontline staff from all agencies up to date with safeguarding practice and policy, and to allow the opportunity to reflect on key issues. We have also implemented a comprehensive training strategy and programme linking with national core competency and compliance frameworks for safeguarding adults, covering training from induction to strategic roles. We have increased the number of staff undertaking induction-level training; uptake has been very positive.

In 2012-13 the Trust's Experts by Experience Group conducted an evaluation of the safeguarding process for clients with learning disabilities. People who had had experience of the safeguarding process were invited to participate in this project which involved face to face interviews. The feedback received included:

Giving consideration to the environment and location of the safeguarding meeting and ensuring the safeguarded person is involved in this decision. Evidence from their research seemed to indicate that when the location was familiar to the individual their engagement was more relaxed and involvement in the process was easier for them. They also recommended asking the safeguarded person if they would like someone else to attend and where possible reducing the possibility of participants feeling overwhelmed.

Pilot tool to enhance quality in care homes throughout Torbay

A number of residential and nursing homes across Torbay are taking part in a pilot scheme to enhance quality, effectiveness and safety.

The pilot scheme, which is currently up and running in seven residential and nursing homes across Torbay involves the use of a monitoring tool known as the Quality, Effectiveness, Safety Trigger Tool (QuESTT).

The tool records simple information about a number of potential risk factors, such as the number of staff vacancies, complaints, care plans and risk assessments undertaken by the home and demand upon the service. The risks are rated using a simple red, amber or green scoring system, and are used as an early warning indicator to ensure swift support is put in place preventing a high risk or crisis scenario occurring.

QuESTT has been used as an early warning system in acute hospitals for some time and has been in place in community hospitals and community teams across Torbay and Southern Devon for a number of months. However, this is the first time that the tool has been adapted for use in a social care setting.

Homes complete the tool on a monthly basis via a secure website and the Trust is working closely with all the homes in the pilot to gain feedback about how the tool can be improved to ensure that every home gets maximum results and benefits once it is rolled out. The pilot will run for a further six months with a view to rolling this out early 2014 to all care home providers in Torbay.

It is envisaged in the near future that care homes will share the information from their QuESTT with residents, families and visitors and make it available on their public websites so that they too can see the performance, risk and actions that are put in place.

5. Financial position and use of resources

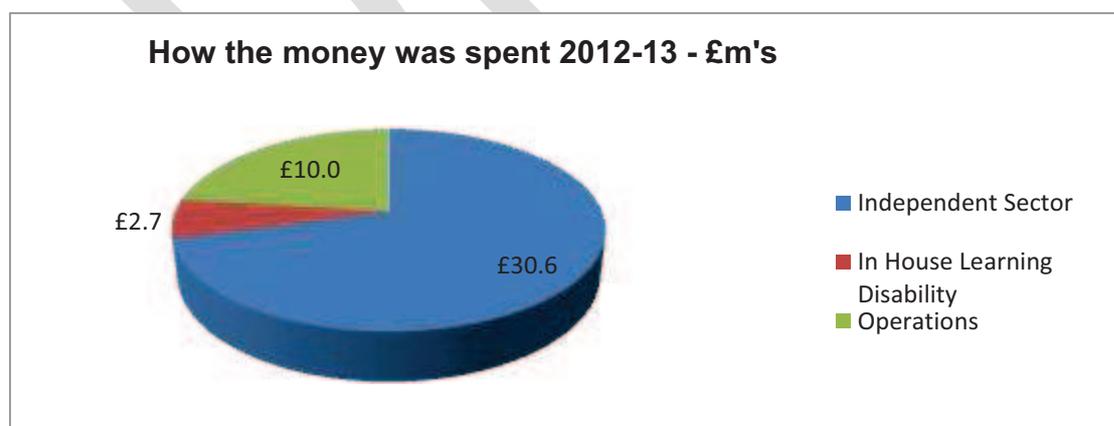
The financial review provides an overview of the financial performance of adult social services in the Torbay area for 2012-13.

The Trust formally came into existence as a statutory body on 1 April 2012. Prior to this, Torbay Primary Care Trust from 2005 had responsibility for both commissioning and providing integrated health and social care services to people in the Torbay area. From 1 April 2011 Torbay Care Trust was also responsible for community health care services in the southern part of Devon, covering roughly the districts of Teignbridge, South Hams and West Devon. In April 2012 Torbay and Southern Devon Health and Care Trust was formed after the separation of the commissioning and provider responsibilities and retains responsibility for provide adult social care services.

Torbay and Southern Devon Health and Care NHS Trust, provides adult social care on behalf of Torbay Council, providing integrated health and adult social care services across Torbay. The Trust is responsible for community health services in Southern Devon and works with a range of local voluntary sector organisations, and with several NHS providers. The Trust serves a population of around 375,000 people and employs around 2,000 staff.

During 2012-13 the Trust had a turnover of £142m. During this financial year the Trust managed its budget within the funds available and reduced the number of clients in long stay residential care. This is a significant achievement given the financial challenges the Trust has faced, set against a back drop of increasing demand and complexity of services needed to meet client needs. It also means we have been able to deliver more care closer to home.

In 2012-13 the budget for adult social care in Torbay was £42.8m. The total net spend in 2012-13 was £43.3m, with the additional £500K spend being a direct result of ordinary residency pressures. The chart below shows how the £43.3m was spent.



Spend analysis 2012-13

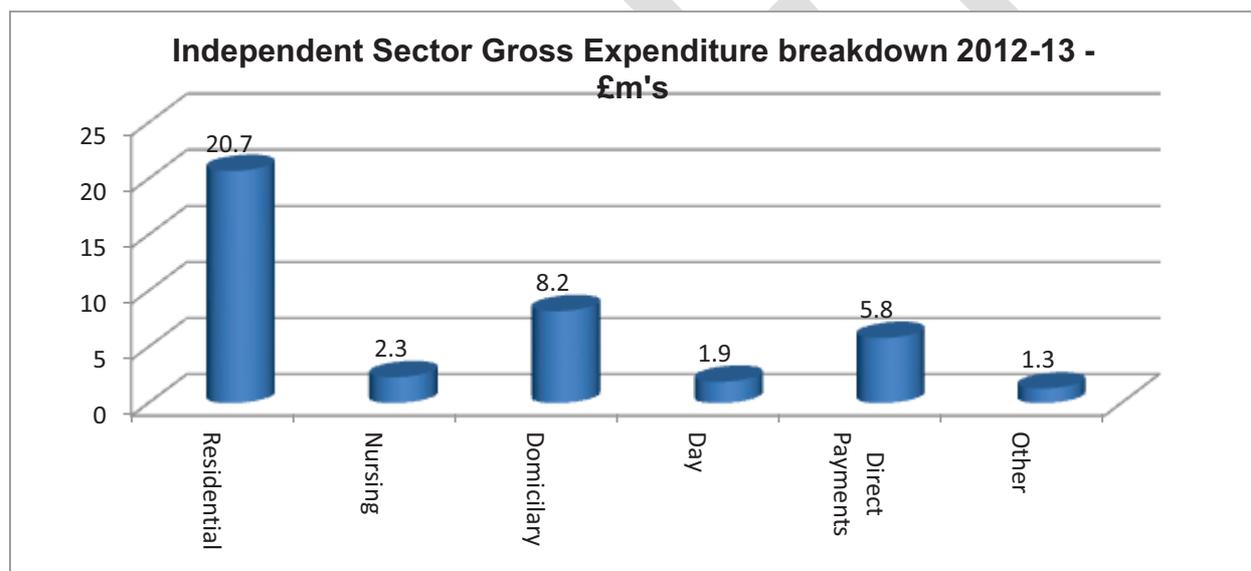
The Trust spent £2.7m on its in-house Learning Disability Services in 2012-13, including costs of £1.2m for two residential homes and £1.5m on the provision of day care.

Operational costs totalled £10.0m in 2012-13. This is the cost of providing care management and social care support across Torbay and includes the cost of social workers, community care workers, Occupational Therapists, Physiotherapists, Finance and Benefit Assessors and commissioning and support service staff.

Over 70 per cent of the total net spend on adult social care is the purchase of care (including residential, nursing, day and domiciliary) from the independent sector. The majority of this spend is with providers within Torbay but some specialist care is provided out of area. At any point in time there was on average around 2,500 clients receiving a core service. The client's ages have ranged from 18 to 109 in 2012-13 and services were provided to clients with learning disabilities, dementia, sensory and physical disabilities, vulnerable people and the frail and elderly.

The net spend figure in the independent sector was £30.6m in 2012-13. Gross spend with the independent sector was £40.2m with income collected of £9.6m. The vast majority of income we collect is from charges made to clients. Under national legislation, all social care clients receive an individual financial assessment and this can result in a client being asked to contribute towards the cost of their care provision.

The gross expenditure within the Independent Sector is illustrated in the Chart below.



Financial outlook for 2013-14 and beyond

Funding arrangements for Adult Social Care (ASC) are under review at a national level. Therefore the financial arrangements for 2013-14 are based on what is known at present.

Torbay Council, in line with the comprehensive spending review (2011-2015), is required to make substantial budget reductions of about 28 per cent. The Trust and South Devon and Torbay Clinical Commissioning Group acknowledge the tight financial constraints over the period and will continue to deliver the best possible care and support within these constraints. This will be done in consultation with the Council and where it is necessary to make changes to the way services are delivered consultation will take place with the people and carers who use the service.

Total planned gross spending on adult social care is £53.1m in 2013-14. This is funded by £43.3m from Torbay Council and £9.8m income received from clients who contribute toward the cost of their care.

6. Commentary from Healthwatch Torbay

Healthwatch Torbay response to Adult Social Care Local Account 2012- 2013



This extensive report is very promising and easy to follow and your generally positive results speak for themselves.

Your integrated approach to health and social care is truly a successful model of care with a number of benefits for the public. Healthwatch Torbay congratulates you for the way clients have a single point of contact for their care; people only ever have to tell their story once; more people in Torbay die in their place of choice than anywhere else in England and anyone who needs urgent equipment has it in their homes within 72 hours.

We also welcome your commitment to listening to others; including them in decision making processes and ensuing they have the right support, advice or services available. Your particular mention of continued work with providers on quality systems to make sure you have the best system possible is very encouraging.

At Healthwatch Torbay we share the aim to ensuring that service users have the best possible experience, and look forward to the chance to share feedback and work together to achieve this, and to build a strong relationship with you.

It is of no surprise that Torbay Hospital experienced an increase in emergency admissions during the year as the same figures have been much-publicised nationally. We hope that your continued work will help find ways to reduce the reliance on the acute hospital and look forward to seeing the figures improve during 2013/14.

We also look forward to seeing the Overall satisfaction figures improve and also the support for carers. We very much welcome the latter being highlighted as one of your high priorities for 2013/14. The proposed new developments in local carers' services are also very promising.

At Healthwatch Torbay we are anxious to mutually share any patient feedback and to continue working closely with you over the next 12 months.

Kind Regards,

Pat Harris

Healthwatch Torbay Manager

7. Commentary from Overview and Scrutiny members

Statement from Torbay Council's Health Scrutiny Board on the Adult Social Care Local Account 2012/2013

The Adult Social Care Local Account for 2012/2013 has been considered by Torbay Council's Health Scrutiny Board. The Board feels that this is a much improved document to that which was produced last year and welcomes that the comments it raised last year have been taken into account.

A number of specific comments were raised when the draft was considered by the Health Scrutiny Board and it believes that these points have been actioned in the published version.

Throughout the year, the Board have been focussed on how organisations can work together to reduce the demand for acute services especially in light of the growing ageing population in Torbay. The Local Account highlights how the Trust is also taking account of these issues.

The Board welcomes the openness and transparency with which the Torbay and Southern Devon Health and Care NHS Trust operates especially when public confidence in the health and care sector is low. It welcomes the initiatives which have been put in place to ensure that standards within Torbay continue to improve especially given the increasing pressures through increasing numbers of clients and reducing public sector finances.

The Health Scrutiny Board has previously considered the Quality Accounts from the local NHS Trusts with whom it works. This has enabled councillors to see how the priorities and work of each Trust are very much inter-dependent and, given the reducing availability of resources in the public sector, the Board would seek to ensure that all Trusts continue to work together to improve the health and care outcomes for the whole of the Torbay community.

June 2013

END

Safeguarding adults in Torbay

Annual report

2012

Safeguarding
Adults

Not all abuse happens to children...

Every day, vulnerable adults are physically, psychologically, financially or sexually abused, discriminated against or neglected by others. And every day, people witness this and say nothing.

Who is a vulnerable adult?

Vulnerable adults are aged 18 years and over who may be unable to:

- Take care of themselves
- Speak out for themselves
- Protect themselves against abuse or exploitation

They may depend on other people or a service to support or care for them.

What is abuse?

As with children, abuse is any behaviour towards a person that deliberately or unknowingly causes him or her harm, endangers life or violates their rights.

As with children, abuse may be:

- Physical
- Sexual
- Emotional/psychological
- Neglect

Other forms of abuse may also be directed at adults. For example:

- Financial or material – stealing or denying access to money or possessions
- Discrimination – abuse motivated by discriminatory attitudes towards race, religion, disability, cultural background
- Institutional – neglect and poor professional practice within hospitals, and in care and nursing homes

Where does abuse happen?

Abuse can happen anywhere, including:

- At home
- In a care home
- In a day centre
- At work
- At school or college
- At a hospital, health centre or surgery
- In a public place or in the community

Who abuses?

Anyone can abuse. The abuser might be a partner or family member, friend, work colleague, neighbour, acquaintance or stranger.

Abusers can also be people in positions of trust and power, such as health or social care professionals, or paid or voluntary care workers.

What should you do if you suspect abuse?

Full details of what to do are on the back cover of this report.

Introduction from the Chair

Safeguarding Adults

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Adult social care is often in the public eye for one reason or another. No one can or should forget the harrowing criminality witnessed at Winterbourne View.

The impact such abuse had on those directly involved and the fear it created in others cannot be underestimated; a reminder, if ever needed, that abuse happens to adults as well as children.

Advances in our understanding of conditions such as Alzheimer's disease and other illnesses mean that better, more-focused care, is helping people to live longer and to lead more-fulfilling lives.

This is wonderful, but there is no doubt that it places greater demands on local health and social care organisations. Pressures resulting from unemployment, poverty, and alcohol or drug misuse are also placing increasing demands on overstretched agencies.

Torbay Safeguarding Adults Board works closely with those agencies to better safeguard those who are most vulnerable in our society. Through the Board, we monitor the performance of agencies that each contribute to ensuring that vulnerable adults are properly supported.

In this Annual Report you will see how this tireless work has achieved some excellent results, and how individuals working together are making vulnerable adults safer in Torbay.



Bob Spencer
Chair
Safeguarding Adults Board

Partnership and principles

The Torbay Safeguarding Adult Partnership has a zero-tolerance approach to abuse. Every person has the right to live a life free from abuse and neglect. It is everyone's business to ensure that we work together as a community to support and safeguard the most vulnerable in society.

The Torbay Safeguarding Adults Board continues to develop and establish strong partnerships to ensure that those most vulnerable are safe, and free from fear, harm and neglect. We recognise that this will not be achieved in isolation, but by working collaboratively as responsible partners and with others in society who will have a key part to play in protecting those most vulnerable.

The overarching principles set out in Government policy for safeguarding vulnerable adults (May 2011) are fully supported by the Torbay SAB. These are:

- Empowerment – Presumption of person-led decisions and informed consent
- Protection – Support and representation for those in greatest need
- Prevention – It is better to take action before harm occurs
- Proportionality – Proportionate and least-intrusive response appropriate to the risk presented
- Partnership – Local solutions through services, working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
- Accountability – Accountability and transparency in safeguarding

The Board has continued to show commitment to the priorities in its terms of reference, with each member taking responsibility for their role in achieving these essential standards for safeguarding adults.

Who's represented on the Board?

Membership of the Safeguarding Adults Board includes senior representatives from all partner agencies, including the director responsible for safeguarding adults within Torbay and Southern Devon Health and Care Trust, the lead agency for safeguarding adults in Torbay.

A full list of members can be found on our website. See:

www.tsdhc.nhs.uk/ourservices/safeguardingadults

Our main work during 2012

Safeguarding: How we protect vulnerable adults

We received 434 safeguarding alerts during 2012, compared with 244 during 2011. Alerts are contacts where there is concern that a vulnerable person is, or might be, a victim of abuse. This is a significant increase, resulting from the sustained work that has been done to raise awareness of safeguarding. In 2012, 181 of these alerts progressed as referrals requiring further investigation. This compares with 158 in 2011. Often, these concerns will involve more than one type of abuse.

What happens when an adult alert is received?

We aim to ensure that the adult at risk is at the centre of all we do, working to ensure that their wishes are taken into consideration when we develop plans to keep them safe. We aim to decide to how to respond to alerts within 48 hours of receipt

When an alert is received by the safeguarding team, we will decide if the vulnerable person requires safeguarding or if they can be supported outside the safeguarding service.

If the alert is assessed as meeting a safeguarding criterion (referral), we hold a strategy meeting within five working days whenever possible. At this meeting, any necessary investigations are planned and initial arrangements are reviewed to ensure that the person is safe during the investigation. By December 2012, we were holding 80 per cent of strategy meetings within five days.

We aim to hold a case conference to discuss the investigation within a further 20 days, and to make recommendations for the next steps to ensure that the person is protected. Case conferences are repeated as frequently as

necessary. Sometimes it is decided that no further action is required under a safeguarding process.

The person involved is usually part of the case conference, so they are fully aware of what is happening. If not, they are informed afterwards.

The outcome of the case conference is discussed with partner agencies, which work together throughout to provide the best service to the people at risk.

We have continued to improve the number of case conferences held within 20 days. From holding just 13 per cent of case conferences within 20 days in 2010 and 33% in 2011, we held 83% within timescale in 2012. This confirms that the foundations referred to in last year's report have been successful in improving our performance in this area.

We are constantly working to improve the service we provide. Having made significant improvements in 2012, we are continuing to monitor performance on a monthly basis and to identify areas for improvement wherever possible.

Professional forums: Shared learning and ideas

The safeguarding team held professional forums throughout 2012. These are designed to share learning and look at the development of services in safeguarding, with professionals from all partner organisations. They are also opportunities to keep frontline staff informed of local, regional and national developments in safeguarding practice and policy.

The professional forums' focus included feedback and reflection on the Winterbourne View Serious Case Review, a presentation by the police local public protection unit on 'mate crime' and financial abuse, local service development information and case law updates.

Induction sessions

Councillors' induction sessions were held in Torbay with the Safeguarding Children service. This enabled newly-elected and existing members of the council to understand the systems in place for safeguarding vulnerable people, and how they should respond to individuals with concerns.

Torbay Safeguarding Adults Single Point of Contact (SPOC)

Torbay SPOC is designed to ensure that all safeguarding alerts and concerns are handled in a consistent way, and acted upon in accordance with local multi-agency policies and procedures, and with regional Association of Directors of Social Services (ADASS) guidance.

The team has a number of functions, including:

- To act as a single point of contact in Torbay for people who wish to raise an alert or concern that an adult may be at risk, as defined by the Department of Health's 'No Secrets' framework
- To assess alerts or concerns, and determine if they meet a threshold for safeguarding adult procedures
- Where an immediate risk of significant harm or exploitation had been identified, to prioritise and pass to the appropriate agency for implementation of an immediate protection plan
- To pass ownership, to the appropriate team, of alerts that are deemed not to meet safeguarding thresholds

Should you have a concern that a vulnerable adult may be at risk of significant harm or exploitation, please contact SPOC by phoning:

- 01803 219888 on weekdays, 9am-5pm
- 01803 524519 at all other times

Learning lessons: Serious case review and appreciative inquiry

The aim of a serious case review (SCR) is to understand the factors which have contributed to the death, abuse or impairment of an adult at risk's health and development; and to use the lessons learnt to improve practice, thereby reducing the number of local fatalities and serious injuries.

Following the SCR covered in last year's report, a the Safeguarding Adult Board held a 'local lessons learnt' event to inform and support frontline health and social care practitioners.

The Board also commissioned an appreciative inquiry following a serious incident. Recommendations have been made available to the Serious Case Review Sub Group of the Safeguarding Adults Board.

Training: Doing it right

A new training strategy and programme was approved by the Torbay Safeguarding Adults Board in 2012. The programme links with national core competency and compliance frameworks for Safeguarding Adults and allows for training from induction to strategic roles in safeguarding adults. The programme includes

Induction training (level 1)

Induction training is designed to enable all staff to develop an awareness of adult abuse and their roles in protecting people from abuse. The key theme at this level of training is, 'If you see something, say something'. Our aim is deliver this training to all staff; there is evidence that we have reached a greater number this year than ever before.

Alerter training (level 2)

This is split into two parts, dependent on people's roles, and is delivered either face-to-face or via

e-learning. Key themes include how to respond to a disclosure or a concern, how to recognise indicators of abuse, and where to report a concern.

It also provides a basic introduction to the Mental Capacity Act 2005, which is a key piece of legislation for all health and social care staff (see page 10).

Advanced practitioner training (level 3)

This is targeted at those who are likely to play a role in safeguarding adults. Building on the alerter training, the course highlights safeguarding benchmarks, different stages of the safeguarding process and the importance of partnership working. It also explores key themes such as person-centred practice, consent, risk-assessment and self-neglect.

Investigator training

This is available to those likely to play a lead investigator role in a safeguarding process. Building on the advanced training, participants gain a clear understanding of the role of an investigator and the different stages of an investigation, and develop competence in undertaking interviews and co-working with partner agencies.

The Trust also undertook a variety of bespoke training sessions and 'lessons learnt' events in 2012, and will be expanding on this in 2013. Further sessions are planned on chairing skills, forums have been set up for minute-takers, and further sessions will be held relating to investigations in whole homes and on a large scale.

Individual agencies also provide training to their staff in safeguarding practice, including care homes within Torbay.

General awareness training is supported with introductory films produced by the UK Nursing and Midwifery Council, which can be viewed at:

<http://www.nmc-uk.org/Nurses-and-midwives/safeguarding-film-one-an-introduction/>



In 2012 all care homes were sent a copy of this film, as well as additional links to training resources for safeguarding.

Sub-group reports

Torbay Safeguarding Adults Board has a range of sub-groups, which meet to work on particular aspects of our business. The following groups were in place during 2012/13.

1 Awareness and communication

This sub-group is responsible for developing and implementing the Communication Strategy for both children's and adults' safeguarding boards in Torbay. This includes improving inter-agency communication, raising public awareness and working with the local media, in addition to developing links with different communities and faith groups.

The group arranged an awareness-raising event in November 2011, and has produced a leaflet aimed at raising awareness of child and adult abuse for distribution across the Bay.

Further initiatives are under consideration to provide local people with the information and advice they need to protect themselves against

possible future abuse. This might include putting plans in place to secure their financial affairs through a Lasting Power of Attorney and other practical steps.

2 Systems and practice

The Systems and Practice Sub-group continued to work on improving standards and monitoring performance on behalf of the Safeguarding Adults Board.

This multi-agency sub-group has developed a comprehensive business plan for the Board, which will provide work plans for the sub-groups that are aligned and work together to achieve goals.

Further details are available on our website. See: www.torbaycaretrust.nhs.uk/ourservices/SafeguardingAdults

3 Experts by experience

Our members remain committed to the role of the service user sub-group for the Board, as reflected in the work undertaken this year. The group has been represented at internal safeguarding events and at intelligence-sharing workshops which were led by our police colleagues.

We have continued to meet and to expand our links with our regional safeguarding service user colleagues. The regional group is compiling information to give an overview of the region's service user sub-groups, and is looking to meet again to form a work plan.

During the year, members conducted phase one of a qualitative evaluation to understand the safeguarding process from the vulnerable adult's perspective. The outcomes from this work are to provide service user-led information, which will inform the strategic and operational plans of Torbay Safeguarding Board.

A report and recommendations from the evaluation were compiled by the Experts by Experience members and presented to

the Safeguarding Adult Board. We are now commencing on phase two of the evaluation with older people.

Safeguarding and personalisation are priorities for the Experts by Experience group and again we look forward to supporting and contributing to the Adult Safeguarding Board in the forthcoming year.

A more-detailed account of our work is included in the next section of this report.

Serious Case Review Group

The Serious Case Review Group has overseen several Serious Case Reviews during 2012, as commissioned by the Safeguarding Adults Board. The recommendations from each review have been considered carefully, with plans in place to take learning forward to improve our practice and processes for the future.

A staff seminar was held regarding the outcomes of one such review, which was very well attended.

The experience of service users

Torbay Safeguarding Adult Board is very pleased with the work carried out by the Experts by Experience Sub-group this year, and plans to use it to develop and improve practice. Here, we look in more detail at the work they have done so far.

Introduction

This piece of work seeks to look at the reality of going through the safeguarding process from the vulnerable adult's frame of reference. This evaluation uses a qualitative framework, using words rather than numerical data.

Purpose

The study has been developed in response to the Department of Health's statement of Government policy on Adult Safeguarding. The intended outcomes are to provide high-level, service user-led information which will inform strategic and operational plans of the Torbay Safeguarding Adult Board.

Process

At the outset of the evaluation, research was carried out at a local and national level to ascertain what processes were already in place and how effective they were. This would inform the basis of best practice recommendations made by the project.

Members of the Experts by Experience group participating in this project all held a CRB check. They underwent a health and risk assessment as well as Torbay and Southern Devon Health and Care NHS Trust induction and a simulation of a project interview. Within the induction, there were explicit statements covering confidentiality and debriefing time for members.

Practice interview time was built into the project for the Experts by Experience members. Strategies

were put in place with due regard to the emotional and physical safety of the members.

As the Experts by Experience are working in conjunction with Diane Graham in completing her Master's degree, we decided that the initial group of people invited to join the project would be those with a learning disability.

Prospective participants were identified from among the service users known to the Community Learning Disability Team (CLDT). Invitations to participate were sent out via the Transformational Support team, with self-addressed envelopes enclosed and a telephone number for the project supporter/social worker.

We felt it was essential for participants to have capacity to accept or decline the invitation to participate. The knowledge and understanding of CLDT was sought for this.

There were 435 people known/open to the team at the time of the evaluation. The team looked for those who had been in the safeguarding process during the past 12 months. Eight people met the criteria. Of the eight invited to participate, three wanted to take part:

Case	Age	Gender
1	50-60	Male
2	30-40	Male
3	60-70	Female
4	20-30	Female
5	30-40	Female
6	40-50	Male
7	50-60	Female
8	40-50	Female

'Easy read' letters asking for consent, consent of the supporter and information on the service evaluation were made available for participants with learning difficulties. These forms could have been reviewed and changed if observation of the process suggested a benefit for interviewees, and will be adjusted to suit future groups of participants.

The questions for the face-to-face interviews were identified as well as a short introduction script for the Expert by Experience members. Again, this was available for review and adjustment as necessary.

Interviews

The methods for gathering and analysing information have been endorsed by Bristol University, the Audit and Effectiveness Committee, and the Information Governance Committee for Torbay and Southern Devon Health and Care NHS Trust. South Devon Health Care NHS Foundation Trust was also informed of the evaluation.

For the purposes of this evaluation, the person's gender, where they live and what abuse occurred has been changed to protect the person's true identity. The evaluation is working to the Department of Health's retention paper for keeping tapes.

Participants were engaged in face-to-face interviews. The disclosure of information was in their control, with the interviewers checking and rechecking their understanding of the story. Participants could halt the process at any time and/or have a break from the recording at any time. Interviews were held in different venues, according to the participant's preference.

The three interviews differed in style. The first interview flowed and the interviewers felt there was little intervention from them. In the second

interview, the relative chose to give no detail of the safeguarding incident but talked of the process. The third interview fell mid-way between the first and the second. The participant required a break and some facilitation to remain with the interview.

Diane Graham, General Manager of the Community Learning Disability Team, used the Government's six themes for safeguarding to interpret findings for this evaluation: empowerment, protection, prevention, proportionality, partnership and accountability.

The Experts by Experience group met with Diane following the interviews to consider the recommendations they would like to put to the Board.

Recommendations

- 1 Consider the environment and location of the safeguarding meeting and for the safeguarding person to be involved in this decision. Evidence from our research seemed to indicate that when the location was familiar to the individual, their engagement was more relaxed and involvement in the process easier for them.
- 2 Where a meeting is held in two parts, it is more appropriate for the person to be the first in the room rather than to enter a room of professionals.
- 3 Consideration for the same people from all agencies and professionals, including the chair, to remain consistent in meetings and throughout the process.
- 4 Consider person-centred safeguarding meetings as best practice, with the right people present for the contribution they can make rather than to reflect professional roles; for example, ensuring that the safeguarding person is asked who they

would like to attend, not duplicating roles, and reducing the possibility of participants' feeling overwhelmed, thus making best use of resources available.

- 5 Design a range of information leaflets alongside service users to reflect the different parts of the process and the agencies that will be involved.

Conclusion

As agencies with a responsibility for safeguarding vulnerable adults, we need to be aware of the loss of control the person may feel due to the very fact that they need safeguarding (being abused), and to make sure we do not compound this vulnerability by taking away areas of control where the person could exercise choice and their rights; for example, who attends meetings and where they are held.

The service evaluation confirmed that all those interviewed agreed that the safeguarding process was necessary and that the people involved were focused on the person's remaining safe.

The next part of the evaluation will be expanded with further face-to-face interviews with older people who have been through the safeguarding process, and any similarities highlighted.

Experts by Experience and Di Graham

The Mental Capacity Act

The Mental Capacity Act 2005 (MCA) is a piece of legislation, for people aged 16 years and over, that can have an important and central role in all aspects of health and social care. The aim of the Act is to protect and empower the most vulnerable adults within our communities; that is, those who are, or may be, unable to make decisions for themselves, and find themselves in situations where they become totally reliant on others to make the right decisions for them.

The Act provides a statutory framework, which includes:

- Key principles developed to empower and protect people's rights as individuals, regardless of their age, gender, disorder, disability, religion or culture, with the presumption of capacity unless proven otherwise
- A clear test for assessing capacity
- A statutory checklist to safeguard people within the decision-making processes.

In 2009, the Deprivation of Liberty Safeguards (DoLS) came into force for people aged 18 years and over. The aim is to provide protection for vulnerable people in hospitals or care homes, in circumstances that may be considered to be a deprivation of their liberty, and who lack the capacity to consent to the care or treatment they require.

The safeguards have introduced a rigorous, standardised assessment and authorisation process, ensuring that the person being deprived of their liberty has appropriate support systems in place, the right to request a review, and access to the Court of Protection if necessary.

Developments during 2012 to support implementation of the MCA and DoLS

New training strategy

We have developed a new training strategy, which will enable people to access distance learning via specific MCA and DoLS e-learning modules, alongside the opportunity to attend more-advanced face-to-face sessions.

During 2011/12 the Safeguarding Adult team have provided MCA/DoLS training and awareness sessions for unpaid carers, registered managers/ proprietors of care and nursing homes, health and social care staff, Best Interest Assessors and Mental Health Assessors (both of which are required within the DoLS), and specialist dental and podiatry staff who work with vulnerable people across Torbay and Southern Devon.

In 2013 the Safeguarding Adult Team will be working closely with the Learning and Development team, and further developing 'Ask the Expert' MCA and DoLS information sessions. These will be designed to further support learning in practice by providing staff with a chance to talk to specialists about particular queries they may have within their own field of practice.

DoLS screening checklist

We have prepared a DoLS screening checklist to help managers in hospitals and care homes (managing authorities) identify any developing deprivation within a person's care arrangements. The checklist is now available on the DoLS web information page. Within the Trust, the checklist will initially be piloted within care review processes, and later in the year extended to all community hospitals within Torbay and Southern Devon Health and Care NHS Trust.

DoLS post-authorisation checklist

To further support managers in hospitals and care homes, we have prepared a DoLS post-authorisation checklist. The aim is to clearly set

out their legal responsibilities once a person in their care has received a full DoLS assessment and the supervisory body has granted a standard authorisation to deprive that person of their liberty.

This checklist is also available on the DoLS web page, and is directly sent out to each individual managing authority when a standard authorisation is granted.

New webpages for the public, independent providers and partner agencies

We have developed a new MCA-specific webpage, which includes:

- An explanation of the purpose and scope of the Act
- Links for the statutory code of practice
- A set of six information booklets, including one for family members and carers and one in an 'easy read' format
- A link to an information leaflet in different languages
- A link to eight short films with examples of implementation of the Act in real-life situations
- Links to the Office of the Public Guardian and to the Care Quality Commission's 'Guide for Providers'

See: <http://www.torbaycaretrust.nhs.uk/ourservices/MentalCapacityAct/Pages/Default.aspx>

We have also developed two DoLS-specific webpages. These first gives general information about the safeguards and includes much of the content of the MCA page. In addition, it provides guidance on what you can do if you believe a person is being unlawfully deprived of their liberty in a hospital or a care home.

See: <http://www.torbaycaretrust.nhs.uk/ourservices/MentalCapacityAct/Pages/DeprivationofLibertySafeguards.aspx>

The second DoLS page has been developed to provide specialist information for managers of hospital wards and care homes. It explains when it may be appropriate to make an application to deprive a person of their liberty (and includes the DoLS screening checklist); the forms that will require completion as part of the application and where to send them; some samples of completed forms; and the post-authorisation checklist.

See: <http://www.torbaycaretrust.nhs.uk/ourservices/MentalCapacityAct/Pages/-DoLSInformationforCareHomesandHospitals.aspx>

Independent Mental Capacity Advocates (IMCA)

We continue to commission the IMCA service from both Age Concern Devon and Living Options to ensure that people are fully supported and represented if they lack mental capacity, and have no family members, unpaid carers or friends to consult with when decisions are being made about changing their accommodation or providing serious medical treatment.

During 2012, we have extended the IMCA contract to incorporate IMCA'S role of 'persons representative' within the DoLS framework, when necessary.

Mental Health Assessors

We have agreed a new contract with Devon Partnership NHS Trust for the provision of approved and appropriately-skilled Mental Health Assessors able to undertake assessments on behalf of the supervisory body within the DoLS legislative framework. The new contract will commence in April 2013, and will be subject to quarterly contract monitoring reviews.

Reports from partner agencies



Devon & Cornwall Police

Building safer communities together

There are a number of ongoing reviews within Devon & Cornwall Police, one of which is the Safeguarding Vulnerable Persons review. This review of safeguarding processes seeks to identify improvements, promote multi-agency working and lead to more consistent identification of vulnerability. The review team have consulted extensively with partner agencies across the peninsula, as well as internal police departments.

The review has looked at demand data in respect of the numbers of vulnerable adult crimes and incidents that are dealt with by the force. Recommendations have been made for increasing the resilience of Public Protection Units to deal with all such incidents.

The review has also developed a risk matrix which, if adopted, will be used by frontline staff to identify vulnerability at the first point of contact. This matrix will assist in signposting the vulnerable to the level of service appropriate to their needs.

The recommendations from the review are currently being presented to chief officers, with implementation planned later in 2013.

While the review is ongoing, the force's focus remains on its strategic priorities, one of which is protecting people from harm, by:

- Protecting vulnerable people
- Working with partner agencies to reduce alcohol and substance abuse
- Preventing violent extremism
- Reducing the number of people being killed or seriously injured on our roads
- Pursuing those people who cause the most harm to the community

- Reducing the harassment experienced by disabled people

The force will also be linking its own priorities with that determined by the new Police and Crime Commissioner for safeguarding.

The NCALT national electronic training package for mental ill-health (incorporating the Mental Capacity Act) and learning disability, which is mandatory for all frontline staff in Devon and Cornwall, has been completed. Overall, 3,122 frontline officers were trained.

With the introduction of national fraud reporting in December 2012 via 'Action Fraud,' Devon and Cornwall Police have put measures in place via our Central Referral Unit to ensure that the investigation of financial abuse involving vulnerable adults is fully captured.

We are currently working across the peninsula with our multi-agency partners, seeking to improve knowledge/reporting in this important area. In Torbay, a decision has been made by the SAB to form a strategic multi-agency group that will look at issues around financial abuse.

The Torbay Vulnerability Forum has been formed to minimise risk to vulnerable adults, providing a new multi-agency forum to discuss, assess and signpost vulnerable adults to appropriate support and services. This includes adult vulnerability relating to mental health, learning disability, older people, physical disability, substance misuse, carers, victims of hate/mate crime and repeat victims of crime.

With early intervention from the appropriate services, it is hoped that the most vulnerable groups of people within our society can be protected from the risk of harm or exploitation.



Internal arrangements for governance and commitment to safeguarding adults at risk:

Torbay Council's elected members and officers are committed to working in partnership to prevent harm and improve the safeguarding of vulnerable adults. The principles of early intervention and prevention, with a focus on the most vulnerable in the most-deprived areas, underpin our work to create stronger and safer communities. Our pledges include reducing incidents of domestic abuse and supporting victims, as well as ensuring that effective child and adult safeguarding arrangements are in place for those at risk.

Achievements in 2012:

- Launch of the Torbay Vulnerability Forum – a new multi-agency forum aimed at improving the safety of vulnerable adults who are not in contact with, or eligible for, social care where they are at risk of harm or exploitation.
- Improving quality-assurance of residential care by piloting an observational checklist with visiting staff and care homes, to provide early alert on issues involving care delivered or the environment that might affect residents' safety.
- Launch of targeted community interventions providing specialist support to adults affected disproportionately by anti-social behaviour in priority community safety areas. This work has already resulted in a reduction in anti-social behaviour and increased community cohesion.
- Continuing to make the link between child and adult safeguarding through the work of the Intensive Family Support Service and the Family Intervention Project.
- Extending arrangements with support services, including the domestic abuse refuge, outreach support and accommodation services for vulnerable adults.

- Supporting a user-led community group to raise awareness of the effects of hate and mate crime on vulnerable people.
- Successful funding bid to increase capacity to tackle poor housing standards for the most vulnerable by, for example, improving thermal comfort, and supplying and fitting aids and adaptations that improve mobility and make homes safer for vulnerable adults.

Organisational learning:

- The Torbay Vulnerability Forum was set up in response to an appreciative inquiry that highlighted the importance of bringing together the range of low-level information held by a number of different organisations to co-ordinate safeguarding of vulnerable adults who are not in regular contact with services.
- Learning from a serious case review led to improvements in contract management and reporting requirements for housing support services.

Work planned in 2013:

- Roll out the observational checklist to all care homes alongside a 'mystery shopping' exercise in care homes for people over 65 by Experts by Experience.
- Re-design domiciliary care services to focus on personal outcomes for vulnerable adults, supporting their independence, wellbeing and safety, and involving local community voluntary support to reduce loneliness and isolation.
- Develop a five-year domestic abuse strategy.

The Trust provides specialist mental health and learning disability services across the county, including Torbay.

The Director of Operations is executive lead for safeguarding. She is supported by Chris Burford, management lead for adult safeguarding, and Jim Masters, management lead for Multi-Agency Public Protection Arrangements (MAPPA). The practice lead for safeguarding is Clare Cox.

The Trust is represented on the Safeguarding Adults Board by Liz Davenport; it also has representatives on a number of sub-groups.

The Trust has a Safeguarding Committee in place, chaired by Liz Davenport.

Single Point of Contact arrangements for safeguarding are now well established, taking account of the guidance, 'Clinical Governance and Adult Safeguarding: An Integrated Approach'.

Reviews of the Trust's safeguarding arrangements are completed by the Care Quality Commission (CQC), as part of the planned review process, and by internal audit.

Highlights of 2012

■ Healthcare professionals may meet and treat people who are vulnerable to radicalisation, and it is possible that people with mental health issues or a learning disability may be drawn more easily into terrorism. The Trust is actively involved in the implementation of the nationwide 'Prevent' strategy, which seeks to address this issue. It is identifying appropriate people to be trained by the Department of Health, raising awareness about 'Prevent' among all staff groups, providing its own training to key staff, and strengthening local partnership and inter-agency working to prevent vulnerable individuals becoming the victims or causes of harm.

■ The Trust has continued to fulfil its MAPPA obligations, liaising closely with its partner organisations, attending case conferences and ensuring that relevant staff receive appropriate training.

■ The Trust has continued to ensure that all staff have appropriate employment checks, including CRB.

■ A training needs analysis has been completed for adult safeguarding. The training standards now form part of the contract with commissioners and are monitored as part of the Contract Quality Review meeting. Compliance with all staff training requirements, including safeguarding, is now monitored on a weekly basis at the Trust's 'Huddle' and at regular directorate performance reviews.

■ In response to the issues raised at Winterbourne View, the CQC undertook a themed review of learning disability services across the country. The review included an inspection of standards in relation to Outcome 7: Safeguarding. At our Trust, the inspection identified minor concerns in relation to safeguarding practice at two locations. The two units implemented action plans in response to the CQC; follow-up reviews confirmed that standards are now being met. The findings of the review prompted the development of a 'Safeguarding Dashboard', which now monitors staff practice in a number of areas and is used as a tool to review performance and to address concerns.

■ The Trust was successfully reviewed against the standards required to meet the NHS Litigation Authority's Level 1 compliance, which included a review of safeguarding policies.

In addition, the following improvement activities have also been undertaken:

- Implementation of the Safeguarding Assurance Framework
- Implementation of the MAPPA improvement plan
- Improved information-sharing through Safety Bulletins

Priorities for 2013

The Trust has identified the following priorities for the forthcoming year:

- The development of a Business Case to support increased capacity to support the Safeguarding Agenda
- Continued focus on the 'Prevent' agenda
- Compliance with training requirements
- Completion of an audit of safeguarding practice
- Sharing the learning from incidents and Serious Case Reviews

Governance arrangements

Under the new arrangements for the NHS from April 2013, clinical commissioning groups (CCGs), led by GPs and other clinicians, took over from PCTs the responsibility for commissioning most local healthcare services. The NHS Commissioning Board (NHS CB) will support CCGs and hold them to account, and will itself be responsible for commissioning some healthcare services. Local authorities become responsible for most local public health functions, supported by Public Health England.

Both CCGs and the NHS CB will be statutorily responsible for ensuring that the organisations from which they commission services provide a safe system that safeguards children and vulnerable adults. Both CCGs and the NHS CB will have a statutory duty to be members of Local Safeguarding Adults and Children Boards (SABs and LSCBs), working in partnership with local authorities to fulfil their safeguarding responsibilities.

Close liaison with the Torbay safeguarding team was considered to be a priority for NHS Torbay when the Torbay Care Trust separated to form a provider organisation (Torbay and Southern Devon Health & Care NHS Trust) and a commissioning organisation (NHS Torbay) on 1 April 2012, and was a key focus of the patient safety and quality team.

Safeguarding continued to be a priority with the formation of South Devon and Torbay (Shadow) CCG, with the creation of a clear structure for safeguarding adults which continued after 1 April 2013, when South Devon and Torbay Clinical Commissioning Group (SDT CCG) became fully responsible for commissioning healthcare within both Torbay and South Devon.

The patient safety and quality team continue to take the lead for safeguarding adults within the CCG. The executive clinical lead for patient safety

and the Director of Quality Governance both sit on the governing body and have responsibilities for safeguarding. They are supported by the Safeguarding and Patient Safety lead, which also incorporates a lead MCA role.

The CCG gains assurance from the organisations from which we commission services using a variety of methods, including monitoring contracts against quality standards and participation on the Safeguarding Adult Board. Any issues of concerns are addressed through these meetings.

Achievements

- NHS Torbay (Shadow SDT CCG) has been working very closely with both Torbay and Devon Safeguarding Adults Boards, as the area of the CCG covers two local authority areas.
- In preparation for formation of the CCGs, a safeguarding strategy was developed and approved in October 2012. The strategy covers both safeguarding adults and children across the three PCTs of Torbay, Plymouth and Devon, and the two new CCGs of South Devon and Torbay CCG and North, East and West Devon CCG (NEW Devon).
- In preparation for the regulation of general practice by the Care Quality Commission in April 2013 and the revalidation of GPs, each practice was sent a template policy for safeguarding adults.
- In support of this the commissioners offered profession-specific Safeguarding Adults Practitioner Level 3 training for GPs across Devon, Plymouth and Torbay, with support from the Safeguarding and Patient Safety Lead and the Clinical Lead for Safeguarding Adults.
- Training requirements for dentists, pharmacists and optical professionals were reviewed, with

resources such as DVDs for awareness-raising of MCA and DoLS being distributed.

- The Clinical Lead and the Safeguarding and Patient Safety Lead are members of the TSAB and DSAB, while the Safeguarding and Patient Safety Lead is also an active member of various sub-committees of both boards.
- A flowchart bringing together Safeguarding and Serious Incidents Requiring Investigation (SIRI) processes has been developed in response to a request for clarity from the various Safeguarding Adults teams, and has been incorporated into the Torbay Multi-Agency Safeguarding Procedures.

Work planned

- The CCG will continue to focus on safeguarding as a priority. The local implementation plan for the strategy will be reviewed by the TSAB.
- Joint working with Torbay and Safeguarding Adults Team will continue, and standard operating procedures to support the safeguarding and SIRI flowchart will be developed for use by both social and healthcare.
- Close working relationships will be developed with the Safeguarding Adult Lead for NEW Devon to ensure parity across both CCGs.
- The focus on training will continue, with the aim of gaining alignment where possible between Torbay and Devon, and between adult and child safeguarding.
- The CCG will ensure that the work it carries out is in accordance with new national guidance when it is published – such as the NHS Commissioning Boards final arrangements to secure children's and adults' safeguarding in the future NHS and the Care and Support Bill.

South Devon Healthcare NHS Foundation Trust provides acute services to the population of South Devon, including Torbay. Acute hospital services are provided at Torbay District General Hospital.

The Director of Nursing is the lead executive for safeguarding, supported by the deputy and associate nurse directors.

The Trust has two named professionals for safeguarding adults, who receive alerts, manage safeguarding procedures and provide training and advice for all staff within the Trust.

The Director of Nursing is a member of the Torbay Safeguarding Adult Board. The Trust is also represented on sub-groups of the Board.

The Trust operates a Safeguarding Adult Committee, chaired by the Director of Nursing or deputy. Key functions of this group are to ratify policy and procedure and to oversee any complaints and recommendations which relate to vulnerable groups.

Our work in 2012 has included:

- Ongoing work against the South West Dementia Standards for Hospital Care. We have continued to create and support dementia champions in clinical areas, as well as delivering targeted educational programmes for qualified and support staff. We received a peer review visit in January 2013, which commended these aspects of our care, and helpfully focused on areas for development such as minor improvements to the environment and awareness training for non-clinical staff groups.
- Involvement in the Torbay Vulnerability Forum, a multi-agency group set up under the auspices of Devon and Cornwall Police. This group aims to identify and support vulnerable people who may not already be known to services.
- Formulating an audit plan to monitor the impact of Safeguarding policy and training.

- Rolling out use of the Observations of Care tool. This process involves two people purposefully observing one area of a ward or department for a short period of time. One of those observing is a visitor to the ward. Following the observation, staff in the area receive feedback on the observation. Our Safeguarding Adults leads have undertaken training in this technique and regularly use it to monitor Safeguarding principles in clinical areas.

Priorities for 2013

- Continue to work on the dementia and learning disabilities service action plans; in particular to develop greater awareness for non-clinical staff and to work with carers of people with dementia to improve the experience of hospital care for this vulnerable group.
- Improve awareness, and reduce the incidence, of pressure ulcers through education and audit.
- Formalise the Safeguarding training programme and further develop the Safeguarding audit programme.

Torbay and Southern Devon Health and Care Trust (TSDHCT) plays a major role in safeguarding in Torbay, leading on much of the work described elsewhere in this report.

Our priorities this year have included the updating and revision of the Torbay Multi-Agency Policy and Procedures for the Protection of At Risk Adults from Abuse. This reflects best practice guidance from the Association of Directors of Adult Social Services (ADASS) and is supported by a comprehensive training strategy and increase in local training.

TSDHCT manages the Single Point of Contact for Safeguarding Adults (SPOC), which has seen a significant increase in workload. This includes higher volumes of alerts, referrals and investigations, including large-scale investigations.

The increase in work impacts significantly on the small staff team and on staff in the zone teams. With reducing funding, the skill mix and capacity of all teams is being considered as part of a wider review of social care, to ensure that we can direct our attention to those most in need.

Expenditure and plans

There has been an increased cost associated with a greater number of Serious Case Reviews this year, but other expenditure has remained stable, with some savings in staffing.

Forecast year-end expenditure 2012/13

Staffing	£320,346
SAB	£14,438
Venues / Office	£5,403
SCR/AI	£14,663
IMCA	£47,600
Training	£25,000

Business Plan 2013/14

Several of the organisations which make up the Board are going through a period of great change in terms of their role and structure. In addition, public funding is becoming more restricted, which has an impact on services and how they are provided.

Whilst each partner is committed to Safeguarding Adults as a priority, the Board will be seeking assurance that clear arrangements are in place for governance and that any potential risks are identified and managed.

We will be taking stock of how local services are provided in the light of the recommendations from national and local serious case reviews and investigations.

The police are carrying out a review of their practice and organisational structures which will need to be taken into account when planning for the most effective partnership working.

Our Experts by Experience sub-group has been undertaking some very valuable work on our behalf around our service users experience (see

page 7); we are very keen to make best use of this to improve the service in future.

A strong focus for the Board this year will be on prevention. We are clear that everything possible should be done to avoid the need for people to fall under Safeguarding Adults processes, as all forms of abuse are unacceptable.

We will do this by working with provider organisations, care homes and domiciliary care organisations especially, to share best practice and to avoid any harm coming to service users in their care.

Our new plan will be on our website:
www.tsdhc.nhs.uk/ourservices/safeguardingadults

What to do if you suspect abuse

What should you do if you think that a vulnerable adult or a child is being abused or is at risk of being abused?

- For a vulnerable adult, telephone Torbay Care Trust Customer Service Centre on 01803 219700
- For a child, telephone Torbay Council Children's Services on 01803 208100
- You can also call the Devon and Cornwall Police non-emergency number: 101
- Or call the NSPCC: 0808 800 5000
- In an emergency, always call the police on 999

All safeguarding concerns raised will be assessed by highly-experienced staff, who will explore your concerns with you further and, where appropriate, take decisions about what should happen next.

Do you have to give your name?

No, it is your choice, and you may prefer to remain anonymous. However, it is important that you provide as much information as possible to enable the right decisions to be made.

The Safeguarding Adults Board comprises:

- Torbay Council
- Torbay and Southern Devon Health and Care NHS Trust
- South Devon Healthcare NHS Foundation Trust
- South Devon and Torbay Clinical Commissioning Group
- Devon Partnership NHS Trust
- Devon & Cornwall Police
- ...and many voluntary organisations

Everyone has the right to feel safe....

If you're concerned about a CHILD in Torbay call 01803 208100
If you're concerned about a vulnerable ADULT in Torbay call 01803 219700

Safeguarding Adults | torbaysafeguarding childrensboard

"Keeping children and vulnerable adults safe is everyone's responsibility"

For further information visit: www.torbay.gov.uk/tscb
www.torbaycaretrust.nhs.uk/ourservices/SafeguardingAdults

For further information, see:
www.tsdhc.nhs.uk/ourservices/safeguardingadults

Safeguarding Adults

Agenda Item 13



Meeting: Council

Date: 18 July 2013

Wards Affected: All

Report Title: Commercial Team Service Plan. Community Safety (incorporating the statutory service plans for Food Safety and the Councils Under Age Sales Policy for Tobacco Products and other age restricted goods.)

Executive Lead Contact Details: Councillor Excell, Executive Lead for Safer Communities, 01803 207579, robert.excell@torbay.gov.uk

Supporting Officer Contact Details: Steve Cox, Environmental Health Manager (Commercial), 01803 208025, steve.cox@torbay.gov.uk

1. Purpose and Introduction

- 1.1 For Members to note the overall contents of the Commercial Team Service Plan (part of the Community Safety Business Unit) and to specifically agree the Food Safety Service Plan, and the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Good. The Commercial Team Service Plan includes the current work plan of the Commercial Team within Community Safety which comprises of the functions of Food Safety, Trading Standards, Licensing, Health and Safety and Emergency Planning which are managed together as part of key front line services protecting the public
- 1.2 By approving the Statutory Food Safety Service Plan, and the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods, Members will ensure that businesses, residents, employees and the wider community of Torbay are protected and the resources allocated to the service are deployed to areas of highest risk.

2. Proposed Decision

- 2.1 That the Statutory Food Safety Service Plan as set out in Appendix two be approved.
- 2.2 That the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods as set out in Appendix 4 be approved.
- 2.3 That the overall workplan of the Commercial Team for 2013/14 set out in Appendix 8 be noted.

2.2 Reason for Decision

The Commercial Team Service Plan covers the work undertaken by the Commercial Team within Community Safety, all of which are statutory functions of the Council. Contained within this Service Plan is the Food Safety Service Plan which is a statutory plan required by the Food Standards Agency.

Within the Service Plan is also the Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods. Torbay Council has a statutory obligation to review annually its Under Age Sales Policy with regards to enforcement action on tobacco and tobacco products in relation to the protection of children and young persons.

Supporting Information

4. Position

- 4.1 The Commercial Team Service Plan covers the work undertaken by the Commercial Team, Community Safety, all of which are statutory functions of the Council. The resources allocated to this team have reduced year on year, as highlighted within the Service Plan. The plan outlines the risks associated with reduced resources in fulfilling its statutory obligations especially with regard to the level of food hygiene inspections which are undertaken and the overall resilience of the service.
- 4.2 As highlighted in previous reports to the Community Safety Business Units now prioritises its workload based on risk and will always target first, those businesses, activities, emergencies and disease outbreaks considered to be of the highest risk. However its resilience to continue to deliver its full range of statutory duties and meet customer expectations, within the resources allocated is now under significant strain.

Food Safety Service Plan

- 4.2 Food Standards Agency guidance entitled Framework Agreement for Local Authority Food Law Enforcement details many requirements for Local Authorities, which had to be implemented from April 2001. These requirements include the production and implementation of an annual Food Safety Service Plan and a Food Sampling Policy. The guidance provides information on how enforcement services plans should be structured and what information they contain. Service plans developed under these arrangements will provide the basis on which Local Authorities are monitored and audited by the Food Standards Agency.
- 4.3 The document shown in Appendix A of the Commercial Team Service Plan is the Food Safety Service Plan. It includes food standards and food hygiene requirements in accordance with the Food Standards Agency prescribed format. It details matters such as achievements in service delivery, a review of last years implementation and

this year's work plan for 2013/14, this may alter during the year as the service is very reactive and responds to changes in legislation as and when is necessary.

4.4 In November 2011 the Food Standards Agency audited Torbay Council. The key issues highlighted in their report were:

- the large volume of seasonal businesses and the fact they need to be inspected quickly;
- the backlog of medium risk premises that require an intervention.

An action plan was developed and agreed with the Food Standards Agency to mitigate the issues raised however with the current level of resources allocated to this service the Food Safety Team is not able to carry out 100% of interventions in all the premises as laid out in the statutory Food Law Code of Practice. This is reflected in the Food Safety Service Plan. This may result in further Food Standards Agency inspections as resources have reduced further since that inspection.

4.5 The new Food Hygiene Rating Scheme has been a huge success, with over 600 premises scoring 4 or 5. (5 being the highest score). It has helped drive up standards and has meant there has been a recent reduction in the number of high risk premises, which has helped mitigate some of the loss in resources. However, the team cannot remedy the continued resource gap to enable them to inspect all C rated premises, as previously identified.

4.6 The Food Standard Agency's 'Official Food Control' National Review has been brought to an early close. One option that was being considered was the centralisation of the food hygiene inspection work. They have concluded that the enforcement of food hygiene in premises should remain with the Local Authority, though this will be with greater scrutiny.

Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods

4.7 Torbay Council is required by Section 5 of the Children and Young Persons (Protection from Tobacco) Act 1991 to consider, at least once a year, the extent to which it is appropriate to carry out a programme of enforcement action in relation to tobacco and tobacco products. This report fulfils the requirements of this annual review, but also extends its remit to other age restricted goods. Through the control of age restricted products, Torbay Council has actively contributed to the reduction of anti-social behaviour and reduced the risks to children and other vulnerable groups.

4.8 Cabinet last considered Torbay Council's Policy regarding enforcement of legislation prohibiting the supply of tobacco and tobacco products to children and young people, in December 2011. This report updates that Policy and renews our commitment to test purchasing, along with other early interventions to ensure that children and young people across Torbay are protected. See Appendix C of Appendix One.

- 4.9 This Policy contributes directly to delivering Torbay Council's corporate priorities and delivers our statutory responsibilities. It also links with the Council's children's and young people's safeguarding and safety responsibilities.
- 4.10 The Policy also relates to the Community Plan, in particular to the theme of 'Community Safety'. There are strong links between drug and alcohol problems and crime. The Policy is aimed at protecting children and young people from the harmful effects of cigarettes and alcohol. It also encompasses the sale of fourteen other age restricted products, including knives and solvents.
- 4.11 The Policy is linked to Torbay Council's responsibilities as a Licensing Authority, under the Licensing Act 2003. Trading Standards are statutory consultees under the Licensing Act 2003, in relation to 'The Protection of Children from Harm'. The Policy also contributes to Torbay Council's agenda for safeguarding children under the Children Act 2004 and the responsibilities of the Every Child Matters agenda.
- 4.12 During the past 12 months only one Test Purchasing Operation has been undertaken. There has been and continues to be difficulties in getting willing volunteers to undertake these test purchases. This resulted in a different approach whereby a young looking 19 was used. Although this means that no offences are committed if a sale takes place it does test the policy of the premises in question. Eight premises were visited and three sold tobacco and alcohol and six didn't ask for identification. Those premises have been written to and advice has been given to ensure their own policies are followed.

5. Possibilities and Options

- 5.1 The Council has approved a Food Safety Plan and an Under Age Sales Policy annually. The tabled Service Plan ensures that the resources allocated to the teams through the budget process will be deployed to best affect and deal with the areas of highest risk. In supporting the recommendations the council would be providing the baseline against which any future Food Standards Agency audits will be undertaken .If Members are not minded to approve the plans, then further negotiation will need to be undertaken with the Executive Head Community Safety and Executive Lead.

6. Equal Opportunities

- 6.1 The recommendations in this report will ensure that the resources allocated to the team are targeted at areas of highest risk.

7. Public Services (Social Value) Act 2012

- 7.1 This report is not recommending any direct commissioning of services and therefore does not have a direct impact with Public Services (Social Value) Act 2012. The report seeks the endorsement of the statutory work already undertaken directly by the Council.

8. Consultation

- 8.1 No external consultation has specifically been undertaken on the Commercial Team Service Plan although the budget allocated to the team was subject to public consultation through the Councils overall budget processes during 2012/13. Though Consultation does take place on key pieces of work, such as Policy reviews and on many applications made under the Licensing Act 2003 and the Gambling Act 2005.

9. Risks

- 9.1 Torbay Council is required to produce an annual Food Safety Service Plan, so providing that is agreed then there is no immediate risk. There is however a risk associated with the declining resources and the resilience within the Commercial Team which may have an impact on the delivery of the services it provides including food hygiene inspections.
- 9.2 Torbay Council is required by Section 5 of the Children and Young Persons (Protection from Tobacco) Act 1991 to consider the Policy on the Protection of Children in relation to Tobacco Sales, at least once in every period of 12 months, the extent to which it is appropriate to carry out in the area a programme of enforcement action in relation to tobacco and tobacco products. This is a statutory requirement with limited impact, as the work is already ongoing.

Appendices

- Appendix 1 Commercial Team Service Plan
- Appendix 2 Food Safety Service Plan 2013-14
- Appendix 3 No Cold Calling Homes survey 2012
- Appendix 4 Trading Standards Underage Sales Policy
- Appendix 5 Licensing Act 2003 application trends
- Appendix 6 Internal Health and Safety and Emergency Planning Annual Report
- Appendix 7 Gas Safety Report
- Appendix 8 Commercial Team workplan 2013-14
- Appendix 9 Health and Safety Executive Intervention Plan
- Appendix 10 Devon Chief Environmental Health Officer's Sub Group workplan for

Additional Information

None



Community Safety

Commercial Team Service Plan

2013/14

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Appendix 7	Gas Safety Report
Appendix 8	Commercial Team workplan 2013-14
Appendix 9	Health and Safety Executive Intervention Plan
Appendix 10	Devon Chief Environmental Health Officer's Sub Group workplan for H&S

Introduction to the Commercial Team

Scope of the Commercial Teams responsibilities

The Commercial Team within Community Safety Business unit is responsible for a range of functions whose officers primarily work with businesses to support and help them deliver their business aims.

These visits are broadly welcomed because officers advise and support business interpreting what they need to do to ensure they provide their business safely and to comply with the law. This saves businesses significant time and money in researching the law, seeking advice or employing expensive consultants.

The functions broadly fall into five areas

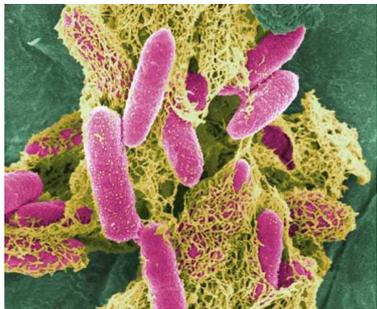
- Food safety & Infectious disease control
- Trading Standards
- Licensing
- Health & Safety
- Internal Health & Safety & Emergency Planning

What has been achieved in 2012-13?

Notwithstanding the great pressures on the Commercial Team and the department, a huge amount of great work continues to be done to help businesses, to maintain the health of the population, address complaints, support and protect the old and vulnerable and when necessary enforce against the excesses of a few.

Food Safety

<p>Case study 1</p> 	<p>National Food Hygiene Rating Scheme</p> <p>In November 2011 the national Food Hygiene scheme was launched in Torbay with a view to driving up food safety standards in the Bay and to provide consumers with an informed choice on where they should eat. To date 800 food premises have been rated in the Bay with over 600 scoring either a 4 or 5. However about 80 premises are still below the level of basic food hygiene compliance, therefore these premises need a considerable amount of time and effort to get them up to a compliant level. The majority of these are due to inadequate or no paperwork.</p> <p>There is evidence to say that the food hygiene scheme is working as the number of A and B risk premises, the highest risk premises in the Bay fallen by half from 130 to 55.</p>
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	<p>A survey undertaken revealed that</p> <ul style="list-style-type: none"> • 90% of the respondents were positive or very positive about the usefulness of the information given • 91% were positive or very positive about the report left at the time of the inspection • 69% felt that the scheme is having a positive or very positive scheme in Torbay <p>More information on the scheme and survey results is available in Appendix A, The Food Safety Service Plan.</p>
<p>Case study 2</p> 	<p>E Coli 0157 investigation</p> <p>In 2012/13 the Food Safety Team were involved in the investigation of an outbreak of E Coli 0157, a serious infections disease which can be fatal. There were 4 cases of E Coli 0157 two of which were children under 5 who were hospitalised. As a result of a swift response and initial investigation the outbreak was contained and did not spread any further around the Bay.</p>
<p>Case Study 3</p> 	<p>Exporting of fish to China and America</p> <p>A number of the approved fishery establishments in Brixham and Paignton rely heavily on their export trade to countries such as China and America. The Food Safety team play a significant role in the fishing industry of Torbay as they regularly inspect the Fish Market at Brixham, give support and guidance to the fishery establishments who need to be approved. The fishery establishments cannot trade without being given an export certificate for every batch from the Food Safety Team.</p> <p>The Food Safety Team also take water and flesh samples from the mussel bed off Brixham to ensure the mussels do not cause a public health problem.</p>

A full summary of the work of the Food Safety Team is included within the Food Safety Service Plan, which is a statutory requirement and is attached, see Appendix A.

Trading Standards

<p>Case study 1</p> 	<p>Complaints about Fair trading, Consumer Protection, Counterfeiters</p> <p>For several years civil matters such as whether a product works or a service meets an expected quality have been dealt with by Consumer Direct and now Citizen's Advice Bureau. However the way products are sold, their safety, door step crime and fraud are criminal matters and investigated by Trading Standards. This included many complaints originating from residents on Park Homes sites.</p> <p>In 2012/13 the team received with 3648 complaints, although many are civil matters and not investigated further. Those that were criminal resulted in advice being given, written warnings been issued and two formal cautions & two prosecutions.</p>
<p>Case study 2</p> 	<p>Doorstep Crime and No Cold Calling Homes</p> <p>In 2012/13 the Trading Standards Team further extend the number of properties now displaying No Cold Calling Homes stickers in over 2000 properties, as well as continuing to raise awareness of the scheme. The scheme has now been extend to the whole of Devon and Cornwall Constabulary area with much of the partnership scheme being based upon the original Torbay scheme. A survey was undertaken in Torbay that identified some truly great benefits.</p> <ul style="list-style-type: none">• 97% of these residents stated that they were using the sticker provided to them.• 98% of residents agreed that the information provided within the pack was easy to understand and 79% had recommended the scheme to friends or family members.• 93% of scheme members feel more confident about avoiding and dealing with doorstep sellers and bogus callers since receiving their pack and displaying their sticker.• SINCE displaying the sticker 89% of residents reported a reduction in the number of doorstep sellers calling at their door and 96% believe that it helps to deter doorstep sellers and bogus callers. <p>A copy of the survey is attached in Appendix B.</p>

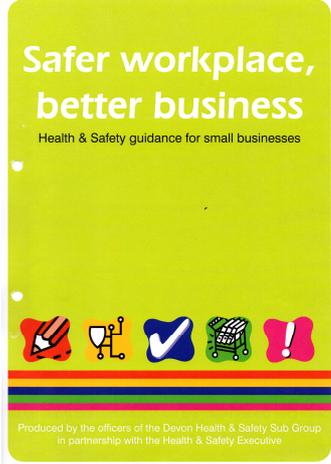
<p>Case Study 3</p> 	<p>Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods</p> <p>Torbay Council Trading Standards Officers undertake investigations of underage sales based upon intelligence and complaints. It Policy on the Protection of Children in relation to Tobacco Sales and Other Age Restricted Goods for 2013-14 is attached in Appendix C for agreement.</p> <p>In 2012-13 one underage sales operation was undertaken. Due to significant problems recruiting children to this role an operation was undertaken using a 19 year old. In June 2013 8 premises were visited for alcohol and tobacco. Since all will operate a Challenge 21 policy it was disappointing to have three sales. These premises committed no offences, however advice and a warning was given about future targeted work.</p>
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Licensing

<p>Case study 1</p> 	<p>Licensing Applications</p> <p>The majority of applications are either Licensing Act applications for the sale of alcohol and/or to provide entertainment, or for Hackney Carriages, Private Hire Vehicles & their drivers. In addition however there are applications for Pet Shops, Animal Boarding, Dangerous Wild Animals, Gambling, Lotteries, Street Collection, Street Trading, Tattooing, Fireworks to name some.</p> <p>In total 2472 applications were received. Of those 714 have statutory deadlines and in virtually all cases these were met.</p> <p>There was one review of a Licensing Act Premises Licence and two appeals of Licensing Committee decisions, one under the Licensing Act 2003 and one for a revocation of taxi driver's licence, during this period.</p> <p>Appendix D highlights the trends over the last 5 years for major applications.</p>
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<p>Case study 2</p>  <p>Hackney Carriage (Taxi) & Private Hire Policy</p> <p>May 2013</p>  <p>www.torbay.gov.uk</p>	<p>New Hackney Carriage & Private Hire Policy</p> <p>In 2012/13 the Licensing Team wrote, consulted upon and had agreed by Licensing Committee a new up to date policy bringing in a number of new measures.</p> <p>The new measures included introducing a driving standard assessment from new drivers and those who obtain 7 penalty points; new licensing objectives to aid decision making; a more robust conviction policy; extending the working life of Wheelchair Accessible Vehicles to 10 years in an attempt to increase the percentage of the fleet that is wheelchair accessible and some changes in vehicles specifications for the modern era. This also incorporated recent changes in the legislation.</p>
<p>Case Study 3</p>  <p>Statement of Principles 2013</p> <p>January 2013</p>  <p>www.torbay.gov.uk</p>	<p>New Gambling Policy</p> <p>In 2012/13 the Licensing Team as part of their statutory responsibly, updated, consulted upon and had agreed by Full Council a new Gambling Statement of Principles. This lays out the principles by which Torbay Council will exercise their functions under the Gambling Act 2005.</p> <p>The document includes the procedures and criteria by which a bidding process could commence for the Small Casino Licence.</p>
<p>Case Study 4</p> 	<p>Renewal of Purple Flag</p> <p>In 2012/13, in partnership with the Business Improvement District, The Police and our colleagues in the Neighbourhood Team, the Licensing team helped make an application to renew the Purple Flag, which was successfully granted the previous year.</p> <p>This application was successful and built upon the already great work undertaken by all partners on Torquay harbourside, and in addition to those mentioned above thanks should also go to many of the licensees and the Street Pastors for their continuing hard work.</p>

External Health & Safety Enforcement

<p>Case study 1</p> 	<p>Gas Safety</p> <p>There is national data to show that gas safety is often disregarded by commercial food businesses and can lead to serious consequences if not managed properly. As such in 2012/13 officers from the Commercial Team undertook a piece of work in relation to gas safety in food businesses in Torbay. They carried out 248 gas safety inspections of which 121 were found to be non compliant. As a result of their findings a number of different actions were taken to secure compliance, there included the service of formal improvements notices and the issue of a formal caution. In the case of one unregistered gas fitter reported to the HSE during this work he was prosecuted as a result.</p>
<p>Case study 2</p> 	<p>Park Home (Mobile Home) Site Safety & Licensing</p> <p>In 2012/13 officers from the Licensing and Public Protection Team were involved in a considerable amount work protecting the health and safety and general civil rights of elderly and vulnerable residents in some of Torbay's Park Home sites.</p> <p>Some of the issues that have been dealt with include unstable banking, electrical safety, contractual rights, the selling of homes without intimidation and more general health and safety issues such as the safety of walkways, maintenance of sewage pumping stations to name a few.</p>
<p>Case study 3</p> 	<p>Safer Workplace Better Business Pack</p> <p>This pack developed by the Devon Health and Safety Sub Group has been used now for a couple of years to help small and medium sized businesses comply with health and safety. In 2013/14 it is hoped that this pack will be further developed into a national health and safety management on line tool. Devon is working with a private sector company to realise this potential. This will enable small and medium businesses across the UK sign up to using this pack.</p>

No Health and safety Service Plan has been written this year as the emphasis has changed on the number and frequency of inspections, see Workplan for 2013-14 for more information below.

Internal Health and safety and Emergency Planning

<p>Case study 1</p> 	<p>Accidents in the workplace</p> <p>There has been a 21% decrease in reported accidents in the workplace, resulting in a 7% decrease in Notifiable Accidents made to the Health and Safety Executive.</p>
<p>Case study 2</p> 	<p>Training of Council and School staff</p> <p>To help fulfil Torbay Council's statutory obligations under the Health and Safety at Work Act 1974, 407 employees attended training courses and another 2400 completed on line training through the new i-learn portal.</p> <p>This will help Torbay Council protect itself from financial claims arising out of negligence or ignorance and help to prevent unnecessary inspections by the Health and Safety Executive.</p>
<p>Case study 3</p> 	<p>Emergency incidents</p> <p>There were numerous and very varied emergency incidents during the last year, including 2 ships, one which sunk; a number of fires and discovered ordnance; and the very wet weather. The latter resulted in some significant landslips and several emergencies, with properties having to be vacated, residents re-homed and significant work picked up by Community Safety to make the homes and locations safe.</p>

The Annual Internal Health and Safety and Emergency Planning report is attached in Appendix E. This includes the strategy for future work.

Resource Reduction, the impact and workplan for 2013-14

Resource reduction & impact

Over the past 3 years (2011-14) the resources have reduced from 29.4 full time equivalents (FTE) to 23.4 FTE which has resulted in all but the most critical work being undertaken. The team has also taken on 2+ FTE of extra work from other teams during this period. The following work has therefore ceased

- No discretionary work is now undertaken.
- No low risk inspections are undertaken.
- No medium risk inspections are undertaken, except in Food premises, where it remains a statutory requirement of the Food Standards Agency or in other cases if the intelligence identifies a need.
- Complaints are not investigated unless there is deemed to be a serious risk of injury, serious health implications, or where there is serious consumer detriment or significant nuisance particularly to the old and vulnerable.
- Accidents are not investigated unless there has been a serious injury or a fatality.
- Civil complaints are not longer investigated or advice given

The impact of these resource reductions is that the team can no longer meet all of its statutory functions, which could result in intervention particularly by the Food Standards Agency. A second significant consequence is that there is no longer any resilience left within the team. The impact is if there is any long term sickness or maternity leave, this places significant pressure on the team and as a consequence the remaining statutory functions can not be delivered against targets.

This is shown as a diagrammatical representation below, where it compares the team's resources against statutory function for the current year 2013-14.

All staff have an input into a varying number of the pieces of work and the management team move staff around both the Commercial Team and the Department as a whole; to try and remain as close to the statutory minimum as possible but as can be seen below the statutory minimum can no longer be achieved in all areas. This presents an increased risk to the population of Torbay and to the Authority.

In almost every case advice and support is being given to businesses, so the fewer visits that are made then the less advice and support that can be given to those businesses.

In the table Green = No risk; yellow = low/medium risk; pink = medium/high risk & red = very high risk

Statutory Delivery	Above Statutory Minimum	At Statutory Minimum	Below Statutory Minimum	Risk to the authority
Statutory Activity				
Food Safety Inspections/ Food Hygiene Rating Scheme/Food Standards Inspections				PINK
Infectious disease control/ emergency incidents				YELLOW
Trading Standards - consumer detriment (fair trading, consumer protection, counterfeit goods etc.)				YELLOW
Trading Standards - Protecting the Vulnerable/No Cold Calling Homes/Test Purchasing				YELLOW
Administering Licensing Applications/Committee hearings/Policy development				YELLOW
Licensing enforcement/ partnership working with Police and NTE				YELLOW
Health and Safety Inspections/Interventions/ accidents				YELLOW
Complaints (Noise from licensed premises, Food Safety & H&S)				YELLOW
Park Homes inspections/ complaints/ administration				YELLOW
Public safety at events, football ground etc				YELLOW
Emergency Planning & Internal H&S				YELLOW

Audit Inspection 2012-13

Devon Audit Partnerships undertook an audit of Emergency Planning in 2011-12 with a report being completed in July 2012. The key findings were that the ability to respond to an Emergency was at a 'good standard', though the emergency plans needed a review to update them. There was however concerns about how Torbay

Council would deliver Business Continuity in the case of an emergency. Work is planned in this area.

Devon Audit Partnerships undertook an audit of the majority of the Commercial team during 2012-13, though a final report has not been completed yet. This included Food Safety, Trading Standards, Licensing and Health and Safety functions. Interim feedback, suggests the functions are working to a good standard, though this could be subject to change. The final report will however identify some areas of risk and consideration to how these maybe addressed.

Work plan for 2013-14

The workplan for Commercial Team is simply to deliver its statutory duty to the best of its ability and to respond to emergencies. Its efforts are focused primarily on the premises and incidents of highest risk and to protect the most vulnerable in Torbay. To administer the licensing applications and undertake enforcement work in partnership with the Police and other agencies to ensure the night time economy, events and the football ground remain safe.

This will include continuing with the Food Hygiene Rating Scheme inspections, the Gas Safety inspections (See Appendix F), to extend the No Cold Calling Homes scheme, and to assess the evidence for making an Early Morning Restriction Order application for part or all of the night time economy.

Internal Health and Safety and Emergency Planning have joined the Commercial Team, bringing an additional 4 staff into the team. During 2013-14 opportunities will be reviewed to further improve the already good working relationship.

It should be noted, however, with the reduction in staffing levels and resources that it will not be able to deliver as much work as in 2012-13. Workplan is attached in Appendix G.

Health and Safety Service Plan

There has been a significant drop both nationally and locally in the resources put into health and safety enforcement. It has been decided that no Health and Safety Service Plan is currently needed. The Team work very closely with both the Health and Safety Executive and other Devon and Cornwall authorities and agree a workplan across the region. I attach the two plans; one is the Health and Safety Executive intervention plan, where Torbay will be involved in only the Gas Safety work, partly due to it having completed the work in the other areas in recent years, and the other is the Devon Chief Environmental Health Officer Sub Group workplan. See Appendices H & I

Food Safety

Service Plan

2013-2014



Food Safety- why does it matter to Torbay?



Access to safe, healthy food is a fundamental basic right of the community of Torbay.

By ensuring that the food produced and sold in Torbay is safe to eat the Food and Safety team plays an important role in improving the health of the public in Torbay.



The National Food Hygiene scheme was launched in Torbay in November 2011 and over 800 food premises are now rated. Because of the scheme many premises have gone from a 0 or 1 to a 5 and we have reduced our number of high risk premises by half.

We do not however currently meet the full range of statutory requirements set down on us by the Food Standards Agency due to the lack of staffing resources. Therefore not all food premises get inspected and hence are not rated under the scheme.

E Coli 0157

The food safety team in 2012-13 dealt with 29 infectious disease outbreaks in Torbay. This included an E Coli 0157 outbreak where a number of cases were hospitalised in intensive care. Without the teams interventions outbreaks such as this may spread further and cause increased illness and infection in the community.



Fishery establishments in Torbay cannot export their product without the support that is given to them by the Food and Safety team. In addition the team signs every Health Certificate that is needed before they can export to countries such as China and America. This help and support has resulted in a number of fishery premises expanding their export trade over the last couple of years.



Recent research carried out by the Food Standards Agency has shown that small to medium sized businesses particularly value the advice and support that local authority food safety teams give to them.

This is also backed up by a recent survey of small businesses in Torbay which identified that the Food and Safety team are their main source and support and advice.

TORBAY COUNCIL

FOOD SAFETY SERVICE PLAN 2013/14

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TORBAY COUNCIL FOOD SAFETY SERVICE PLAN

1.0 Service Aims and Objectives

1.1 Aims and Objectives

This Food Safety Service Plan is required under the Framework Agreement by the Food Standards Agency. The plan is concerned with food safety enforcement work for which Torbay Council is responsible for. This plan is a Key Policy document and as such requires member approved to ensure there is transparency and accountability and once approved the plan is published on the Councils website.

The Food Safety Service has the following vision:

- To improve public health and safety through partnership, education and enforcement

Torbay Council's Food Safety Service Aims and Objectives are:

Aim 1: To promote, through education and enforcement, the sale and/or production of food which is fit and without risk to health.

Objective 1.1: To undertake a risk-based programme of inspections and interventions in food premises in accordance with the Food Standards Agency Food Law Code of Practice

Objective 1.2: To register food businesses in accordance with EC852/2004 and the Food Hygiene (England) Regulations 2006.

Aim 2: To prevent and control the spread of food borne illness through education and enforcement.

Objective 2.1: To provide a risk-based response to all notifications of food related illness or suspected illness in order to minimise effects on the community.

Objective 2.2: To carry out pro-active sampling in accordance with nationally and locally set programmes.

Objective 2.3: To provide information, advice and education on food safety and public health issues to the business and residential community.

Objective 2.4: To respond to high risk complaints concerning food and food safety.

Aim3: To take action on a consistent, transparent and proportionate basis.

1.2 Links to Corporate Objectives and Plans

The Council's Corporate priorities fed from the Community Plan sets out a number of corporate goals. One of these goals has direct links to the Food Safety Service:

- Working for a healthy, prosperous and happy Bay
- **Public Health.** With the introduction of the Public Health function now sitting within the Local Authority the Food and Safety Team have an important role to play in some of the aims and objectives of the Torbay Public Health Strategy based on the Joint Strategic Needs Assessment.

2.0 Background

2.1 Authority Profile

Torbay Council is a Unitary Authority which comprises of the three main towns of Torquay, Paignton and Brixham, on the south coast of England. Tourism is the dominant industry with the majority of employees working in the service industry. There is also a fishing industry predominantly based in the port of Brixham where there is a large fish market.

More details on the profile of the Authority can be found on the website www.torbay.gov.uk

2.2 Organisational Structure

The chart attached at Appendix A shows the structure of the Food and Safety Team.

The Food and Safety Team sits within the Commercial Team of the Community Safety Business Unit and comprises both Trading Standards Officers and Environmental Health Officers.

Additional support services:-

Additionally appointed specialist services are provided by the Food Examiner at the NAMAS accredited Health Protection Agency Laboratory in Porton Down and a Public Analyst from PASS Laboratory Services based in Wolverhampton.

Advice and support is also provided by Public Health England.

2.3 Scope of the Food Service

The Food Safety service comprises a range of key functions:

- Programmed food hygiene and food standards inspections of food premises within the Bay.
- Implementing and Promoting the National Food Hygiene Rating Scheme across Torbay
- Programmed High risk health and safety inspections and accident investigations
- Responding to food alerts and incidents of food fraud.
- Investigating food and food related complaints and other service requests on a risk based approach.
- Implementing an annual food sampling programme
- Registering food premises and mobile vehicles
- Assessing imported food and its origin.

- Support and advice to food businesses.
- Investigating cases of food related illness and other infectious diseases.
- Issuing of health certificates for the export of food products.
- Specific duties with regard to regulating Brixham Fish Market and the mussel harvesting beds at Fishcombe.

The Food and Safety Team has the main responsibility for food standards enforcement work, this work is carried out by both qualified Environmental Health Officers and Trading Standards Officers within this team.

The Food Safety service operates from Commerce House between 9.00am and 5.00pm, Monday to Friday. Early morning and late night visits are also undertaken as required.

Emergency food safety issues are currently directed initially to a 24 hour central control team and then onto authorised food officers as required. Community Safety does not have a formal Out of Hours Service.

2.4 Demands on the Food Service

On 1st April 2013 the Council had 1928 registered food businesses. The risk profile of these premises shown in Table 1 has been determined in accordance with the FSA's Food Law Code of Practice.

Table 1

Priority	Premises Category	Frequency of Inspection/ Intervention	Total number of premises in category (April 2013)
A	High	6 months	4
B	High	12 months	55
C	High	18 months	783
D	Other	24 months	352
E	Other	36 months	609
U	-	Awaiting inspection	124
Total			1928

The range of premises is as follows:- Primary producers 9, Manufacturers and packers 31, Importers and exporters 2, Distributors 8, Retailers 419 and Restaurants and caterers 1446.

Torbay also has 17 Approved fishery establishments which can take up a lot of time and staffing resource particularly in the area of exporting their products outside of the EU.

Brixham Fish Quay is also a significant cost driver to the work of the Food and Safety Team with its daily auction and regular exports to the EU and other nations and involves at least fortnightly food hygiene inspections by officers. There is also a mussel bed off Brixham which requires monthly sampling and has Category B status which means the mussels are required to be purified before sale.

The Torbay area has already been described primarily as a tourist area and there are a large number of hotels and other tourist attractions which are only open during the tourist season between Easter and October. There is also a high turnover of food businesses in Torbay putting an additional pressure on the Food and safety Team, in 2012/13 the turnover of food businesses was 14%.

Additional demands for 2013/14 include:

At the end of the 2012/13 due to budget pressures the Commercial Team lost one food qualified Senior EHO who moved across to the Neighbourhoods Team – the knock on effect of this means that the remaining food officers will be allocated more health and safety work

In 2013/14 the Food Team will be carrying out a gas safety intervention which will involve them auditing food premises in relation to gas safety issues at the same time as carrying out food safety inspections. This work has already shown very effective outcomes so will be continued.

As Torbay is a Unitary Authority, Public Health now sits as a function within the authority. Whilst this is still in the early stages of development the food and safety team will have an important role to play in some of the work that comes out of the Torbay Public Health Strategy.

2.5 Enforcement Policy

The Community Safety Enforcement Policy sets out what food businesses and others being regulated can expect from the service. The Policy is based on the principles contained within the Regulators Compliance Code.

All formal enforcement actions such as prosecutions are taken before the departments Enforcement Panel made up of officers from Community Safety and the Councils Legal team.

The service is committed to ensuring the active implementation and monitoring of the Council's Corporate Equality and Diversity Policy, which states that services will be provided in a fair and equitable way to all groups and individuals in the community.

3.0 Service Delivery

3.1 Food Premises Inspections

Torbay Council has a number of internal performance indicators relating to food safety. For 2013/14 these are as follows:-

- Number of high risk food premises (food hygiene) inspected (Target 100 %)
- Number of high risk food standards premises inspected (Target 100%)

The inspection programme is based on the inspection rating scheme and the intervention Strategy contained in the FSA Food Law Code of Practice. This Code of Practice is due to be amended in June 2013 which may alter how the Food Team carries out its inspections.

New potentially low risk businesses are contacted by a business support unit to ensure that they have basic information for compliance and to identify any that might be of higher risk which will then be inspected.

As there is a considerable turnover of premises in Torbay it is currently not possible to inspect them within 28 days however they are all assessed following receipt of the food registration form and those of a high risk nature are given priority.

All premises where a statutory notice has been served or which are found to require significant work to be carried out will be subject to a secondary visit within an agreed timescale. It is estimated that at least 103 re-visits will be carried out in addition to the programmed inspections and alternative intervention initiatives. There may also be a number of businesses formally requesting to be revisited for the purposes of rescoring under the Food Hygiene Rating Scheme. In 2012/13 the number of requests for rescoring was 57.

Environmental Health currently has an estimated FTE of 5.3 officers ([See Table 4](#)), working on food safety issues. This is a reduction of 1.2 FTE from last year. This is in part due to cuts in staffing and part due to the reallocation of work due to other work place pressures.

The primary objectives when carrying out interventions are in accordance with the Food Standards Agency Food Law Code of Practice, however, a special emphasis is placed on the level of compliance with the requirements for documented control systems. Specific consideration is also given to whether samples need to be taken during routine food hygiene inspection work.

3.2	Food Complaints	<p>The Environmental Health Service responds to all complaints about food or food premises made to the Council however deciding whether or not they require investigation will be done by using a risk based approach to ensure that resources are used effectively.</p> <p>There were 31 complaints about defective food received up to the end of March 2013. There were also 623 other service requests received relating to issues such as unhygienic food premises, requests for information and advice that were handled by the Food Safety team in 2012/13.</p>
3.3	Primary Authority Scheme	<p>The previous Home Authority Scheme has now been replaced by the Primary Authority Scheme under the new Regulatory Enforcement and Sanctions Act 2009. This aims for the first time to give companies the right to form a statutory partnership with a single local authority. The objective of this is to provide robust and reliable advice on compliance that other Councils must take into account of when carrying out inspections or dealing with non compliance.</p> <p>The Food and Safety Team are currently in the process of setting up a Primary Authority partnership with a national company who has its Head Office in Torbay.</p>
3.4	Advice to Business	<p>The Authority is committed to improving food safety standards through both education and enforcement. In order to use limited resources most effectively, advice is targeted and is as follows:</p> <ul style="list-style-type: none"> • During inspections and as part of follow up documentation; • Via electronic Food Safety Newsletters • New Business advice • Through guidance information available on the Food Safety teams fully revised website pages • Distribution of relevant food safety material to food businesses particularly via the website. • Advice and information is given to businesses requesting guidance either by telephone or e-mail. <p>During 2012/13 the Food Safety Team further developed links into the business community by working with the Torbay Business Forum, The Business Improvement Districts, The Tourism Company and the Torbay Development Agency to further promote the Food Hygiene Rating Scheme across the Bay.</p>
3.5	Food Inspection and Sampling	<p>The Service has in place a documented and publicised sampling policy and a separate documented procedure and programme.</p>

The sampling programme is drawn up in consultation with the Devon Chief Environmental Health Officers Food Sub Group and the SWERCOTS Food Group, in partnership with the Food Examiner from Public Health England Laboratory covering the Torbay area and the Public Analyst at PASS Laboratory Services.

The programme covers authority, county, national and when required European sampling objectives. Each Authority is allocated sampling credits by Public Health England in order to undertake food hygiene sampling and food standards sampling which is resourced from an allocated budget within the Food Safety overall budget.

During 2012/13 236 samples were taken of a range of products including raw and cooked meat, ready to eat deli foods, environmental swabbing and mussel samples. Food standards sampling also included bread composition, ice cream for composition, crushed ice drinks for added colours, raw and cooked potatoes for added preservatives and alcohol testing to check for substitution. Most of the results from these samples were found to be satisfactory and no further follow up action was required, however some of the samples were found to be unsatisfactory and follow up work was required to secure compliance. For example, in one sample there was a higher than legal limit of added colour and therefore the business was given advice on how to reduce its level of added colour to this prod

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

All formal and informal notifications are recorded on the Environmental Health Service Authority database. Subsequent investigations are based on the type of organism, the number of cases, and are in accordance with Public Health England guidance.

A documented procedure has been produced and agreed with Public Health England and follows the principles established in a countywide procedural document, prepared by the Devon Food Safety Sub Group. During 2012/13 236 infectious disease notifications were received, some of which were serious cases of infectious diseases where the cases were hospitalised and a full outbreak investigation carried out.

3.7 Food Safety Incidents

The service has a documented procedure which deals with action to be taken following the receipt or initiation of a food alert. The FSA Food Law Code of Practice has required specific recording of actions taken following the receipt of a food alert.

Food alerts are received by a direct email from the Food Standards Agency (FSA), by direct emails to the Principal Environmental Health Officer and the Food Safety email box which is checked every day and by text messages to officers' mobile phones.

The Food Alert warning procedure for food incidents recognises that such issues are required to be dealt with quickly in accordance with the categories for each food alert. The procedure identifies the mechanism for passing on the food alert to the appropriate officer, an outline of the action to be taken. Most food alert warnings received require only a small amount of officer resource.

However on occasions it is necessary to provide more resources to deal with food alerts. Any actions taken on a food alert are documented within the Authority data recording system.

During 2012/13 47 Food Alerts were received by the Food Safety Team, a number of which required local action in food premises in Torbay. During the national horse meat incident the Food and Safety team also carried out some work to ensure the traceability of meat supplies in its schools and hospitals, this work is continuing this year in terms of meat sampling to check authenticity e.g. of meat in kebab shops.

3.8 Liaison with other Organisations

Consistency and value for money is a key feature in all of the Council's Environmental Health functions. With regard to the food safety service, this is achieved by:

- Priority being given to attendance and active participation by the Principal Environmental Health Officer at the Devon Chief Environmental Health Officers' Food Sub Group. This Group co-ordinates peer review and consistency exercises, acts as the discussion forum for topical issues and a means of optimising countywide consistency in enforcement and advice.
- The Food Safety Service also liaises with the following :
 - Public Health England
 - Torbay Development Agency
 - The Food Standards Agency
 - Devon and Cornwall Police
 - The Immigration Service
 - TDA Business Forum
 - Trading Standards Sub Regional Group

The Community Safety Service have access to all development and building control applications and acting as a formal consultee on key planning and building control applications and a statutory consultee on all Licensing Act applications.

3.9 Food Safety Promotion

Education and promotional activities are considered to be important aspects in the delivery of a comprehensive food safety service and it is achieved in the following ways:

- Food Safety articles in the bi annual Food and Safety Newsletter e mailed to all food businesses in the Bay.

- Food information available directly from the Food Safety section of the Council website and from the team directly.
- Targeted advice/information sent to relevant groups on issues of county or national significance e.g. on E Coli 0157 guidance.
- Targeted seminars and training sessions are undertaken on various food safety subjects.

4.0 Resources

4.1 Staffing Allocation

The Community Safety Business Unit structure is based on a number of multidisciplinary teams. The Food Safety Team is located within the wider Commercial Team.

[Table 4](#) shows the current full time equivalent of staff working on food safety enforcement, broken down by the competency requirements of the Food Standards Agency Food Law Code of Practice (England) - General qualification and experience requirements.

EHRB officers are Environmental Health Officers who are registered with the Environmental Health Officers Registration Board, (EHRB), after attaining the approved qualifications in Environmental Health.

Table 4: Staff resources dedicated to food safety

Environmental Health Officer (Food and Safety Team)	EHORB	FTE	Other
Principal EHO	YES	0.8	No
Senior EHO	YES	0.8	Lead Assessor
Senior EHO	YES	0.8	Lead Assessor
Senior EHO	YES	0.4	Lead Assessor
Senior EHO	YES	0.8	Lead Assessor
Senior EHO	YES	0.8	Lead Assessor
Senior EHO	YES	0.8	No
Senior EHO	Yes	0.1	No
Trading Standards Officers (Food & Safety Team)	Dip TS/DCAT	FTE	Other
Trading Standards Officer x 3 (food standards only)	YES	0.3	New posts in team since April 2010

4.2 Staff Development Plan

All food safety staff are subject to an annual appraisal and one progress review which tracks and identifies training and development needs. Food safety training needs are prioritised in the context of wider Environmental Health requirements identified within the service wide training plan.

All food safety staff complete a training record log to further assist in identifying development and training needs and for monitoring the competency of individual officers. The officers undertaking specific duties, such as dealing with approved premises, are identified and the training requirements assessed accordingly.

Some of the specific food safety training undertaken by staff during 2012/13 include:-

- FSA E Coli and Cross contamination training
- FSA Vacuum Packing training

5.0 Quality Assessment

5.1 Quality Assessment

The provision of quality services is one of the Council's three guiding principles and food safety is no exception. With regard to food safety the quality agenda is pursued via a number of methods.

Management Monitoring

The documented quality management procedure includes specific monitoring arrangements that are in place for example checking of inspection letters and notices and joint consistency/quality monitoring visits undertaken by the Principal Environmental Health Officer. Complaints against the service are monitored on a Service and Corporate basis.

Food Standards Agency

The service is required to submit an Annual return, detailing the inspections, enforcement and educational activities undertaken, to The Food Standards Agency who closely monitor performance to ensure compliance with the FSA framework agreement.

The FSA also has the power to set standards and to monitor local authority food law enforcement services under the Food Standards Act 1999. The FSA collects information from all United Kingdom food authorities and submits the information to the European Commission.

As detailed in section 3.8, the Principal Environmental Health Officer attends meetings of the Devon Food Sub Group to discuss relevant issues on a regular basis. This group comprises of representatives of all the District and Unitary councils, and Public Health England.

This forum offers the opportunity to discuss, in detail, a wide

range of quality and consistency issues relevant to food safety.

During 2012/13 the Food and Safety Team received an internal audit and are still waiting for the report of this audit.

6.0 Review Process

6.1 Review against the service plan

As detailed within Section 1.2, the Council has an established performance management board to monitor the performance of its services.

From an operational perspective the Principal Environmental Health Officer reviews the key performance measures and service improvements contained in the plan on a quarterly basis. [Table 5](#) shows some of the internal indicators covering service delivery and performance as well as the national indicator for food safety and the wider key indicators on the Community Safety Balanced Scorecard that the Food Safety Team feed into and it is those which are reported to management team and members through their performance boards.

In addition, regular one to one meetings are held with staff involved in the Food Safety Service. This is to ensure that on-going projects and improvements outlined in this service plan are effectively monitored and managed. The notes for these meetings are documented, along with actions and timescales for relevant staff.

Table 5 – Food Safety Service Performance Indicators

SERVICE DELIVERY INDICATORS		2010/11	2011/12	2012/13
Number of Category A and B risk food hygiene premises (due every 6 months) inspected	Target	100%	100%	100%
	Outcome	87%	100%	100%
Number of Category C high risk food hygiene premises (due every 12months) inspected	Target	100%	100%	100%
	Outcome	27%	53%	54%
Number of high risk food standards inspections carried out	Target	100%	100%	100%
	Outcome	88%	88%	100%

6.2 Identification of achievements and any variation from the service plan

Table 6 below identifies the status of planned service improvement actions from 2012/13. Any remaining improvement objectives are shown in the table below along with the reason for the delay and a revised target, which will be included in the work programme for 2013/14 where appropriate.

Table 6 Achievements and variance from Service Plan 2012-13

Action	Planned Outcome/Output	Achieved Or reason	New Target Date
To raise the standards of food hygiene within food premises in Torbay	Implement the FSA's Food Hygiene Rating Scheme to ensure both hygiene standards are raised and that consumers have better access to information on food businesses and thereby making informed choices on where they wish to	Achieved – 800 premises now rated under the Food Hygiene Rating Scheme. 91 requests for rescoring visits received all but 3 have gone up mainly to a 4 or 5. The number of high risk A and B premises have dropped by over half although there are still a number of low rated premises which need to improve.	Ongoing work.
To implement the recommendations of the new FSA E Coli guidance for businesses and enforcement officers.	To assess butchers and catering premises compliance with the FSA's E Coli Guidance	Achieved- Food officers attended FSA E Coli course and guidance is addressed on every food safety inspection.	Ongoing work
To inspect all high risk food premises in the Bay in line with the statutory FSA Food Law Code of Practice	To ensure they are compliant with food safety legislation	Achieved; - 100% of A and B risk inspections achieved. Target not achieved for C risk statutory interventions	Ongoing work
To inspect/carry out an intervention in all D and E risk premises in line with the statutory FSA Food Law Code of Practice	To ensure they are compliant with food safety	Target not achieved for medium/low risk D and E risk premises.	Ongoing work
To continue cross professional working pilot to make effective use of resources	To ensure that intelligence from other teams within Community Safety is used effectively.	Achieved – FAB's project completed and evaluated. This project had some good outcomes for businesses	

6.3 Targets and areas of Improvement for 2013/14

Targets for 2013-14 are in Table 7 and the current planned improvements for 2013/14 are outlined in Table 8.

The Statutory Guidance requires 100% of C risk premises to be inspected. This hasn't been achieved for a number of years as can be seen from Table 7 below. The target has therefore been set at 50% of all C's for this year. Although there is been a reduction in A and B rated premises due to improving food hygiene ratings this is offset by the team having a 1.2 FTE reduction in staff overall and in addition a member of staff on maternity leave. In an attempt to still meet previous year's figures for C inspections a 6 months contract for a part time member of staff has been awarded.

Table 7 – Targets for 2013-14

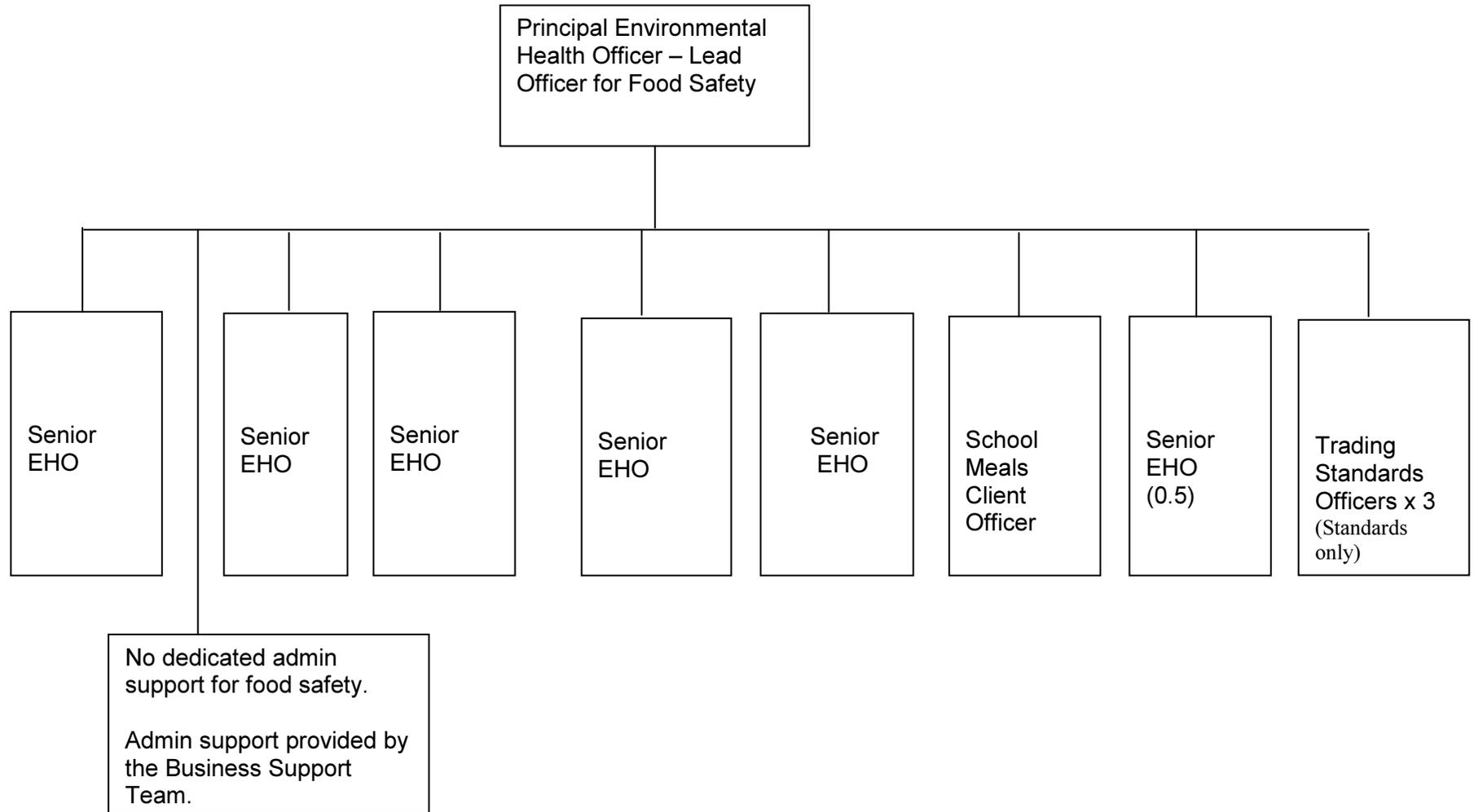
SERVICE DELIVERY INDICATORS		2010/11	2011/12	2012/13	2013/14
Number of Category A and B risk food hygiene premises (due every 6 months) inspected	Target	100%	100%	100%	100%
	Outcome	87%	100%	100%	
Number of Category C high risk food hygiene premises (due every 12months) inspected	Target	100%	100%	100%	50%
	Outcome	27%	53%	54%	
Number of high risk food standards inspections carried out	Target	100%	100%	100%	100%
	Outcome	88%	88%	100%	

Table 8 Areas of Improvement for 2013/14

Service Improvement	Planned Outcome/Output	Link to FSA framework agreement	Target Date
FABs cross professional working project	Following the evaluation of the cross professional working project, determine whether or not there is merit in progressing this work further	All areas of framework agreement	July 2013
To explore the opportunities and any joint working that can be undertaken with the new Public Health team now within the Local Authority and also with other Devon Local Authorities to share resources in this field of work.	Initially to understand each other's roles and identify where the Food Team can play a part in the implementation of Torbay's Public Health strategy particularly in relation to infection control issues relating to childcare and residential homes settings. To implement public health interventions agreed by the Devon Food Sub Group particularly in relation to food	All areas of Framework Agreement	March 2014

	businesses.		
To ensure that the food safety web pages are up to date, relevant and user friendly for businesses and explore the use of social media such as Twitter and Facebook	To take part in the wider Community Safety work to improve the department's web pages and to ensure we target information to businesses in the best and most appropriate ways.	All areas of Framework agreement	March 2014
To improve the links between the business community and the local authority food safety service.	To continue the work with the Torbay Development Agency and the Town Centre Company to increase the marketing opportunities around the Food Hygiene Rating Scheme in the Bay. To run a Food and Safety Update day to update food businesses on food and health and safety matters.	All areas of Framework Agreement	March 2014
To undertake work around the traceability and authenticity of food to ensure any food fraud in Torbay is detected and dealt with	To complete annual food safety and food standards sampling plans and also incorporate more work on the authenticity and traceability of food in Torbay.	All areas of the Framework agreement	March 2014
To ensure a consistent approach to rating premises under the National Food Hygiene Rating Scheme	To ensure that all authorised food officers undertake regular peer review exercises both internally and with the rest of Devon Local Authorities	All areas of the Framework Agreement	March 2014
To drive up standards of food hygiene in mobile food vehicles registered with Torbay	To implement the Passport system being developed by the Devon Food Sub Group and ensure that all mobile food business operators are aware of how to comply with food hygiene requirements.	All areas of the Framework Agreement	March 2014

Appendix A - Organisational Structure Chart for Food and Safety Service

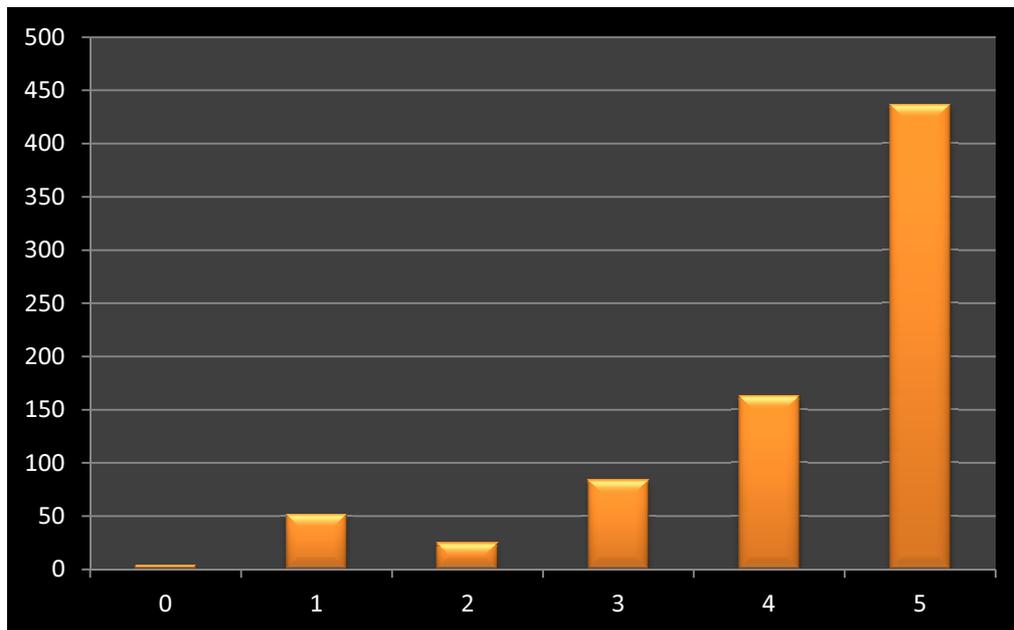


Appendix B Food Hygiene Rating Scheme – how are we doing?

From the evaluation of businesses

- 90% of the respondents were positive or very positive about the usefulness of the information given
- 91% were positive or very positive about the report left at the time of the inspection
- 83% were positive or very positive about the score they got
- 66% thought that the impact on the business was positive or very positive, compared with 73% thinking that the impact on the staff was positive or very positive
- 22% thought that the score had no impact on customers
- 48% felt neutral about using the score to publicise their business
- 69% felt that the scheme is having a positive or very positive scheme in Torbay

Chart 1: FHRS Score (24 May 2013)



- 91 rescores (12%)
- 3 rescored premises did not improve their original score

Chart 2: Spread of re-score

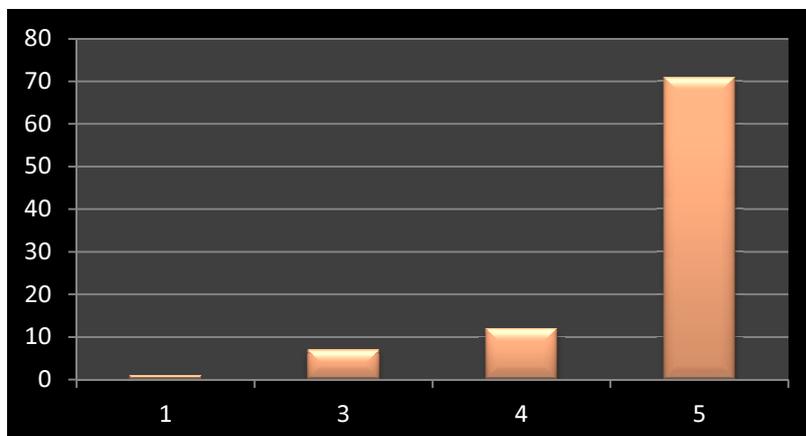


Chart 3: Overall factors for low score (less than 3)

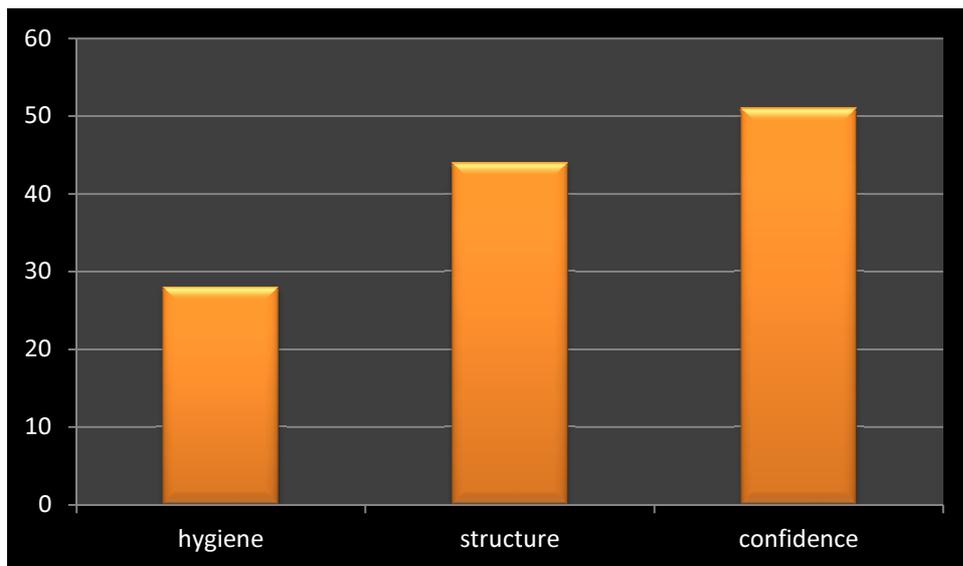


Chart 4: Single reasons for low score (less than 3)

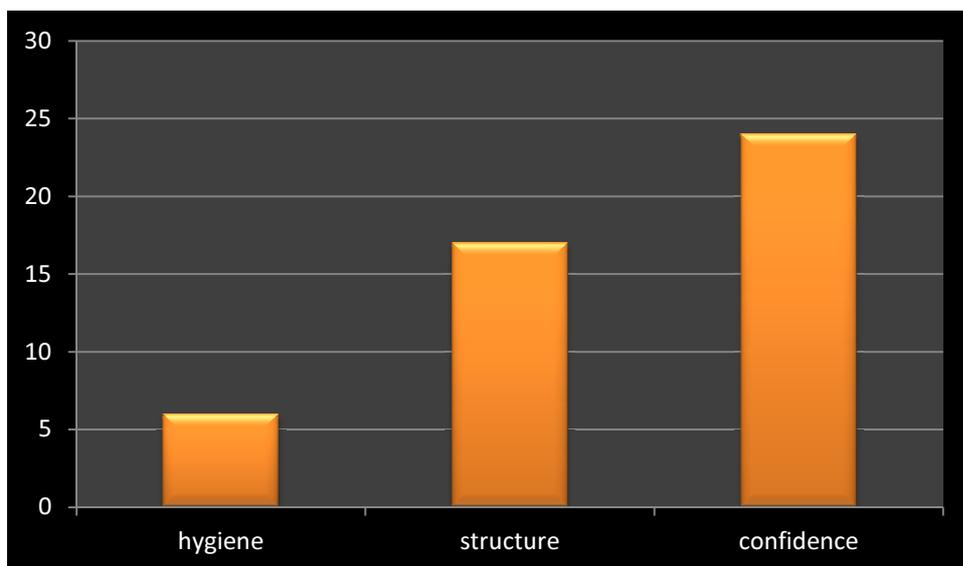


Chart 5: Percentage of satisfactory scores per premises type

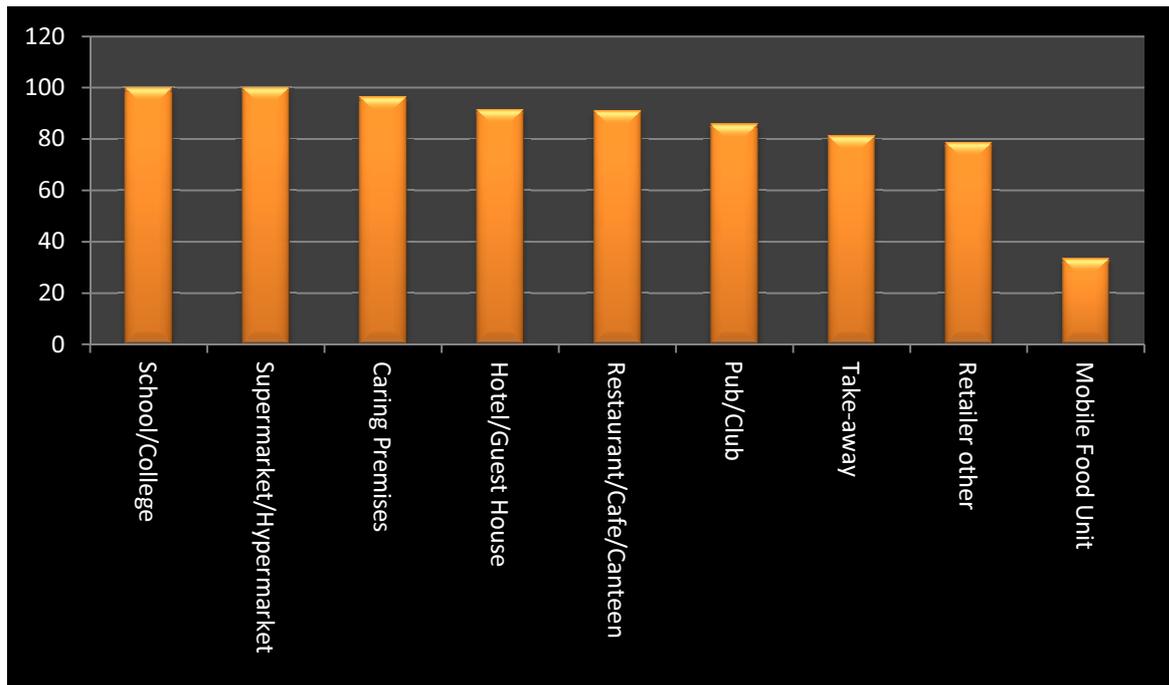
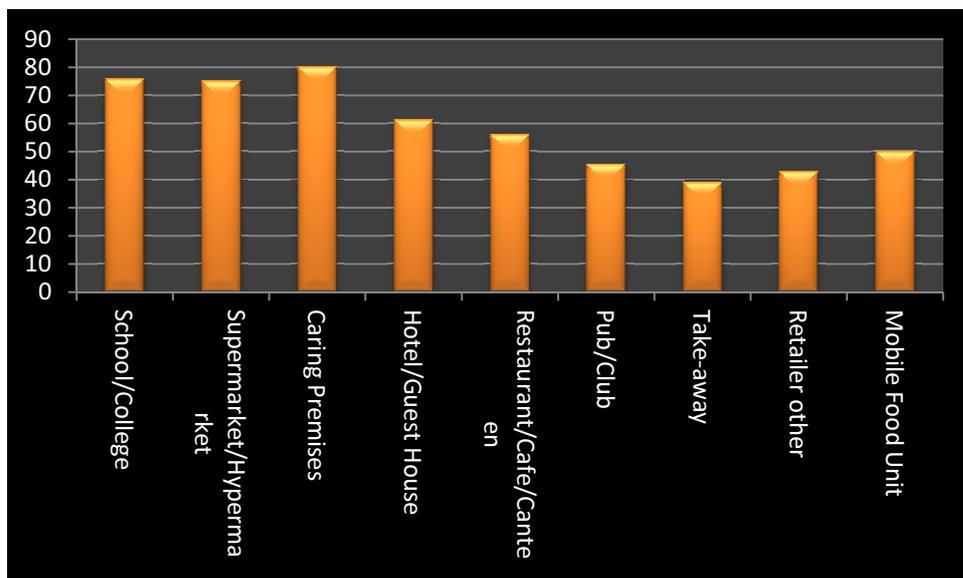


Chart 6: Percentage of score 5 per premises type



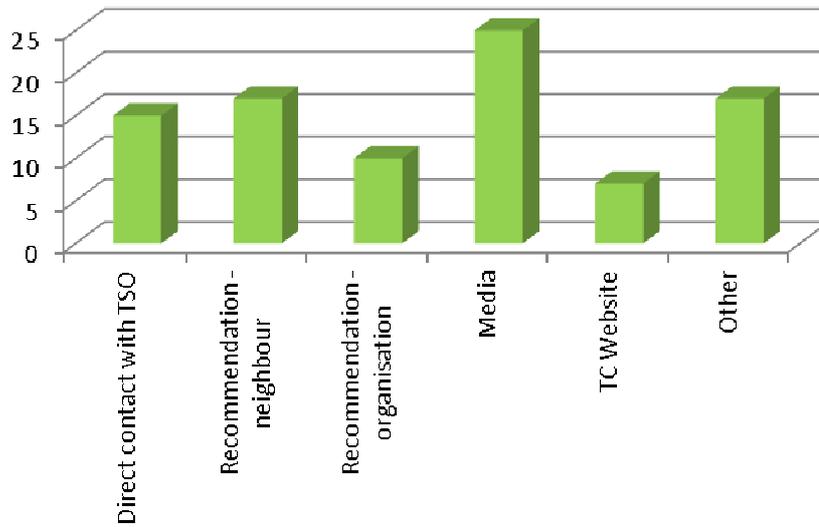
Agenda Item 13

Appendix 3

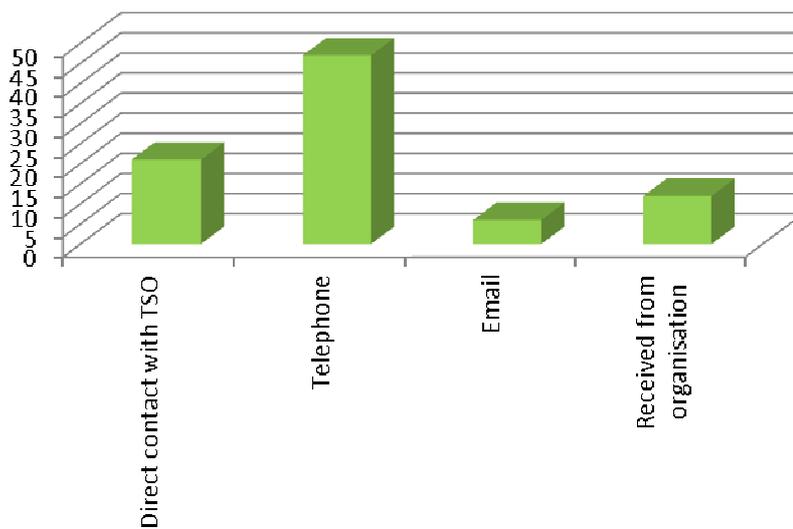
NO COLD CALLING HOMES SCHEME – FEEDBACK QUESTIONNAIRE RESPONSES

General

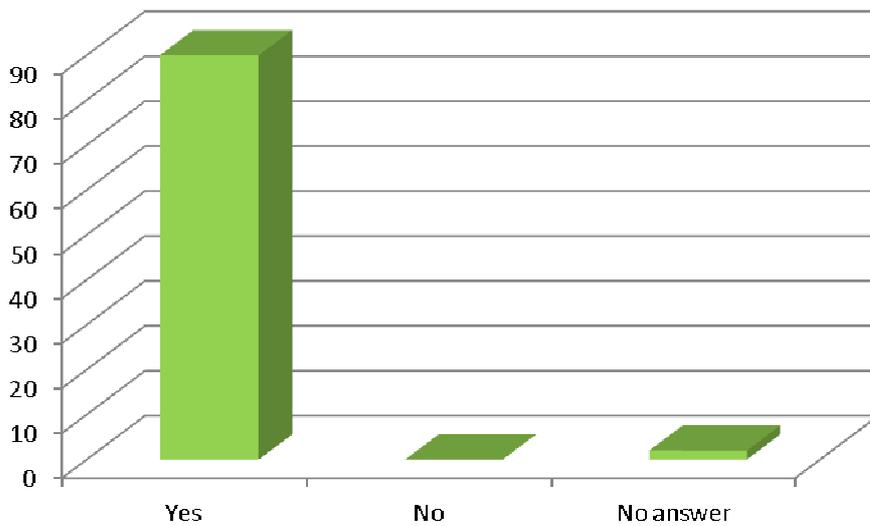
1. How did you hear about the No Cold Calling Homes scheme?



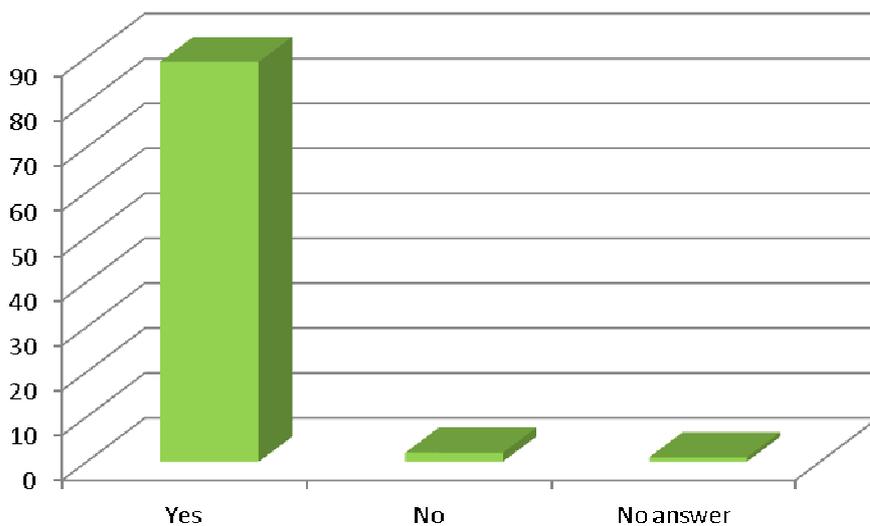
2. How did you obtain your sticker and pack?



3. Was the information provided with it easy to understand?



4. Are you displaying the sticker at your home?



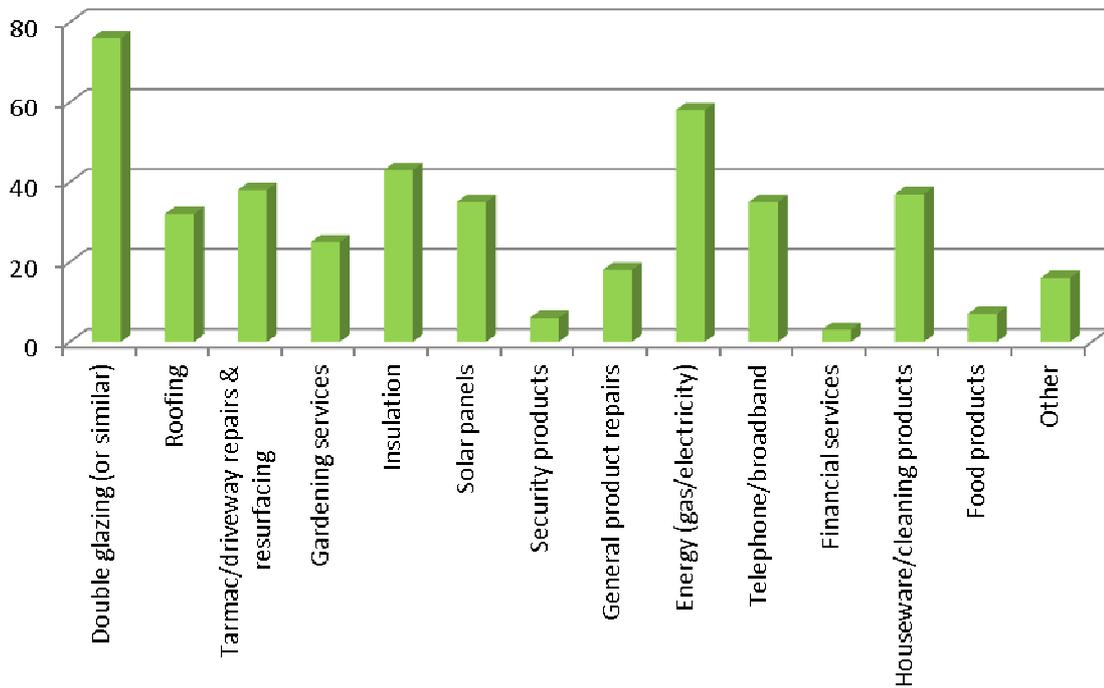
Doorstep Sellers

5. BEFORE displaying a sticker did you have many doorstep sellers cold calling?

On average the feedback indicated that residents were receiving 1-2 calls from doorstep sellers each week.

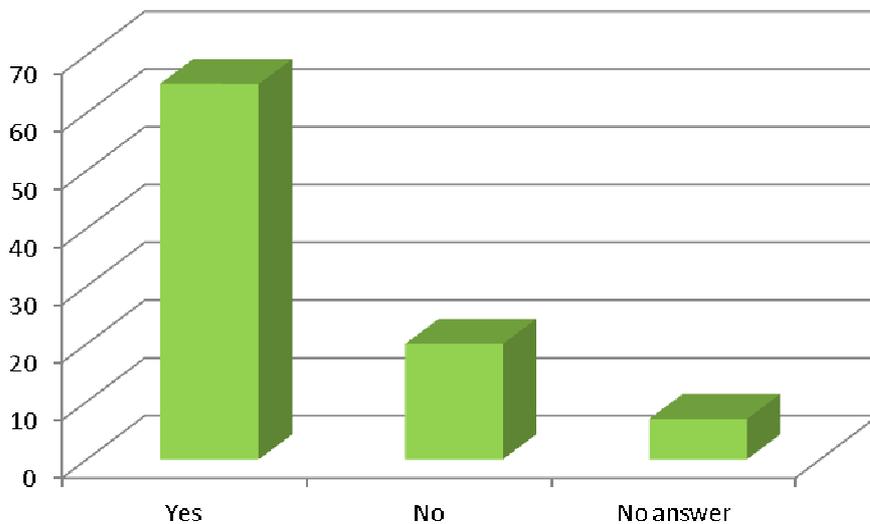
The maximum visits received from doorstep sellers each week by a resident was reported as 6.

6. What were they offering?

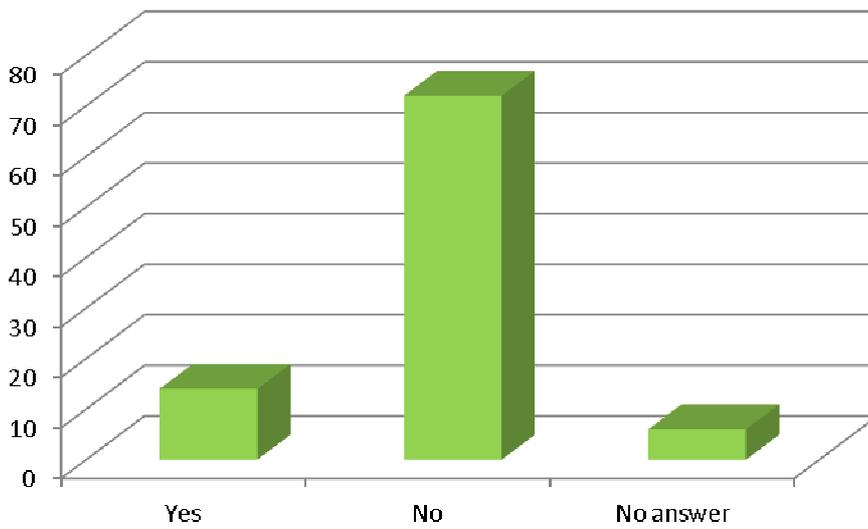


Of the residents reporting that doorstep callers were offering services 'other' than described the majority stated that these were charities, representatives of religions, and gold buyers.

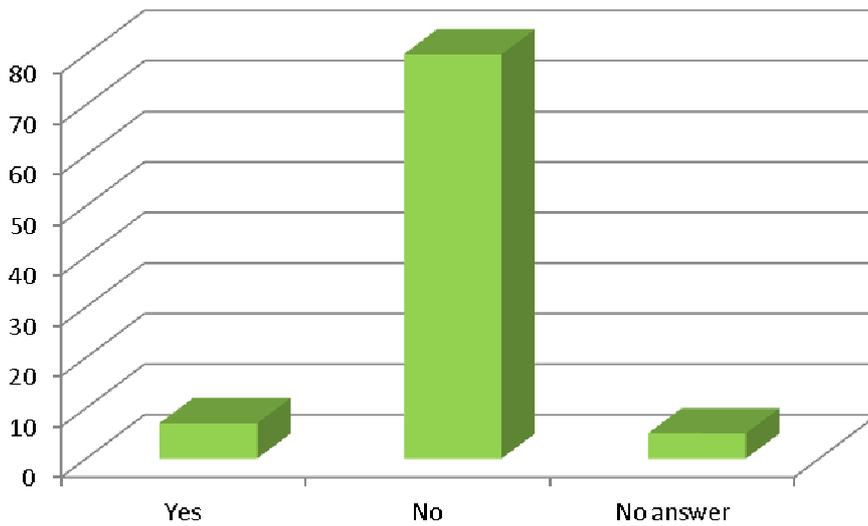
7. If you were not interested and declined their offer did they leave straight away?



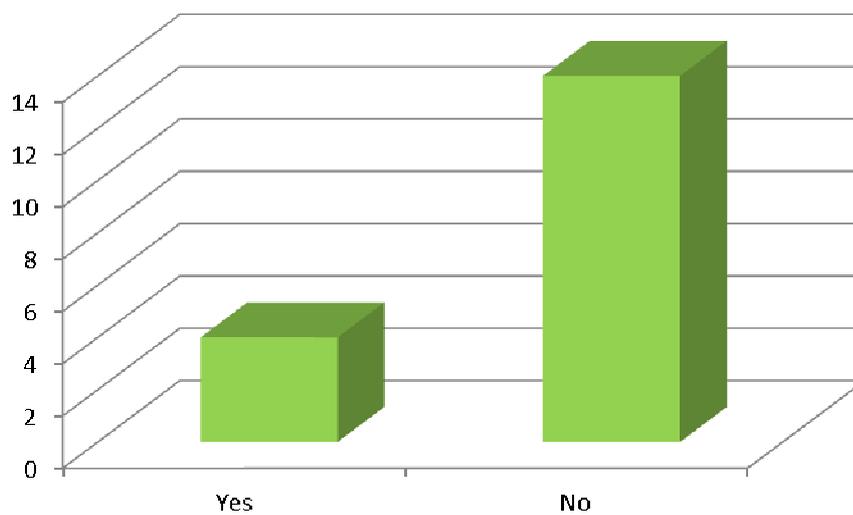
8. Were they ever aggressive in their approach?



9. Did you ever buy goods or services at the door?

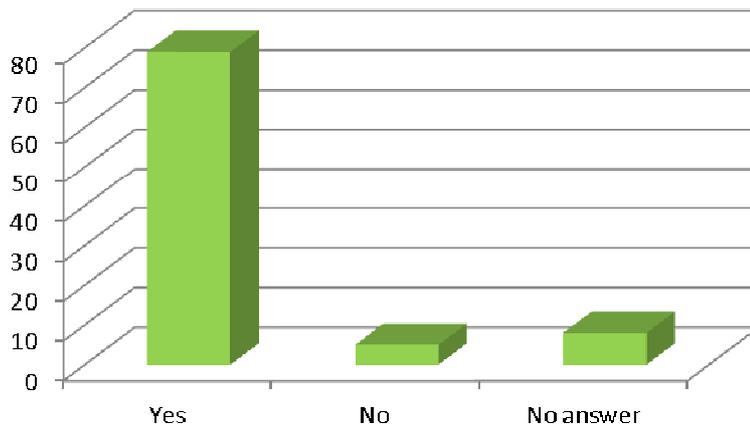


10. If you have bought goods or services at the door, did you feel pressurised to do

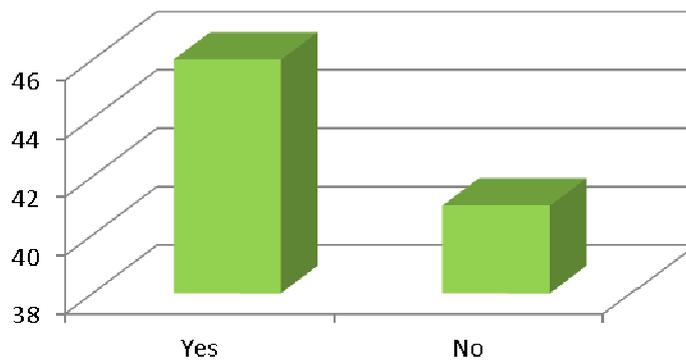


so?

11. SINCE displaying the sticker have you noticed a reduction in the number of doorstep sellers calling at your door?

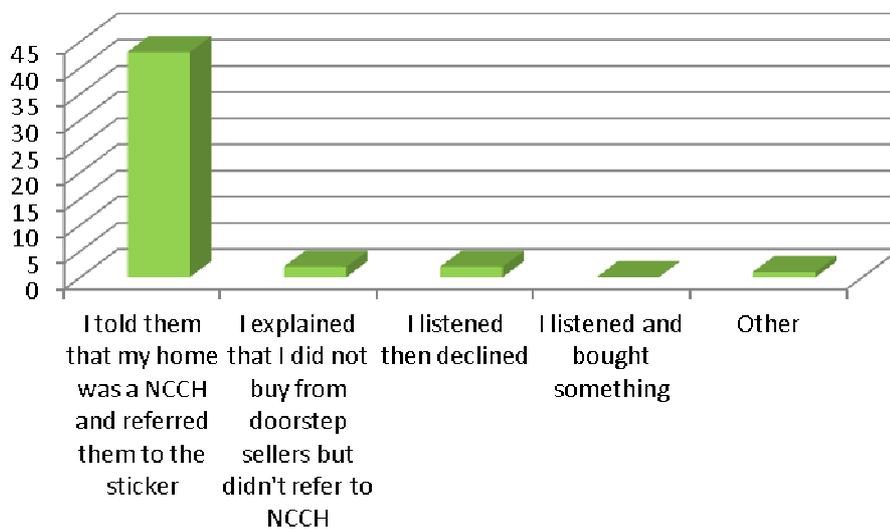


12. Have any called despite you displaying the sticker?

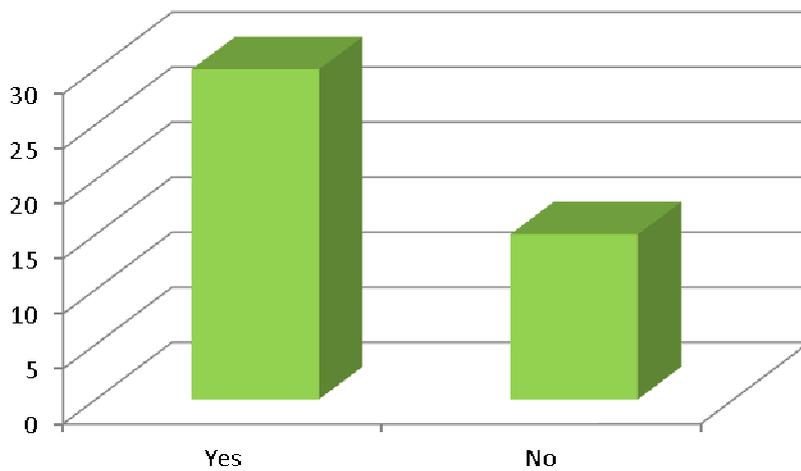


On average the feedback indicated that residents had 1-2 visits from doorstep sellers since displaying their sticker.

13. How did you react to the doorstep caller?



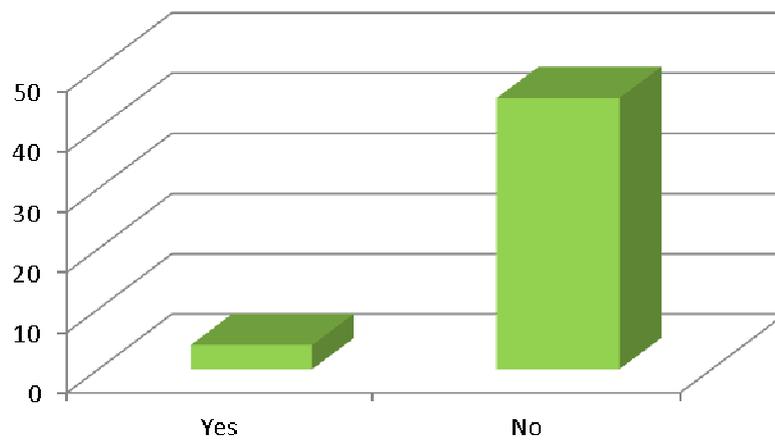
14. If you referred them to the sticker did they leave your property right away?



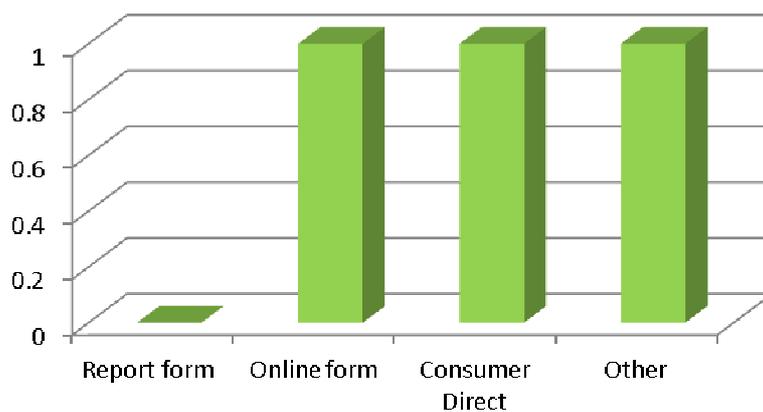
Residents reporting callers not leaving their property right away gave the following explanations:

- The caller stated they were not selling anything
- The caller stated the sticker didn't apply to them
- The caller apologised but continued with the reason for their visit

15. Did you report them to Trading Standards or the Police?

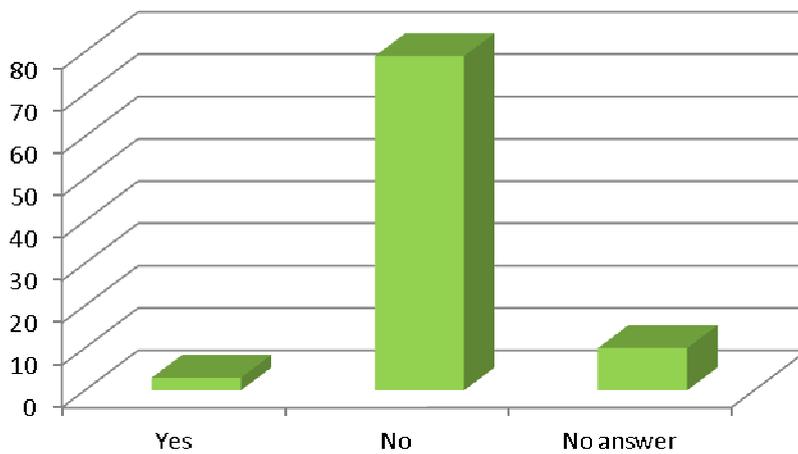


16. If you reported them to Trading Standards how did you do this?

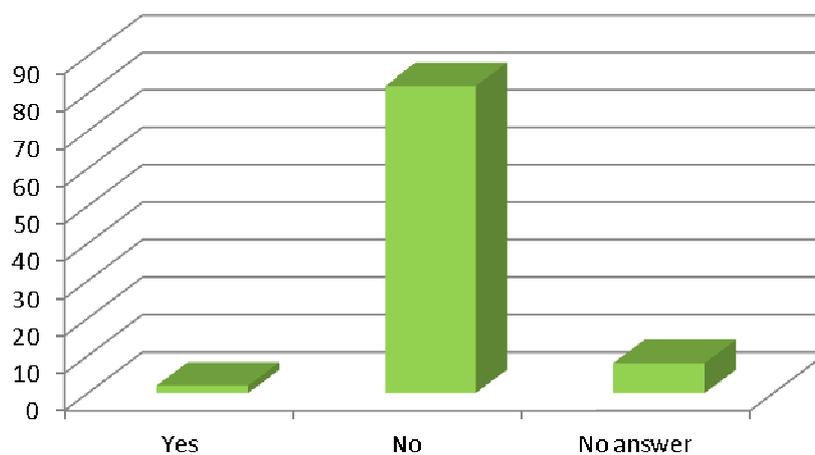


Bogus Callers

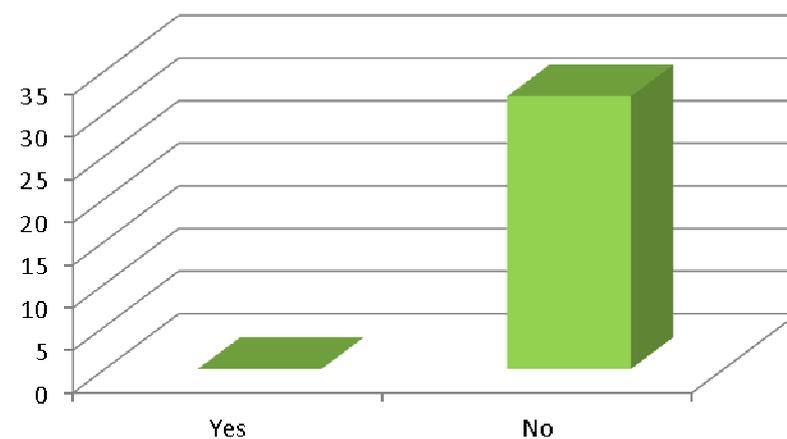
17. BEFORE displaying the sticker have you ever been approached in your home by someone you suspected to be a bogus caller?



18. SINCE displaying the sticker have you been approached in your home by someone you suspected to be a bogus caller?



19. Did you report them to Trading Standards or the Police?

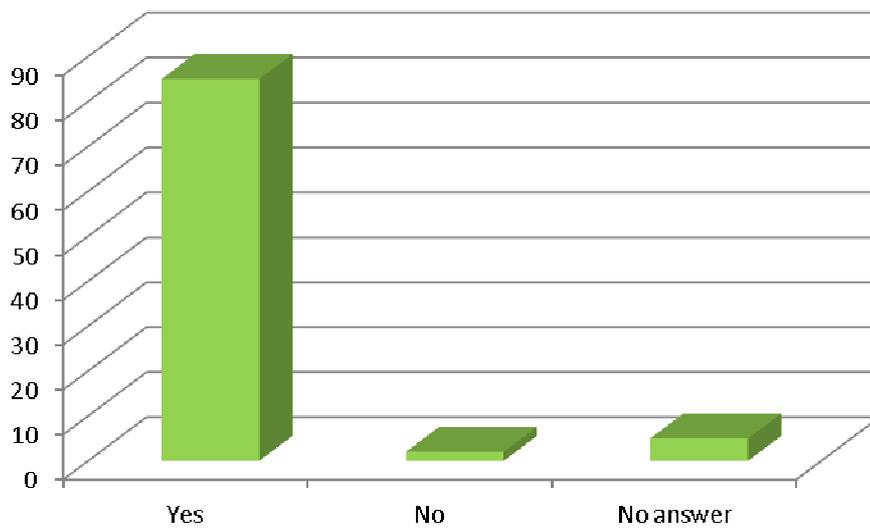


20. If you reported them to Trading Standards how did you do this?

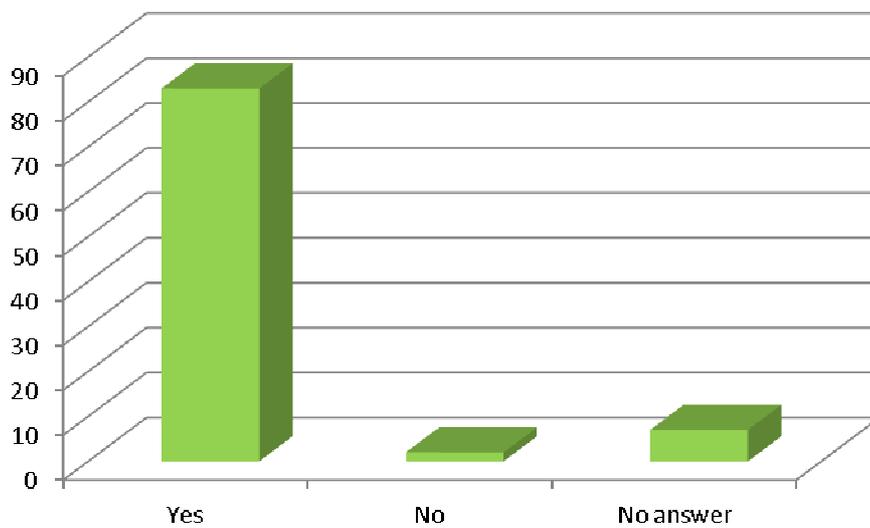
No reports were made to Trading Standards.

Your Opinion of the Scheme

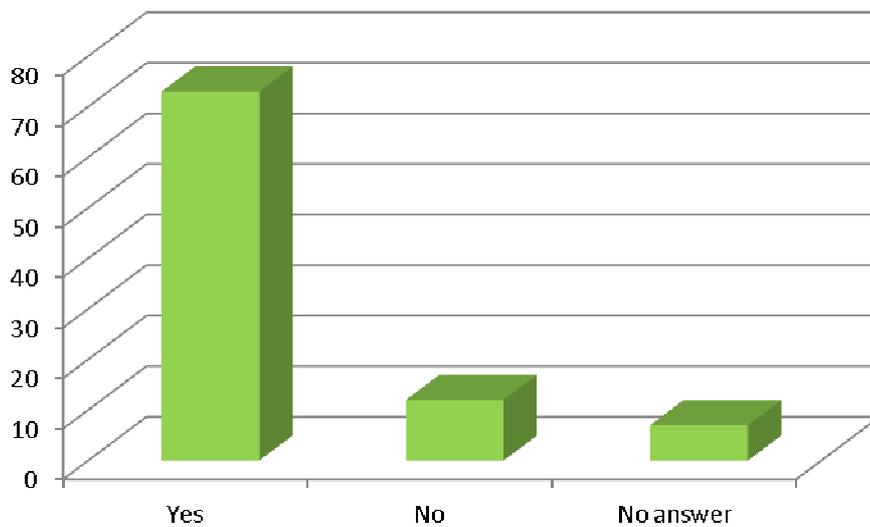
21. Do you think displaying the sticker has deterred doorstep sellers and bogus callers?



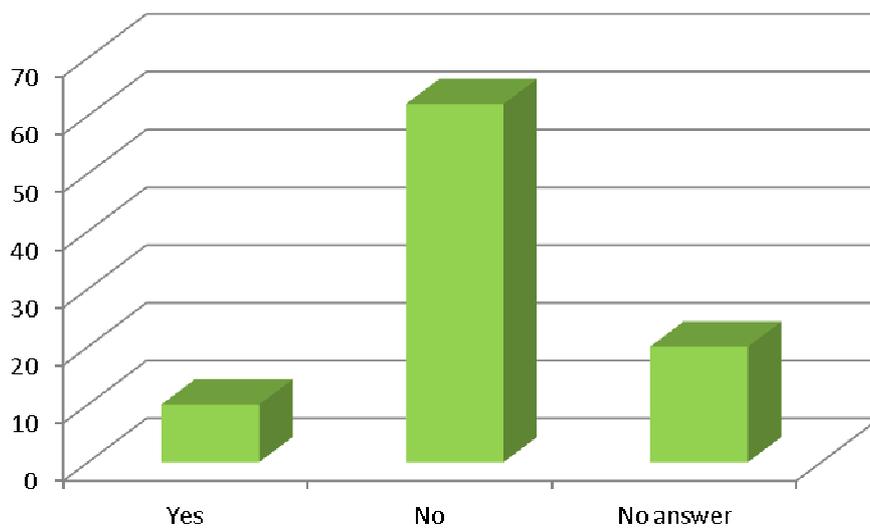
22. Do you feel more confident about avoiding and dealing with doorstep sellers and bogus callers now that you have the sticker and reporting procedure?



23. Have you recommended the scheme to friends or family?



24. Is there any other advice or information you think should be included in the NCCH pack?



Some suggestions of advice/information to include in the pack in future are:

- Add something to help deter religious groups
- Add something to help deter charities
- Add something to include charity bags being delivered
- Offer the option of a sticker for inside window
- Advertise the scheme in the media more
- Include a flyer to hand to neighbours

Some really positive feedback

“Best deterrent we ever had, thank you.”

“The scheme has also deterred other callers such as religious groups.”

“Brilliant service. Thank you.”

“This is a very good scheme and I think it will make a difference. Thank you.”

“The sticker has made a huge difference. Thank you to all who set up this scheme.”

“The sticker gives a certain peace of mind.”

“Thank you for an excellent scheme.”

“Wonderful idea – I feel much safer now – thank you.”

“An effective and simple solution to a very annoying problem. I have recommended this to several friends.”

“I have nothing but praise for the whole idea of having a legitimate sticker. These people had become quite a menace.”

“I love my sticker, thank you so much.”

Some not so positive feedback:

“They are persistent and annoying and don’t give up.”

“Lots of callers from charities asking for regular donations.”

“Pity we can’t deter religious callers.”

“Should come down hard on these callers, government should step in and stop it.”

“Charitable organisations seem to think they are exempt. One actually said the council agreed for them to call.”

Recommendations for improvement of scheme

1. Develop further promotional materials.
2. Investigate possibility of providing internal stickers as an alternative.
3. Consider adding suggestion that residents receiving a pack recommend the scheme to neighbours, possibly providing them with business cards to do so.
4. Advertise the scheme more widely.
5. Encourage members of the scheme to report cold callers ignoring the sticker.
6. Educate traders in relation to offences committed when ignoring the sticker.

Improvements made to date or to be made

1. Develop further promotional materials:
 - Posters designed, ordered, and received
 - Pull up banner designed, ordered and received
 - Posters aimed at traders – ‘Mind the Sign?’
2. Investigate possibility of providing internal stickers as an alternative:
 - Quote to be obtained
3. Consider adding suggestion that residents receiving a pack recommend the scheme to neighbours, possibly providing them with business cards to do so:
 - Recommend a friend slip in short term with business cards
 - In long term amend information sheet
4. Advertise the scheme more widely:
 - NHW Network Event attended on 25/09/12
 - Operate a NCCH Castle Circus market stall
 - Display posters at various locations such as community halls, doctor’s surgeries etc. Liaise with Street Wardens who may be able to assist.
 - Agreed to attend Pensioner’s Event at Paignton Library on 23/10/12
 - Suggestion that we could trial displaying the pull up banner in popular locations such as supermarkets. If this proves successful it may be appropriate to order some more for display purposes.
 - Undertake targeted door knocking offering packs during National Consumer Week (12-16 November)
 - Establish greater media coverage as this appears to be the most influential method of attracting consumers to the scheme.
5. Encourage members of the scheme to report cold callers ignoring the sticker:
 - Achieve this in association with the increased media coverage?
6. Educate traders in relation to offences committed when ignoring the sticker:
 - Design a poster targeted at traders for display in likely locations?
 - Achieve this in association with the increased media coverage?
 - Standard letter to local church organisations advising them of the offences involved when cold calling on NCCH?

Supply of Age Restricted Products – Enforcement Statement

Torbay Council is committed to achieving compliance in a fair, consistent, proportionate, transparent and targeted manner. The emphasis will be on advice and education but other means of enforcement will also be used, if necessary. In so far as the supply of age restricted products is concerned, priority will be given to the legislation in Schedule A below which the Council has a duty to enforce; enforcement action in respect of legislation in Schedule B below will principally be in response to any complaints which may be received.

1. Premises selling these products will be included in the routine inspection programme. During these inspections Traders will be reminded of their responsibilities and checks will be made on the display of required notices, labelling of products, provision of underage sales policies for alcohol, the later which is a new requirement under the Licensing Act 2003.
2. All complaints will be investigated and appropriate action taken.
3. Legal proceedings will be taken where appropriate in accordance with the agreed Enforcement and Prosecution Policy and Torbay Council's responsibilities under the Licensing Act 2003.
4. Schools will be advised of the Council's commitment to enforce the law. Teachers and Children's Services staff having information about under-age sales from specific shops will be asked to contact the Trading Standards Service (part of the Community Safety Business Unit).
5. Each year the Community Safety Business Unit will carry out at least two surveys using volunteer under-age purchasers. The national LGA guidelines will be observed in carrying out the surveys.
6. Trading Standards will work with partner agencies to identify the source of illegal and counterfeit products which may present an increased risk to health.
7. To help businesses by writing procedural guidance in the form of any easy to use document for underage sales.

Schedule A – Statutory Duty to Enforce

Children and Young Persons Act 1933
 Protection of Children (Tobacco) Act 1986
 The Cigarette Lighter Refill (Safety) Regulations 1999 made under Consumer Protection Act 1987
 Explosives (Age of Purchase) Act 1976
 Fireworks (Safety) Regulations 1997 as amended by the Fireworks (Safety) (Amendment) Regulations 2004
 Video Recordings Act 1984 as amended by Video Recordings Act 1993
 Licensing Act 2003

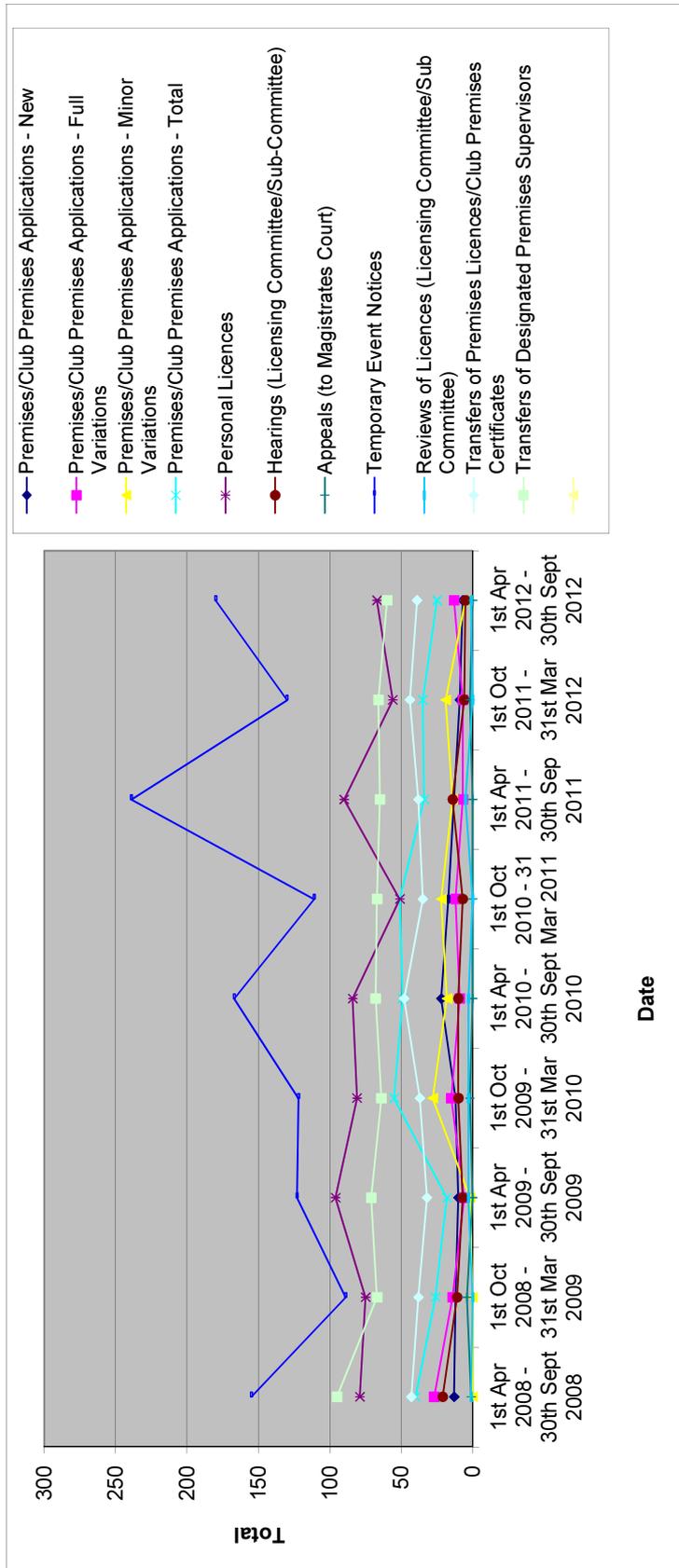
Schedule B – No Duty to Enforce

Children and Young Persons (Protection from Tobacco) Act 1991 BUT Local Authority must consider annually a programme of enforcement
 Anti-Social Behaviour Act 2003 (Sale of aerosol paint to under 16)

Criminal Justice Act 1988 as amended by Offensive Weapons Act 1996 (sale of knives)
National Lottery Regulations 1994
Intoxicating Substances (Supply) Act 1985
Crossbows Act 1987

Torbay Council has dealt with the following applications under the Licensing Act 2003

	1st Apr 2007 - 30th Sept 2007	1st Oct 2007 - 31st Mar 2008	1st Apr 2008 - 30th Sept 2008	1st Oct 2008 - 31st Mar 2009	1st Apr 2009 - 30th Sept 2009	1st Oct 2009 - 31st Mar 2010
Premises/Club Premises Applications - New	32		17	12	10	12
Premises/Club Premises Applications - Full Variations	N/A	N/A	25	14	6	15
Premises/Club Premises Applications - Minor Variations	55		N/A	N/A	2	28
Premises/Club Premises Applications - Total	117		42	26	18	55
Personal Licences	26		79	75	96	81
Hearings (Licensing Committee/Sub-Committee)	0		1	4	0	2
Appeals (to Magistrates Court)	108		58	89	123	122
Temporary Event Notices	1		0	0	3	3
Reviews of Licences (Licensing Committee/Sub Committee)	65		50	43	38	37
Transfers of Premises Licences/Club Premises Certificates	122		87	67	71	64
Transfers of Designated Premises Supervisors						

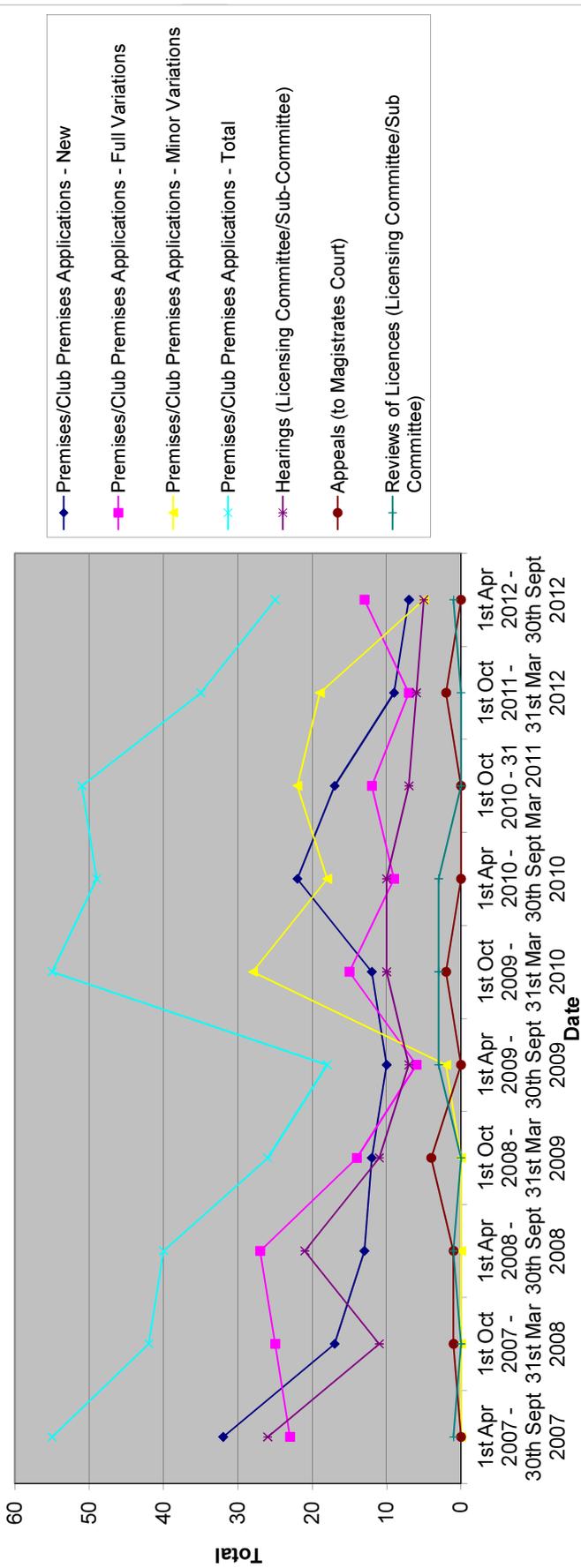


<u>1st Apr 2010 -</u> <u>30th Sept 2010</u>	<u>1st Oct 2010 -</u> <u>31 Mar 2011</u>	<u>1st Apr 2011 -</u> <u>30th Sep 2011</u>	<u>1st Oct 2011 -</u> <u>31st Mar 2012</u>	<u>1st Apr 2012 -</u> <u>30th Sept 2012</u>
22	17	13	9	7
9	12	7	7	13
18	22	14	19	5
49	51	34	35	25
84	51	90	56	67
10	7	14	6	5
0	0	0	2	0
167	111	239	130	180
3	0	5	0	1
48	35	38	44	39
68	67	65	66	60

Torbay Council has dealt with the following applications under the Licensing Act 2003

	1st Apr 2007 - 30th Sept 2007	1st Oct 2007 - 31st Mar 2008	1st Apr 2008 - 30th Sept 2008	1st Oct 2008 - 31st Mar 2009	1st Apr 2009 - 30th Sept 2009	1st Oct 2009 - 31st Mar 2010	1st Apr 2010 - 30th Sept 2010	1st Oct 2010 - 31st Mar 2011
Premises/Club Premises Applications - New	32	17	13	12	10	12	22	17
Premises/Club Premises Applications - Full Variations	23	25	27	14	6	15	9	12
Premises/Club Premises Applications - Minor Variations	N/A	N/A	N/A	N/A	2	28	18	22
Premises/Club Premises Applications - Total	55	42	40	26	18	55	49	51
Hearings (Licensing Committee/Sub-Committee)	26	11	21	11	7	10	10	7
Appeals (to Magistrates Court)	0	1	1	4	0	2	0	0
Reviews of Licences (Licensing Committee/Sub Committee)	1	1	1	0	3	3	3	0

Premises Applications



1st Oct 2011 -	1st Apr 2012 -	
31st Mar 2012	30th Sept 2012	
9	7	7
19	7	13
35	5	5
6	25	5
2	5	0
0	0	1

Corporate Health, Safety & Emergency Planning

2012/2013

Annual Report

The Corporate Health and Safety and Emergency Planning teams work closely together providing each other with support and complimentary competencies.

Working in cooperation with external agencies they are an internal cross cutting resource which aspires to the prevention and protection of the Council's staff, other assets and the wider community and environment through the provision of a framework of strategic and operational plans, guidance and training which meet national standards.

This Annual Report provides statistical information on accidents and emergency events and summarises some of the activities during the past year to achieve these aims. Additionally it establishes a number of objectives for 2013/2014.

Accidents

The total accidents reported have seen a 21% decrease on last year's reports as can be seen in the attached appendix 1. This marked improvement of results should be balanced against an approximately 8% fall in FTE employees across the Council.

Within the total reported, there has been a 15% decrease of accidents to employees, a 21% decrease to pupils and students, and a further 27% decrease to members of the public with a 12% decrease of accidents required to be reported to the Health and Safety Executive.

This is in part attributable to the work of the department with additional support from the Staff & Management at My Place, Parkfield and the Road Safety Team.

Audits

The Health and Safety Executive carried out a follow up audit on our waste management operation and the contract monitoring arrangements undertaken with TOR2 in March. The audit was also an inspection of the plant, recycling operation and safe working practices on the rounds.

The results of the audit were again generally positive however there are some additional improvements to be developed and implemented which are currently being investigated by Tor2 management with input from us.

See HSE letter appendix 3.

Training

The Health and Safety team delivered 26 corporate training events with 186 delegates attending from within the Council and our schools.

The team also delivered a further 13 bespoke awareness briefings to schools with 221 delegates attending.

Cabinet Member Champions were also in attendance at the Annual Health and Safety Forum and Elected Member Response Training.

The I-learn system is being continually improved with 5 mandatory Health and Safety courses available and further ones being added in the forthcoming year. To date over 2400 on line health and safety courses have been completed.

The Health and Safety team were granted a licence to run the First Aid at Work course by the Chartered Institute of Environmental Health; the first course will be run later this year.

Changes and reductions of the admin support within the Health and Safety team will potentially affect the number of face to face courses available in the forthcoming year with only essential courses being available, it is expected that any gaps will be backfilled with an increase in the number of I-Learn modules being developed.

Stress

There were 42 incidents of stress related illness reported in the last year which is a 7% increase on the previous year. Given the structural changes undertaken and uncertainty on the future it is not unexpected. It should be noted that school reports are included in this figure and not all of the incidents will be considered as work related. Where referrals are made action is taken to ensure the necessary support and assistance is provided.

Policy

The Corporate Health and Safety policy is due for revision in August 2013; this will be undertaken when the new Executive Director for Operations and Finance is appointed.

The Accident & Incident Investigation & Reporting policy and Guidance documents have been revised and published.

Radon

Following on from the Radon reduction works carried out last year on the lower ground floor of the town hall, further reassurance testing has been carried out to ensure the measures adopted were successful. The results published by the Health Protection Agency show a reduction of Radon gas below the action levels. The results are available to be viewed at <http://insight/130424radonresults.pdf>

Continued Professional Development

The Health and Safety team undertakes professional development training to ensure that their knowledge and understanding of the legal and scientific requirements of health are maintained at current standards.

Both members of the team have been listed within the Occupational Safety and Health Consultants Register (OSHCR).

Emergency Planning

Training

The Emergency Planning team carried out Emergency Response training with SLT with further briefings to individual Senior Managers. Council staff also attended a Civil Contingencies Seminar and Strategic Managers attended additional briefings on Gold and Silver Command Operations with a further strategic workshop on the integration of Public Health being planned in the New Year.

Emergency Plans

Multi Agency Emergency Flood plans covering Torquay, Paignton and Brixham have been written in consultation with Council service areas and other emergency responders. The plans currently reside with the Local Resilience Forum and form part of the Councils strategy for mitigating the impact of major flood events.

Notable Events

There were a number of notable events during the past year where the Emergency Planning team has had a role in assessing and coordinating the Council's response to the incident.

These included:

- Fire in Fore Street, Brixham May 2012
- Unexploded ordnance Goodrington July 2012
- Unexploded ordinance Preston Sands August 2012
- Fire aboard Ms Flaminias August 2nd September 26 2012
- Severe Weather Events throughout the year
- Landslide Warren Road November 2012
- Co-ordinated business continuity for Christmas shut down December 2012
- Landslide Vane Hill December 2012
- Endangered Tug Christos 22 and Sinking of MV Emstrom January 2013
- Arrests in Lymington Road under the Terrorism Act, January 2012
- Explosion and evacuation Steartfield Road March 2013

Future strategy

During the forthcoming year the health and safety and emergency planning teams will:

- Undertake a review of the corporate training requirements with a view to achieving a balance between face to face and on line training to minimise cost and increase effectiveness of health and safety training across the Councils area of responsibility.
- As a priority ensure the Council's online accident reporting system is completed and implemented to all departments and schools within the councils area of responsibility with the provision of necessary training.

- Review the emergency response plans to enable a seamless response from operational to strategic management of emergency events within the council's area of responsibility.
- Review the Council's training and exercise programme to take into account organisational changes and the Council's new Public Health responsibilities.
- Co-ordinate a review of Council's corporate critical functions with the aim of developing and implementing effective business continuity plans which mitigate the impact of losing resources (e.g buildings, staff, IT) over a period of up to two weeks.
- Develop, consult and publish policies and guidance on managing driving at work and managing working in partnership.

	Total Accidents 2004 to 2012								
	2004	2005	2006	2007	2008	2009	2010	2011	2012
Q1	527	489	278	282	268	336	272	280	330
Q2	454	436	203	204	224	286	235	241	241
Q3	586	389	238	332	290	339	267	347	286
Q4	512	200	306	340	284	386	323	435	172
Total	2079	1514	1025	1158	1075	1347	1100	1303	1029↓
	Accidents by Person Specification								
Employees	592	560	565	537	415	457	385	387	328
Contractors	28	14	4	1	5	4	4	0	0
Pupils	618	450	387	538	565	546	495	610	479
MOP	812	480	64	57	85	160	203	294	215
Property	29	10	5	25	5	180	13	12	7
Total	2079	1514	1025	1158	1075	1347	1100	1303	1029↓
	Accidents reported to the Health and Safety Executive								
Employees	10	34	23	24	17	20	10	8	15
Contractors	0	2	0	0	0	0	1	0	1
Pupils	5	25	18	17	35	12	9	3	0
MOP	1	0	0	1	3	2	3	6	0
Property	0	1	0	0	1	0	2	0	0
Total	16	62	41	42	56	34	25	17	15↓

I - Learn	Business Unit	Details of courses completed				
		Asbestos	Back Safety	Fire Safety	First Aid	Stress Awareness
Adult Services & Resources	Adult Services	2	2	2	2	1
	Commercial Services	12	12	13	13	11
	Communications	5	5	5	5	5
	Supporting People	3	5	7	7	7
	Information Services	47	48	41	46	44
	Governance	12	12	11	11	10
Children's Services	Commissioning	89	89	78	99	85
	Locality Services	24	29	22	28	18
	Safeguarding & Wellbeing	29	33	24	30	23
	School Improvement	4	4	4	4	2
Place & Resources	TDA	9	9	5	9	6
	Business Services	32	30	25	28	25
	Finance	40	33	29	32	26
	Harbour Authority	2	2	1	2	2
	Residents & Visitors	120	123	118	116	112
	Spatial Planning	9	11	9	8	10
Public Health	Community Safety	66	69	60	73	59
	Public Health	2	2	2	2	2
Total health and safety courses		507	518	456	515	448



Health and Safety
Executive

Health and Safety Manager
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

Reference 4277485

For the attention of Colin de Jongh

Date 7th May 2013

Dear Colin

Field Operations Directorate

Emma O'Hara

Central
North Quay house
Sutton Harbour
Plymouth
Devon PL4 0RA

Tel: 01752 276312
Fax: 01752 224026
emma.o'hara@hse.gsi.gov.uk

<http://www.hse.gov.uk/>

HM Principal Inspector of Health
and Safety
Paula Johnson

RECEIVED
10 MAY 2013

HEALTH & SAFETY AT WORK ETC. ACT 1974

I refer to my visit of 6th March 2013 when I was accompanied by my colleague Simon Hubbard. This visit was a 12 month follow up to the visits made in March 2012 as part of HSE's targeted intervention with local authorities who procure and manage municipal waste and recycling services. I apologise for the delay in providing this feedback but I wanted to check some of the standards with our waste sector.

I would like to thank everyone who helped to arrange the inspection and everyone who made time to speak with me on the day. It was not possible to see everything during the inspection and as such, this letter should not be considered to be an exhaustive list of issues.

Overall, I felt that good progress had been made in relation to the issues raised at the initial inspection visit, particularly in relation to monitoring, supervision and audit both by TOR2 and Torbay Council. There were however a couple of areas where some further work is needed:

Manual Handling and Musculoskeletal Disorders

During the visit, we observed operatives carrying out frequent loading of waste above shoulder height and in some cases using dynamic movements. This was due to the height of some of the apertures on the recycling trucks. As a result of this, operatives are at risk of both cumulative injury or ill health and one-off manual handling injuries.

As this is essentially a vehicle design issue and one which I have observed elsewhere, I have raised my concerns with our waste sector. This is apparently an issue that is being raised centrally with manufacturers in the hope that future vehicle designs will be more ergonomically friendly. As there is little that can be done about vehicles which are already in use, the management of manual handling / musculoskeletal disorders should be as robust as possible:

- Where vehicles are fitted with lowering suspension, this should be used as much as possible and crews should be encouraged to do so even where this may add time to their rounds. We observed at least one crew who were not using this facility.
 - Consideration should be given to how waste is loaded on to the vehicles with higher apertures being reserved for lighter items where possible.
 - Vehicles should not be over filled as this means that there is less room for loading and there is a tendency to try and cram it all in.
 - We observed one crew member pulling 2 bins to a refuse vehicle. Another lifted a box and tipped it into the recycling vehicle rather than clipping it on and loading the waste by hand. Both of these individuals were up to date with their manual handling training. Poor practice like this should be challenged as part of the routine monitoring and supervision of the service.
 - It was clear that new vehicles were being trialled with a view to future purchases. Loading and manual handling should form part of the assessment and decision making process when new vehicles are chosen.
- X Continue to challenge poor practice by householders and ensure that operatives continue to be supported if they feel that something is too risky for them to collect.
- Ensure that decisions on manning levels (some rounds were crewed by a driver and one loader) take manual handling into account and that there are appropriate numbers of staff on a round to do the necessary work. Staff on crews with lower numbers should be consulted to see if they do find these rounds more fatiguing (drivers in particular may be at higher risk of injury as they will be getting in and out of their cab more often).

Noise reduction

At present, there is no damping fitted to the chutes or stillages on the recycling trucks to reduce the amount of noise created by the loading of glass. However, consideration has clearly been given as to how this may be done. During the visit, we were shown a modification to one of the glass stillages which had been fitted with rubber flaps. As the actual execution of this was incorrect, it is clear that this is a work in progress. However if a successful solution is found, please share it with us so that wider industry can benefit.

In the meantime, consideration should be given to the provision and use of hearing protection where daily personal exposure exceeds 85dB. The working environment during kerbside collection presents a number of risks to safety, including working around moving vehicles and working on the public highway. The use of personal hearing protection has the potential to increase these risks by masking important sounds, and by inducing a sense of isolation from the general working environment. It is therefore necessary to consider these issues, both when selecting personal hearing protection and devising systems of work:

- Provide systems of work to ensure that hearing protection is only worn during noisy activities and is not worn when it is not needed.
- Ensure that high risk roads are not crossed by operatives when collecting waste – i.e. single sided collection.

Where it is not possible to avoid crossing designated roads, you can minimise additional risks from the use of personal hearing protection by considering and implementing, as appropriate, the following options:

- introduce a system of work that includes a requirement to remove hearing protection prior to attempting to cross a road;

- provide 'level-dependent' (sometimes called 'amplitude-sensitive') hearing protectors which are designed to protect against hazardous noise while permitting quieter sounds to be relayed to the wearer in the absence of high noise levels;
- provide 'flat frequency response' hearing protectors which can, in some situations, improve the ability of wearers to hear certain sounds such as speech communication, warning signals and other informative sounds;
- in conjunction with the system of work above, provide hearing protectors that are simple to remove and replace as required, for example canal caps or earmuffs.

Handwashing

Some of the older vehicles did not have handwashing facilities and crews were relying on wipes and creams. On one truck where there was a sink, operatives said that they only used it in cases of spillage. See my previous letter for HSE's position on this.

You may also wish to distribute the following publication to staff which is available in an easy to carry format - <http://www.hse.gov.uk/pubns/indg415.pdf>

Please now provide me with a detailed time scaled action plan of how you have and will be continuing to deal with the points raised by this letter.

In order for me to meet with my responsibilities under Section 28(8) of Health and Safety at Work etc Act 1974, please ensure that a copy of this letter is provided to your health and safety representatives and employees.

I have arranged for copies of the letter to be sent to both Torbay Council and TOR2 Ltd. Some of the actions required are for Torbay Council to take forward in its role as client and other actions should be implemented by TOR2. Please use your existing liaison arrangements to discuss my letter and to agree a way forward that works for both parties. I would be happy to receive a joint response or for each party to contact me separately, whichever is most convenient. For ease, I have sent the letters to the Health and Safety leads for each organisation but please ensure that all relevant parties have sight of it.

I hope that this has been helpful but please let me know if you have any questions or comments.



Emma O'Hara
HM Inspector of Health and Safety
Public Services Group

Agenda Item 13

Appendix 7

Torbay Gas Safety in Catering Establishments Project 2012-13

Background

This report is based on data collected as a result of Interventions through the “Gas Safety In Catering Establishments” project currently run as part of the Devon Chief Officer Health and Safety Sub Group 2012/13 work plan. Data was collected through a standardised pro forma and covered the 2012/13 financial year. Gas Interventions were to be undertaken at all primary Food Safety Inspections. The project was commenced in June of 2012 due to the need to undertake officer training prior to initiating the project

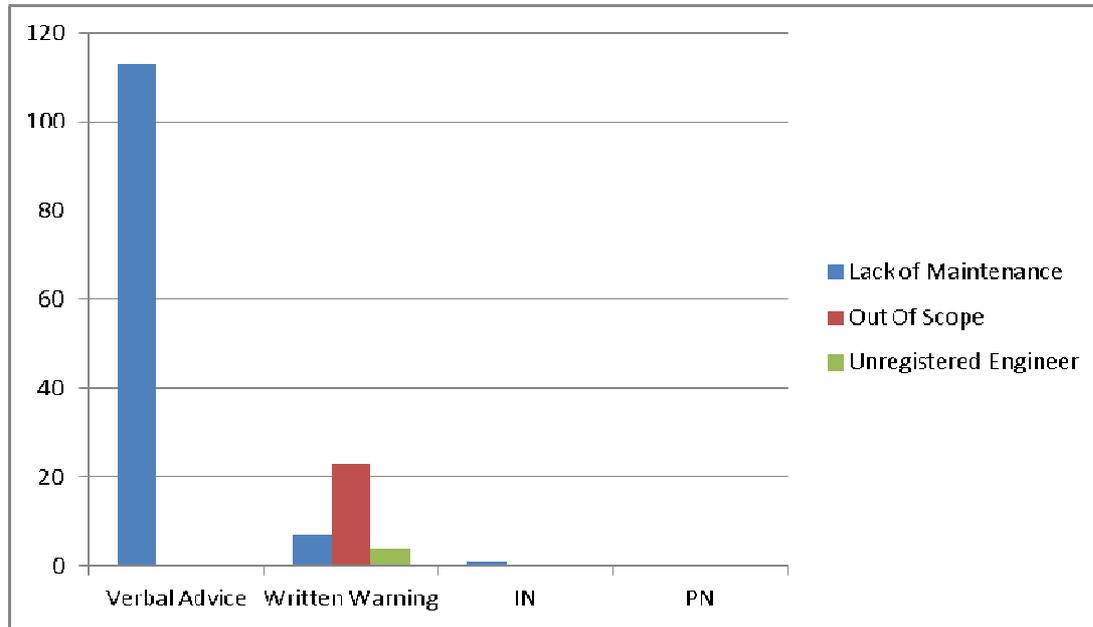
Results

Between 1st June 2012 and the 31st March 2013 248 Gas Safety Interventions were undertaken. Of these there were 121 instances of “lack of maintenance” where the equipment at the business was in poor condition and the business was unable to demonstrate that the equipment and installation were being inspected by a competent person in accordance with current standards. These were primarily dealt with by carbonated inspection report, but required the service of an Improvement Notice in one instance.

A further 23 instances were recorded where the engineer who had certified and/or installed the system had done so “out of scope”. In the majority of cases this involved engineers qualified for domestic work, undertaking maintenance/installation work on commercial systems.

More seriously 4 instances were recorded where the engineer had undertaken work without any recognised qualifications. Given that this could result in serious personal injury, and that peripatetic work is enforced by the Health and Safety Executive, these matters were referred immediately to the relevant authorities. The affected businesses were then faced with commissioning a qualified engineer to certify their gas systems. See Figure one.

Fig 1. Gas Safety Intervention Outcomes



Conclusions

Given that the data covers only a single 10 month period, it is apparent that serious issues with regard to Gas Safety in catering establishments exist. Of particular concerns are the lack of maintenance of gas systems by businesses, and their apparent failure to adequately examine the qualifications of those contractors working on their gas equipment. This clearly indicates a need for continued intervention in this field to improve Gas Safety awareness within the business community and to identify those engineers operating illegally and out of scope.

Commercial Team workplan for 2013-14

The Commercial Team is responsible for a wide range of functions which are covered briefly within the Service Plan. These are complaint driven work; inspections of higher risk premises, based upon their risk rating, government guidance and intelligence; protection of vulnerable groups; administering applications under varying pieces of legislation; protection of the wider public from the impacts of emergencies and disease outbreaks; protection of the employees of Torbay Council and the safe running of public attended events.

The key pieces of work being undertaken to help deliver this wide ranging agenda are

Food Hygiene Rating Scheme – this is the third year of this programme of work, which has been very positively received and has reduced the overall risks associated with food premises across Torbay.

Gas Safety in Commercial kitchens – these inspections are undertaken when premises are inspected under the Food Hygiene Rating Scheme above. A clear need has been established to continue this work. (See report in Appendix F)

No Cold Calling Homes – This piece of work is in its third year and has been very well received (see report in Appendix B). In addition to giving those within the scheme more confidence and reducing cold calling significantly, it may also help deter travellers who may enter Torbay looking for door step work.

Second Hand Car Sales – Second hand car sales is one of the most complained areas in the consumer world. This project builds on work from previous years to target these businesses/individuals who sell unroadworthy cars. In previous years the outcomes are that some businesses have shut and others they have improved. In recent years we have undertaken a number of successful prosecutions and issued several cautions.

Early Morning Restriction Orders (EMRO) – to administer the process of applying for an EMRO should a body be able to provide evidence for the need to consider one.

Gambling Premises – An inspection will be undertaken of a range of gambling premises, including some test purchasing to ascertain the level of compliance within the industry. Evidence suggests that the conditions applied nationally to some of these premises are not being adhered to.

Better Business Compliance Code Information pack – Written by trading standards for advice on things such as door step selling, underage sales. This builds on the support for businesses of Safer Workplace Better Business pack and extends this into a new area.

Sector, premises type or specific cross sector activity <small>(Where do you plan to intervene?)</small>	Evidence that identified the concern and set its priority <small>(e.g. statistics, RIDDOR reports, local intelligence. Why is it appropriate to address at this time? Can you identify the poor performers?)</small>	Planned intervention type <small>(tick all that apply)</small> <small>(Which methods are you going to deploy?)</small>	Rationale for intervention <small>(Why are you using this intervention? Have you considered using other interventions? Does it fit in with previous action to address this issue? Are your outputs measurable?)</small>	Planned activity or resource <small>(Timing and person days or no. contacts)</small>
LPG Pipework	Directed through HSE nationally.	<input checked="" type="checkbox"/> Partnerships <input type="checkbox"/> Motivating Senior Managers <input type="checkbox"/> Supply Chain <input type="checkbox"/> Design and Supply <input checked="" type="checkbox"/> Sector and Industry-wide Initiatives <input checked="" type="checkbox"/> Working with Those At Risk <input type="checkbox"/> Education and Awareness <input type="checkbox"/> Inspection (Cat A) <input type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input type="checkbox"/> Recognising Good Performance <input type="checkbox"/> Incident and Ill Health Investigation <input checked="" type="checkbox"/> Dealing with Issues of Concern <input type="checkbox"/> Complaints <input type="checkbox"/> Other interventions	Inspection of premises as directed by HSE, possibility of using expertise pool to assist across Devon	Inspection of premises as directed by HSE, possibility of using expertise pool to assist across Devon
Legionella project	Directed through HSE nationally.	<input checked="" type="checkbox"/> Partnerships <input type="checkbox"/> Motivating Senior Managers <input type="checkbox"/> Supply Chain <input type="checkbox"/> Design and Supply <input checked="" type="checkbox"/> Sector and Industry-wide Initiatives <input checked="" type="checkbox"/> Working with Those At Risk <input checked="" type="checkbox"/> Education and Awareness <input type="checkbox"/> Inspection (Cat A) <input type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input type="checkbox"/> Recognising Good Performance <input type="checkbox"/> Incident and Ill Health Investigation <input checked="" type="checkbox"/> Dealing with Issues of Concern <input type="checkbox"/> Complaints <input type="checkbox"/> Other interventions	Inspection of premises as directed by HSE, possibility of using expertise pool to assist across Devon	Inspection of premises as directed by HSE, possibility of using expertise pool to assist across Devon
Gas safety in catering establishments	Directed through HSE nationally, and identified through earlier work by Sub Group members showing an % failure in proper gas appliance maintenance and servicing regimes in local premises.	<input checked="" type="checkbox"/> Partnerships <input type="checkbox"/> Motivating Senior Managers <input type="checkbox"/> Supply Chain <input type="checkbox"/> Design and Supply <input checked="" type="checkbox"/> Sector and Industry-wide Initiatives <input checked="" type="checkbox"/> Working with Those At Risk <input type="checkbox"/> Education and Awareness <input type="checkbox"/> Inspection (Cat A) <input type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input type="checkbox"/> Recognising Good Performance <input type="checkbox"/> Incident and Ill Health Investigation <input checked="" type="checkbox"/> Dealing with Issues of Concern <input type="checkbox"/> Complaints <input type="checkbox"/> Other interventions	Use of SME approach – targeted interventions during routine inspections based on local intelligence for gas safety (liaison with local Gas Safe inspectors). Use of E-newsletter with targeted interventions for other topics. Report to Chiefs on action taken so far.	Use of SME approach – targeted interventions during routine inspections based on local intelligence for gas safety (liaison with local Gas Safe inspectors). Use of E-newsletter with targeted interventions for other topics. Report to Chiefs on action taken so far.

<p>Estates Excellence project</p>	<p>Initial work in partnership with HSE targeted at Plymouth with assistance from other authorities. Intervention targeted on high risk areas, working in partnership with other enforcement agencies and other organisation to guide and support small businesses and improve their ability to manage health and safety.</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Partnerships <input checked="" type="checkbox"/> Motivating Senior Managers <input checked="" type="checkbox"/> Supply Chain <input checked="" type="checkbox"/> Design and Supply <input checked="" type="checkbox"/> Sector and Industry-wide Initiatives <input checked="" type="checkbox"/> Working with Those At Risk <input checked="" type="checkbox"/> Education and Awareness <input checked="" type="checkbox"/> Inspection (Cat A) <input checked="" type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input checked="" type="checkbox"/> Recognising Good Performance <input checked="" type="checkbox"/> Incident and Ill Health Investigation <input checked="" type="checkbox"/> Dealing with Issues of Concern <input checked="" type="checkbox"/> Complaints <input checked="" type="checkbox"/> Other interventions 	<p>Following evaluation of this piece of work, consideration of rolling out to other estates throughout County.</p>	<p>Focused inspections of industrial estates. Initial advertisement of event leading to businesses volunteering to undergo an audit of their health and safety management, and providing specific training to raise competency in weak areas. HSE Project will be complete in Feb, analysis and evaluation of outcome to consider options available to design our own Devon Estates Intervention to be rolled out over Devon including a local pilot project.</p>
<p>Swimming and Spa pool safety and water quality</p>	<p>Where regular pool water samples are taken, there is an average 25% failure rate. Following a fatality Torbay found over 50% of their pools did not comply with the managing pool safety guidance.</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Partnerships <input checked="" type="checkbox"/> Motivating Senior Managers <input checked="" type="checkbox"/> Supply Chain <input checked="" type="checkbox"/> Design and Supply <input checked="" type="checkbox"/> Sector and Industry-wide Initiatives <input checked="" type="checkbox"/> Working with Those At Risk <input checked="" type="checkbox"/> Education and Awareness <input checked="" type="checkbox"/> Inspection (Cat A) <input checked="" type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input checked="" type="checkbox"/> Recognising Good Performance <input checked="" type="checkbox"/> Incident and Ill Health Investigation <input checked="" type="checkbox"/> Dealing with Issues of Concern <input checked="" type="checkbox"/> Complaints <input checked="" type="checkbox"/> Other interventions 		<p>Programme of inspections and provision of pool plant operators training if required. Continue over the next year and gauge interest in pool plant and gauge interest in pool plant operator training. Provide an interim report to Chiefs</p>
<p>Ultra Violet Tanning issues</p>	<p>Identified by Public Health Focus Group, and work done by Plymouth and Exeter City Councils highlighting issues with unmanned tanning facilities.</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Partnerships <input checked="" type="checkbox"/> Motivating Senior Managers <input checked="" type="checkbox"/> Supply Chain <input checked="" type="checkbox"/> Design and Supply <input checked="" type="checkbox"/> Sector and Industry-wide Initiatives <input checked="" type="checkbox"/> Working with Those At Risk <input checked="" type="checkbox"/> Education and Awareness <input checked="" type="checkbox"/> Inspection (Cat A) <input checked="" type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input checked="" type="checkbox"/> Recognising Good Performance <input checked="" type="checkbox"/> Incident and Ill Health Investigation <input checked="" type="checkbox"/> Dealing with Issues of Concern <input checked="" type="checkbox"/> Complaints <input checked="" type="checkbox"/> Other interventions 	<p>Skin cancer reduction</p>	<p>Focused visits on un-manned tanning facilities. Possible joint work with DCC Trading Standards to consider under age purchasing visits.</p>

<p>Officer training</p>	<p>RDNA and intervention initiative requirements</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Partnerships <input type="checkbox"/> Motivating Senior Managers <input type="checkbox"/> Supply Chain <input type="checkbox"/> Design and Supply <input type="checkbox"/> Sector and Industry-wide Initiatives <input type="checkbox"/> Working with Those At Risk <input checked="" type="checkbox"/> Education and Awareness <input type="checkbox"/> Inspection (Cat A) <input type="checkbox"/> Intermediaries <input checked="" type="checkbox"/> Best Practice <input type="checkbox"/> Recognising Good Performance <input type="checkbox"/> Incident and Ill Health Investigation <input type="checkbox"/> Dealing with Issues of Concern <input type="checkbox"/> Complaints <input type="checkbox"/> Other interventions 		<p>Intention to provide CPD training for officers in following subjects:- Enforcement training Accident investigation Core investigation skills Interviewing skill Update day to review recent developments</p>
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DEVON CHIEF ENVIRONMENTAL HEALTH OFFICERS HEALTH AND SAFETY (ENFORCEMENT) SUB-GROUP WORK PLAN 2013/14

The work plan has been prepared for the Devon Chief Environmental Health Officer Group to consider the health and safety matters to be looked at in the coming year and beyond.

The plan is not a rigid, definitive document and is open to regular review. Urgent matters may arise which the Sub-Group may address during the year.

Purpose

Promote the attainment of satisfactory or better levels of health and safety in the local authority enforced sector of Devon.

Objective	Detail	Expected outcomes	Who?	Date
Develop a detailed Intervention plan	<ul style="list-style-type: none"> Targeting specific risks or focusing on specific outcomes. Use the full range of regulatory interventions available to influence behaviours and the management of risk Ensuring effective and proportionate management of risk Supporting businesses, protecting our communities and contributing to the wider public health agenda in line with the National Local Authority Enforcement Code. 	<ul style="list-style-type: none"> An Intervention Plan for 2013/14 drafted sent to chiefs for sign off Proactive and reactive interventions will be intelligence-led, based on best-available evidence and focused on risk Joint targeting of risk to enable the most effective and efficient use of resource Using local, regional and national intelligence to select targets for interventions. Enforcement intervention tailored to level of risk will include arrangements for dealing with both ends of risk / compliance spectrum Provide Training for businesses and SHAD's 	Sub Group	March 2013

	<ul style="list-style-type: none"> This might include inspection of Category A premises, interventions as per the intervention plan for other premises, work with poor performers, accident and complaint investigations as required, advice initiatives and self-assessment questionnaires for more compliant premises 			
Training for businesses and SHAD's	Loss of funding for SHADS. A review of the SHAD work and the justification needed for continuing that work and whether the evolution is to SWBB above and the delivery of training for that.	<ul style="list-style-type: none"> Produce a report – has SWBB superseded the provision of SHADs or is there is still room for this approach as well. Deliver the report to the Chiefs 	Dave Walker to circulate	March 2013
Safer workplace Better Business Pack (SWBB)	Opportunities to provide better and different services to businesses. Links to changing the way business advice is delivered. Links with RIAMS and a national delivery of the pack on line.	<ul style="list-style-type: none"> Keep Chief Officers informed of progress with respect to the development of SWBB; <ul style="list-style-type: none"> regarding the pack becoming the key intervention tool for inspections and audits of new Micro, Small and Medium Enterprises and similar businesses without existing systems. Pilot ½ day training sessions for businesses in use of SWBB 	Dave Walker Paul Nichols Allison Ferrero	
Joint warranting and joint work	The Estates Excellence programme might offer different opportunities of joint working or warranting than the Dorset model.	<ul style="list-style-type: none"> Produce a report summarising the successes and learning opportunities from the Estates Excellence programme in Plymouth. Deliver the report to the Chiefs 	Joy Jones	March 2013
Reducing resources for	This could result in reduce	<ul style="list-style-type: none"> Produce a report on the potential impact of the LA 	Sub	On

<p>H&S and staff competencies</p>	<p>enforcement and therefore a loss of enforcement skills. Reduced accident notification and the use of the HSE accident filter results in fewer interventions which could reduce LA officer's ability to identify and target risk and leads to lack of intelligence.</p>	<p>National Code review</p> <ul style="list-style-type: none"> Review the incident and complaints filters to better target responses Commit to providing training materials, guidance and support to maintain officer competency Deliver the report to the Chiefs 	<p>Group</p>	<p>publication of the new code</p>
<p>National Local Authority Enforcement Code</p>	<p>Assist Local Authorities to promote uniform, consistent health and safety enforcement in Devon by adoption of uniform practices and procedures where practical, taking account of guidance from; the HSE; BRDO; cost; effectiveness; efficiency; indicators of performance; the Enforcement Management Model (EMM); Regulators Development Needs Analysis (RDNA) tool and benchmarking exercises where appropriate.</p>	<ul style="list-style-type: none"> Provision of training in health and safety for Local Authority staff and others where appropriate. To provide training which meets local needs and concerns Identify training needs for Local Authorities using the RDNA tool. Provide and facilitate suitable training, in conjunction with the HSE and other sub-groups. <p>This will include: -</p> <ul style="list-style-type: none"> Peer review practical exercises Regional refresher training as identified in line with the National Local Authority Enforcement Code training for competency framework and RDNA tool To actively contribute to CIEH Branch training days when requested Through inter-authority peer review, partnership working and support, creating consistency across the County <ul style="list-style-type: none"> Organising the Sub Group to task small working 	<p>Sub Group</p>	

			groups to concentrate on and co-ordinate a specific work stream or project, organise events as required using combined LA / HSE intelligence to feed interventions, and monitor the effectiveness of these tasks by regular interim reports during projects and completion reports at the end of projects to be submitted to the Chiefs Group.		
Assist businesses in managing their health and safety	Promote leadership, and improving worker involvement.	<ul style="list-style-type: none"> • Continue the development of the SWBB as the initial intervention with new small businesses • Further develop interactive resource on-line for businesses to improve their confidence and ability to manage their risks more effectively. • Include in projects and initiatives outlined in the Intervention Plan 	Sub Group		
Improve partnership working	Ensure better engagement with other regulators as part of the wellbeing agenda by engaging relevant local regulators (CQC, Environment Agency, Health and Wellbeing PCTs, Devon Fire and Rescue etc) with relevant work streams.	<ul style="list-style-type: none"> • Investigate, initiate and take part in campaigns jointly with the HSE and other local stakeholders in areas of common interest • Improved understanding and efficiency in working with partners on Safeguarding processes and practices • Development of working practices, contact points and improved training of officers • Actively participate in and support partnership working on a local and regional basis. • Identification of opportunities for improving expertise in a specialised subject area in each Authority that can be shared across the Group when required 	Sub Group		
Health and Safety	Appraise the Devon Chief	<ul style="list-style-type: none"> • Produce a briefing note for the Chief officers 	Sub		Quarterly

legislation or guidance changes	Environmental Health Officer Group of action necessary and resource implications of meeting the National Local Authority Enforcement Code, new or existing legislation, guidance or novel situations.	<ul style="list-style-type: none"> Attend Chief officer meetings Consider relevant issues and areas of concern which arise during the year, or as requested by the Devon Chief Environmental Health Officers. 	Group	
Consultations		<ul style="list-style-type: none"> Comment on consultation documents where appropriate Involve the staff and Chief officers 	Sub Group	Ongoing
Task and Intervention Plan Progress review		<ul style="list-style-type: none"> Undertake review of the tasks of the group and the progress of the intervention plan. Produce a short report summarising each project. Ensure the continued improvement of training opportunities and activities. Provide an annual report to the Devon Chief Environmental Health Officer Group and the CIEH branch AGM. 	Sub Group	Every quarter
Peer reviews	Provide a peer review before meetings to be circulated and discussed in teams and the results brought back to the Sub Group	<ul style="list-style-type: none"> Evaluate actual cases Produce in a format which used for in-house training exercises by Local Authorities Collate the answers and outcomes and feed into the officer consistency/competency training 	Sub Group	Every Liaison Group
Public Health agenda	The Devon Health and Wellbeing Strategy 2013-16 focus of a number of key areas including health inequalities,	<ul style="list-style-type: none"> Work with the new Public Health sub group Align our work with new Devon Health and Wellbeing Strategy 2013-16 and Public Health outcomes Report back to Chiefs on any actions/work that the sub group could undertake to help implement this strategy. 	Sub Group	
Officer		<ul style="list-style-type: none"> Development of working practices, contact points 		

<p>consistency/competency training</p>		<p>and improved training of officers</p> <ul style="list-style-type: none"> • Provision of training in health and safety for Local Authority staff and others where appropriate based on the review of the National Local Authority Enforcement Code • Analyse the RDNA for all H&S officers and develop training to meet their skill/Ability/Knowledge Gaps 		
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 (Chairperson)

 Dated:

Agenda Item 14



Meeting: Council

Date: 18th July 2013

Wards Affected: All Wards

Report Title: Appointment of Executive Director Operations and Finance

Executive Lead Contact Details: Cllr Derek Mills, Executive Lead for Business Planning & Governance, 01803 207317, Derek.Mills@torbay.gov.uk

Supporting Officer Contact Details: Julia Baldie, Human Resources Advisor, 018703 207374 Julia.Baldie@torbay.gov.uk

1. Purpose and Introduction

1.1 Following the departure of the previous Chief Executive, the Employment Committee were tasked with the appointment of an interim position. Caroline Taylor has been undertaking the position of Interim Chief Operating Officer. An Employment Committee Task Group assessed the need for a 29.6 hour a week post which would have a strong Financial Management aspect to it. The post of Executive Director was established and agreed at Full Council on 28th February 2013. An advertisement was placed Nationally and interviews were held on the 6th and 7th June 2013. All members, a cross section of officers across the organisation and invited partners took part in the selection process.

2. Proposed Decision

2.1 Following the interviews, the Employment Committee are recommending that Mr Steve Parrock be appointed permanently as Executive Director Operations and Finance, on the basis of 29.6 hours per week and an actual salary of £99,634 per annum.

2.2 That Caroline Taylor complete her acting position of Interim Chief Operating Officer on 31st July and Steve Parrock begin his post on 1st August 2013.

2.3 That under the terms and conditions of employment, Full Council grant permission for Mr Steve Parrock to maintain other employment with the Torbay Economic Development Agency Ltd (TEDC) on a part time basis equivalent to 11 hours per week. (Agreement has already been sought by Mr Parrock from the TEDC Board in this respect)

2.4.1 That the Monitoring Officer be requested to develop, in consultation with the Mayor and Group Leaders, a protocol to address and mitigate any conflict of interest issues that may arise from Mr Parrock's employment with the Council and the TEDC.

2.4.2 That Mr Parrock be given flexibility to change the title of the post, in conjunction and agreement with the elected Mayor and Group Leaders.

2.3 Reason for the Decision

Following the departure of the then Chief Executive, to fulfil the requirements to have a permanent head of paid service and strategic lead for the organisation.

2.4 It is requested that Caroline Taylor maintain her role as Interim Chief Operating Officer until the 31st July to allow for the start date of Mr Parrock of 1st August 2013, and in order to maintain a Head of Paid Service throughout this period of transition.

2.5 The Joint Negotiating Committee for Local Authority Chief Executives National Salary Framework and conditions of service handbook states "***The chief executive shall devote his or her whole time service to the work of the council and shall not engage in any other business or take up any other additional appointment without the express consent of the council. He or she shall not subordinate his or her duty as chief executive to his or her private interests or put himself or herself in a position where his or her duty and private interests conflict.***"

As the post is for 29.6 hours per week, it is feasible that Mr Parrock may wish to hold other employment to increase his working time to a full time equivalent or more. Under Employment legislation Mr Parrock is able to work beyond 37 hours per week, particularly for two different organisations.

Mr Parrock intends to work the equivalent of 11 hours per week for the TEDC where he will continue to perform the principle duties of the TDA CEO, recognising that there are many synergies and linkages between the two roles.

Supporting Information

4. Position

4.1 Full Council have previously agreed to the terms and conditions of this post (see [Full Council February 2013](#)) following work over the last 18 months of the Employment Committee Task Group to assess the needs of the organisation. The interim position of Chief Operating Officer based on 0.4FTE has been carried out by the existing Director of Adults and Resources, but agreement was made at Full Council to a 0.8FTE position with a key emphasis on strategic finance and operational management.

In February 2013 Full Council agreed that the Employment Committee should begin the appointment process under the agreed Job Description, and this process was carried out throughout May and June.

A robust two day selection process was carried out by the Employment Committee with involvement from staff and partners. A unanimous recommendation was reached

by the Employment Committee to appoint Mr Steve Parrock as Executive Director Operations and Finance.

Subsequent discussions have been held with Steve Parrock and he has indicated his willingness to accept the appointment and commence duties on 1st August 2013.

5. Possibilities and Options

Full Council can decide not to agree to the recommendation to appoint to this position. This would mean that Torbay Council would be without a Head of Paid Service and statutory leader whilst a further process was agreed and undertaken. Given that a robust process was followed, and given that Full Council has previously agreed to the post, the job description and terms and conditions of employment, any decision not to appoint would be on the basis of the individual and not the process that carried out.

6. Fair Decision Making

Torbay Council's Recruitment policy has been Equality Impact Assessed and the Employment Committee process for recruitment was conducted in line with this policy.

7. Public Services (Social Value) Act 2012

N/A

8. Consultation

Consultation has previously taken place to identify the details of the post, the terms and conditions, and need for the post. The Employment Committee has had no further requirement to consult on this process, but did include staff, partners, Directors and all Members in the recruitment process itself.

9. Risks

9.1 If Torbay Council fails to appoint a high quality candidate this will affect service delivery and prolong the need for an interim appointment. This will negatively impact on the organisation both in its ability to demonstrate permanent and stable leadership to Central Government, and its ability move forward with the significant financial savings that are required.

9.2 Given that the post is part time, Mr Steve Parrock has requested that he maintain his employment as Chief Executive of the Torbay Economic Development Company Ltd on a part time basis. The TEDC is a wholly owned, 'Teckal' company of the Council. (A Teckal company is one which is wholly owned by one or more public bodies who exercise a similar degree of control over it as over their own departments and which carries out the majority of its work for its owning bodies). The aim and objectives of the TEDC therefore compliment those of the Council so it is not

anticipated that any fundamental conflicts of interest are likely to arise. The possible implications of Mr Parrock's dual role have been considered by the Elected Mayor and also the Monitoring Officer and Section 151 Officer. Members will note that part of the recommendation is that that the Monitoring Officer develop a protocol to address any conflict of interests that may arise out of the arrangements.

Appendices

There are no appendices.

Additional Information

In making these recommendations, Torbay Council is fully compliant with the Localism Act 2011, in that it produces and publishes (under sections 38 – 43) a pay policy statement each year.

Torbay Council also complies with existing guidance in the Localism Act that full council should be given the opportunity to vote before large salary packages offered in respect of a new appointment. The Guidance states that the Secretary of State considers that £100,000 is the right level for that threshold to be set.

Agenda Item 15a



Meeting: Overview and Scrutiny Board
Full Council

Date: 19 June 2013
18 July 2013

Wards Affected: All Wards

Report Title: Provisional Revenue Outturn 2012/13 – Subject to Audit

Executive Lead Contact Details: Mayor Oliver

Supporting Officer Contact Details: Paul Looby Executive Head – Finance

1. Purpose and Introduction

- 1.1. The revenue outturn report provides a summary of the Council's expenditure throughout the financial year 2012/13 and makes recommendations with respect to any uncommitted resources.
- 1.2 A separate report will be presented to Members of the final capital outturn position.

2. Proposed Decision

- 2.1 That the revenue outturn position for 2012/13 be noted.
- 2.2 That the Overview and Scrutiny Board be asked to report directly to Council on any recommendation it may have following its review of the outturn position.
- 2.3 That it be recommended to the Council that:
 - (i) a sum of £0.4m is earmarked to be transferred to the Council's General Fund Balance (paragraph 4.6);
 - (ii) a sum of £0.7m is transferred to the Growth Fund (paragraph 4.12) be approved;
 - (iii) £0.7m of capital resources earmarked to fund the Growth Fund is released and made available to support the existing capital plan (paragraph 4.12);
 - (iv) a sum of £0.200m be transferred to support the Community Development Trust (paragraph 4.14);

- (v) A sum of £0.150m is approved as carry forwards into 2013/14 Paragraph A.23;
- (vi) Members to note that the transfers above in 2.3 (i) to (v) are subject to the final audit of the Council's accounts.

3. Reasons for the Decision

- 3.1 The Council has a statutory duty to close its annual accounts and part of this process requires a provisional outturn position is presented to Members. The accounts must be finalised and signed by the Chief Finance Officer before the end of June each year. The presentation of the financial outturn report concludes the regular reporting to Council on its revenue expenditure and makes recommendations to Members with respect to any uncommitted budgets that may be available at year end.
- 3.2. The recommendations within the report will ensure the Council maintains an adequate level for its General Fund Balance and the allocation of uncommitted budgets to support regeneration supports the Mayor's priority of supporting the economy within the Bay through regeneration.

4 Summary

- 4.1 As expected 2012/13 was another challenging year financially for the Council. As in previous year's there were significant budget pressures that the Council had to manage particularly within Children's Services as well as pressures within Adult Social Care, and across some income budgets e.g. car parking.
- 4.2 Due to these pressures that were identified within the year, the Council had to use reserves and uncommitted budgets to ensure a balanced budget could be declared at year end. After taking these transfers into account it has been possible to recommend a small contribution is made to the General Fund Reserve, funding is made available to support the Community Development Trust and funding provided to support the Growth Fund. A summary of the provisional outturn position is shown below:

	Council Budget	Council Outturn	Over/(under) spend

	£'000	£'000	£'000
Council Expenditure	123,746	126,121	2,375
Use of Reserves (including Budget pressures Reserves)	0	(1,606)	(1,606)
Unallocated Grants		(2,061)	(2,061)
Uncommitted budgets at year end	123,746	122,454	(1,292)
Recommendation			
Allocated to:			
- General Fund Balance			392
- Community Development Trust			200
- Growth Fund			700
Balance			0

- 4.3 It is important to note that without the application of reserves, uncommitted budgets and approved management action of strict financial control throughout the year the council would have declared an overspend at year end. The action taken in year included a moratorium on non-essential expenditure, a vacancy freeze for all non-front line posts (using redeployment for vacancies in preference to redundancies where possible), and the non committal of un ring-fenced grants. These measures were supported by careful monitoring of budgets and performance by the Mayor, Executive Leads, Overview and Scrutiny Board and the Senior Leadership Team. A summary of the key variances within departments are outlined within this report.

Reserves

- 4.4 The Comprehensive Spending Review (CSR) reserve is the Council's uncommitted reserve which was set up to meet the financial challenges it faces over the next few years. These challenges include:
- any unforeseen events or pressures that emerge during the year;
 - invest to save initiatives where demonstrable savings can be delivered in future years;
 - making provision for any costs of restructuring Council services.

The Chief Finance Officer has advised Members that where possible reserves should only be used to support one off initiatives as it is not sustainable to use reserves to

support ongoing commitments.

- 4.5 The Mayor agreed to release some monies from reserves during 2012/13 and these have been reported to Members as part of the regular budget monitoring reports. In addition the Council has released £1.6m to fund the costs arising from reorganisations and restructures which were required to deliver the approved savings for the 2013/14 budget. As a result of these movements the balance on the CSR as at 1 April 2013 is £3.1m. This will be required to fund the costs of future reorganisations and any pressures if they emerge during 2013/14.

General Fund Balance

- 4.6 The Council also holds a General Fund Balance. Despite the ongoing financial pressures faced by the council in 2012/13 there has not been a call on the general fund balances and no call upon this reserve since the Council became a unitary authority in 1998. With the recommendation to transfer £0.4m of the uncommitted budget to the general fund balance, the overall balance will increase to £4.4m.
- 4.7 This balance represents 3.5% of the council's net budget in 2013/14. In these challenging financial times there has been media attention as to the level of reserves held by Council's. It should be recognised that the general fund balance is uncommitted (unlike other earmarked reserves) and provides funds that would only be used for any unforeseen or unexpected expenditure that could not be managed within service budgets or earmarked reserves. With this in mind and in light of the difficult financial climate faced by the Council and reduction to the Council's net budget, I believe that a cash balance of £4.4m is a prudent and sustainable level to protect the Council from the increased risks it faces with respect to the ongoing grant reductions from Government and increased demand for some services. In addition the Council's external auditors will have a view as to the level of the Council's General Fund Balance.
- 4.8 The Council needs to consider the reserves position before the compilation of the statutory annual accounts and the audit of those accounts. As set out in the Accounts and Audit Regulations, the statutory accounts will be presented to Members of the Audit Committee for formal approval in September 2013. This allows Members to consider and approve the accounts after the statutory audit has been completed and reported to Members in September 2013. For Members information, the external audit of the accounts will commence on 1 July 2013 and is expected to take approximately 2 months.
- 4.9 As in previous years, there will be a review of all earmarked reserves. This will be undertaken as part of the budget preparation process and is reported to Members at least once a year usually in the autumn, as has been the practice in recent years.
- 4.10 Once this review has been completed, where applicable any surplus monies can be recycled as part of the budget setting process for the following year or support any other funding requirements. Members will be aware that these reserves are earmarked for specific purposes with the exception of the General Fund Reserve

which remains the only fund the Council holds to meet emergency costs. With media attention focusing in the level of Council reserves it should be noted that any release of monies from reserves should only be used for one off purposes and cannot be used to sustain ongoing expenditure. However, due to the expected challenges the Council will face with ongoing reductions to its grant, all earmarked reserves will continue to be closely scrutinised and considered as part of the Council's overall resources available to deliver services to local residents.

Growth Fund and Regeneration

- 4.11 Council approved the creation of a Growth Fund in 2012. The Growth Fund will be used to support businesses and employment creation within the Bay and supports the Mayor's number one priority of economic growth and regeneration within the Bay.
- 4.12 The original proposal was to use capital and revenue resources for the Growth Fund of which £0.7m were capital resources recommended to be funded from the New Growth Points grant. As there are uncommitted revenue budgets at year end it is recommended that the £0.7m capital resources are switched for revenue so the Fund is 100% funded from revenue. This will make the administration of the Growth Fund simpler and ensure successful applicants will have freedom to use the grant awarded for any type of expenditure and not be limited to capital expenditure.
- 4.13 In addition by switching this funding there is £0.7m available to support the existing capital plan which is under pressure due to the reduction in government funding and increasing demands.
- 4.14 After the transfer of resources to the General Fund Balance and Growth Fund are made there is still a balance of £0.200m. Members approved at Council on 15 May 2013 the creation of a Community Development Trust and financial support of up to £0.3m over three years. The 2013/14 resources have been funded from a carry forward (see paragraph A2.3) and it is recommended that years 2 and 3 are funded from the balance on uncommitted budgets.

Supporting information

A1. Introduction and history

- A1.1 The Council approved the 2012/13 budget on 8 February 2012. Financial monitoring reports have been prepared throughout the year and distributed to Members of the Overview and Scrutiny Board and presented to Council during 2012/13 which ensured there was effective public monitoring and scrutiny of the revenue budget throughout the financial year. These reports summarised and identified the issues faced by Business Units within the Council and where appropriate, the action officers took to ensure the Council spent within the agreed budget set for the year.
- A1.2 This report compares the revised budget position for 2012/13 to the revenue outturn position as at the end of the financial year and summaries the key variances.
- A1.3 The outturn position indicated in this report is the final position subject to the Council's (new) external auditors – Grant Thornton - completing their annual audit of the accounts. As part of any audit review, there is the possibility that changes may be made to the overall outturn position for the Council. However, should any variations to the figures be necessary these are not expected to be materially significant.

A2. Carry Forwards

- A2.1 The Council's Financial Regulations states that, subject to the approval of Council when considering the end of the financial year position, any overall net underspend within a directly controllable revenue budget may be carried forward into the following financial year.
- A2.2 Under the terms of the Constitution, Directors and Executive Members discuss any proposed carry forwards and agreed those that should be recommended for approval.
- A2.3 There are two carry forwards which require Council approval:
- £50,000 within Supporting People. Funding for one off projects for Mental Health Personalisation and Transition. This work was delayed in 2012/13 due to other priorities and will enable the reconfiguration of services by working with clients and providers to realise cost savings.
 - £100,000 to support the Council's commitment to the creation of a Community Development Trust.

Both of these carry forward proposals have been included within the overall outturn figures.

Schools Service

A2.4 A balanced budget position has been declared for Schools Block Activities after making a contribution to reserves of £0.126m. This position will be reported to the Schools Forum.

A2.5 Schools will be carrying forward balances of £3.5m from 2012/13 to 2013/14 – these resources are earmarked for schools related expenditure. This is an increase against the previous year. It is important to note that although balances have increased in 2012/13 this is on a smaller base as schools that have converted to Academies over 2012/13 are no longer included in the figures (5 schools converted to Academies in 2012/13).

A3. Net Expenditure

A3.1 Before the application of reserves and uncommitted grants net expenditure for 2012/13 was £126.121m. After the application of £3.667m of reserves (including the Budget Pressures Reserve) and unallocated grants the council has uncommitted budgets of £1.292m. The main variations are summarised in the table below.

Net Revenue Expenditure 2012/13

Council Services	Revised Budget	Outturn	Net Over / (Under) spend
	£'000	£'000	£'000
Place and Resources			
Residents and Visitors	9,034	9,158	124
Waste and Cleaning	11,142	10,833	(309)
Spatial Planning	5,310	5,508	198
TDA - Clientside	2,639	2,597	(42)
TDA - TEDC	1,721	1,722	1
Torbay Harbour Authority	0	0	0
Business Services	1,986	1,706	(280)
Finance	10,290	9,108	(1,182)
Sub Total	42,122	40,632	(1,490)
Children, Schools & Families	20,456	22,922	2,466
Sub Total	20,456	22,922	2,466
Public Health			
Public Health	0	0	0
Community Safety	2,628	2,455	(173)
Sub Total	2,628	2,455	(173)
Adults and Resources			
Adult Social Care	42,905	43,324	419
Information Services	3,863	3,839	(24)
Commercial Services	3,798	3,708	(90)
Supporting People	5,913	5,574	(339)
Sub Total	56,479	56,445	(34)
Operational budget - Overspend	121,685	122,454	769
Unallocated Grants	2,061	0	(2,061)
Uncommitted Budgets	0	1,292	1,292
Approved Budget	123,746	123,746	0

A3.2 A brief summary of the main variances and the principal reasons for any underspends or overspends within each directorate are explained below

Place and Resources

A3.3 Overall underspend of £1.491m.

Residents and Visitor Services – overspend of £0.124m. This was primarily due to a shortfall in car parking income during the year which was offset by the implementation of a moratorium on all discretionary spending resulting in service reductions across this business unit.

Waste and Cleaning - underspend of £0.309m. This was due, in part, to the introduction of various waste reduction and diversions initiatives by TOR2 which has generated savings in landfill tax and transportation costs.

Spatial Planning - overspend of £0.198m after the application of £0.225m from the Budget Pressures Reserve. This overspend has arisen mainly due to increased costs for Concessionary Fares and a reduction in planning fee income and no charging for rubble at the civic amenity site.

Economic Development Company (Client side) - underspend of £0.041. This was primarily due to savings within the central repair and maintenance budget arising from the freeze of discretionary spending.

Finance - underspend of £1.183m primarily due to in year management and savings within treasury management due to higher than budgeted cash balances (linked to the profile of spend within the capital programme) combined with higher investment rates than budgeted leading to better investment returns, lower audit and inspection fees, additional housing benefit administration grant, higher benefit overpayment recovery, lower than budgeted discretionary pension costs and reduced staffing costs arising from vacancy management within the business unit.

Business Services - underspend of £0.280m due to savings within the recruitment budget due to the freeze on recruitment within most of the Council, receipt of additional income for services to schools and administrative and staffing savings within the business unit.

A3.4 Communities and Local Democracy Overall underspend of £0.173m.

Community Safety - underspend of £0.173m after the application of the proposed carry forward due additional contract income derived from the Cemeteries and Crematorium Service and vacancy management savings and a moratorium on spend within the Business Unit.

Children, Schools & Families

- A3.5 Overall overspend of £2.466m after the application of £0.275m from the budget pressures reserve to fund the costs of the recruitment and retention initiative to reduce social care agency costs after a further £1.106m from the CSR reserve to fund the increased costs within Residential Care.

As reported during the year the overspend was within Safeguarding and Wellbeing due to the increased numbers and the costs for children in care and placements within the independent sector plus the continued use and costs associated with the appointment of agency social workers within the Children in Need service. The overspend within Safeguarding and Wellbeing was partly offset by savings across other services within the Business Unit.

- A3.6 The number of looked after children at the end of March was 301, an increase of 92 since 31st March 2011 (252). The number of children on Child Protection Plans for the same period is 180 compared to 290 in March 2012.

Adults and Operations

- A3.7 Overall underspend £0.034m. The variations are summarised below:

<p>Adult Social Care – net overspend of £0.419m which includes the use of section 256 monies. As reported throughout the year the overspend was due to the number of ordinary residency cases within the Bay. This is a volatile area resulting in increased cost pressures for the Council. The full year effect of these additional costs has been recognised within the approved 2013/14 budget for Adult Social Care.</p>
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<p>Commercial Services – underspend of £0.090 due to savings within the Governance budget, the Coroner's budget and vacancy and administrative savings across the business unit.</p>

<p>Information Services – underspend of £0.024m due to administration, licences and salary savings across the Business Unit.</p>

<p>Supporting People - underspend of £0.339m after the application of the proposed carry forward due to contractual savings and effective commissioning due to contractual negotiations with service providers and in year service savings.</p>
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A4. Debtors Outturn

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

Council Tax

A4.2 The 2012/13 targets for collection of Council Tax were:

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

At the end of the financial year the Council collected £58.3m which is 97.2% of the Council Tax due in 2012/13. This is in line with last year's performance.

A4.3 The collection of arrears proved difficult due to the weakness of the local economy. The arrears outstanding at the end of the financial year were £3.6m.

A4.4 With the introduction of the Local Council Tax Support Scheme from April 2013 and other changes in welfare benefit regulations, there will be an impact upon a number of residents' disposable income. This, combined with the challenges faced within the local economy, will place pressure on collection performance during the next 12 months. The position will continue to be monitored and reported to Members on a quarterly basis.

A4.5 There are no Council Tax write-offs over £5,000 to report to Members of the Overview and Scrutiny Board.

Non-Domestic Rates

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

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

A4.7 At the end of the fourth quarter, the Council collected £36.1m which is 96.5% of the business rates due in the year 2012/13.

A4.8 Due to the economic conditions, businesses are facing difficult trading conditions which may impact upon collections rates in 2013/14.

A4.9 It should be noted that from April 2013 with the introduction of the NNDR retention scheme the Council is now liable for 49% of all income and costs associated with NNDR including any costs relating to pre April 2013 such as write offs and successful revaluation appeals.

A4.10 NNDR write- offs have been circulated to Members of the Overview and Scrutiny Board as an exempt Appendix.

A5. Financial Performance of External Companies

A5.1 For completeness a summary of the financial performance of the companies that Torbay Council has an interest in is included. Attached as appendix 1 is a list of those companies which summarises their outturn position.

A6. Conclusion

A6.1 The quarterly monitoring reports presented to Members during the year identified the main budget pressures and action taken to address these pressures. During 2012/13 there were significant budget pressures within Safeguarding and Wellbeing within Children's and strict financial management and control, the use of reserves and uncommitted budgets ensured the Council declared a balanced position at year end. The outturn position allows for a contribution to be made to the general fund balance and to support regeneration across the Bay.

A6.2 The Council will be building upon the detailed service review of all activities undertaken last year and will be looking at options to address the ongoing pressures it faces including the Waste Agenda, increasing demands made upon Social Care for Adults and Children's as well as the volatility in income collection and continued likely reduction of government grant.

A6.3 A culture of strict financial management and control must continue across all services with Executive Lead Members and officers managing their budgets robustly in 2013/14 and making it a priority that all service expenditure is contained within the approved budget allocation.

A6.4 As in previous years, it is worth reminding Members and officers that any new proposals and service issues should not be considered or brought forward unless clear and achievable funding sources (or savings) are identified, and that these are priority projects for the Council are not driven simply because some external funding has become available.

A6.5 In addition as soon as there is evidence of a variance against the approved budget, officers must identify the anticipated size of the variance, the cause of the variance and the remedial action to bring the budget back into balance. This will be supported through the regular budget monitoring to Executive Lead Members, Overview and Scrutiny and the Senior Leadership Team.

A6.5 The Council continues to have some uncommitted reserves in 2013/14 to assist in addressing any unforeseen events and which will also assist the Council in managing a reduction in service provision over the next few years, however these are significantly lower than previous years.

A7 Possibilities and Options

A7.1 Members could consider alternative uses for the uncommitted budgets identified within this report.

A.8 Preferred Solution /Option

A8.1 As set out in the recommendations.

A.9 Risks

A9.1 There is a risk that the Council will have insufficient reserves to meet any unforeseen events. The maintenance of the general fund balances of £4.4m and the CSR of £3.1m will assist in ensuring the Council's reserves are sufficient to assist with its medium term financial planning and manage unforeseen events.

A10 Consultation

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

Appendix 1

Outturn for Council Subsidiaries & Associates

Outturn for Council Subsidiaries & Associates	Council Ownership	Gross Income £m	Gross Spend £m	Surplus or (Deficit) £m	Outturn £m
Subsidiaries					
Torbay Economic Development Company	100%	4.3	4.4	(0.1)	(0.1)
English Riviera Tourism Company	100%	0.9	0.9	0	0
Oldway Management Company	100%	0.1	0.1	0	0
Associates					
TOR2	19.99%	15.4	14.8	0.6	0.6
South West Careers	25%	13.8	13.6	0.2	0.2
PLUSS	25%	2.7	27.6	(0.2)	(0.2)

Overview & Scrutiny *Confidence in your Council*



Revenue Budget 2012/2013 – Provisional Outturn

Report of the Overview and Scrutiny Board

At its meeting on 19 June 2013, the Overview and Scrutiny Board received a report which provided a summary of the Council's expenditure throughout the 2012/2013 financial year and made recommendations in relation to the Council's uncommitted reserves.

It was noted that the Council would have declared an overspend of £2.375 million at the end of the year however the use of reserves and unallocated grants meant that a balanced budget was being reported. Further there was a total of £1.292 million of uncommitted budget at the year end. It was proposed that this be allocated to the General Fund, the recently approved Community Development Trust and the Growth Fund.

In applying £700,000 to the Growth Fund, the Council would be able to make the equivalent sum of money within the Council's capital resources (which had previously been earmarked for the Fund) available to support the existing Capital Plan.

The Overview and Scrutiny Board recommend that the £700,000 now being made available to support the existing Capital Plan be allocated to highways maintenance.



**Meeting: Audit Committee
Council**

**Date: 26th June 2013
18th July 2013**

Wards Affected: All Wards in Torbay

Report Title: Treasury Management Outturn 2012/13

Executive Lead Contact Details: Mayor Gordon Oliver, 01803 207001,
gordon.oliver@torbay.gov.uk

Supporting Officer Contact Details: Pete Truman, Principal Accountant, 01803 207302,
pete.truman@torbay.gov.uk

1. Purpose and Introduction

- 1.1 This report informs the Council/Committee of the performance of the Treasury Management function in supporting the provision of Council services in 2012/13 through management of cash flow, debt and investment operations and the effective control of the associated risks.

2. Proposed Decision

Audit Committee:

- 2.1 **That the Treasury Management decisions made during 2012/13 as detailed in this report be endorsed.**

Council:

- 2.1 **That the Audit Committee recommends Council to endorse the Treasury Management decisions made during 2012/13, as detailed in the submitted report; and**
- 2.2 **That Council be recommended to approve the Prudential and Treasury Indicators as set out in Annex 1 to this report.**

3. Reason for Decision

- 3.1 The Council is required through regulations issued under the Local Government Act 2003 to produce an annual outturn report reviewing treasury management activities and the actual prudential and treasury indicators for 2012/13.

3.2 This report also meets the requirements of the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

Supporting Information

4. Position

4.1 Treasury management is defined by the Code as:

“The management of the authority’s investments and cash flows, it’s banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.

4.2 During 2012/13 the minimum reporting requirements were that full Council should receive the following reports:

- An annual treasury strategy in advance of the year (Council 13th February 2012)
- A mid-year review report (distributed to Members on 12th December 2012)
- An annual report following the year describing the activity compared to the strategy (this report)

4.3 Recent changes in the regulatory environment place a much greater onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the policies previously approved by Members.

4.4 The Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Audit Committee before they were reported to full Council.

4.5 A major element of the Treasury Management function is the implementation and control of the Council’s borrowing decisions. Like all local authorities Torbay Council uses borrowing as a key source of funding for enhancing, purchasing or building assets within the approved capital plan.

4.6 Borrowing allows the repayment costs of capital expenditure to be spread over future years which means that the costs of roads, schools etc are more likely to be met by those who use the assets than would be the case if the full cost of providing these facilities were met by taxpayers at the time of their construction.

4.7 As part of the annual budget process the Council sets limits for the total amount of borrowing that it considers is affordable in terms of revenue resources available to make repayments. Treasury Management officers are tasked with maintaining borrowing within these levels and obtaining best value for the Council in terms of repayment rates and length of loans.

4.8 The Treasury Management team also carry out management of the Council’s surplus cash balances arising from, for example:

- Short term revenue balances (working capital)
- Cash backed reserves
- Capital funding received in advance of commencement of schemes

Balances are invested with approved financial institutions and other local authorities to

obtain the best return for periods which ensure cash is available when needed. Security of cash and liquidity are the absolute priorities in all investment decisions.

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

5. Possibilities and Options

- 5.1 Not applicable

6. Fair Decision Making

- 6.1 Not applicable

7. Public Services (Social Value) Act 2012

- 7.1 Not applicable

8. Consultation

- 8.1 Not applicable

9. Risks

- 9.1 Not applicable

Appendices and Annexes

Appendix 1	Treasury Management Activities in 2012/13
Annex 1	Prudential and Treasury Indicators 2012/13
Annex 2	The Economy and Interest Rates in 2012/13
Annex 3	Counterparties with which funds have been deposited in 2012/13

Additional Information

Treasury Management Strategy 2012/13

Treasury Management Activities in 2012/13

A1. Introduction

A1.1 This Appendix covers:

- Capital Expenditure and Financing 2012/13;
- Capital Financing Requirement;
- Treasury Position at year End;
- The Strategy for 2012/13;
- The Economy and Interest rates 2012/13;
- Borrowing Rates in 2012/13;
- Borrowing Outturn for 2012/13;
- Investment Rates in 2012/13;
- Investment Outturn for 2012/13;
- Revenue Budget Performance;
- Reporting Arrangements and Management Evaluation

A2 Capital Expenditure and Financing 2012/13

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

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

A2.2 The actual capital expenditure forms one of the required prudential indicators and is shown in the table below. Other Prudential and Treasury Indicators are presented at Annex 1 to this report.

	2011/12 Actual £m	2012/13 Revised £m	2012/13 Actual £m
Total capital expenditure	22	24	19

A3 Capital Financing Requirement

A3.1 The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's net debt position. The CFR results from the capital activity of the Council and what resources have been used to pay for the capital spend. It represents the 2012/13 unfinanced capital expenditure and prior years' net or unfinanced capital expenditure which has not yet been financed by revenue or other resources.

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

A3.3 **Reducing the CFR** – the Council's underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively the reserving of funds for repayment of the borrowing need. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. The Council's 2012/13 MRP Policy (as required by CLG Guidance) was approved as part of the Treasury Management Strategy Report for 2012/13 on 13th February 2012.

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

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

A3.5 Following the transfer of Local Government reorganisation debt from Devon County Council in 2010/11 the Council now budgets £500,000 per annum to reflect a provision for the repayment of this debt on maturity (similar to MRP) and all payments to 31st March 2013 have been made.

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

CFR (£m)	31 March 2012 Actual	31 March 2013 Revised Indicator	31 March 2013 Actual
CFR at Year End	137	138	136

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

A4 Treasury Position at Year End

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

	31 March 2012 Principal	Rate/ Return	Average Life yrs	31 March 2013 Principal	Rate/ Return	Average Life yrs
Fixed rate funding:						
-PWLB	£143.5m			£138.1m		
-Market	<u>£10.0m</u>	£153.5m	4.31%	27.0	<u>£10.0m</u>	£148.1m
					4.33%	26.9
Variable rate funding:						
-PWLB	£0.00m			£0.0m		
-Market	<u>£0.00</u>	£0.00m	0%	<u>£0.0m</u>	<u>£0.0m</u>	<u>0%</u>
Total Borrowing		£153.5m	4.31%	27.0		£148.1m
					4.33%	27.0
Other Long Term Liabilities		£9.7M	5.26%	15.0	£9.3M	5.26%
						14.0
Total Borrowing/Other LTL		£163.2M	4.37%	25.9		£157.4M
					4.39%	24.9
CFR		£137.0m				£136.0m
Borrowing in excess of CFR*		£26.2m				£21.4m
Investments**						
- in house		£67.6m	1.41%		£52.1m	2.03%
- with managers***		£35.5m	1.51%		£29.8m	1.40%
Total investments		£103.1m	1.43%		£81.9m	1.81%

* The Capital Investment Plan approved in February 2013 requires £27m to support approved schemes over the next four years.

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

*** The principal for external management of funds reflects the original amount applied to the contract in 2007 and subsequent additions and withdrawals

A4.2 The total borrowing figure at year end of £148.1m includes borrowing supported by central government. The Local Government Finance Settlement for 2012/13 (available on the Communities and Local Government website) recognises a figure of £89m on which central funding is based for interest payments and MRP.

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

A5. The Strategy for 2012/13

A5.1 The central strategy aimed to reduce the difference between gross and net borrowing levels in order to reduce the credit risk and cost incurred by holding high levels of investment.

A5.2 The economic outlook for 2012/13 however, expected little opportunity to repay borrowing. The expectation for interest rates anticipated continuing low levels with only a gradual rise in the latter part of the year.

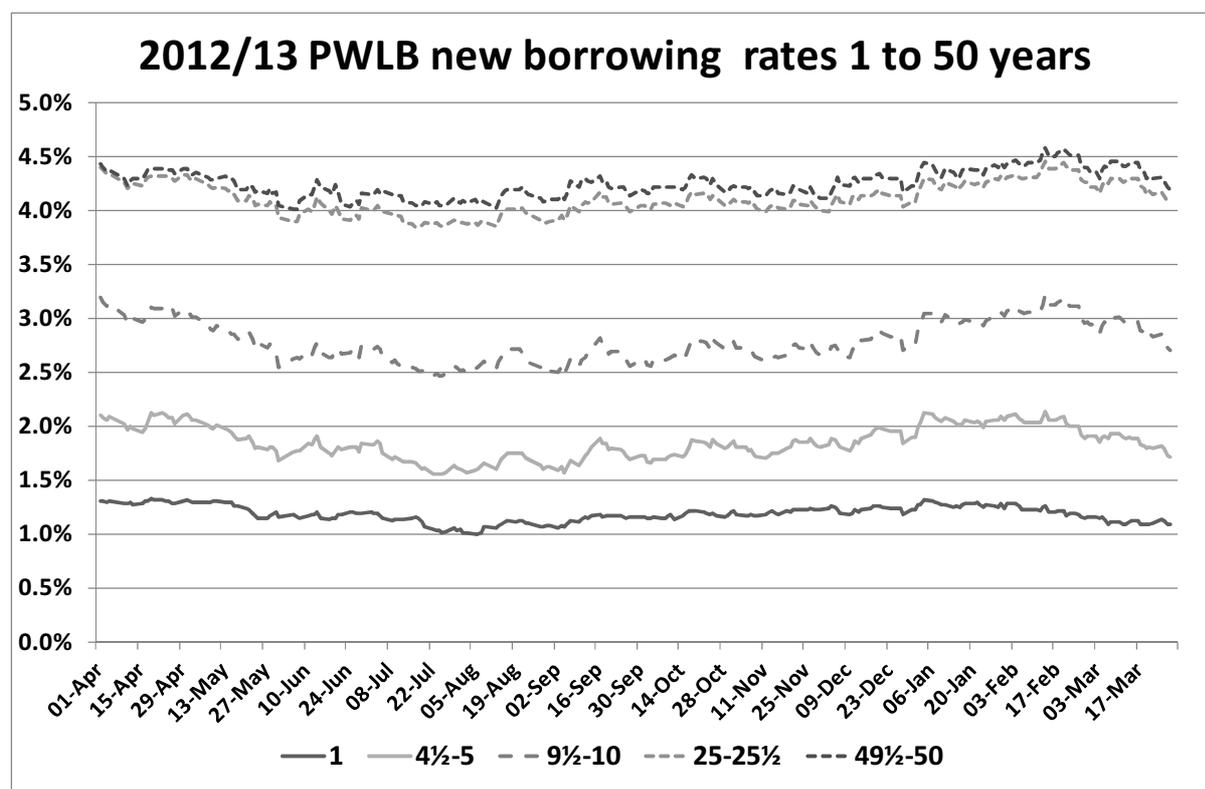
A5.3 Investment strategy was strongly influenced by market and credit risk considerations with deposits planned generally for shorter durations with a limited number of secure counterparties, particularly UK part-nationalised banks, with relatively low returns.

A6 The Economy and Interest Rates 2012/13

A6.1 A commentary of the economic factors prevalent in 2012/13 is given at Annex 2.

A7. Borrowing Rates in 2012/13

A7.1 The following graph below shows, for a selection of PWLB maturity periods, the path of rate movements during 2012/13 remaining close to historically low levels throughout the year.



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

A8 Borrowing Outturn for 2012/13

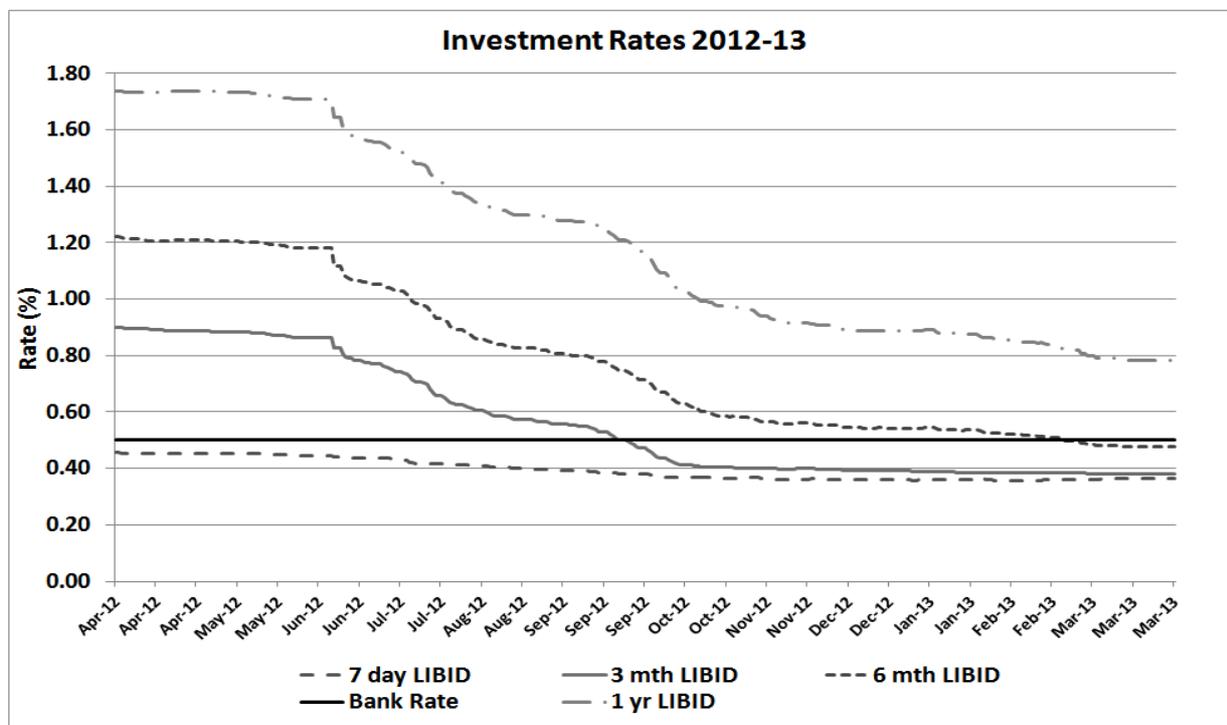
A8.1 In line with the overall strategy of reducing borrowing levels, an approach was

made by the Mayor and local MPs to central government requesting the Council be allowed to repay a significant level of PWLB loans without repayment penalty. This request was declined by the Treasury.

- A8.2 Officers continued to monitor market conditions rates for opportunities to reduce borrowing and £5.4 million of PWLB loans were prematurely repaid during the year with breakage costs of £375,000 which were part of the Council's overall interest costs in 2012/13. The resultant net interest savings represent a payback of these costs by March 2015.
- A8.3 ***Borrowing Performance*** – The average rate of interest paid on all loans in 2012/13 was 4.31%. Total borrowing was reduced from £153.4 million to £148.1 million during the year generating ongoing annual savings, less expected investment returns in 2013/14, estimated at £178k.

A9 Investment Rates in 2012/13

- A9.1 Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for four years. Market expectations of the start of monetary tightening were pushed back during the year to early 2015 at the earliest. The Funding for Lending Scheme resulted in a sharp fall in deposit rates in the second half of the year.
- A9.2 In July 2012 the Bank of England launched Funding for Lending, a scheme which allows banks and building societies to borrow from the Bank of England at cheaper than market rates for up to four years, creating an incentive for banks to increase lending to businesses and households.
- A9.3 The cheaper funding provided by the scheme meant Banks were less reliant on normal funding sources, including local authorities, with a resulting fall in market rate levels.
- A9.4 The following graph below illustrates the path of investment rate movements during 2012/13. The effect of the Funding for Lending scheme is clearly illustrated.



A10 Investment Outturn for 2012/13

A10.1 **Investment Policy** – the Council’s investment policy is governed by DCLG guidance which emphasises the priorities of security and liquidity of funds and requires Local Authorities to set out their approach for selecting suitable counterparties. The policy was approved by Council within the Annual Investment Strategy on 13th February 2012 and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data.

A10.2 In line with the Strategy investments were made within a tight counterparty selection framework with significant sums kept in liquidity accounts. As forecasts for the timing of interest rate rises were pushed back a number of one to two year deals were taken with UK part-nationalised banks to provide protection to investments returns.

A10.3 Due to the Euro zone sovereign debt crisis and its potential impact on banks the Chief Finance Officer has removed Eurozone Banks from the approved list. A further restriction reducing the maximum duration for new deposits to three months for all counterparties regardless of their individual credit quality (excluding UK part-nationalised Banks) was lifted in February 2013.

A10.4 The longer investments with UK part-nationalised Banks reflects officer’s view that these institutions continue to offer the safest domicile for Council cash with the implicit UK government guarantee overriding individual credit ratings.

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

A10.6 **Externally Managed Investments** – Scottish Widows Investment Partnership (SWIP) was appointed to a proportion of the Council's cash on 21st June 2007. The CFO has set a maximum of 35% of total investments to be managed externally and the fund was reduced to £28.9M at year end to comply with this limit. The average size of the holding in 2012/13 was £34.5M

A10.7 During the year SWIP has made use of good quality credit assets to enhance returns. The supply of these assets began to dry up approaching the end of the year. SWIP also invested in a number of other instruments over a diverse range of counterparties.

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

	Average Investment Principal	Rate of Return (gross of fees)	Rate of Return (net of fees)	Benchmark/ Target Return
Internally Managed	£66,133,588	2.031%	na	0.394%
Externally Managed	£34,464,000	1.400%	1.250%	0.436%

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

A10.9 In interest terms, the in-house treasury function contributed an additional £1,082,000 to the General Fund over and above what would have been attained from the benchmark return. SWIP's net return achieved an additional £280,000 over their target return level of 10% above benchmark.

A10.10 Alternative forms of investment e.g. loans to Housing Associations, sovereign instruments, supplier discounts for upfront payments were considered by officers as ways to enhance returns.

A11 Revenue Budget Performance

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

	Revised Budget 2012/13	Actual 2012/13	Variation
	£M	£M	£M
Investment Income	(1.0)	(1.8)	(0.8)
Interest Paid on Borrowing	6.6	6.6	0.0
Premium on early repayment of Borrowing	0.1	0.3	0.2
Net Position (Interest)	5.7	5.1	(0.6)
Minimum Revenue Provision	4.8	4.7	(0.1)
PFI Grant re: MRP	(0.4)	(0.4)	0.0
Net Position (Other)	4.4	4.3	0.1
Net Position Overall	10.1	9.4	(0.7)

A11.2 The Revenue Grant settlement 2012/13 formula includes notional funding of £8.4m for interest payments and MRP related to supported borrowing within the above figures.

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

A12 Reporting Arrangements and Management Evaluation

A12.1 The management and evaluation arrangements identified in the annual strategy and followed for 2012/13 were as follows:

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

A12.2 Draft results for the 2012/13 CIPFA Benchmarking Club, show that the treasury management team achieved interest rate performance in the top 30% of participating Authorities for borrowing and the top 10% for investments.

Prudential and Treasury Indicators 2012/13

Net borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose. This essentially means that the Council is not borrowing to support revenue expenditure. Net borrowing should not therefore, except in the short term, have exceeded the CFR for 2012/13 plus the expected changes to the CFR over 2013/14 and 2014/15. This indicator allows the Council some flexibility to borrow in advance of its immediate capital needs in 2012/13. The table below highlights the Council's net borrowing position against the CFR. The Council has complied with this prudential indicator.

CFR (£m)	31 March 2012 Actual	31 March 2013 Revised Q3 Indicator	31 March 2013 Actual
Opening balance	137.6	137.1	137.1
Capital expenditure in year funded from borrowing	3.4	6.4	3.6
Minimum Revenue Position	(3.9)	(4.6)	(5.0)
Repayment of Deferred Liabilities	0	0	0
CFR at Year End	137.1	138.9	135.7
Net borrowing position	60.1	73.1	75.5

The authorised limit - the authorised limit is the "affordable borrowing limit" required by s3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. The table below demonstrates that during 2012/13 the Council has maintained gross borrowing within its authorised limit.

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

	2012/13
Authorised limit	£192m
Maximum gross borrowing position	£154m
Operational boundary	£173m
Average gross borrowing position	£152m

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

	2012/13
Total Financing Costs	£9.4m
Net Revenue Stream	£123.7m
Ratio – Including direct financing from Revenue	8.84%
Ratio - Excluding direct financing from Revenue	7.62%

Treasury Indicators:

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

	31 March 2013 Actual	31 March 2013 Proportion	2012/13 Original Limits Upper-Lower
Under 12 months	£0	0%	7% - 0%
12 months and within 24 months	£0	0%	7% - 0%
24 months and within 5 years	£0	0%	7% - 0%
5 years and within 10 years	£19M	13%	19% - 6%
10 years and within 25 years	£38M	26%	32% - 12%
25 years to 40 years	£55M	37%	45% - 12%
Over 40 years	£36M	24%	35% - 10%

Principal sums invested for over 364 days - The purpose of this indicator is to contain the Council's exposure to the possibility of losses that might arise as a result of it having to seek early repayment or redemption of principal sums invested. The 2012/13 Actual applies to a £5m 2-year in-house deal and funds administered by the external Fund Manager.

	2011/12 Actual	2012/13 Limit	2012/13 Actual
Investments of 1 year and over	£12m	£68m	£19m

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

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

	31 March 2012 Actual	2012/13 Upper Limits	31 March 2013 Actual
Net principal re fixed rate borrowing / investments	£101m	£150m	£104m
Net principal re variable rate borrowing / investments	-£51m	£41m	-£38m
<i>Limits on fixed interest rates:</i>			
• <i>Debt only</i>	153	163	148
• <i>Investments only</i>	52	85	44
<i>Limits on variable interest rates</i>			
• <i>Debt only</i>	0	41	0
• <i>Investments only</i>	51	70	38

The Economy and Interest Rates 2012/13

By Sector Treasury Services 29th April 2013

Sovereign debt crisis. The EU sovereign debt crisis was an ongoing saga during the year. However, the ECB statement in July that it would do “whatever it takes” to support struggling Eurozone countries provided a major boost in confidence that the Eurozone was (at last) beginning to get on top of its problems. This was followed by the establishment of the Outright Monetary Transactions Scheme in September. During the summer, a €100bn package of support was given to Spanish banks. The crisis over Greece blew up again as it became apparent that the first bailout package was insufficient. An eventual very protracted agreement of a second bailout for Greece in December was then followed by a second major crisis, this time over Cyprus, towards the end of the year. In addition, the Italian general election in February resulted in the new Five Star anti-austerity party gaining a 25% blocking vote; this has the potential to make Italy almost ungovernable if the grand coalition formed in April proves unable to agree on individual policies. This could then cause a second general election – but one which could yield an equally ‘unsatisfactory’ result! This result emphasises the dangers of a Eurozone approach heavily focused on imposing austerity, rather than promoting economic growth, reducing unemployment, and addressing the need to win voter support in democracies subject to periodic general elections. This weakness leaves continuing concerns that this approach has merely postponed the ultimate debt crisis, rather than provide a conclusive solution. These problems will, in turn, also affect the financial strength of many already weakened EU banks during the expected economic downturn in the EU. There are also major questions as to whether the Greek Government will be able to deliver on its promises of cuts in expenditure and increasing tax collection rates, given the hostility of much of the population.

The UK coalition Government maintained its tight fiscal policy stance against a background of warnings from two credit rating agencies that the UK could lose its AAA credit rating. Moody’s followed up this warning by actually downgrading the rating to AA+ in February 2013 and Fitch then placed their rating on negative watch, after the Budget statement in March. Key to retaining the AAA rating from Fitch and S&P will be a return to strong economic growth in order to reduce the national debt burden to a sustainable level, within a reasonable timeframe.

UK growth. 2012/13 started the first quarter with negative growth of -0.4%. This was followed by an Olympics boosted +0.9% in the next quarter, then by a return to negative growth of -0.3% in the third quarter and finally a positive figure of +0.3% in the last quarter. This weak UK growth resulted in the Monetary Policy Committee increasing quantitative easing (QE) by £50bn in July to a total of £375bn on concerns of a downturn in growth and a forecast for inflation to fall below the 2% target. QE was targeted at further gilt purchases. In the March 2013 Budget, the Office of Budget Responsibility yet again slashed its previously over optimistic growth forecasts, for both calendar years 2013 and 2014, to 0.6% and 1.8% respectively.

UK CPI inflation has remained stubbornly high and above the 2% target, starting the year at 3.0% and still being at 2.8% in March; however, it is forecast to fall to 2% in three years time. The MPC has continued its stance of looking through temporary spikes in inflation by placing more importance on the need to promote economic growth.

Gilt yields oscillated during the year as events in the ongoing Eurozone debt crisis ebbed and flowed, causing corresponding fluctuations in safe haven flows into / out of UK gilts. This, together with a further £50bn of QE in July and widely expected further QE still to come, combined to keep PWLB rates depressed for much of the year at historically low levels.

Bank Rate was unchanged at 0.5% throughout the year, while expectations of when the first increase would occur were pushed back to quarter 1 2015 at the earliest.

Deposit rates. The Funding for Lending Scheme, announced in July, resulted in a flood of cheap credit being made available to banks and this has resulted in money market investment rates falling sharply in the second half of the year. However, perceptions of counterparty risk have improved after the ECB statement in July that it would do “whatever it takes” to support struggling Eurozone countries. This has resulted in some return of confidence to move away from only very short term investing.

Counterparties with which funds were deposited (April 2012 – March 2013)

Banks and Building Societies

Bank of Scotland
Lloyds TSB
Nationwide Building Society
Royal Bank of Scotland/National Westminster
Santander UK
Svenska Handelsbanken

Local Authorities

City of Newcastle upon Tyne

Other Approved Institutions

Public Sector Deposit Fund
Royal Bank of Scotland Money Market Fund
Scottish Widows Investment Partnership



Meeting: **Overview & Scrutiny Board
Council**

Date: **19th June 2013
18th July 2013**

Wards Affected: **All**

Report Title: **Capital Investment Plan Update - (Outturn 2012/13)** – subject to audit

Executive Lead Contact Details: **mayor@torbay.gov.uk**

Supporting Officer Contact Details: **martin.phillips@torbay.gov.uk**

1 Purpose

- 1.1 The Council's capital investment plan with its investment in new and existing assets is a key part of delivering the Council's outcomes. This is the final Capital Monitoring report for 2012/13 under the Authority's agreed budget monitoring procedures. It provides high-level information on capital expenditure and income for the year (subject to Audit), compared with the latest budget position as at quarter three reported in February 2013.

2 Proposed Decision

Overview & Scrutiny Board

- 2.1 **That Members note the outturn position for the Council's Capital expenditure and income for 2012/13 and make any recommendations to Council.**

Council

- 2.2 **That Council note the outturn position for the Council's Capital expenditure and income for 2012/13.**

- 2.3 **That Council note the action taken by the Chief Finance Officer, under the Officer Scheme of Delegation, to carry forward the unspent budgets for expenditure or work in progress (together with their funding) from 2012/13 to 2013/14.**

- 2.4 **That Council approves the funding of the capital investment plan for 2012/13 as outlined in paragraph 7.1 is approved.**

3 Reasons for Decision

- 3.1 Quarterly reporting to both the Overview and Scrutiny Board and to Council is part of the Council's financial management process.

4 Summary

- 4.1 Members of the Overview and Scrutiny Board and Council have received regular budget monitoring reports on the Council's Capital Investment Plan throughout the year. The Council's four year Capital Investment Plan is updated each quarter through the year. This report is the monitoring report for the fourth quarter 2012/13 which is also the financial year end. Variations reported in this report are those arising in this quarter and any other changes reported will be reflected in the 2013/14 quarter one capital monitoring report to Council in July 2013.

- 4.2 Outturn expenditure for the year was £18.5 million compared with the budgeted spend as per the last monitoring position in February of £23.6 million. Reasons for this variation over a number of schemes are included in paragraph 6.2. In percentage terms, spend was 78% of the forecast in February. This compares with 89% for 2011/12.

5 Supporting Information

- 5.1 The original capital budget approved by Council in February 2012 was £20.2 million. That was subsequently revised during 2012/13 for re profiling of expenditure from 2011/12, new schemes and re profiling spend to future years. All changes with reasons have been included in previous monitoring reports. Actual spend during 2012/13 was £18.5m, which is detailed in appendix 1.
- 5.2 Capital budgets of £5.6m will be carried forward to 2013/14 to enable schemes not completed or progressed in 2012/13 to be continued in the current year along with the funding sources for the scheme.
- 5.3 The Council set its Prudential Indicators for 2012/13 and monitoring arrangements for “affordable borrowing” in February 2012. The detailed Outturn Indicators are presented as part of the Treasury Management Outturn Report to be presented to Council in July.
- 5.4 The expenditure predictions as at January 2013 were presented as part of the Capital Investment Plan Update to Council in February 2013. That Report noted anticipated expenditure of £23.6 million in 2012/13.
- 5.5 Appendix 1 provides a schedule of the outturn for spending and funding in 2012/13.

Column (1) shows the revised budget for the year (as at quarter three).

Column (2) shows the actual payments during the year.

Column (3) shows the variance between outturn and revised budget.

Column (4) shows the net budget to be carried forward to 2013/14.

- 5.6 In order to meet the timetable for the statutory closure of accounts it is inevitable that assumptions are made with regard to the final outturn figures which may be subject to challenge by Grant Thornton (the Council’s external auditors) when the audit of the Council’s accounts is undertaken. Any changes will be reported to a future meeting.

6 **Expenditure Outturn & Performance**

- 6.1 The actual service expenditure in 2012/13 was £18.5 million. The outturn for individual projects is provided in Appendix A. A summary at service level is in the table below –

Directorate	Revised Budget 2012/13 Quarter 3	Outturn for 2012/13	Outturn less Revised Budget	Percent outturn to budget
	£m	£m	£m	%
Place & Environment	12.6	9.8	(2.8)	77
Children, schools and families	7.9	6.0	(1.9)	76
Schools – Devolved Formula Capital	0.6	0.8	0.2	133
Other Services	2.5	1.9	(0.6)	76
Total	23.6	18.5	(5.1)	78

In overall terms there was net variation in the Plan spend of £5.1million, which is 22% of the revised budget which, although disappointing, there are reasons for variances on a number of schemes. This compares with less than 10% re profiling in 2011/12. A summary of the significant re profiling and reasons is included below.

- 6.2 The re profiling of budget within the £5.6m of variations identified to be carried forward to 2013/14 is summarised by scheme (in excess of £0.3m) in the table below:

Scheme	Re Profiling £m	Reason
Barton Primary School	(0.352)	Delays arising from the need for the contractors to work around the existing school operation.
Torquay Community College	(0.376)	Some IT works still outstanding and a underpsend (i.e. saving) on project now expected
Haldon Pier	(0.659)	Further under water site investigation required to establish most effective method of repair
Land Acquisition – Housing	(0.566)	Scheme at Grange Road, Paignton now being re assessed
Mayfield School	(0.414)	Change in some of the contractual arrangements
Livermead Sea Wall	(0.318)	Impact of adverse weather and tidal conditions
Green Deal	(0.351)	Grant announced in early 2013, and expenditure not fully incurred by end of March
Princess Promenade (Western Section)	(0.576)	Expenditure profile concentrated towards end of the project leading to payments expected in quarter one of 2013/14

These eight schemes are 70% of the variance in the last quarter.

- 6.3 The Capital Investment Plan spans 4 financial years and includes development projects where spending is expected to run for a number of years. It is normal that annual budgets need to be re-phased between years as schemes develop through feasibility, design and construction stages in order to ensure continuity. On occasion consultation with end-users, affordability of design and negotiation with external funders can significantly delay anticipated start dates.
- 6.4 During the year, budgets were regularly re-scheduled between the four years of the plan and the reasons were reported to Council.
- 6.5 On a number of schemes, even though works had not been undertaken by the year end a number of contractual commitments have been entered into, to progress the scheme.
- 6.6 Where project costs have exceeded budget, and funds could not be brought forward from future year's budgets, services were asked to identify additional sources of funding. No scheme has been carried forward to 2013/14 which will be a call on (new) funding allocated in the 2013/14 Capital Investment Plan for future years.
- 6.7 The Chief Finance Officer is authorised under the Officer Scheme of Delegation to approve re-phasing of expenditure between years provided the impact does not exceed the overall level of the approved programme and the available funding resources. Under this delegation, net budget provision of £5.6 million has been carried forward into 2013/14 to fund commitments on works in progress and to enable approved schemes to be completed. Conversely service budgets for 2013/14 have been reduced on those projects which have spent in advance (within the overall capital budget for the project). A revised Capital Investment Plan, incorporating the budgets carried forward and any schemes that are now significantly changed will be presented with the first capital monitoring report for 2013/14.
- 6.8 In addition to the re profiling of expenditure to future years the corresponding budgets for the funding of these schemes are also carried forward. Where funding has been received but not applied, this funding is reflected on the Council's balance sheet as usable reserves.

Individual Project Monitoring - Main Variations & Management Action

- 6.9 Appendix 1 shows the expenditure in 2012/13 on each individual project. A number of projects have been completed during the year and are now delivering improved services to users.

6.10 **"New Funding Regime"**

6.11 As part of the approval of the Capital Investment Plan by Council – February 8th 2012 the following was approved

6.12 *"That the approval of specific capital schemes in the Capital Investment Plan 2012/13 to 2015/16 be delegated to the Chief Executive in consultation with the Mayor, Executive Lead for Finance and Chief Finance Officer"*

6.13 An estimate of funds was identified in the Capital Investment Plan (February 2012) for the four years of the Plan, which was provisionally allocated to a number of "priority" areas. In a number of services, requests have now been submitted for funding which has been approved by the Chief Executive and, since September 2012, the Chief Operating Officer in line with the Council delegated approval. Subsequent to the initial approval funding and expenditure adjustments have been made to the four year estimate of funding.

6.14 A summary of allocations to date over the four years of the Plan from this estimate of funds over four years is shown in the table below:

Scheme	Allocation Council Feb 2012 £m	Allocated to Q3 2012/13 £m	Allocated In Q4 2012/13 £m	Total Un allocated £m
	(Revised)			
Employment Schemes – such as Riviera Centre investment	2.0	0.1	0.9	1.0
Torre Abbey – Council maximum funding pending English Heritage Grant and other income.	2.0	2.0	0	0
Princess Pier Structural Repairs – Council match funding to a bid for to the Environment Agency	1.4	1.4	0	0
Grants for both Disabled Facilities and Childrens Adaptations	3.2	0.8	0	2.4
Provision for Infrastructure Works	2.0	1.4	0.3	0.3
Improving Leisure Facilities	1.7	0.9	0	0.8
Schools – Basic Need (including school places) and capital repairs	9.6	9.4	0	0.2
Transport – Structural Repairs and Integrated Transport	6.2	6.1	0	0.1
Adult Social Care	1.0	0.1	0	0.9
Affordable Housing	0.1	0.1	0	0
Total Schemes	29.2	22.3	1.2	5.7

6.15 The Capital Investment Plan shows the approved schemes to the extent that funding has been received or confirmed. Where the value of the approved schemes exceeds the known funding, temporary prudential borrowing has been used pending the future receipt of funds, at which point the funding will be swapped. However if funding is not realised then the Capital Investment Plan will have to be reduced accordingly or alternative sources of funding allocated such as prudential borrowing.

6.16 Details of schemes approved by the Chief Operating Officer from the four year capital allocation in quarter four which will be reflected in the 2013/14 Quarter one capital investment plan update report are as follows:

Scheme	Budget Approved £m	Details
Riviera Centre	0.862	Extensive repair to the building including works to boilers and the roof
Parking Bays	0.028	Introduction of parking bays in Mincent Hill
Fairy Cove	0.034	Works to support rock face
Goodrington Cliff	0.231	Works to support rock face
Total Quarter Four	1.155	

6.17 Riviera Centre

A further £862,000 has been allocated to support the Riviera Centre's programme of essential repairs for the centre to continue operating. These include works to the boiler system and the roof. It is expected the bulk of this work will be completed in 2013/14. The Chief Operating Officer in consultation with the Mayor and Chief Finance Officer has approved this expenditure using the provision for employment schemes.

6.18 Parking Bays

£28,000 has been allocated to implement parking bays in the Mincent Hill, Torquay area in order to reduce obstruction and improve the local environment. The Chief Operating Officer in consultation with the Mayor and Chief Finance Officer has approved this expenditure using the provision for transport works.

6.19 Support to Coastal Areas and Inland Cliffs.

£34,000 has been allocated to Fairy Cove next to Paignton Harbour and £231,000 to Goodrington Cliff to strengthen the rock faces in the two areas. These schemes are in addition to the £20,000 stabilisation works following a rock fall at Meadfoot Sea Road approved in Quarter 3 2012/13. The Chief Operating Officer in consultation with the Mayor and Chief Finance Officer has approved this expenditure using the provision for infrastructure works.

The Council is anticipating additional expenditure related to the storm damage at Livermead in March. Discussions are being held with the Environment Agency over potential grant support for these repairs. If unsuccessful the Council will have to bear any additional costs for repair from within the remaining unallocated capital resources as set out in the table at paragraph 6.14.

6.20 Nursery Places for Two Year Olds.

The Council has received an un ring fenced grant of £0.253m for the provision of places for two year olds under the Government's new initiative. As there is a statutory duty for the Council to provide places this grant has been allocated to Childrens Services in line with the purpose of the grant.

6.21 During 2012/13 a total of £6.7m of resources allocated under the 'New Funding regime' was spent including £0.9m at Mayfield School, £3.0m on Torre Abbey, £1.3m on transport and £0.5m on disabled facilities grants.

6.22 **"Old Funding Regime"**

Relates to the schemes in the Capital Investment Plan that were allocated to services from capital funding that originated in 2011/12 and earlier financial years.

6.23 St Margeret Clitherow School

£0.2m of funding within the balance of prior year funding allocations to Childrens will be spent on the provision of 10 additional places in Brixham at St Margaret Clitherow Primary school.

6.24 New Growth Points

The Council has a £0.4m budget in 2013/14 from the New Growth Points Grant to support development of land. The plans for the expenditure on these scheme is now, on balance, more revenue than capital so it is proposed to "swop" revenue and capital funding between this scheme

and the South Devon Link Road. There is no impact on the total funding for either scheme.

6.25 Within 2012/13 a total of £5.9m was spent from the 'Old funding regime' allocations including £1.7m at Barton School, £0.8m at Curledge Street School, £0.9m at Preston Primary, £0.4m on Westlands 14-19 project, £0.4m on Brixham Regeneration and £0.8m on transport schemes.

6.26 **"New" Ring fenced funding**

6.27 Riviera Renaissance

The Council is acting as "accountable body" for the successful bid made by a number of partners (including Brixham YES, TCCT, EDC and South Devon College) to the Coastal Communities Fund to enable projects known as the Riviera Renaissance scheme. The DCLG has awarded £1.3m for a number of projects including a cycle path and workhubs, of which £0.636m is for capital expenditure. Although the grant has been awarded to the Council and will form part of its financial management, the EDC (on behalf of the Council) will be distributing the grant based on claims from the partners for work done.

6.28 TEDC

The Torbay Economic Development Company has requested that some of the funds paid by the Council is converted to a capital grant. This change has been reflected in both the Council's and TEDC's accounts.

6.29 Westlands School

Linked to the PFI contract, the school has requested and funded a number of variations which are capital expenditure and have now been classified appropriately.

6.30 Public Toilets

£0.1m has been agreed for the installation of water efficiency measures in Council's toilets. As an 'invest to save' scheme this will be funded from the comprehensive spending review reserve as this will lead to revenue savings in future years.

6.31 Within 2012/13 a total of £2.6m was spent from 'Ring fenced' funding including £0.6m on the Ferry scheme and £0.4m on repairs to Clennon Valley leisure centre.

6.32 Schemes funded from Prudential Borrowing

6.33 Council In February 2013 approved £0.8m of prudential borrowing for the construction of additional pontoons at Brixham Inner Harbour, the borrowing to be funded from additional income from moorings.

6.34 Council in May 2013 approved £0.8m of prudential borrowing for match funding with British Cycling for an outdoor velodrome and cycle track at Clennon Valley, the borrowing to be funded from the anticipated surplus on the operation of the facility.

6.35 Council has previously approved "in principle" £2m of prudential borrowing to support a £5m innovation centre at White Rock. The external grant that not yet been confirmed so has not yet been included in the capital investment plan.

6.36 Within 2012/13 a total of £3.3m was spent, funded from Prudential Borrowing, including £1.8m on the Office Rationalisation project and £1.4m on Princess Promenade.

6.37 **Other Services**

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

7. **Receipts & Funding**

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

	Revised Budget	Outturn	Variation
	£m	£m	£m
Borrowing – of which	6.5	3.6	(2.9)
Supported: (by Government funding)	1.1	0.5	(0.6)
Unsupported: (under Prudential Code)	5.4	3.1	(2.3)
Grants	15.0	12.7	(2.3)
Other Contributions	0.2	0.5	0.3
Revenue & Reserves	0.5	1.0	0.5
Capital Receipts	1.4	0.7	(0.7)
Total Funding	23.6	18.5	(5.1)

Grants

- 7.2 Capital Grants continue to be the major funding stream (69% in 12/13) for the Council to progress its investment plans. An element of these grants result from “bids” to other public sector bodies. With potential significant reductions on public sector expenditure expected, this funding stream could be significantly reduced for future capital projects. The Council used £12.7 million of grants in 2012/13. As at 31 March 2013 the value of grants received but not yet applied was £11.7 million. This sum is reflected in the Council’s balance sheet.
- 7.3 Since the last Capital update to Council in February 2013 the Council has been notified of a number of grants for 2013/14 that it was expecting. These are as follows:

Disabled Facility Grants	£0.782m
Schools Basic Need	£2.021m (two year total 13/14 & 14/15)
School Maintenance	£0.680m
School Devolved Formula Capital	£0.122m

The School Basic Need allocation of just £1m per annum is below the figures originally estimated within the Capital Investment Plan in 2012 . Subject to the results of additional funding bids submitted by Childrens Services this will result in a funding shortfall on the Capital investment plan.

Borrowing

- 7.4 Borrowing was kept within Affordable Borrowing limits and the effect on the Revenue Accounts was within Budget (see Prudential Indicators in Treasury Management Outturn 2012/13 Report).
- 7.5 In addition to the £0.5 million of borrowing “supported” by central government, i.e. costs of borrowing funded in future year revenue grants, unsupported (Prudential) borrowing of £3.1 million was utilised to fund (or part fund) expenditure on the following major projects:
- Princess Promenade
 - Office Rationalisation Project

Temporary borrowing, pending expected capital funding, was used for

- Some Schools schemes
- Torbay Leisure Centre

- 7.6 Repayment of the prudential borrowing by services varies between projects and reflects the anticipated use of the asset or a suitably shorter period over which the service feels is appropriate, however prudential borrowing is never taken over a period which is greater than the anticipated life of the asset.
- 7.7 The Council sets aside an amount in its revenue budget (known as minimum revenue provision) for the repayment of the borrowing on its maturity including a provision for the value of the debt inherited from Devon County Council in 1998. In 2012/13 it set aside £4.6m in respect of capital expenditure by the Council, along with £0.4m in relation to the PFI scheme for Westlands and Homelands Schools (funded by the PFI Grant). This ensures that in the long term all borrowing and long term liabilities will be repaid.

- 7.8 Borrowing is related to the funding of fixed assets. The costs of these assets tend to be spread over the long term which is line with the long term use of these assets. The value of Council long term assets as at 31/3/13 was approx. £300 million. It should be noted that as schools convert to Academy status the value of the asset is removed from the Council's balance sheet however the Council remains liable for any borrowing or long term liabilities in relation to these schools up to the date of transfer. In 2012/13 the value of schools that converted to Academy status removed from the Council's balance sheet was over £56 million.

Capital Receipts –

- 7.9 Capital receipts in the year were £1.4 million. Receipts included the following:

- £0.1m Right to Buy Housing “clawback”
- £0.1m Sales of assets and repayment of grants
- £1.2m Land sales including Broadhaven, Cemetery Lodge and a long lease for the Boathouse in Paignton

In year £0.7m of these receipts were applied in 2012/13 to fund capital expenditure, therefore the Capital Receipts reserve had a balance of £0.7m at year end.

- 7.10 The target for securing capital receipts from asset sales to fund the 4-year Capital Investment Plan after 2012/13 was £6.2 million (required by March 2016).
- 7.11 This means that the approved Plan as at 1 April 2013 relies upon the generation of a total of £4.9 million capital receipts from asset sales by the end of 2015/16. These targets are expected to be achieved provided that -
- approved disposals currently “in the pipeline” are completed
 - the Council continues with its disposal policy for surplus and underused assets and,
 - no new (or amended) schemes are brought forward that rely on the use of capital receipts for funding.
- 7.12 Of the receipts expected £0.8 million is in relation to the Tesco development at Brixham, £1m from the Oldway Development and a significant sum is expected for the disposal of the old Paignton Library site. All capital receipts up to the target of £6.2m are required to fund previously approved capital schemes.
- 7.13 There is an ongoing risk over the value of receipts. However the current approved plan has taken a prudent approach to the value of potential receipts and number of assets to be disposed.

Capital Contributions – S106 & Community Infrastructure Levy

- 7.14 The general target for securing capital contributions to fund the 4-year Capital Investment Plan, following review of the Budget in February 2013 was £2.5 million (required by March 2016).
- 7.15 The intention is that capital contributions are applied to support the schemes already approved as part of Capital Investment Plan and not allocated to new schemes unless the agreement with the developer is specific to a particular scheme outside the Capital Investment Plan.
- 7.16 Income from s106's capital contributions during 2012/13 were under £0.2 million, although the Council did receive a further £0.2m of contributions from other bodies, mostly to support specific schemes.
- 7.17 The Council is expected to agree a charging schedule for its Community Infrastructure Levy to be applicable from April 2014 which will, in part, replace S106 contributions from developers. The later than anticipated start of the Levy, combined with a lack of development within the area linked to economic conditions has resulted in a high risk that the targeted level of income will not be achieved by March 2016. The Council will need to keep this issue under review and will have to make future adjustments to the capital plan if required.

Capital Investment Plan 12/13 Update - Outturn		Total 2012/13 Revised £000	Total 2012/13 Outturn £'000	Total 2012/13 Variance £'000	Total Reprofile to 2013/14 £'000
		Col 1	col 2	col 3	col 4
Old Funding Regime (pre 12/13)					
Adults & Resources					
	Mental Health Care Initiatives	22	0	-22	22
	Various ICT Improvements	53	30	-23	23
		75	30	-45	45
Childrens, Schools & Families					
	Asbestos Removal	14	5	-9	9
	Barton Primary Cap Project	2,007	1,655	-352	352
	Capital Repairs & Maintenance 2011/12	299	97	-202	202
	Childrens Centres	58	27	-31	31
	Combe Pafford Construction Workshop	10	10	0	0
	Curledge St - Remodelling	785	820	35	-35
	Education Review Projects	20	0	-20	20
	EOTAS Halswell House	2	0	-2	2
	Foxhole Community Multi Use Games Area	31	32	1	-1
	Foxhole Schools - Amalgamation	43	7	-36	36
	Minor Adaptations Childcare	95	90	-5	5
	My Place Parkfield	56	-42	-98	98
	Oldway Primary Disabled Changing Rooms & Hall	45	50	5	-5
	Paignton Community Sports College - Astro turf pitch	1	33	32	-32
	Paignton Community Sports College Mobile Replce 14-19 Project	232	136	-96	96
	Preston Primary - ASD Unit	863	856	-7	7
	Primary Places 2011/12	61	0	-61	61
	Roselands - Remodelling	19	19	0	0
	School Security	14	7	-7	7
	Short Breaks for Disabled Children	39	22	-17	17
	Special Education Needs - reactive works	32	8	-24	24
	Torquay Community College Re-build (Building Schools for the Future)	256	-120	-376	376
	Westlands 14-19 Project	461	402	-59	59
	Youth Modular Projects	51	0	-51	51
		5,494	4,114	-1,380	1,380
Place & Resources					
	Barton Playing Fields	11	12	1	-1
	Enhancement of Development sites	10	6	-4	4
	Haldon Pier - Structural repair Phase 1/2	815	156	-659	659
	Harbour Bxm Development Phase 1&2 (Quay & Buildings)	266	401	135	0
	Integrated Transport programme	545	545	0	0
	Housing - Advances Budget to be allocated	27	0	-27	27
	NGP - Great Parks Access	46	51	5	-5
	NGP - HCA Match Land Acquisitions	591	25	-566	566
	NGP - Strategic Cycleway	187	183	-4	4
	NGP - Windy Corner Junction	1	0	-1	1
	Paignton Geoplay Park	131	170	39	0
	Sanctuary HA - Raleigh Ave (4 units)	16	16	0	0
	Sea Change - Cockington Court	77	52	-25	25
	Sovereign HA - Beechfield (102 units)	0	4	4	0
		2,723	1,621	-1,102	1,280
Public Health					
	Insulation Scheme	10	13	3	-3
	Private Sector Renewal	142	103	-39	39
		152	116	-36	36
	Sub Total	8,444	5,881	-2,563	2,741
New Funding Regime (12/13 onwards)					
		Total 2012/13 Revised £000	Total 2012/13 Outturn £'000	Total 2012/13 Variance £'000	Total Reprofile to 2013/14 £'000
Childrens, Schools & Families					
	Capital Repairs & Maintenance 2012/13	240	88	-152	152
	Cockington Primary expansion	215	128	-87	87
	Mayfield expansion	1,309	895	-414	414
	Roselands Primary expansion	69	38	-31	31

Schools Access	98	56	-42	42
Torre CoE Primary expansion	85	95	10	-10
Warberry CoE Primary expansion	389	233	-156	156
	2,405	1,533	-872	872
Place & Resources				
Livermead Sea Wall structural repair	352	34	-318	318
Manscombe Quarry Cliff stabilisation	38	6	-32	32
Meadfoot Sea Road Cliff stabilisation	20	29	9	-9
Paignton Community Library	0	15	15	0
Princess Promenade Phase 3	100	111	11	-11
Riviera Centre renewal	138	109	-29	29
Social Care - Hollacombe CRC	60	0	-60	60
SWIM Torquay - improve facilities	20	13	-7	7
Torre Abbey Renovation - Phase 2	2,969	3,030	61	-86
Transport Gateway Enhancement	100	55	-45	45
Transport Integrated Transport Schemes	333	518	185	0
Transport Structural Maintenance	940	743	-197	0
Transport Western Corridor	100	5	-95	0
	5,170	4,668	-502	385
Public Health				
Disabled Facilities Grants	631	459	-172	172
	631	459	-172	172
Sub Total	8,206	6,660	-1,546	1,429
New Ring Fenced or Specific Funding (12/13)	Total	Total	Total	Total
	2012/13	2012/13	2012/13	Reprofile to
	Revised	Outturn	Variance	2013/14
	£000	£'000	£'000	£'000
Adults & Resources				
DWP Grant Repayment re Waddington Road	0	-312	-312	0
Capital Expenditure Funded from Revenue	0	185	185	0
Enhancement Prior to Sale	0	2	2	0
Corporate Telephony System	205	37	-168	168
	205	-88	-293	168
Childrens, Schools & Families				
Westlands School	0	380	380	0
Devolved Formula Capital	576	771	195	-195
	576	1,151	575	-195
Place & Resources				
DfT Better Bus Areas	65	45	-20	20
DfT Local Sustainable Transport Fund (Ferry/Cycle)	600	608	8	-8
Torbay Leisure Centre - structural repairs	544	433	-111	111
Env Agency - Colin Road Culvert Replacement	74	70	-4	4
TCCT - release of land at Occombe Cross	65	65	0	0
TEDC Capital Grant	0	160	160	0
Public Health				
Green Deal Fuel Poverty Fund	524	167	-357	357
	1,872	1,548	-324	484
Sub Total	2,653	2,611	-42	457
Prudential Borrowing Schemes	Total	Total	Total	Total
	2012/13	2012/13	2012/13	Reprofile to
	Revised	Outturn	Variance	2013/14
	£000	£'000	£'000	£'000
Place & Resources				
Beach Huts Acquisitions (Broadsands)	100	14	-86	86
Council Fleet Vehicles	91	91	0	0
Office Rationalisation Project Ph 2 - Project Remainder	2,046	1,753	-293	293
On Street Parking meters	59	34	-25	25
Princess Promenade (Western Section) Repairs	1,966	1,390	-576	576
South Devon Link Rd - Council contribution	0	16	16	-16
Torre Abbey Pathway	50	25	-25	25
	4,312	3,323	-989	989
Sub Total	4,312	3,323	-989	989
Contingency				
General Capital Contingency	0	0	0	0

		0	0	0	0
	Total	23,615	18,475	-5,140	5,616
	CAPITAL INVESTMENT PLAN - QUARTER 4 2012/13 - FUNDING				
	Supported Borrowing	1,048	473		
	Unsupported Borrowing	5,392	3,074		
	Grants	15,010	12,664		
	Contributions	219	589		
	Reserves	403	658		
	Revenue	140	367		
	Capital Receipts	1,403	650		
	Total	23,615	18,475		

Overview
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Capital Investment Plan Update – Provisional Outturn 2012/2013

Report of the Overview and Scrutiny Board

At its meeting on 19 June 2013, the Overview and Scrutiny Board considered a report which had been prepared which provided high level information on the Council's capital expenditure and income for the 2012/2013 financial year, compared with the budget position which had been reported for Quarter 3 in February 2013.

It was reported that the Council had applied for grant aid from the Environment Agency to cover the additional costs for the works at Livermead Sea Wall following the collapse of the wall earlier in the year.

The Overview and Scrutiny Board request that, if it is not successful in securing grant aid from the Environment Agency for the increased costs of the works at Livermead Sea Wall, the Council should explore the opportunity for approaching South West Water for funding and report back to the Overview and Scrutiny Board.



Public Agenda Item: **Yes**

Title: **Adoption Agency Activity Report**

Wards Affected: **All Wards in Torbay**

To: **The Mayor/Council** On: 18 July 2013

Contact Officer: **Caroline Hobson**

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1. Key points and Summary

- 1.1 This report is to inform members of the Torbay Children's Services Adoption Agency activities for the period **1 April 2012 to 31 March 2013**.
- 1.2 The Adoption process in England and Wales is subject to a series of Government led changes to address delay, both for children who are waiting to be adopted and prospective adopters who wait to be assessed, approved and matched with the children who wait. Torbay Adoption Service is small, and has previously struggled to meet the timescales set. However, the service was inspected in November 2012 by Ofsted and progress was shown, the service receiving an 'Adequate' grading.
- 1.3 Since November, a new permanent Service Manager, Practice manager and Senior Social Worker have been appointed and are in post. The Adoption Team of qualified Social Workers and unqualified Community Care Workers are permanent, with only one Agency Social Worker. Vacancy rates are low. Morale is positive and confidence building. Data shows that more children are being identified for whom adoption is the plan or a concurrent plan, more children are matched for adoption and more children are placed for adoption. The number of approved adopters is increasing but at a slower pace than the children for whom adoption is the plan.

2. Introduction

- 2.1 There is a requirement that Adoption Agency activity is reported twice a year to the Executive.
- 2.2 The Executive Head: Safeguarding and Wellbeing is the Agency Decision Maker who makes the decisions about adoption cases after he had considered the recommendation of the Adoption Panel. There have been no cases where the decision has differed from that recommended by the Panel.
- 2.3 The plan for a child will come before the Agency Decision Maker on two occasions – firstly for approval of an adoption plan for the child and second to approve the match. The Panel will consider the suitability of particular prospective adoptive

parents for the child (approval of match).

2.4 Panel also recommends the approval of prospective adopters following assessment. Applicants are invited to attend the Panel when their approval is considered and when a match is proposed. As part of legislation the Independent Review Mechanism (IRM) has been set up, where adopters may have their applications reconsidered when the Panel has not recommended their approval and the Agency Decision Maker is minded to turn down the application. The recommendation from this Panel then goes back to the Agency Decision Maker for a decision.

2.5 Under the legislation, the Adoption Panel can also consider a brief assessment report, where it is felt that the assessment of prospective adopters should not continue. Applicants can also apply to the IRM if the Agency Decision Maker is minded to turn down an application in these circumstances. Applicants have forty working days to make this decision. There were no applications to the IRM during the period.

3.0 Plans for children

3.1 There were 50 children who were subject to an adoption plan at 31 March 2013.

Table 1 Children for whom a formal plan is adoption

Adoption Plans approved	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10	10/11	12/13
White British	16	12	6	14	12	20	15	12	9	13	49
Other ethnicity					1	1	1		7	2	1
Total	16	12	6	14	13	21	16	12	16	15	50

4.0 Placements

4.1 Panel approved 22 placements during this period.

4.2 Torbay does not have enough adopters to offer placement choice for Torbay children needing placements. Adopters who live within Torbay are often not appropriate for Torbay children. Therefore Torbay Adoption Team are also recruiting from neighbouring areas.

4.3 In addition, children are placed via the South West Consortium, a group of Local Authority and voluntary adoption agencies. Hard to place children, for example those in sibling groups, with special needs or older children, are referred to the National Register.

5.0 Adoption Orders

5.1 During the period 12-13, 11 children were adopted.

5.2 The percentage of children adopted during the year is based on the total number of children looked after (for over six months) on the 31 March and it is this percentage

that is reported. However, almost two thirds of these children are in the ten to eighteen age range and adoption is not likely to be a realistic option for these children, who have close attachments to their birth families.

5.3 The numbers of children adopted in recent years, other than the year ending 31 March 2004 which was exceptionally high at seventeen, has remained between ten and thirteen per year.

The number of children adopted for the year 2012-2013 is, at eleven, within this range, but as the number of children looked after is higher, the percentage rate is lower.

5.4 The aim of Torbay Council is to consider adoption for all children who cannot remain in or return to their birth families

Table 2

Percentages of children adopted from care

Date	Total number of children looked after for over 6 months	Percentage of all children adopted	Children aged 0-9 years looked after over 6 months	Percentage of children aged 0-9 years adopted
31/3/02	205	6.8%	86	16.3%
31/3/03	184	2.7%	50	10%
31/3/04	177	9.6%	55	30.9%
31/3/05	176	6.25%	60	18.33%
31/3/06	149	8.72%	55	23.63%
31/3/07	151	6.6%	61	16.39%
31/3/08	164	6.1%	69	13.0%
31/3/09	156	7.69%	62	19.35%
31/3/10	149	10.06%	50	33.55%
31/3/11	167	6.58%	61	18.03%
31/3/12	195	2%	69	5.79%
31/3/13	221	4.98%	104	10.6%

6.0 Timeliness

6.1 For children adopted during the year 2012-13, the time between the point the child became looked after to placement with adopters, and the time from Placement Order to Matching is still below the national average. There are children who have a plan for adoption where this is no longer realistic or achievable. These children have been reviewed by the newly formed Permanency Panel and will be returned to Court to change the plan to long term fostering. Progress is now being made to improve the timescales for children being adopted:

- Between April 2012 and March 2013, 11 Adoption Orders were made
- Since April 2013, 11 Adoption Orders have been made.
- Currently there are 13 children placed with adopters, of whom 6 Adoption Orders are predicted by August 2013. The remaining Orders are likely to

be made by 31 March 2014.

- 6.2 A significant increase is therefore predicted in number of children adopted this year (2013-14).
- 6.3 Between April 2012 – March 2013, 12 children were matched and placed with adopters. These included:
- A sibling group of two who had been waiting for adoption for over a year;
 - 7 children matched and placed within 4 months of the date of the Placement Order
 - 1 child matched and placed within 6 months of the Placement Order
 - 2 children matched and placed within 6-12 months of the Placement Order.
- 6.4 Introduction of an Adoption Social Worker early in cases where permanence is identified has assisted in earlier matching and placing. Further training is planned to ensure this practice is embedded.
- 6.5 The remedial actions taken to progress existing cases continues to have an impact upon Torbay's performance against the national thresholds, as we are addressing cases already outside the timescales.
- 6.6 Up to 31 March 2013, there have been 14 children where the adoption plans are over 12 months duration which include:
- Two children, siblings, have Placement Orders made in 2008. They were placed in 2010 with adopters. Due the adopters' anxiety and difficulties in parenting, there was extensive delay in applications being made for the Adoption Order. Intensive support was given to the family and reassessment of whether this placement was actually viable, done. An application was finally made and Adoption Orders granted in June 13.
 - There continues to be difficulty finding adopters for a boy aged 2.5 years old. Issues which have made this match difficult include his dual heritage and significant mental health issues within the birth family.
 - Care plans for 5 children are being changed from adoption to long term fostering. A sibling group of 2, aged 7 and 5 years old were matched and introduced to adopters in October 2011. These adopters then withdrew. Family finding of new adopters for the boys has continued but without success. The boys are now settled in a foster placement and do not wish to be adopted. A sibling group of 3 girls aged 8, 7, and 6 years had Placement Orders made in 2011. The girls were assessed as needing to be placed together. There has been no success in finding adopters for 3 children, despite nationwide searches. The girls have now settled in their foster family and wish to stay.
- 6.7 Case examples of good and timely adoption outcomes include:
- **Child A**, a boy. Placement Order made 5.3.13 and placed on 20.3.13. In this case the adopters were assessed prior to the Placement Order being made and plans for the match determined in advance. These were second time adopters who had previously adopted the boys' half sibling.

- **Children B**, sibling girls aged 5 and 3 years old, were placed together after extensive family finding for 9 months.

7.0 Approved Adoptive Families

7.1 Torbay's Adoption Service recruit, assess and via the panel, approve adopters. At 31 March 2013, 17 families were approved. Of the 17:

- 9 families were waiting to be matched to children
- 8 had children in placement but final adoption order not been issued

7.2 Between 1 April 2012 – 31 March 2013:

- 6 families were granted a final Adoption Order
- 11 families were matched to a child or children
- 0 families withdrew prior to a placement being made
- 0 families withdrew following a placement being made
- 1 foster carer was approved to adopt the child they were fostering

8.0 Recruitment of Adopters

8.1 Recruitment has been lacklustre in previous years. Part of the Adoption Grant is being used to refocus the advertising campaign, to target carers who might adopt, foster to adopt, or foster.

8.2 Between 31 March 2012 – 1 April 2013:

- 83 initial enquiries to become adopters were received
- 14 applications from people wishing to adopt were received. There was also 1 application from previous year outstanding
- 9 applications were approved
- 6 are still in assessment process
- 0 applications were withdrawn
- 0 applications were refused by the Agency decision maker.

9.0 Timeliness of Adoption Matches

9.1 Between 1 April 2012 and 31 March 2013 the 11 adoptive families who were matched in Torbay waited between the date of approval and the date they were matched to children:

- 6 less than 3 months
- 3 3 to 6 months
- 0 6 to 9 months
- 0 9 to 12 months
- 0 12 to 18 months
- 2 18 months or more

10.0 Work with Birth Relatives

- 10.1 The National Adoption Standards require that birth parents have access to support when adoption is planned and for support both pre and post adoption. An Adoption Support Worker is part of the Adoption team.
- 10.2 A Social Worker trained in therapeutic techniques works directly with a number of children and adoptive families, which has been beneficial in helping placement stability and preparation for moving on to adoption.

11.0 Adoption Panel

- 11.1 A new Panel has been recruited and trained during Spring 2013. A new Panel Chair has also been appointed who is independent of the Local Authority. Panel offers a quality assurance process, as well as considering the assessment and approval of adopters and matches.
- 11.2 The new Panel first met in May 2013.

12.0 Service Development

- 12.1 In response to government initiatives, work has begun across the South West Peninsular to consider more formal arrangements for the development of a Peninsular Adoption Service. Meetings have taken place including other Local Authorities and a Voluntary Adoption Agency to consider a hard federation or mutual organisation. This is in the early exploratory stages. A meeting with other Local Authorities who have progressed this, and a meeting with the Minister are due in July.

13.0 Work with Adoptive Families

- 13.1 Work with families following a post adoption assessment of need has increased. The majority of these referrals relate to children and young people who require direct work and support with life story work.
- 13.2 Social groups for adopters continue to be held three times a year. Adopters are also offered training on a variety of topics, which includes trauma and loss in the adoption process, life story books and the family finding and matching process.

14.0 Recommendations

- 14.1 Accept the information in this report.

Scheme of Delegation of Executive Functions to the Executive, Committees of the Executive and Officers with effect from 20 May 2013

This report is presented to the meeting of Council on 18 July 2013 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 6 to Part 3) of the Constitution of Torbay Council. With effect from 20 May 2013 the Torbay Town Centre Development Forum and Corporate Lead for ‘Support the creation of Town Centres Business Improvement Districts’ fall under Councillor Mills’ portfolio as the Executive Lead for Business Planning and Governance.

- The names, addresses and wards of the people appointed to the Executive by the Mayor are set out below:

Name	Address	Electoral Ward
Deputy Mayor and Executive Lead for Strategic Planning, Housing and Energy Councillor David Thomas	54 Lower Fowden Broadsands Paignton TQ4 6HS	Blatchcombe
Executive Lead for Culture and the Arts Councillor Dave Butt	90 Marldon Road Paignton TQ3 3NW	Preston
Executive Lead for Safer Communities, Parking and Sport Councillor Robert Excell	Excell Studio 203 Union Street Torre Torquay TQ1 4BY	Tormohun
Executive Lead for Highways, Transport and Environment Councillor Ray Hill	Scobitor 25 Church Road St Marychurch Torquay TQ1 4QY	St Marychurch
Executive Lead for Health and Wellbeing Councillor Chris Lewis	7 Lutyens Drive Paignton TQ3 3LA	Preston
Executive Lead for Business Planning and Governance Councillor Derek Mills	5 Bascombe Close Churston Brixham TQ5 0JR	Churston with Galmpton
Executive Lead for Children, Schools and Families Councillor Ken Pritchard	62 Lower Fowden Elbury Cove Paignton TQ4 6HS	Churston with Galmpton

Executive Lead for Tourism and Harbours Councillor Jeanette Richards	Montana 217 Dartmouth Road Paignton TQ4 6LG	Blatchcombe
Executive Lead for Adult Social Care and Older People Councillor Christine Scouler	4 Merryland Close Preston Paignton TQ3 1HT	Preston

2. The Mayor is responsible for the discharge of all executive functions (except as specified in paragraph 3. below). Executive Leads will have an advisory role in relation to the areas of responsibility set out below.

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
Mayor Gordon Oliver (Executive Lead for Employment and Regeneration, Finance and Audit)	<ul style="list-style-type: none"> • Built Environment • Employment and Skills • Business support • Regeneration • Business Relocation, Creation and Growth (inc. social enterprise/apprenticeships) • Inward Investment • Property (assets) • Estates • <i>(Torbay Economic Development Company)</i> • <i>(Local Enterprise Partnership)</i> • <i>(Events Forum)</i> • Financial (including Capital and Revenue Budget and Budget Monitoring) • Corporate debt and creditor payments • Revenue and Benefits • Business Rates <p><i>(Devon Audit Partnership)</i> <i>(Local Enterprise Partnership)</i></p>	Prosperity: <ul style="list-style-type: none"> ■ Job-led regeneration focusing on specific sectors. ■ Create the right environment for inward investment. ■ Continue to progress with the South Devon Link Road. ■ Adhere to sympathetic regeneration. ■ Encourage public and private sectors to develop employment of apprentices. ■ Continued to provide value for money for our communities by: <ul style="list-style-type: none"> ○ Reducing costs/increasing income/improving productivity so increases in council tax are kept low. 	Director of Place and Resources Chief Operating Officer Economic Development Company Director of Place and Resources Executive Head Finance

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
Deputy Mayor and Executive Lead for Strategic Planning, Housing and Energy Councillor David Thomas Page 300	<ul style="list-style-type: none"> • Spatial Planning • Housing Standards • Housing Options • Affordable housing • Facilities management • Energy 	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Revitalise the retail offer in the town centres. ■ Plan for the supply and demand of energy for the Bay. <p>Health:</p> <ul style="list-style-type: none"> ■ Reduce local greenhouse gas emissions. <p>Happiness:</p> <ul style="list-style-type: none"> ■ Ensure an appropriate supply of quality housing within communities. 	Director of Place and Resources Executive Head Spatial Planning
Executive Lead for Culture and the Arts Councillor Dave Butt	<ul style="list-style-type: none"> • Culture, museums, archives, theatres, libraries, arts • Libraries supporting education and health • Theatre contracts and arts development grants • Museum grants • Music for schools <p><i>(Arts Council Regional Board)</i> <i>(Creative Torbay)</i> <i>(Archives – Devon County Council Partnership)</i> <i>(Cultural Champion for Torbay)</i></p>	<p>Happiness:</p> <ul style="list-style-type: none"> ■ Work towards creating a sustainable and flourishing leisure, culture and tourism sector that is open to residents and visitors. 	Executive Head Residents and Visitor Services

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Safer Communities, Parking and Sport</p> <p>Councillor Robert Excell</p>	<ul style="list-style-type: none"> • Safer Communities • Food Safety and Standards • Safety and Licensing • Trading Standards • Community Protection • Domestic Abuse Services • Partnerships • Localism • Closing the Gap • Cemeteries and Crematoria • Communication • Consultation • Community Development including Community Partnerships • Voluntary Sector Development • Champion for Volunteers • Emergency Planning • Corporate Health and Safety • Corporate Security - CCTV • Parking • Sport <p><i>(Community Safety Partnership)</i> <i>(Riviera International Conference Centre)</i></p>	<p>Health:</p> <ul style="list-style-type: none"> ■ Promote sport and outdoor activity to improve health and wellbeing. ■ Continue to work on the Closing the Gap Strategy and roll out to other areas by involving communities. ■ Reduce the negative impact of alcohol, obesity, tobacco and drugs on our communities. ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities (joint with Councillors Lewis and Scouler). <p>Happiness:</p> <ul style="list-style-type: none"> ■ Work towards keeping crime low by: <ul style="list-style-type: none"> ○ Maintaining focus on the night-time economy; and ○ Working with the Police and Crime Commissioner for resources to ensure crime levels remain low and people feel safe. ■ Jointly engage and involve communities to resolve local issues in neighbourhoods. ■ Engage with communities in rolling out locality workings and community budgets as part of localism. 	<p>Director of Public Health</p> <p>Executive Head Community Safety</p> <p>Executive Head Residents and Visitor Services</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
Executive Lead for Highways, Transport and Environment Councillor Ray Hill	<ul style="list-style-type: none"> • Flooding and Drainage • Street Lighting • Strategic Transport • Highways management • Tree Services • Environmental Policy (including waste and carbon reduction) <p><i>(Waste Disposal (TOR2))</i> <i>(Torbay Coast and Countryside Trust)</i> <i>(Environment Agency)</i></p>	Prosperity: <ul style="list-style-type: none"> ■ Monitor the TOR2 contract for improved recycling, waste and clean streets. ■ Lobby to improve rail services. ■ Make it easier to get around the Bay by developing integrated transport where feasible. 	Director of Place and Resources Executive Head Residents and Visitor Services
Executive Lead for Health and Wellbeing Councillor Chris Lewis	<ul style="list-style-type: none"> • Public Health <ul style="list-style-type: none"> Health Improvement Health Protection and Infection Control NHS Healthcare (incl GP and Hospitals) Services & Support • Troubled Families (with Councillor Pritchard) • Corporate Health and Safety • Community Health <p><i>(Health and Wellbeing Board)</i></p>	Health: <ul style="list-style-type: none"> ■ Reduce the negative impact of alcohol, obesity, tobacco and drugs on our communities. ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities. 	Director of Public Health Executive Head Community Safety

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Business Planning and Governance</p> <p>Councillor Derek Mills</p>	<ul style="list-style-type: none"> • Performance • Human Resources and Organisational Development (including Payroll) • Business Change and Programme Support • Risk Management • Information Services • Commercial Services • Governance • Local Democracy • Civic engagement <p><i>(Torbay Town Centre Development Forum)</i></p>	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Support the creation of Town Centres Business Improvement Districts. ■ Continued to provide value for money for our communities by: <ul style="list-style-type: none"> ○ Reviewing the structures of the Council so they are still fit for purpose. <p>Happiness:</p> <ul style="list-style-type: none"> ■ Promote democracy, transparency and civic engagement, and when able to, re-look at the Mayoral System of Governance 	<p>Director of Adult Services and Resources</p> <p>Director of Place and Resources</p> <p>Executive Head Information Services</p> <p>Executive Head Commercial Services</p> <p>Executive Head Business Services</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Children, Schools and Families</p> <p>Councillor Ken Pritchard</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 402</p>	<ul style="list-style-type: none"> • Safeguarding and wellbeing • Early Intervention • Children in Need • School Improvement • School Leadership • Youth Offending Team • Youth, Childrens and Family Centres • Early Years Services • Family Solutions • Integrated Youth Service • Troubled Families (with Councillor Lewis) • Children’s Commissioning <p><i>(Health and Wellbeing Board)</i></p>	<p>Prosperity:</p> <ul style="list-style-type: none"> ■ Raise skills levels by working with schools and South Devon College to meet the standards set by the Department for Education for attainment and attendance. ■ Tackling child poverty <p>Health:</p> <ul style="list-style-type: none"> ■ Continue to improve Children safeguarding (joint with Councillor Scouler on Adults safeguarding). ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities (joint with Councillors Excell and Scouler). ■ Reduce teenage pregnancy. 	<p>Director of Children’s Services</p> <p>Director of Public Health</p> <p>Executive Head Safeguarding and Wellbeing</p>
<p>Executive Lead for Tourism and Harbours</p> <p>Councillor Jeanette Richards</p>	<ul style="list-style-type: none"> • Leisure, beaches, parks and open spaces • Special events • Tor Bay Harbour Authority • Public toilets <p><i>(English Riviera Tourism Company)</i></p>	<p>Happiness:</p> <ul style="list-style-type: none"> ■ Work towards creating a sustainable and flourishing leisure, culture and tourism sector that is open to residents and visitors. 	<p>Director of Place and Resources</p> <p>Executive Head Residents and Visitor Services</p> <p>Executive Head Tor Bay Harbour Authority</p>

	Portfolio:	Corporate Lead for:	Main Director/ Executive Head
<p>Executive Lead for Adult Social Care and Older People</p> <p>Councillor Christine Scouler</p> <p>Page 403</p>	<ul style="list-style-type: none"> • Adult Services <ul style="list-style-type: none"> Learning Disabilities Care Homes Domiciliary and Day Care Community Equipment Telecare and Telehealth • Commissioning <ul style="list-style-type: none"> Older People • Supporting People <ul style="list-style-type: none"> Commissioning • Performance Management • Community Engagement <p><i>(Torbay and Southern Devon Health and Care NHS Trust)</i> <i>(Health and Wellbeing Board)</i></p>	<p>Health:</p> <ul style="list-style-type: none"> ■ Continue to improve Adults safeguarding (joint with Councillor Lewis on Children safeguarding). ■ With partners, use the principles of Early Intervention and Early Prevention in supporting communities (joint with Councillors Lewis and Pritchard) 	<p>Director of Adult Services and Resources</p>

3.
 - (i) The Deputy Mayor will be responsible for the discharge of all executive functions relating to the regeneration of the Castle Circus area of Torquay as the Mayor owns properties in this area and has a personal and prejudicial interest;
 - (ii) the Deputy Mayor will be responsible for the discharge of executive functions if the Mayor:
 - (a) is absent (e.g. on holiday) for a period of time or in cases of urgency where the Chief Operating Officer is satisfied that the Mayor cannot be reasonably contacted;
 - (b) is incapacitated through illness; or
 - (c) has a person prejudicial interest in any matter requiring determination.
 - (iii) If the Mayor or the Deputy Mayor (Councillor David Thomas) are unable to act on a matter requiring a decision then the Chief Operating Officer shall have the power to determine any matter requiring a decision.
4. No executive committees have been appointed at the present time.
5. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
6. The Mayor has also (so far as lawful) delegated to officers the discharge of those functions that are referred to in Schedule 7 and are executive functions in the manner set out in that Schedule, in accordance with (and subject to) the Council's Standing Orders in relation to the Executive.
7. So far as the Constitution requires officers to consult with "the relevant member", the areas of responsibility of the Executive Leads are as set out paragraph 2 above.