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Wednesday, 11 April 2018

## Meeting of the Council – Revised Agenda

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, 19 April 2018** commencing at **5.30 pm**

The items to be discussed at this meeting are attached.

Yours sincerely,

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

Steve Parrock  
Chief Executive

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

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**A prosperous and healthy Torbay**

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

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# Meeting of the Council

## Revised Agenda

1. **Opening of meeting**

2. **Apologies for absence**

3. **Minutes**

To confirm as a correct record the minutes of the meeting of the Council held on 22 February 2018.

(Pages 4 - 12)

4. **Declarations of interests**

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

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

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

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

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

5. **Communications**

To receive any communications or announcements from the Chairman, the elected Mayor, the Overview and Scrutiny Co-ordinator, the Council's representative on the Heart of the South West Joint Committee or the Chief Executive.

6. **Public question time**

To hear and respond to any written questions or statements from members of the public which have been submitted in accordance with Standing Order A24.

- (a) Parkfield Future Options

(Pages 13 - 14)

7. **Members' questions** (Pages 15 - 18)  
To respond to the submitted questions asked under Standing Order A13:
8. **Notice of motions**  
To consider the attached motions, notice of which has been given in accordance with Standing Order A14 by the members indicated.
- (a) Notice of Motion - Crossways, Paignton - Compulsory Purchase Order (Council Decision) (Page 19)
- (b) Notice of Motion - Torwood Street, Torquay - Compulsory Purchase Order (Council Decision) (Page 20)
9. **Domestic Abuse and Sexual Violence Policy 2018 - 2022** (Pages 21 - 44)  
To consider the submitted report which sets out the new Domestic Abuse and Sexual Violence Policy for 2018 to 2022.
10. **Transformation Project - Parkfield Future Options** (Pages 45 - 74)  
To consider the submitted report on the above and any recommendations from the Overview and Scrutiny Board.
11. **Composition and Constitution of Executive and Delegation of Executive Functions** (Pages 75 - 83)  
To receive details on the composition and constitution of the Elected Mayor's Executive for 2017/2018, together with the record of delegation of Executive Functions.
12. **Investment and Regeneration Committee Recommendation - Investment and Regeneration Fund Update** (Pages 84 - 85)  
To consider any recommendations from the Investment Committee on an update to the Investment and Regeneration Fund.
13. **Exclusion of the Press and Public**  
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) is likely to be disclosed.
14. **Investment Committee Recommendation - Investment Opportunity**  
To consider any recommendations from the Investment Committee on investment opportunities.

**Note**

An audio recording of this meeting will normally be available at [www.torbay.gov.uk](http://www.torbay.gov.uk) within 48 hours.



## **Minutes of the Council** **(Council decisions shown in bold text)**

**22 February 2018**

**-: Present :-**

**Chairwoman of the Council (Councillor Brooks) (In the Chair)**  
**Vice-Chairman of the Council (Councillor Doggett)**

The Elected Mayor of Torbay (Mayor Oliver)

Councillors Amil, Bent, Carter, Darling (M), Darling (S), Ellery, Excell, Haddock, Hill, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, Morey, O'Dwyer, Parrott, Pentney, Robson, Sanders, Stockman, Stubley, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield

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### **173 Opening of meeting**

The meeting was opened with a prayer.

### **174 Apologies for absence**

Apologies for absence were received from Councillors Barnby, Bye, King, Morris and Stocks. Councillor Sanders left before the end of the meeting.

### **175 Minutes**

The Minutes of the meeting of the Council held on 1 February 2018 and the adjourned meeting of the Council held on 8 February 2018 were confirmed as a correct record and signed by the Chairwoman.

### **176 Declarations of interests**

There were no interests declared.

### **177 Communications**

There were no communications reported at the meeting.

### **178 Public question time - Neighbourhood Plans**

In accordance with Standing Order A24, the Council heard from Mr Watts, on behalf of the Neighbourhood Forums, who had submitted a statement and question in relation to the Council's involvement in the three neighbourhood plans for Torbay.

The Deputy Mayor and Executive Lead for Planning responded to the statement and question that had been put forward, and advised that a written response would be provided in respect of the supplementary question asked by Mr Watts.

### **179 Members' questions**

Members received a paper detailing questions, as set out at Appendix 1 to these Minutes, notice of which had been given in accordance with Standing Order A13. The paper also contained the answers to the questions which had been prepared by Elected Mayor Oliver and Councillors Excell and Parrott.

Supplementary questions were put and answered by Elected Mayor Oliver and Councillor Parrott arising from their responses to the questions in respect of questions 2 and 5.

### **180 Notice of Motion - Plastic Free Torbay**

Members considered a motion in relation to the Council's leadership for a plastic free Torbay, notice of which was given in accordance with Standing Order A14. The Chairwoman advised that a revised motion had been circulated on 21 February 2018 amending the original Notice of Motion to ensure factual accuracy.

Councillor Long proposed and Councillor Carter seconded the motion as set out below:

Torbay is an important UNESCO accredited Global Geopark. The sea has shaped our communities and history and is a vital contributor to our economy and premier tourism offer.

This Council notes that in 2016 the Ellen MacArthur Foundation estimated that by weight, there could be more plastic in our oceans than fish as soon as 2050. Columbia University has estimated that plastic can last for up to 600 years in our environment, often finding its way into marine life thus affecting the food chain, and the water we eventually drink.

Torbay Council also congratulates the Herald Express newspaper and 'Devon Live' for launching a campaign with 'Surfers Against Sewage' (SAS) to encourage 125 communities to become plastic free by 2020.

Following the public outcry on this issue after the BBC 'Blue Planet II' programme, this Council resolves to provide leadership on this issue by:

- 1) Instigating a council-led Plastic Free Torbay Task Force that involves all sections of the local community to be in place by July 2018. This task force will create an action plan that works towards moving away from the unnecessary single use plastics in Torbay and campaign to reduce and discourage single use plastics from retail premises;

- 2) Start phasing out the use of unnecessary 'single use plastic' products such as bottles, cups, cutlery and drinking straws in all Council buildings and at all Council events by July 2020;
- 3) Installing a free drinking water fountain in Paignton Library;
- 4) Increasing the amount of plastic that can be recycled through doorstep recycling and instigating a strategy to reduce the amount of litter on Torbay's streets;
- 5) Working with local businesses and the Tourism Sector to participate in this initiative; and
- 6) Sign up to the Herald Express and SAS campaign for Torbay to become a Plastic Free community by 2020.

In accordance with Standing Order A14.3(a), the motion stood referred to the Elected Mayor.

The Elected Mayor outlined the action already being taken by the Council to address the issue and his record of decision is attached to these Minutes.

#### **181 Notice of Motion - Paignton Townscape**

Members considered a motion in relation to investment in Paignton Town Centre and proposals for townscape improvement notice of which was given in accordance with Standing Order A14. In accordance with Standing Order A14.3(b) the motion was dealt with by this meeting.

Councillor Lewis (B) and Councillor Tyerman seconded the motion, which was agreed (unanimously) by the Council as set out below:

**that Council note the overwhelming need for investment in Paignton Town Centre, and that the Town Centre Regeneration Board have been developing townscape improvement proposals in relation to the Station Square area of Paignton, which would cost £1.172 million to implement. Prudential borrowing would be required to fund the scheme which is to be considered as part of the £25 million approved by Council for Town Centre Regeneration which had anticipated that repayments for this scheme would come from surplus income from other Town Centre Regeneration Schemes.**

**That Council instructs Officers to implement those proposals and borrow £1.172m from PWLB, noting that repayments would not need to be made until the financial year 2019/20, and therefore need to be included within the budget for 2019/20 and beyond unless and until surplus income from other Town Centre Regeneration schemes is able to cover repayments.**

**182 Annual Strategic Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust and Better Care Fund**

The Council received the submitted report on the Annual Strategic Agreement (ASA) 2018 to 2020 setting out the way in which Torbay Council and South Devon and Torbay Clinical Commissioning Group (CCG) commission services from the Torbay and South Devon NHS Foundation Trust (the Trust). It was noted the ASA was designed to maximise choice and independence for those requiring adult and social care support. The submitted report also included performance commitments along with the approach to the (Improved) Better Care Fund. The Adult Services and Public Health Monitoring Group had considered the ASA and were supportive of its approach.

Councillor Parrott proposed and Councillor Long seconded a motion, which was agreed (unanimously) by the Council as set out below:

**the Annual Strategic Agreement between Torbay Council, South Devon and Torbay Clinical Commissioning Group and Torbay and South Devon NHS Foundation Trust set out at Appendix 1 to the submitted report be approved.**

**183 Torbay Council Annual Pay Policy Statement including Gender Pay Gap Report and Review of Pensions Discretions**

The Council considered the submitted report setting out the Council's Annual Pay Policy Statement, as required under Section 38(1) of the Localism Act 2011. It was noted that the Pay Policy Statement drew together the Council's overarching policies on pay and conditions which would be published on the Council's website. The report also set out the annual review of pensions discretions as required by the Local Government Pension Scheme Regulations. In addition, the report set out details of the Council's gender pay gap data as required by the Equality Act 2010 (Specific Duties and Public Authorities) Regulations.

Elected Mayor Oliver proposed and Councillor Mills seconded a motion, which was agreed by the Council as set out below:

- (i) that the Torbay Council Annual Pay Policy Statement 2018/19 as set out in Appendix 2 to the submitted report be approved for publication;
- (ii) that the Torbay Council Gender Pay Gap Report, contained as Appendix 2 within the above Annual Pay Policy Statement 2018/19 be approved for publication; and
- (iii) that the Employers Pensions Discretion set out in Appendix 3 to the submitted report be approved.

**184 Adopt South West Regional Adoption Agency: Torbay Participation**

The Council considered the submitted report on proposals for the Council to participate within a Regional Adoption Agency (RAA). The proposals resulted from the publication of the Department for Education's guidance on Regionalising Adoption which asked all adoption agencies in England to consider how they might work more closely together on a regional basis. It was noted the existing collaborative arrangements of Adopt South West were proposed to be developed into a Regional Adoption Agency. This would combine current adoption resources for Devon County Council, Somerset County Council, Plymouth City Council and Torbay Council.

Councillor Parrott proposed and Councillor Darling (S) seconded a motion, which was agreed (unanimously) by the Council as set out below:

**that the South West Regional Adoption Agency Business Case attached at Exempt Appendix 1 to the submitted report be approved and that the Director of Children's Services, in consultation with the Executive Lead for Adults and Children's Services, be given delegated authority to progress towards implementation by October 2018, including the development of a robust inter-agency agreement for adoption services in Torbay.**

**185 Recommendations of Investment Committee - Review of Investment Fund Strategy**

The Council received the recommendations of the Elected Mayor and Investment Committee on a revision of the Investment Fund Strategy to ensure it was a high level strategy, included regeneration proposals and introduced an operational policy (as set out in the submitted report). It was noted the revised Strategy enabled income generating investment and local regeneration investments in Torbay to be made within the Investment and Regeneration Fund.

Elected Mayor Oliver proposed and Councillor Robson seconded a motion, which was agreed (unanimously) by the Council as set out below:

- (i) that the Council be recommended to approve the high level Investment and Regeneration Fund Strategy set out at Appendix 1 to the submitted report;**
- (ii) that the Director of Corporate Services and Operations, in consultation with the Elected Mayor, Head of Finance and Chairman of the Investment Committee, be given delegated authority to approve the Investment and Regeneration Fund Strategy Operational Policy (this document will not form part of the Council's Policy Framework as it is an operational policy); and**
- (iii) that Council be recommended that the Investment Committee be renamed to Investment and Regeneration Committee.**

**186 Order of Business**

At this juncture and in accordance with Standing Order A7.2 in relation to Council meetings, the Chairwoman varied the order of business to enable agenda Item 13 (Council Tax 2018/2019) to be considered at end of the meeting.

**187 Exclusion of the Press and Public**

Councillor Mills proposed and Councillor Ellery seconded the motion, which was agreed by the Council (unanimously), as set out below:

**that the press and public be excluded from the meeting prior to consideration of items 15 and 16 on the agenda on the grounds that exempt information (as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.**

Prior to consideration of the items in Minutes 188 and 189 the press and public were formally excluded from the meeting.

**188 Financial contribution to the acquisition of site for new Primary School in Paignton**

Members considered the submitted exempt report in respect of the Council's statutory requirement to provide sufficient school places and the financial contributions required to the Education and Skills Funding Agency for the acquisition of a site for a new primary school in Paignton.

The decision of the Council is restricted due to exempt information contained within the decision.

**189 Investment Committee Recommendation - Investment Opportunity**

The Council considered the recommendations of the Investment Committee on two investment opportunities. Members received details of the proposals as set out in the exempt reports circulated prior to the meeting.

The decisions of the Council are restricted due to exempt information contained within the decisions.

**190 Duration of Meeting**

At this juncture, the Monitoring Officer reported that the meeting had exceeded four hours in duration and in accordance with Standing Order A11.2, the Chief Executive had indicated that item 13 (Council Tax 2018/2019) must be transacted at the meeting. Therefore, the meeting continued.

**191 Council Tax 2018/2019**

The Council received the submitted report in relation to the setting of Council Tax for 2018/19.

In accordance with legislation, the Chairman advised recorded votes would be taken on the motion.

Elected Mayor Oliver proposed and Councillor Mills seconded a motion, which was agreed (unanimously and by recorded vote) as set out below:

- (i) that it be noted in December 2017 the Council calculated the Council Tax Base for 2018/19:**
  - a) for the whole Council area as 44,865.89, [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and**
  - b) for dwellings in the Brixham Town Council area as 6,004.42 to which a Parish precept relates;**
- (ii) that it be noted the Police and Crime Commissioner for Devon and Cornwall and the Devon and Somerset Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table in (v) below;**

That the Council is recommended to approve:

- (iii) the Council Tax requirement for the Council's own purposes for 2018/19 (excluding Brixham Town Council) of £65,477,400;**
- (iv) that the following amounts be calculated for the year 2018/19 in accordance with Chapter Three of the Act:**
  - a) £289,723,252 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account the precept issued to it by Brixham Town Council;**
  - b) (£223,965,000) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;**
  - c) £65,758,252 being the amount by which the aggregate at (iv) a) above exceeds the aggregate at (iv) b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax Requirement for the year (item R in the formula in Section 31B of the Act);**

- d) £1,465.66 being the amount at (iv) c) above (Item R), all divided by Item T ((i) a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
- e) £280,852 being the aggregate amount of all special items (Brixham Town Council) referred to in Section 34(1) of the Act; and
- f) £1,459.40 being the amount at (iv) d) above less the result given by dividing the amount at (iv) e) above by Item T (i) a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;
- (v) that the Council, in accordance with Chapter Three of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings:

	Valuation Band							
	A	B	C	D	E	F	G	H
Ratio of each band to Band D	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
<b>Torbay Council – excluding Adult Social Care</b>	<b>902.36</b>	<b>1,052.75</b>	<b>1,203.14</b>	<b>1,353.54</b>	<b>1,654.33</b>	<b>1,955.11</b>	<b>2,255.90</b>	<b>2,707.08</b>
<b>Torbay Council – Adult Social Care “precept” since 2016/17</b>	<b>70.57</b>	<b>82.34</b>	<b>94.10</b>	<b>105.86</b>	<b>129.38</b>	<b>152.91</b>	<b>176.43</b>	<b>211.72</b>
<b>Torbay Council</b>	<b>972.93</b>	<b>1,135.09</b>	<b>1,297.24</b>	<b>1,459.40</b>	<b>1,783.71</b>	<b>2,108.02</b>	<b>2,432.33</b>	<b>2,918.80</b>
<b>Police and Crime Commissioner</b>	<b>125.52</b>	<b>146.44</b>	<b>167.36</b>	<b>188.28</b>	<b>230.12</b>	<b>271.96</b>	<b>313.80</b>	<b>376.56</b>
<b>Devon and Somerset Fire and Rescue Authority</b>	<b>56.01</b>	<b>65.34</b>	<b>74.68</b>	<b>84.01</b>	<b>102.68</b>	<b>121.35</b>	<b>140.02</b>	<b>168.02</b>

Aggregate of Council Tax Requirements ex. Town Council	1,154.46	1,346.87	1,539.28	1,731.69	2,116.51	2,501.33	2,886.15	3,463.38
Brixham Town Council	31.18	36.38	41.57	46.77	57.16	67.56	77.95	93.54
Aggregate of Council Tax Requirements including Brixham Town Council	1,185.64	1,383.25	1,580.85	1,778.46	2,173.67	2,568.89	2,964.10	3,556.92

- (vi) that the Council's basic amount of Council Tax for 2018/19 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. (as set out in paragraph 5.9 of the submitted report).

A recorded vote was taken on the motion. The voting was taken by roll call as follows: For: Elected Mayor Oliver, Councillors Amil, Bent, Brooks, Carter, Darling (M), Darling (S), Doggett, Ellery, Excell, Haddock, Hill, Kingscote, Lewis (B), Lewis (C), Long, Manning, Mills, Morey, O'Dwyer, Parrott, Pentney, Robson, Stockman, Stuble, Sykes, Thomas (D), Thomas (J), Tolchard, Tyerman and Winfield (31); and Absent: Councillors Barnby, Bye, King, Morris, Sanders and Stocks (6).

Chairwoman

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## **Public Question – Parkfield Future Options**

### **Council meeting of Thursday 19<sup>th</sup> April, 2018**

Last week the Overview and Scrutiny debated the future options for Parkfield, the £5m state of the art youth facility in Paignton. Or did they debate its' future and engage in a deep analysis of the options available for the site? The debate was more focussed upon the future location of the Medical Tuition Service and NOT Parkfield.

So, for the benefit of those members who were not present last week let us look at what the options are.

- 1) The relocation of the MTS from its current unfit premises
- 2) An exciting and visionary future for Parkfield that puts it at the heart of delivering a bay wide service for the youth of Torbay. One that reaches out and is inclusive, bringing in the work of existing youth providers such as The Acorn in Torquay and The Edge in Brixham.

Members of Torbay Community Partnerships, particularly Paignton and Preston, have been working on the proposals for some two years. We were keen to work in a positive and engaging partnership with the council and several organisations including the emerging Youth Trust as well as the Torbay Community Development Trust to deliver the original objectives of the MyPlace project.

We would request that the Executive Lead for Children Services provides answers to the following:

- 1) Where is the detailed business case which provides evidence of how the prudential borrowing will be repaid?
- 2) What are the projected income and expenditure costs?
- 3) Where are the detailed internal layout plans for the MTS and Parkfield remodelling?
- 4) What Service Level Agreement, if any, exists that guarantee the future provision and access for the youth of Torbay?
- 5) How will any activities or contracts at Parkfield be awarded or tendered?
- 6) Will you publish the TDA report produced in November that examined options for the MTS?
- 7) Why, despite community efforts, have you refused to properly and meaningfully engage to fully explore the Community plan and sit all interested parties around the table?
- 8) Who will lead the Users Participation Group and what terms of reference will it have?

- 9) Are you fully aware of the possible capital sums available through the Torbay Community Development Trust?
- 10) Is it not the case that the MTS does not have to be registered as is the case in many other areas?
- 11) Can you confirm and produce the reports from Ofsted about their concerns for the local MTS?
- 12) Have options of relocating MTS to a site such as the Studio School been exhaustively explored?

Councillors, if there is doubt or uncertainty in any response to these questions, then members should act appropriately and ask for the decision to be deferred and recommend that an Overview and Scrutiny task and finish group should be established to fully explore the options available.

As ever, your community awaits to be properly engaged.

Darren Cowell

Questions Under Standing Order A13

A member may only submit three questions for consideration at each Council Meeting. Each member will present their first question in turn, when all the first questions have been dealt with the second and third questions may be asked in turn. The time for member's questions will be limited to a total of 30 minutes.

<p><b>Question (1) by Councillor Long to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b></p>	<p><b>The Chief Executive has previously advised that it was revealed that 30,000 tons of rubbish is transported to the Energy from Waste facility in Plymouth at the cost of £5 million. How is Torbay's rubbish transported to Plymouth, and what strategy is in place to reduce the amount of waste Torbay sends there to avoid increasing charges for using the facility?</b></p>
<p><b>Question (2) by Councillor Darling (M) to the Executive Lead for Adults and Children (Councillor Parrott)</b></p>	<p><b>The charge for a disabled parking permit was doubled from £20 to £40, in 2017-18 but not increased for this current financial year. What assurance can you give me that there are no plans to double the charge again next year?</b></p>
<p><b>Question (3) by Councillor Doggett to the Executive Lead for Environment (Councillor Ellery)</b></p>	<p><b>What steps is the Council taking to inform dog owners of how to detect and avoid their animal from contracting "Alabama Rot," and will there be a delay to banning dogs from beaches, while the present wet weather continues?</b></p>
<p><b>Question (4) by Councillor Pentney to the Executive Lead for Planning (Councillor Mills)</b></p>	<p><b>Sheddon Hall Hotel is in an appalling state. Contrary to what the Developer promised Councillors and Officers, work hasn't commenced. We were told that there would be boots on the ground at the end of February!</b></p> <p><b>Please can Officers review whether it is appropriate to issue an enforcement notice immediately to this developer? This cannot be allowed to rumble on indefinitely.</b></p>
<p><b>Question (5) by Councillor Darling (S) to the Council's Representative on the Devon and Cornwall Police and Crime Panel (Councillor Excell)</b></p>	<p><b>I emailed the police and crime commissioner for Devon and Cornwall constabulary the following question on the 8 of March 2018, at the time of submitting this question I am still awaiting a reply. Do you agree with me that this is a poor example to set for the police of response times?</b></p> <p><b>"Dear Alison,</b></p> <p><b>Earlier this week the Liberal Democrat group on Torbay Council received a very useful update from Simon Jenkins of Devon and Cornwall Police. We were impressed with the work he and his colleagues are undertaking to serve communities in Torquay. However, we were not impressed with the new form of delivery of community policing in Torquay. Whilst we were aware that in the last few years the number of PCSOs has gone down from 25 to effectively 5 (one is off on long term</b></p>

	<p>sickness leave) we were not aware that Torquay is an outlier in the rapid reduction of these posts .We accept that officers have to work with the financial hand you and the Chief Constable have dealt them, but we are very concerned that the police service has chosen not to recruit more PCSOs in Torquay in the light of this massive drop in numbers. The new model of delivery will effectively see an end to community policing in Torquay as we know it.</p> <p>You will no doubt recall the former Chief Constable, John Alderson, who in the late 70s trailblazed the use of community policing which resulted in Devon &amp; Cornwall benefiting from some of the lowest crime rates in the country. As Liberal Democrats, we strongly support community policing and object to its continuing desruction on your watch. At a community meeting last night in Hele, people were concerned about the lack of policing in one of our most deprived communities in Torbay. The shortage of officers to tackle crime in Torquay will result in the concentration of resources in our town centre and some of our more deprived communities facing a collapse in community policing involvement.</p> <p>I am particularly shocked that you, as Police and Crime Commissioner, have chosen not to demand that the Chief Constable recruit more PCSOs for Torquay to fill this gap. Are you happy that your legacy as PCC will be that of the postholder who gave the last rites to community policing as we know it? I look forward to receiving your comments.”</p>
<p><b>Question (6) by Councillor Sanders to the Executive Lead for Adults and Children (Councillor Parrott)</b></p>	<p><b>What is the number and the percentage of pupils in Torbay schools who were entitled to free school meals before the latest benefit changes?</b></p>

**Second Round**

<p><b>Question (7) by Councillor Long to the Executive Lead for IT, Libraries and Waste (Councillor King)</b></p>	<p><b>It is coming to the time of year when seagulls are at their most active, and if given half a chance they will spread rubbish everywhere which is unattractive for residents, businesses and tourists alike. What strategy do the Council and Tor 2 have to proactively ensure that those residents that do not have wheelie bins or seagull proof sacks are provided with them?</b></p>
<p><b>Question (8) by Councillor Darling (S) to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b></p>	<p><b>Officers of the Council have advised all members to use the information compliance system for all enquiries of a case work nature. Can you please furnish me with a month by month break down of elected members use of this system since its introduction?</b></p>
<p><b>Question (9) by Councillor Darling</b></p>	<p><b>I understand that ministers are considering extending the power to fine people who park on pavements to local authorities outside of</b></p>

<b>(M) to the Executive Lead for Community Services (Councillor Excell)</b>	<b>London. London boroughs have had this power for 40 years. What representations have Torbay Council made to encourage this proposal?</b>
<b>Question (10) by Councillor Pentney to the Elected Mayor and Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation (Elected Mayor Oliver)</b>	<b>Can you advise me how this year's Torbay Air Show is being used to support our looked after children and children across the Bay?</b>
<b>Question (11) by Councillor Sanders to the Executive Lead for Adult Services and Children (Councillor Parrott)</b>	<b>How many children will lose their entitlement to free school meals following the latest benefit changes?</b>

**Third Round**

<b>Question (12) by Councillor Long to the Executive Lead for Community Services (Councillor Excell)</b>	<b>Does Torbay Council plan to follow the example of many other Local Authorities in allowing Carers to be able to participate in the Concessionary Bus Fares scheme.</b>																																																																																				
<b>Question (13) by Councillor Darling (S) to the Executive Lead for Environment (Councillor Ellery)</b>	<p><b>Bearing in mind the fact that Torbay has increasing levels of deprivation, can you explain why Torbay has underperformed in obtaining grants from Homes England compared to other Devon Authorities and the falling numbers of affordable housing the Council has facilitated?</b></p> <p><b>For ease of reference I have included two relevant tables below.</b></p> <p><b>Investment in Devon from homes England over the last 5 years.</b></p> <table border="1" data-bbox="432 1637 1544 2101"> <thead> <tr> <th></th> <th>2012/13</th> <th>2013/14</th> <th>2014/15</th> <th>2015/16</th> <th>2016/17</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>East Devon</td> <td>2,430,644</td> <td>5,554,311</td> <td>5,883,612</td> <td>587,780</td> <td>0</td> <td><b>14,456,347</b></td> </tr> <tr> <td>Exeter</td> <td>1,468,868</td> <td>988,596</td> <td>819,845</td> <td>414,240</td> <td>910,679</td> <td><b>4,602,228</b></td> </tr> <tr> <td>Mid Devon</td> <td>1,123,501</td> <td>1,114,892</td> <td>925,551</td> <td>1,387,000</td> <td>0</td> <td><b>4,550,944</b></td> </tr> <tr> <td>North Devon</td> <td>1,170,067</td> <td>2,989,237</td> <td>1,636,106</td> <td>256,500</td> <td>162,250</td> <td><b>6,214,160</b></td> </tr> <tr> <td>Plymouth</td> <td>7,861,422</td> <td>4,138,136</td> <td>7,529,555</td> <td>6,735,121</td> <td>1,580,200</td> <td><b>27,844,434</b></td> </tr> <tr> <td>South Hams</td> <td>785,976</td> <td>1,537,269</td> <td>450,222</td> <td>1,308,429</td> <td>0</td> <td><b>4,081,896</b></td> </tr> <tr> <td>Teignbridge</td> <td>3,135,711</td> <td>2,424,132</td> <td>3,265,068</td> <td>280,000</td> <td>227,950</td> <td><b>9,332,861</b></td> </tr> <tr> <td>Torbay</td> <td>978,832</td> <td>6,158,279</td> <td>355,641</td> <td>245,000</td> <td></td> <td><b>7,737,752</b></td> </tr> <tr> <td>Torridge</td> <td>356,513</td> <td>1,336,352</td> <td>1,582,662</td> <td>37,070</td> <td></td> <td><b>3,312,597</b></td> </tr> <tr> <td>West Devon</td> <td>101,943</td> <td>196,389</td> <td>368,900</td> <td>93,924</td> <td>0</td> <td><b>761,156</b></td> </tr> <tr> <td><b>Total</b></td> <td><b>19,413,477</b></td> <td><b>26,437,593</b></td> <td><b>22,817,162</b></td> <td><b>11,345,064</b></td> <td><b>2,881,079</b></td> <td><b>82,894,375</b></td> </tr> </tbody> </table> <p style="text-align: center;"><b>Page 17</b></p> <p><b>Provision of affordable housing in Torbay over the last 10 years.</b></p>		2012/13	2013/14	2014/15	2015/16	2016/17	Total	East Devon	2,430,644	5,554,311	5,883,612	587,780	0	<b>14,456,347</b>	Exeter	1,468,868	988,596	819,845	414,240	910,679	<b>4,602,228</b>	Mid Devon	1,123,501	1,114,892	925,551	1,387,000	0	<b>4,550,944</b>	North Devon	1,170,067	2,989,237	1,636,106	256,500	162,250	<b>6,214,160</b>	Plymouth	7,861,422	4,138,136	7,529,555	6,735,121	1,580,200	<b>27,844,434</b>	South Hams	785,976	1,537,269	450,222	1,308,429	0	<b>4,081,896</b>	Teignbridge	3,135,711	2,424,132	3,265,068	280,000	227,950	<b>9,332,861</b>	Torbay	978,832	6,158,279	355,641	245,000		<b>7,737,752</b>	Torridge	356,513	1,336,352	1,582,662	37,070		<b>3,312,597</b>	West Devon	101,943	196,389	368,900	93,924	0	<b>761,156</b>	<b>Total</b>	<b>19,413,477</b>	<b>26,437,593</b>	<b>22,817,162</b>	<b>11,345,064</b>	<b>2,881,079</b>	<b>82,894,375</b>
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Year	Social Rent	Affordable Rent	Shared Ownership	Totals
2007/08	77	0	70	149
2008/09	92	0	27	119
2009/10	57	0	60	117
2010/11	110	0	17	127
2011/12	27	0	8	35
2012/13	14	0	21	35
2013/14	179	0	16	195
2014/15	89	8	16	113
2015/16	32	12	2	46
2016/17	23	11	8	41

<p><b>Question (14) by Councillor Darling (M) to the Executive Lead for Customer Services and Town Centre Regeneration (Councillor Haddock)</b></p>	<p><b>Torbay is a hot spot for personal debt in the UK. Why do we not have a credit union to help those in financial need apart from one that only helps with deposit guarantees for rented accommodation?</b></p>
<p><b>Question (15) by Councillor Sanders to the Executive Lead for Adult Services and Children (Councillor Parrott)</b></p>	<p><b>Since the latest benefit changes how much can parents earn before their children become ineligible for free school meals?</b></p>

## Notice of Motion

**Council Meeting 19 April 2018**

### **Crossways, Paignton – Compulsory Purchase Order (Council Decision)**

This Council notes that the Crossways arcade and car park continues to be a blot on Paignton town centre and was identified as the number one issue by residents taking part in a recent survey conducted by Paignton Liberal Democrats.

This Council instructs the Director of Corporate Services and Operations to undertake a feasibility study on the options to resolve this blight in the centre of Devon's second largest town including the possibility of obtaining a compulsory purchase order for the Crossways site and make recommendations to the Council accordingly.

Proposer: Councillor Carter

Seconded: Councillor Doggett

## Notice of Motion

### Council Meeting 19 April 2018

#### **Torwood Street, Torquay – Compulsory Purchase Order (Council Decision)**

This Council notes that the derelict building on lower Torwood Street, Torquay has acted as a blight on Torquay Harbourside for too many years and been an awful eye sore for locals and visitors alike.

If there is not certainty as to the future development of the site by 23 April 2018, then this Council instructs the Director of Corporate Services and Operations to undertake a review as to the possibility of utilising a Compulsory Purchase Order for lower Torwood Street, Torquay, and make recommendations to the Council accordingly.

Proposer: Councillor Darling (M)

Seconded: Councillor Long



**Meeting:** Council

**Date:** 19 April 2018

**Wards Affected:** All

**Report Title:** Domestic Abuse and Sexual Violence Policy 2018-2022

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** Immediately

**Executive Lead Contact Details:** Councillor Julien Parrott, Executive Lead for Adults and Children, Julien.Parrott@Torbay.gov.uk

**Supporting Officer Contact Details:** Tara Harris, Executive Head Community Safety, (01803) 208074 Tara.Harris@Torbay.gov.uk

## 1. Proposal and Introduction

- 1.1 It is proposed that the strategic approach to tackling domestic abuse and sexual violence (DASV) be incorporated into the Council’s policy framework. The current strategy 2014 – 2019 has been refreshed to set out the Council’s and partnership commitment to addressing domestic abuse and sexual violence which is firmly identified as an area of high prevalence and impact in Torbay and across public services.
- 1.2 Whilst proposing the strategy sit within the Council policy framework, it would also double as a partnership commitment to tackling DASV and drive collaborative efforts to tackle DASV across Torbay. The attached report has been formulated in consultation with a wide variety of partners. Torbay Council has provided leadership in the areas of DASV but recognise that it requires robust commitment from a variety of areas to create an effective and responsive ‘system’ that incorporates prevention, support, intervention and challenge.

## 2. Reason for Proposal

- 2.1 A lot of work has been undertaken to highlight the need for DASV to be recognised as a priority area of activity, given how prevalent they are and the harm caused. There has been some key areas of progress towards achieving this, a refreshed multi-agency approach is an important part of securing this commitment going forward. It also is an appropriate time to take this step for reasons continued below.
- 2.2 Domestic abuse services are near to re-commissioning, the policy and supporting work will help inform this process and ensure services in Torbay provide the maximum impact.

- 2.3 The Government released a Violence Against Women and Girls (VAWG) National Strategy 2016 - 2020 which describes clear areas of activity to end violence against women and girls.
- 2.4 Children's Services inspection by Ofsted highlighted areas for improvement around domestic abuse.

### **3. Recommendation(s) / Proposed Decision**

- 3.1 That the Domestic Abuse and Sexual Violence Policy set out at Appendix 11 to the submitted report be agreed and adopted within the Council's policy framework.

## **Appendices**

Appendix 1: Domestic Abuse and Sexual Violence Policy 2018 - 2022

## Section 1: Background Information

<b>1.</b>	<b>What is the proposal / issue?</b>  Torbay experiences higher than average volumes of domestic abuse than other areas with a similar profile, with continued increases in the number of recorded domestic abuse related crimes and sexual offences throughout 2016/17. Rates of crime, and in particular sexually violent crime, are higher in Torbay than the England and Wales. Local analysis shows that between 30 and 40% of Children's Social Care activity (including Early Help, Child in Need and Child Protection) is related to domestic abuse and a high proportion of referrals into the Sexual Assault Referral Centre are for children and young people under 18 years old. In 2016 / 17 Torbay Domestic Abuse Services outreach workers (not including high risk victims) assisted 430 clients with whom there were 496 children. There were 309 referrals of high risk victims of domestic abuse for support from their Independent Domestic Violence Advocates, 283 of which engaged with support. It is estimated that in 2016 / 17 there were 2597 female victims of domestic abuse and 1437 male victims in Torbay.
<b>2.</b>	<b>What is the current situation?</b>  Domestic abuse and sexual violence have been identified as a priority and of concern by the Health and Wellbeing Board, Community Safety Partnership's Stronger Board, Safeguarding Adults Board and Torbay Safeguarding Children Board. The current strategy is until 2019 but significant change has taken place across partnerships since 2014 and new priorities identified to meet current challenges.
<b>3.</b>	<b>What options have been considered?</b>  Governance and leadership around DASV had been unclear which this strategy seeks to resolve and clarify. The governance structure around DASV has been amended to provide more assertive senior leadership, as such an Executive Group has been formed to lead the delivery of the policy with the assistance of an operational group.  A Domestic Abuse and Sexual Violence Co-ordinator has been employed since July 2017 and gives vital capacity to driving the agenda forward. They have been instrumental in conducting mapping work and producing the attached policy.
<b>4.</b>	<b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</b>  The three corporate principles are all referred to and guiding themes within the proposed strategy. The strategy also directly works towards the targeted actions of:

	<ul style="list-style-type: none"> <li>• <i>Protecting all children and giving them the best start in life</i></li> <li>• <i>Promoting healthy lifestyles across Torbay</i></li> <li>• <i>Ensuring Torbay remains an attractive and safe place to live and visit</i></li> <li>• <i>Protecting and supporting vulnerable adults</i></li> </ul>
5.	<p><b>How does this proposal contribute towards the Council's responsibilities as corporate parents?</b></p> <p>Working more collaboratively to address domestic abuse and it's impact should reduce the instances of the Council taking corporate parental responsibility.</p>
6.	<p><b>How does this proposal tackle deprivation?</b></p> <p>Police reports relating to domestic abuse indicate prevalence across Torbay's most deprived wards and (for those exposed to DA) is known to increase a child's chances of more negative life outcomes. Tackling domestic abuse therefore helps address some of these inequalities and promotes better chances of positive outcomes within the most deprived areas of Torbay.</p>
7.	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>Despite being a Council-led strategy, it is a partnership commitment to tackling domestic abuse and sexual violence. Those affected include statutory agencies, third sector and voluntary organisations, businesses and the public.</p> <p>A consultation process took place between 12/2/18 – 23/3/18 comments from stakeholders and the public have been reviewed or included in the final report.</p> <p>Key stakeholders include: Devon and Cornwall Police, OPCC, CCG, CRC, NPS, TDAS, Devon Rape Crisis, Sexual Assault Referral Centre, Devon Partnership Trust, ICO, IYSS.</p>
8.	<p><b>How will you propose to consult?</b></p> <p>The consultation included publication on the Council website and stakeholder engagement events during the month period.</p>

## Section 2: Implications and Impact Assessment

9.	<p><b>What are the financial and legal implications?</b></p> <p>Not applicable.</p>
10.	<p><b>What are the risks?</b></p> <p>The primary risk is Torbay failing to effectively coordinate a response to the harm that is caused by domestic abuse and sexual violence, which already creates a huge demand on public services and perpetuates cycles of negative outcomes for future generations.</p> <p>There is also the very real risk of domestic homicides given the evidence around risk posed by partners / ex-partners to female victims.</p>
11.	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>Not applicable.</p>
12.	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The DASV Co-ordinator has undertaken a mapping exercise of the current 'system' and prevalence data where available. This has involved meeting with a wide range of services and organisations to understand what the current offers and gaps are across the partnership. This complements work already undertaken in the form of a Health Needs Assessment (Public Health) and victim survey via the <a href="http://www.areyouok.co.uk">www.areyouok.co.uk</a> website. Inevitably this work has also demonstrated the areas in which we have insufficient information and require corrective action.</p>
13.	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>Comments from stakeholders and the public have been reviewed or included in the final report.</p>
14.	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>N/A</p>

## Equality Impacts

15	Identify the potential positive and negative impacts on specific groups			
		<b>Positive Impact</b>	<b>Negative Impact &amp; Mitigating Actions</b>	<b>Neutral Impact</b>
	Older or younger people	Specific actions include reducing risk to this marginalised groups e.g. older people who are less likely to seek help. Young people can witness and can become victims of domestic abuse. Aim to increase their awareness of abuse within relationships and other forms of violence. The strategy has actions intended to have a positive impact in addressing these issues.		
	People with caring Responsibilities	Aim to educate and support carers through Champion Network and free training provided to be able to identify and support at an earlier stage.		
	People with a disability	The need to address recognition of the added barriers to disabled people receiving an equal service as carers are often family members and this can increase the hidden nature of domestic abuse.		
	Women or men	Domestic abuse disproportionately impacts on women. The plan is gender inclusive recognising that both women and men are victims. It also recognises that women and girls are often exposed to serious		

	forms of violence such as domestic violence, sexual violence and harassment, forced marriage, crimes committed in the name of honour and female genital mutilation. However, the prevalence, intensity, impact and consequence of violence against men are very different to violence against women and girls.		
People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	Ethnicity can increase vulnerability due to the isolated nature of some communities. This is particularly relevant in “honour based violence”. The lack of education and training for professionals can result in an adverse impact.		
Religion or belief (including lack of belief)		Currently there is no monitoring data on client’s religion/belief.	
People who are lesbian, gay or bisexual	Is an issue in LGBT community, but is a developing area of the service. It is recognised that there are significant barriers to reporting for this group.		
People who are transgendered	All identified victims are offered equally accessible services, which meet their needs.		
People who are in a marriage or civil partnership	Aims to improve the detection of DASV so that more cases can be identified, or support given to those experiencing, witness or perpetuate it.		
Women who are pregnant / on maternity leave	Aims to improve the detection of DASV so that more cases can be identified, or support given to		

		those experiencing, witness or perpetuate it.		
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Has an enormous economic impact from increase health care and service costs, workplace issues and productivity as well as human and emotional costs.		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Impacts can be long-term and may cause or worsen chronic health problems. Can also have an enormous effect on mental health both on the victim and also those that witness it. Strategy aims to prevent and reduce impacts.		
16	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	<p>Potential impact on Housing Options services who may see an increased demand for support against an additional demand pressure with the implementation of the Homeless Reduction Act.</p> <p>Demand on domestic abuse service such as IDVA's seeing more clients due to publicising more about DASV.</p> <p>The implementation of this strategy relies on appropriate resources to deliver. Further austerity measures may have an impact. Hence this should be regularly reviewed to ensure effective resources management and potential for cost shunt or demand shift.</p>		
17	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	<p>The implementation of this strategy relies on partnership resources to deliver. Further austerity measures may have an impact. Hence this should be regularly reviewed to ensure effective resources management and potential for cost shunt or demand shift.</p>		



2018-2022

## Domestic Abuse and Sexual Violence Strategy

Ensuring Torbay remains a safe place to live

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# 1 Introduction

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Domestic abuse and sexual violence is unacceptable at any level. Everyone deserves to, and should, live without fear, abuse and violence. There is no excuse.

One in three women and one in four men will be affected by domestic abuse in their lifetimes, with women in particular suffering from high rates of repeat victimisation and serious injury. One in four women experience sexual violence in their life time with 31% of children who are abused reaching adulthood without telling anyone.

Domestic abuse and sexual violence has a devastating effect on victims, their children, their families and the wider community. It is characterised by patterns of coercive, controlling or threatening behaviour, and can involve physical, psychological, financial, emotional and sexual abuse.

We know that domestic abuse and sexual violence are disproportionately gendered which is why our approach strongly reflects the Government's Violence Against Women and Girls Strategy. However, we recognise that men can also be victims and the approach set out in this strategy will benefit all victims.

Nationally every year, around 120 people are killed by a current or former partner, while over 100,000 victims are estimated to be at high risk of serious harm or murder. It is estimated that 66% of victims have children living in or visiting the home, and that over 100,000 children are living in households where high risk abuse is taking place.

Nationally, Rape Crisis England and Wales report approximately 85,000 women and 12,000 men are raped in England and Wales alone every year; that's roughly 11 rapes (of adults alone) every hour. These figures include assaults by penetration and attempts. Only 15% of those who experience sexual violence choose to report to the police. Most adult perpetrators of sexual violence are male and most adult victims are female and they are usually known to each other. In many cases it goes unreported, leaving victims unsupported and isolated.

The impact of domestic abuse and sexual violence upon the victim, their children and family members can be sustained, traumatic and damaging. The average length of an abusive relationship is five years, though many victims suffer from abuse for much longer. Children living with domestic abuse are at increased risk of short, medium and long term impacts such as poor health, withdrawal, behavioural problems, low self-esteem and increased vulnerability.

The definition of domestic abuse and sexual violence (as updated by the Home Office in March 2013) is:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological, physical, sexual, financial and emotional.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour’

Coercive behaviour is an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.”

This definition incorporates any unwanted sexual act or activity including rape, sexual assault, and child sexual abuse, sexual harassment, rape within marriage/relationships, forced marriage, so called honour based violence, and female genital mutilation. It recognises that victims are not confined to one gender or ethnic group, that parents can also be victims of abuse and that sexual violence can be perpetrated by a complete stranger, or by someone known or even trusted such as a friend, colleague, family member, partner or ex-partner

The definition for Sexual Violence (as updated by Rape Crisis England and Wales) is:

Sexual Violence is any unwanted sexual act or activity. There are many different kinds of sexual violence, including but not restricted to: rape, sexual assault, child sexual abuse, sexual harassment, rape within marriage / relationships, forced marriage, so-called honour-based violence, female genital mutilation, trafficking, sexual exploitation, and ritual abuse.

Torbay Council, as stated in its Corporate Plan 2015 – 2019, is committed to protecting all children and giving them the best start in life and protecting and supporting vulnerable adults. The principles of activity that underpin these commitments are threefold: to use reducing resources to best effect, to reduce demand through prevention and innovation and to integrate and join up approaches. This strategy reflects these commitments set out in the Corporate Plan.

Domestic abuse and sexual violence have been identified as a priority and of concern by the Health and Wellbeing Board, Community Safety Partnership's Stronger Board, Safeguarding Adults Board and Torbay Safeguarding Children Board.

To effectively tackle domestic abuse and sexual violence requires a multi-agency response often working across boundaries that are not coterminous. As such training and response models need to be aligned as far as possible across relevant local authority boundaries. In Torbay, all local agencies have a vital part to play in supporting victims, bringing perpetrators to account and raising awareness. Many of these agencies are already undertaking significant and valuable work to promote safety and provide effective interventions; however, we know there is still much more for us to do.

The Domestic Abuse and Sexual Violence Strategy has been produced to assist partnerships and agencies in delivering appropriate responses to those affected by domestic abuse and sexual violence across Torbay, assisting people to live free from abuse. It takes account of the legal framework for protecting vulnerable children whereby children who witness abuse will be considered within a child protection framework as reflected in the Working Together guidance.

This Strategy is underpinned by commitment to partnership working so that agencies will be able to maximise the utilisation of existing resources and, where possible, seek to draw upon additional resources, to improve the response to domestic abuse and sexual violence across Torbay. It is a call to action for us all over the next five years to work together to achieve our shared vision for Torbay and send out a clear message that domestic abuse and sexual violence will not be tolerated.

## 2 Context

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### 2.1 Local Context

In preparation for this Strategy, a comprehensive mapping exercise has been conducted across statutory, commissioned and voluntary organisations. This helped highlight what we do and do not know about domestic abuse and sexual violence in Torbay, whilst also seeking the views of those working within and receiving such services to inform our approach. The details of which will be available as a supplemental report.

Torbay experiences higher than average volumes of domestic abuse than other areas with a similar profile, with continued increases in the number of recorded domestic abuse related crimes and sexual offences throughout 2016/17. Rates of crime and in particular sexually violent crime, are higher in Torbay than the England and Wales comparators. A high proportion of referrals into the Sexual Assault Referral Centre are for children and young people under 18 years old with males being identified as the main offender.

Local analysis shows that between 30% and 40% of Children's Social Care activity (including Early Help, Child in Need and Child Protection) is related to domestic abuse. In 2016 / 17 Torbay Domestic Abuse Services outreach workers (not including high risk victims) assisted 430 clients with whom there were 496 children. There were 309 referrals of high risk victims of domestic abuse for support from their Independent Domestic Violence Advocates, 283 of which engaged with support. It is estimated that in 2016 / 17 there were 2597 female victims of domestic abuse and 1437 male victims in Torbay.

Sexual violence has a significant impact upon the population of Torbay. In the 5 years from October 2012, the number of sexual offences reported to the police in Torbay has risen from 209 per year to 395, almost a 100% increase. The number of rapes has risen from 67 per year to 155, a rise of over 100%. The Home Office estimates that only 11% of sexual offences are ever reported to the Police, suggesting that, in the year October 2016 to September 2017, approximately 4,000 sexual offences were actually committed in Torbay. Torbay represents 15% of the population of Devon and Torbay combined yet makes up 19% of referrals to Devon Rape Crisis and Sexual Abuse Services.

The highest number of female victims fall into the age groups 15-29 years (40%), with 35% of these being aged between 20-29 years. Other known risk factors for becoming a victim of domestic abuse include being within the criminal justice system, being homeless, having a disability, alcohol and substance misuse, being pregnant and identifying as lesbian, gay, bisexual or transgender. Violent breakup of a relationship is one of the most common reasons for loss of tenancy and homelessness presentation.

Well documented risk factors are present within Torbay, including high levels of poor mental health and alcohol and drug misuse. Data recorded by Torbay Domestic Abuse Service shows increasing numbers of victims presenting with complex needs including drug and alcohol misuse, mental ill health, financial difficulties and experiencing social isolation.

A recent survey was undertaken in Torbay with people who had experienced domestic abuse and sexual violence. Just over 28% described experience of sexual violence and 56% reported that their children had been in the household when the abuse or violence took place. Generally, victims report that abuse often started at a very young age, that they were unaware that their relationships were abusive and that they did not know they could ask for help or who to ask. When victims did consider reporting it they were concerned that services would not respond or understand. Most victims chose to confide in either family

and friends, or their GP, others had never told anyone of their abuse. It was also apparent that when people did choose to disclose their experiences, it was years after it had happened.

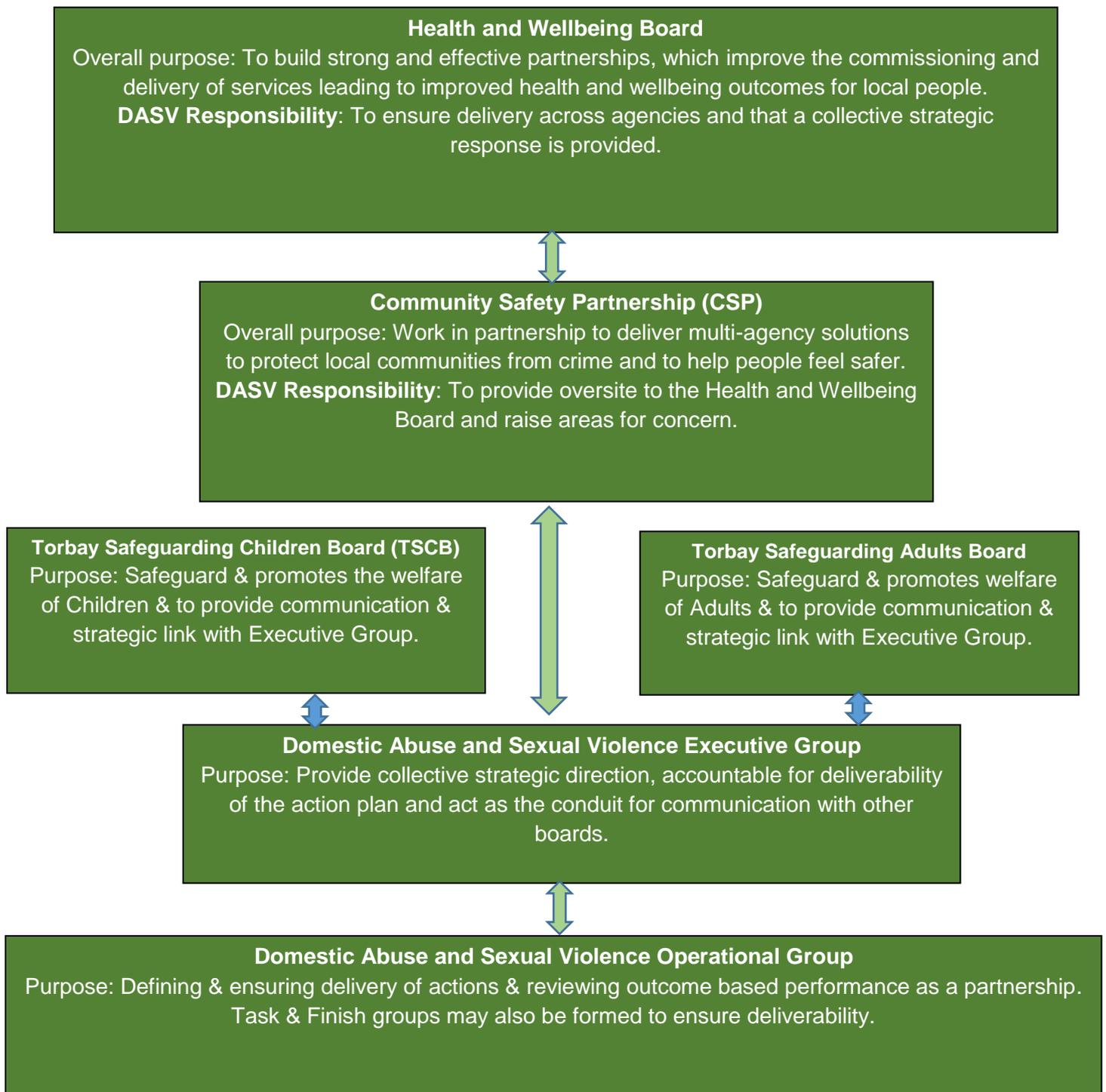
## 2.2 Current Service Provision

A number of Council services, partner agencies and commissioned providers have responsibility for the delivery of direct support, accommodation, advocacy services, or the provision of services that address particular issues faced by victims, survivors, their children and families, or that deal with perpetrators of abuse. This has been included in the mapping exercise and details included in supplementary report. The main services currently delivered with a primary or partial role in relation to domestic and sexual violence and abuse are listed in the table below.

<b>Current Services being provided in Torbay</b>		
<b>Torbay Domestic Abuse Service (TDAS)</b>	<b>Devon Rape Crisis Sexual Abuse Service (DRCSAS)</b>	<b>National Probation Service (NPS) and Community Rehabilitation Company (CRC)</b>
<ul style="list-style-type: none"> <li>Independent Domestic Abuse Advisers (IDVA)</li> <li>Accommodation</li> <li>Domestic abuse awareness courses for children and adults</li> <li>Voluntary perpetrator programme</li> <li>Outreach Service</li> <li>Survivors Group</li> </ul>	<ul style="list-style-type: none"> <li>Helpline</li> <li>Specialist support</li> <li>Psychological treatment programme, (EMDR)</li> <li>Counselling service for young victims 13-25.</li> </ul>	<ul style="list-style-type: none"> <li>Building better relationship programme (BBR)</li> <li>Supervision Orders</li> <li>Multi agency public Protection Arrangements (MAPPA)</li> </ul>
<b>Torbay Council - Integrated Youth Support Service (IYSS) and Youth Offending Service (YOT)</b>	<b>Torbay Council Children Services</b>	<b>Devon Partnership Trust (DPT)</b>
<ul style="list-style-type: none"> <li>Young Person's Violence Advocate role</li> <li>Delivery of young perpetrators Respect and CRUSH programmes</li> <li>Young person's housing officer</li> <li>IYSS Care leavers</li> </ul>	<ul style="list-style-type: none"> <li>Early help</li> <li>MASH</li> <li>Children Adolescent Mental Health Services (CAMHS)</li> <li>Young carers</li> <li>Team around a Family</li> <li>Troubled families</li> <li>Special education needs and disability</li> <li>Youth service</li> <li>Care leavers</li> </ul>	<ul style="list-style-type: none"> <li>Trauma therapies</li> <li>Drug and Alcohol Services</li> <li>Perinatal mental health service</li> <li>Prison Police and Criminal justice mental health services</li> </ul>
<b>Devon and Cornwall Police Service</b>	<b>Faith Sector Initiatives and Third Sector Service</b>	<b>Sexual Assault Referral Centre</b>
<ul style="list-style-type: none"> <li>Vulnerability Screening tool</li> <li>Specialist officers for domestic abuse and sexual violence. Dedicated Sexual Offences Domestic Abuse Investigation Team (SODAIT)</li> <li>Domestic Violence Police Notice (DVPN)</li> <li>Domestic Violence Police Order (DVPO)</li> <li>Operation Encompass</li> <li>Multi Agency Risk Assessment Conference (MARAC)</li> </ul>	<ul style="list-style-type: none"> <li>Methodist Circuit safeguarding officer</li> <li>The Living Room, Torquay, community café &amp; signposting for high risk individuals</li> <li>Youth Genesis DAVE Project, Brixham (Domestic Abuse and Violence Equality) – materials for young people</li> <li>Checkpoint, counselling, Support to 11 to 17 yr. old, Advocacy,</li> <li>Action for children provide children centre</li> </ul>	<ul style="list-style-type: none"> <li>Crisis Worker support for victims</li> <li>Forensic medical facilities</li> <li>Sexual health and contraception</li> <li>Support to help people through the criminal justice system</li> <li>Signposting</li> <li>Advice about personal safety</li> <li>Referral to pre-trial counsellor</li> </ul>

## 2.3 Governance Arrangements

A new 'Executive Group' has been formed of key leaders to ensure the strategy is delivered. It consists of senior leaders who will, over time, incorporate themes of substance misuse and mental health due to comorbidities with domestic abuse and sexual violence.



## 2.4 Future challenges and trends

The mapping exercise and engagement with stakeholders that took place as a part of it identified the strengths and issues with current provision. From this we were then able to identify opportunities for development. These are listed in the table below:

<b>Strengths</b>	
<ul style="list-style-type: none"> <li>❖ Specialist commissioned Domestic Abuse Service with outreach and supported accommodation</li> <li>❖ Integrated Youth Support Service with key statutory and partner agencies co located providing support, advice and information for young people</li> <li>❖ Victim Programmes have a positive response from attendees</li> <li>❖ Early Help Panel uses the knowledge and experience of a range of services to decide which service should take the lead</li> <li>❖ The Multi-Agency Safeguarding Hub (MASH) implemented to safeguard Torbay's children and families ensuring all safeguarding activity and intervention is timely, proportionate and necessary.</li> <li>❖ Integrated Offender Management (IOM) brings a cross-agency response to the crime and reoffending threats faced by local communities with the most persistent and problematic offenders identified and managed jointly by partner agencies working together</li> <li>❖ The Domestic Abuse and Sexual Violence Operational Group is well established and maintains positive engagement from partners.</li> <li>❖ Positive Police action challenging perpetrators of domestic abuse and sexual violence through a dedicated Sexual Offences Domestic Abuse Investigation Team (SODAIT)</li> <li>❖ An enthusiastic and committed workforce across the partnership exists.</li> <li>❖ Operation Encompass in Torbay schools.</li> <li>❖ 'areyouok.co.uk' provides single point of contact for advice and guidance on all matters relating to domestic abuse and sexual violence.</li> <li>❖ Good levels of engagement from those on the voluntary community perpetrator programme.</li> <li>❖ Yearly campaigns successfully raised awareness of local services and increased access to them.</li> <li>❖ Role of Domestic Abuse and Sexual Violence Co-ordinator created and recruited to in July 2017.</li> <li>❖ Successful partnership bids for funding from central government obtained for several projects to advance work around domestic abuse and sexual violence.</li> <li>❖ Sexual Assault Referral Centre (SARC) a safe, secure and discreet location. All staff are specially trained to support those who have experienced rape and/or sexual assault, recently or in the past</li> </ul>	
<b>Issues</b>	<b>Opportunities</b>
<ul style="list-style-type: none"> <li>❖ Domestic Abuse Services in Torbay tend to focus on high-risk cases/crisis intervention but there are gaps and inconsistencies in provision within early intervention and prevention services.</li> </ul>	<ul style="list-style-type: none"> <li>❖ To address the balance of a crisis based response system, to include prevention and early intervention, safeguarding future generations</li> </ul>
<ul style="list-style-type: none"> <li>❖ Sexual violence has been viewed as a secondary agenda to domestic abuse and therefore received less attention in terms of action to address.</li> <li>❖ There is a need to ensure that the development of dedicated services for victims of sexual violence forms a key part of our commissioning strategy for future service provision</li> </ul>	<ul style="list-style-type: none"> <li>❖ Raise awareness, understanding and profile of the prevalence and impact of sexual violence and consider this need when commissioning services.</li> <li>❖ Explore and develop a trauma skills and resilience group for domestic abuse and sexual violence survivors</li> </ul>
<ul style="list-style-type: none"> <li>❖ There is an extensive range of services available via the Torbay Domestic Abuse Service (TDAS) however more work is needed to determine their impact for victims and perpetrators. This will feed into our future commissioning strategy</li> </ul>	<ul style="list-style-type: none"> <li>❖ Work with partners to produce more meaningful information around domestic abuse and sexual violence to enhance responses and future planning</li> </ul>

<ul style="list-style-type: none"> <li>❖ Providers and statutory services have silo approaches to data collection making it difficult to evaluate the impact of services provided to victims, perpetrators and children. Data collected often also lacks context.</li> </ul>	
<ul style="list-style-type: none"> <li>❖ Services tend not to take a holistic whole-family approach to working with people or families, often dealing with single presenting issues of individuals and not considering the full context of other relevant factors (for example substance misuse, mental ill health) and impact on or from others.</li> <li>❖ There is a need to ensure we have sufficient Intensive, person-centered holistic support irrespective of age, gender, sexual orientation or ethnicity for all involved or affected by Domestic abuse or sexual violence.</li> <li>❖ Devon and Cornwall Police pursue perpetrators and holding them to account for any criminality that occurs. Within Adult and Children Services, commissioned and voluntary agencies the importance of identifying and challenging significant males within vulnerable households needs to be embedded in working practices</li> <li>❖ People working in adult focused services tend not to understand or recognise and respond to the impact that domestic abuse and sexual violence can have on the children and young people of the adults they work with</li> </ul>	<ul style="list-style-type: none"> <li>❖ Torbay Domestic Abuse Services to be recommissioned in autumn 2018 provides the opportunity to reassess key services against identified need, which could incorporate and should consider a whole family, co-ordinated, co-located, trauma informed, multi-agency service.</li> <li>❖ Explore and develop an integrated and targeted way of working with offenders, alongside supporting their victims and families</li> <li>❖ Review the local Multi-Agency Risk Assessment Conference (MARAC) process and consider any necessary improvements or alternative means of managing risk, particularly in relation to work around repeat victims.</li> <li>❖ Conduct targeted work to address the impact of domestic abuse witnessed by young people and of the experiences of domestic abuse and sexual violence perpetrated by, on and between young people. Provide routine and holistic assessments of victims/perpetrators in order to establish a streamlined, consistent way of working</li> </ul>
<ul style="list-style-type: none"> <li>❖ Increased public awareness through high profile reports of abuse has encouraged more victims to come forward, highlighting the demand and need for services for victims of domestic abuse and sexual violence</li> <li>❖ Insufficient capacity within current range of support programmes and outreach work that exists to cope with levels of demand</li> </ul>	<ul style="list-style-type: none"> <li>❖ Review of all awareness courses being delivered in Torbay with courses being co facilitated with different agencies and pooling skills and resources together</li> <li>❖ Work with the voluntary sector to enhance and develop the range of local support available, utilising the assets, skills and commitment found across our communities</li> <li>❖ Improve communication and coordination within and between services, to maximise the efficiency of the current system and ensure all resources are being used to best effect</li> <li>❖ As demand increases, resources across all agencies has reduced. Innovative and collaborative ways of working need to be explored further.</li> </ul>
<ul style="list-style-type: none"> <li>❖ High levels of domestic abuse 'naivety' exists, with individuals unable to identify themselves in abusive relationships or situations</li> <li>❖ People most likely to seek assistance from persons known to them or their GP, rather than specialist services or Police</li> </ul>	<ul style="list-style-type: none"> <li>❖ To increase education and awareness around abusive relationships</li> <li>❖ Increase the support for young people going through Integrated Youth Support Service (IYSS) around healthy relationships.</li> </ul>

<ul style="list-style-type: none"> <li>❖ Professionals who may encounter a disclosure often do not feel confident about how to respond, nor necessarily see it as within their role to do so</li> </ul>	<ul style="list-style-type: none"> <li>❖ Develop a workforce across all agencies who are able to recognise, sensitively enquire and appropriately respond to all forms of abuse</li> <li>❖ Promote and develop the concept that safeguarding, inclusive of domestic abuse and sexual violence, is everybody's responsibility and provide the means to embed this across the workforce of <u>all</u> sectors.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Gaps and inconsistencies in provision within early intervention and prevention services.</li> <li>❖ There is underutilised capacity within the existing voluntary domestic abuse perpetrator programme.</li> <li>❖ There is a need for Independent Domestic Violence Advocate roles within healthcare settings</li> <li>❖ There are increases in the following types of issue identified in a recent Multi Agency Case Audit, where there are gaps in terms of the support available: <ul style="list-style-type: none"> <li>• Households where the victim and the perpetrator are interchangeable</li> <li>• The normalisation of violence within families</li> <li>• Where substance misuse linked to chaotic lifestyle is a central factor</li> <li>• Teenager aggression and violence towards parents, grandparents or carers</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Torbay Domestic Abuse Services to be recommissioned in autumn 2018 provides the opportunity to reassess key services against identified need, which could incorporate and should consider a whole family, co-ordinated, co-located, trauma informed, multi-agency service.</li> <li>❖ Violence Against Women and Girls (VAWG) Home office funding awarded to Devon and Torbay to work with General Practitioners in identifying and supporting Victims of abuse. This model could be linked in with healthcare settings</li> <li>❖ Therapeutic interventions for victims of domestic abuse and sexual violence to be developed and explored within our specialist domestic abuse service during the recommissioning process.</li> <li>❖ Improve communication and coordination within and between services, to maximise the efficiency of the current system and ensure all resources are being used to best effect</li> <li>❖ Raise awareness of and identify means to provide support for the impact of fear/trauma on very young children and the long term consequences that are known to be associated with</li> </ul>

### 3 Objectives

#### Aims and Vision

Domestic abuse and sexual violence are unacceptable and too often remain hidden. Only by mobilising all parts of our communities to work together to recognise, understand this and respond, can we make fundamental change to end domestic abuse and sexual violence.

The overall aim of this strategy is to enable partnership work with organisations, communities and individuals to tackle domestic abuse and sexual violence in Torbay, to enable our residents to live safe and happy lives.

Together we will address the balance from a crisis based response to incorporate preventative measures and a whole-family approach. We will also ensure that perpetrators are identified, pursued, challenged, held to account and supported to change. The strategy recognises that domestic abuse and sexual violence disproportionately affects females and that our holistic approach will respond to this fact while not excluding male victims. We also commit to not just view domestic abuse and sexual violence on their own, as all too often there are other factors present which may have the potential to increase vulnerability to abuse and further isolate victims. A truly holistic approach will take into consideration how substance misuse, mental health, homelessness, coercion and control (as well as other factors) may need addressing at the same time. To do this we will co-operate with partners signed up to this strategy who recognise their role in tackling these issues holistically and create a system whereby people can at any point seek help safely and without fear, shame or judgement.

#### Priority Themes, Aims and Outcomes

The following themes have been identified to form the ‘golden threads’ which should underpin all commissioning and service activity across the partnership.

Our Vision		To work in partnership with organisation, communities and individuals to tackle domestic abuse and sexual violence in Torbay, to enable our residents to live safe and happy lives.	
Strategic Aim		Outcomes	
Prevention	Prevent domestic abuse and sexual violence from happening in the first place by challenging the attitudes and behaviours which foster it, and intervening early where possible to prevent it from continuing, recurring or escalating.	Victims, perpetrators and their children are identified early and provided with the appropriate level of support to break cycles of domestic abuse and sexual violence and overcome the impact it has on their lives.	
		Communities and professionals understand what domestic abuse and sexual violence is, and know how to respond.	
		Create a culture whereby attitudes and beliefs around domestic abuse and sexual violence are fundamentally changed.	

Protection of children	We will recognise the needs of, and provide support for, children and young people and their families by providing preventative approaches through early interventions and awareness raising.	Children and young people at risk of harm are identified and referred appropriately. 
		Victims are safer and have improved resources to remain safe. 
		Perpetrators are challenged and supported to change their behaviour and improve their overall wellbeing. 
Provision of Service	Individuals who are experiencing abuse will receive the support and services that enable them to identify and address their needs which consider issues such as accommodation, finance, support for children and young people, health and emotional support.	A whole-family approach that incorporates appropriate interventions and programs at the right time and place for client and considers in context of their wider family relations and needs. 
		All identified victims are offered an equally accessible service, which meets their needs irrespective of gender. 
		Victims report improved health, wellbeing and resilience for themselves and their families. 
Protection and Justice	Work in partnership to provide appropriate levels of support where abuse occurs.	Robust multi agency risk management arrangements exist to safeguard victims and their families. Legislation used to best effect to safeguard. 
		Victims have increased access to justice and perpetrators are pursued and held to account through the policing and justice system. 
		Increased reporting of domestic abuse and sexual violence to police and fewer repeat victims each year.  A robust and effective police response to incidents of domestic and sexual abuse that victims can trust and rely upon 

## 4 Action Plan

This Action Plan is for 2018 / 19 and shall be reviewed and refreshed each year by the Executive Group. It shall be assisted by the formation of a more detailed Delivery Plan that will form the basis of activity for the Operational Group.

### Theme 1: Prevention and Early Intervention

Action	By whom?	By when?
Develop and market 'Are You OK?' as the single point of contact for all domestic abuse and sexual violence information, ensuring links to sexual health and wellbeing campaigns	Community Safety	September 2018
Ensure there are integrated care pathways for identifying and referring (either internally or externally), that include for mental health, drug and alcohol services.	DASV operational group	October 2018
Coordinate and deliver a Violence Against Women and Girls project in Torbay with Devon County Council around routine, sensitive and clinical enquiry and community navigators to identify and address domestic abuse and sexual violence at earlier stages, particularly across primary healthcare.	Devon County Council Torbay Council CCG	March 2018
Raise awareness and ensure that there is an understanding of domestic and sexual violence and the support available to victims and perpetrators across the entire workforce of the public sector. Ensure that this information is also readily available for the general public.	CCG Public Health DASV Operational Group	November 2018
Education and media campaigns to change public attitudes (particularly amongst children and young people with links to healthy relationship & sexual education in schools).	Children Services IYSS Schools Public Health	December 2018
Establish a Torbay Champion network across statutory and voluntary organisations to provide advice, and guidance where domestic abuse and sexual violence is a concern and identifying access to appropriate services	Community Safety DASV Operational group Workforce training and development	July 2018
Ensure that a sustainable and effective Voluntary Perpetrator Programme is included in the commissioning of future domestic abuse and sexual violence services	Commissioning team	November 2018

### Theme 2: Protection of Children and Young People

Action	By whom?	By when?
Ensure agencies know, or have access to information about the services, policies and procedures of relevant local agencies for people experiencing or perpetrating domestic abuse and sexual violence with clear pathways into our Multi-Agency Safeguarding Hub and safeguarding services	Children services DASV Operational and Executive Group	December 2018

Develop clear pathways from Multi-Agency Safeguarding Hub to external and internal services ensuring a swift coordinated response.	Children Services	June 2018
Improve the services and support for all victims inclusive of their children and ensure there is a whole-family response to disclosures of domestic abuse and sexual violence that includes age-appropriate children and young people interventions, alongside programmes for families.	Children's Services Adult Services DASV Operational and Executive Group	December 2018
Explore opportunity for co-located services to increase rapid sharing of information and risk assessments to provide a holistic, seamless and effective response to domestic abuse and sexual violence.	DASV Operational and Executive Group Commissioning Team	November 2018
Improve assessment processes in adult focused services (including mental health and substance misuse) to provide opportunity to identify children and young people for whom clients have parental or carer responsibility, or to whom they have access.	Adult services Devon Partnership Trust	September 2018
Provide a dedicated social worker trained in using the Domestic Abuse Stalking and Harassment Risk Assessment Checklist.	Children Services	October 2018
Delivery of effective community education such as CRUSH to increase awareness and understanding of healthy relationships, domestic and sexual abuse.	IYSS Children Services YOT TSCB	July 2018

### Theme 3: Provision of support

Action	By whom?	By when?
Ensure the commissioning of an appropriate range of support (core offer) to meet the needs of Torbay and these services are communicated to all stakeholders	Commissioning team DASV operational group	September 2018
Build community capacity to respond to <b>domestic abuse and sexual violence</b> – develop training, support and quality assurance mechanisms to develop existing practice across the statutory and community/voluntary sector	TSCB and TSAB Training Boards DASV Operational and Executive Group	July 2018
Embed an appropriate response model across organisations (e.g. inform-enable-support) to respond at an early stage for families and deinstitutionalise response	Early Help Children Services DASV Operational and Executive Group IYSS YOT Health	August 2018
Commission and promote whole-family approach that incorporates appropriate interventions and programmes (link to protection of children and young people)	Commissioning team	September 2018
Victims to receive personalised support through the Independent Domestic Violence Advisors (IDVA's).	IDVA service DASV Operational and Executive Group	April 2018
Increase delivery of education around healthy relationships, domestic and sexual abuse, confidence and assertiveness	IYSS YOT DASV Operational and Executive Group Schools Health	June 2018
Design and implement a future model for accommodation based service	Commissioning team Housing	September 2018

#### Theme 4: Protection and justice

Action	By whom?	By when?
Ensure effective police initial response to incidents of domestic abuse & sexual violence that victims can trust and rely upon.	Police DASV Operational Group	May 2018
Effective use of protective and restrictive sanctions to manage risk to victims and their children - both civil and criminal.	Police DASV Operational and Executive Group Solicitors Probation NPS/CRC	August 2018
Conduct fundamental review of Torbay's Multi-Agency Risk Assessment Conference in consideration of other means of multi-agency collaborative mechanisms to improve response to risk and demand.	Police DASV Operational and Executive Group MARAC	April 2018
Ensuring consistent and supportive response to victims.	Witness care Victim support/Care unit DASV Operational Group	December 2018
Specialist interventions to meet the levels of need in Torbay. This will include consideration of co-located services to increase information sharing and co-ordination of resources to provide a holistic, seamless and effective response to <b>domestic abuse and sexual violence</b> . Promotion and engagement with Early Help processes.	DASV Operational and Executive Group Early Help	September 2018
Identify perpetrators not in the criminal justice system and address the harm they cause as part of a whole-family approach.	Devon Partnership Trust Police Children Services DASV Operational and Executive Group	August 2018
Increase the volume of successful court prosecutions whilst providing better support for victims through use of specialist Independent Domestic Violence Advocates and Independent Sexual Violence Advocates.	CPS Police DASV Operational and Executive Group	June 2018
Improve mechanisms for sharing the learning from Domestic Homicide Reviews including how the learning is embedded in to practice	Police DASV Operational and Executive Group Stronger Board	September 2018

## 5 Monitoring and Evaluation

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The Strategy will be reviewed and monitored by the Executive Group, with the Action Plan being refreshed each year. Any issues or amendments requiring escalation will be brought to the attention of the Health and Wellbeing Board via the governance structure on page 6 of this document.

A series of performance measures will be developed by the Executive Group to help evaluate the impact of this Strategy and reported to the Health and Wellbeing Board through the Community Safety Partnership.

The mapping exercise highlighted more information in relation to domestic abuse and sexual violence should be collected to enable us to fully understand the whole picture. The Executive and Operational Groups will work together to establish a data monitoring framework that collects appropriate levels of information from across the partnership.



**Meeting:** Full Council

**Date:** 19 April 2018

**Wards Affected:** All

**Report Title:** Transformation Project – Parkfield Future Options

**Is the decision a key decision?** Yes

**Executive Lead Contact Details:** Julien Parrott, Executive Lead for Adults and Children, [julien.parrott@torbay.gov.uk](mailto:julien.parrott@torbay.gov.uk)

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## **1. Proposal and Introduction**

- 1.1 The purpose of this report is to set out proposals for the future use of the Parkfield site (including Parkfield House) following the decision by Council not to approve the planning application that would have enabled the relocation of Torbay School (Brunel Academy).
- 1.2 For the purpose of this report, the Parkfield site encompasses the Parkfield youth facility (MyPlace) and Parkfield House as both remain operational delivery sites for Children's Services, whilst the latter features within the proposals recently brought forward by the Paignton Town Centre Community Partnership.
- 1.3 This report reflects the work recently undertaken by FMG Consulting Ltd to explore options for the future use of the site and further dialogue with the Education Funding Agency (Estates Team) to clarify their expectations and any constraints these place on decision making. The overall aim is to ensure that the exploration of future options proceeds from an exhaustive and accurate appreciation of the various constraints and opportunities that apply, with a particular focus on the development of youth related provision, in accordance with the funding requirements. A further consideration is how the site can support the Council in delivering its wider statutory responsibilities for the children and young people of Torbay. A copy of the Options Appraisal Completed by FMG Consulting Ltd is attached at Appendix 1.
- 1.4 The Overview and Scrutiny Board considered the proposals at their meeting held on 11 April 2018 and supported the recommendations set out in paragraph 3 to this report.

## **2. Reason for Proposal**

2.1 The Parkfield site comprises of a number of distinct elements currently supporting an eclectic range of local authority services, voluntary sector activity and open community use, with Torbay Council retaining overall responsibility for the site.

### **2.1.1 Parkfield Youth Centre (New Build)**

Parkfield Youth Centre was developed via a Department for Education Lottery grant of £4.8m and opened in 2011. It comprises of a large recreation/performance hall, training kitchen and café, music suite, climbing wall and IT suite. It is currently the operational base for the Youth Service and Young Carers Service and provides for 25 hours per week of delivery, of which 8 are targeted sessions for vulnerable young people, which, in total, engage around 120 individual young people. The building also hosts the Careers South West Service to benefit those young people vulnerable to becoming NEET (not engaged in education, employment or training).

A local organisation, Reach Outdoors are currently operating the climbing wall under a Tenancy at Will arrangement until the longer term future of the site is determined. They have been able to develop a viable business model working with groups of young people including schools and free sessions for the youth service.

### **2.1.2 Parkfield House**

Parkfield House is a Grade 2 listed building and the current base for the Youth Offending Service (YOS) and Care Leavers' Service. The Crime and Disorder Act 1998 places duties on the local authority and its statutory partners (Police, Health and Probation) to co-ordinate the provision of youth justice in their local area. Torbay YOS work with some of the most complex and vulnerable young people in Torbay including those subject to custodial sentences. They are required to engage and supervise young people on an individual basis in order to address their offending behaviour and protect the wider community. The Care Leavers' Service forms part of Torbay Council's Social Care Service and aims to support young people leaving care to realise their aspirations for education and employment alongside supporting their personal and social development. Both services engage young people on site on a daily basis.

### **2.1.3 BMX Track**

The BMX Track is a core part of the youth offer and is capable of operating as a regional and national competition track. A local club has been supported to run this and is seeking a lease to fulfil its ambitions within the site and to enable extended opening with safe supervision and training.

### **2.1.4 Skate Park**

The Skate Park is an open access facility attracting a diverse age range and proving particularly popular for many young people who initially face barriers to engaging with mainstream services. The skate park is open when the building is not and, as such, is used from early morning to late evening.

### 2.1.5 Eat That Frog

This community interest company has enjoyed a longstanding partnership with Parkfield, partially maintaining the grounds through a skills and learning programme for those interested in horticulture and maintenance. Eat That Frog previously operated the training kitchen, but withdrew when the day-time alternative education offer ended on the site.

ETF has been on site and since 2013 providing a range of community based projects aimed at helping young people to get paid work. The work undertaken by ETF is funded by the Education & Skills Funding Agency (Department for Education) and Department for Work & Pensions and brings an investment into Torbay in excess of £800k annually. This work has been praised by local residents and the Herald Express in improving the site whilst linking people to paid employment.

ETF is classified by the Department for Education as a Specialist Post 16 Institution for learners with Special Educational Needs and listed as listed as an Independent Special School on section 41 of the Children and Families Act. There is an existing link with examples of learners progressing from the medical tuition service to ETF.

The educational contracts held by ETF allow delivery of adult learning which may also be delivered on site and provide opportunities to run courses for “Young mums to be” and “Parenting” which will provide strength to the wider support of Torbay’s Children and Families at no cost to Torbay Council.

2.2 Since its opening in 2011 Parkfield (MyPlace) has experienced difficulties in securing and sustaining the revenue funding necessary to match the undoubted quality and scale of the facilities and deliver a comprehensive and enticing offer for young people. Parkfield is not the only youth facility developed under the MyPlace Programme which has experienced such challenges and nationally, a range of solutions have emerged:-

- An ongoing LA revenue contribution (often drawn from consolidating youth service delivery funding on to one site) matched or complemented by further private/voluntary/public sector funding. Examples: Bolton and Wigan Girls and Lads Club with a funding ratio of 40% LA, 40% donations and 20% user subs, Toxteth Fire Fit Hub which is part of ComMutual Housing Charity.
- A tapered (time limited) LA revenue contribution matched/complemented by private/voluntary/public sector funding with the aim of securing independent and sustainable youth provision after an agreed period of time. Examples: South Leeds partnership with the YMCA, Wirral Council and The Hive.
- Co-locating a range of daytime services for young people/community groups to cover premises costs and a revenue contribution to sustain/develop evening and weekend provision. Examples: Dawlish Red Rocks Centre or Bristol The Station.

2.3 A sustainable solution for Parkfield is likely to comprise of number of elements that taken together secure viability in the short term (in relation to premises operating costs), but with the potential to grow delivery and activity for young people over time. This could involve an ongoing LA financial contribution or entirely independent operation, on either a commercial or community basis, after an agreed period of time. Subscriptions from young people using the facilities are likely to be an element of the solution but only at the point the activity offer has matured to justify this. Within any future model, the Council is legally obliged under the EFA grant funding agreement and deed of dedication to facilitate youth provision for the site until 2030.

- 2.4 In light of the Council's decision on the planning application for Torbay School (Brunel Academy), children's services officers have had further dialogue with the Education Funding Agency (EFA) in order to clarify the considerations that would apply to any future proposals for use. EFA have confirmed that the Council is legally obliged under the grant funding agreement and deed of dedication to provide youth provision (as set out in the grant funding agreement) until 2030. The grant funding for the site being secured via the deed of dedication and restriction on title, with the potential for 'claw back' if conditions are not met. In summary, the DfE's (via EFA) approval would be needed to dispose of the site and any such approval would not be given lightly.
- 2.5 Torbay Community and Customer Services recently engaged FMG Consulting Ltd. to assist with commercial development in a number of areas including the Riviera International Conference Centre. At the request of the Director of Children's Services, this work has been extended to encompass an Options Appraisal for future use of the Parkfield site including:
- Do nothing (status quo)
  - Co-location of Children's Services
  - Community management
  - Commercial operator
  - Asset transfer
- 2.6 A copy of FMG Consulting Ltd's report is attached at Appendix 1. Set out within the report is an analysis of the opportunities, challenges and implications for the options set out above. FMG do not come to a firm view on any single option as they acknowledge that any final decision will require a careful balance to be struck between best utilisation of the asset, financial considerations, community benefit and the Council's wider statutory obligations to provide services for children and young people.
- 2.7 The co-location option explored in the FMG report is for the Council's Medical Tuition Service to relocate to Parkfield (MyPlace). The Council's Medical Tuition Service (MTS) is currently located at Halswell House, Paignton and aims to meet the needs of pupils who cannot access education in a mainstream setting due to an ongoing medical condition. The MTS currently supports around 47 children from this site, a further 7 pupils in a hospital setting and around 15 children via an outreach IT based solution. There is an increasing demand for this service and Parkfield could provide for up to 60 places should the MTS relocate.
- 2.8 The criteria for access to the service is a diagnosed medical condition that continues to make access to an educational setting too challenging. A school may refer a student to the Medical Tuition Service, after a period of 15 days continuous ill absence or an admittance to a hospital. The school should include all relevant medical evidence from medical professional and supporting agencies to enable the application to be considered by the Pupil Referral Panel. It is the ethos of the service that wherever possible it will support an eventual return to a mainstream educational setting when the student is medically fit to do so. For this reason the pupil remains on the roll of both the school and the Medical Tuition Service.
- 2.9 It is important to note that the MTS is not currently registered with Ofsted although this is a legal requirement. The Halswell House site is a Grade 2 listed building would not meet the standards required to achieve registration, primarily due to poor access. Ofsted are aware of the situation and have not taken enforcement action on the understanding that the Council is working towards a solution. Dual registration has been implemented as an interim measure (maintaining pupils on the roll of their original school and MTS) to avoid

pupils attending an unregistered provision. This issue is a standing item on the regular meetings between Ofsted, the DCS and Head of Education Services and a longer term solution will need to be communicated to Ofsted as soon as practicable.

- 2.10 Initial discussions with the TDA have identified that the remodelling of Parkfield (MyPlace) to accommodate MTS would be largely internal, with estimated costs set out in Table 1 below. Planning consent would be required for the external works which encompass fencing and car parking. The proposal would not involve any significant alterations to the external fabric of the existing Parkfield structure or any new build. Relocating the MTS would not interfere with the site's use on evenings and weekends for youth provision or community use.
- 2.11 The estimated capital costs would be funded from any unallocated sums from within the existing Children's Services capital programme and up to £600k of prudential borrowing to be funded from any future premises savings. Any remaining funding shortfall would need to be included in 2019/20 budget.
- 2.12 Should MTS not relocate to Parkfield it will require to be relocated to another existing site or a new build facility as soon as practicable. Table 2 below summarises the DfE guidance for alternative provision should the MTS require a new build facility. This figure excludes fees and charges and site acquisition costs. Relocation to Parkfield would offset significant costs associated with a new build should this be required.

**Table 1: Estimated Costs for remodelling Parkfield (MyPlace)**

<b>TDA Property Services Estimate 05.02.18</b>	
Minor alterations	£ 331,200.00
External works (fencing, access & car park)*	£ 110,000.00
Preliminaries	£ 65,000.00
Contingencies	£ 50,620.00
Fees	£ 74,750.00
F&E	£ 30,000.00

\*Excludes MUGA

**£ 661,570.00**

**Table 2: DfE Recommendations for alternative provision**

<b>DfE Recommendations (BB104) for Alternative Provision (Health)</b>		<b>M<sup>2</sup></b>
Basic Teaching	60+4.5N	276
Halls, PE, Dining & Social	40+0.6N	69
Learning Resources	10+0.4N	29
Staff & Admin	35+0.5N	59
Storage	35+0.5N	59
Float	70+1.1N	123
Min Net Area	250+7.6N	615
Non-Net area	150+2.9N	289
Min Gross Area	400+10.5N	904

**DfE National benchmarking price per M<sup>2</sup> £ 2,651.00**

**£ 2,396,504.00**

**Note: Excludes statutory fees, survey costs, legal & land acquisition, loose F&E, external works and client departmental costs**

2.13 Paignton Town Community Partnership (PTCP) has recently brought forward its own proposal for the future use of the whole of the Parkfield site. The proposal envisages an inter-generational approach with daily use of the centre by the over 50s and the remodelling of Parkfield House as a hostel and base for outdoor/adventure activities in order to fund the model. In May 2017, PTCP issues a further statement of intent to the Council seeking:-

- Full sign up 'in principle' to a community led solution.
- That Torbay Council provide details of premises costs, condition surveys (commissioning new surveys if more than two years old) and details of any land contamination or environmental issues.
- The granting of a lease to the emerging partnership similar to that offered to Torbay School.
- That the emerging partnership be granted exclusivity – with no information being used to develop an alternative approach or passed to a third party or an open market process.

- 2.14 The Localism Act (Community Assets) provides community groups with the right to bid in the event of a relevant disposal of an asset, a relevant disposal being either sale of the freehold or awarding a lease. In addition, financial regulations require that all disposals or leases must be subject to a formal process where the market rent is over £10k per annum. There is scope for the Chief Finance Officer, in consultation with the elected Mayor and Monitoring Officer to waive these requirements but only where the proposed lease is in the best interests of the Council and the terms of the lease are unlikely to be bettered.
- 2.15 As one potential option is for the Council to retain the site and relocate the MTS thereby, potentially saving the Council significant capital spend, it would be difficult to justify awarding the lease to any community group without some form of processing being undertaken. A further consideration and challenge for the Local Authority is that the PTCP proposal requires the acquisition of Parkfield House which is currently the operational base for the Youth Offending Service and Care Leavers Service. Both services form part of the continuing obligations placed on Torbay Council as a unitary authority to deliver a range of statutory services for children and young people. There is no clear rationale for the relocation of either service, other than to enable PTCP to realise its aspirations for the wider Parkfield site. There would inevitably be revenue and capital costs associated with moving both services and, in the case of YOS, some challenge in finding a suitable site that provides a safe environment to engage young people open to the service whilst managing the risks they might pose to the wider community.
- 2.16 The relocation of Torbay School (Brunel Academy) was proposed as a means of sustaining, and over time, growing youth provision through a co-location model that also met the needs of some of the most vulnerable young people in our community. EFA's support for the proposal reflected their confidence in a co-location solution that combined an education setting with related youth services. The proposal to relocate the Medical Tuition Service (MTS) takes a similar approach but will not involve the physical change to the site necessary to relocate Brunel Academy. This option meets the Council's statutory requirements in addressing an urgent problem in relation to unsuitable and unregulated provision for some of the most vulnerable children and young people in Torbay. The co-located model has worked well elsewhere and represents the efficient use of a built asset, designed specifically to meet the needs of young people, against a very challenging financial background for both revenue and capital funding.
- 2.17 The previous proposal for Parkfield involved significant physical changes to the site, particularly to the MyPlace building, and raised planning concerns about the impact on the immediate locality due to their scale. Whilst the proposal to relocate MTS would require planning consent it does not require any new build or significant changes to the external fabric of the existing building associated with the previous proposal. The external works are limited to fencing and car parking and the internal remodelling would not interfere with community and youth provision at evenings and weekends.
- 2.18 It is important that the potential use of Parkfield by the Medical Tuition Service is not considered as being at the expense of the 'community' but rather the discharge by the Council of its obligations on behalf of the whole community of Torbay. The children and young people accessing that service are from across Torbay, including Paignton, and are amongst the most vulnerable in our community. Torbay Council Children's Services is currently subject to a Statutory Direction for failing to meet its obligations towards vulnerable children and young people. In such circumstances, priority must be given to ensuring its statutory services are placed on a sustainable and effective footing. Whilst the FMG report identifies clear opportunities for a community or commercial solution for Parkfield, the relocation of the MTS to Parkfield should be considered in that wider context.
- 2.19 In order to support the continued development of youth and community provision it is proposed to create a new governance structure for the site by establishing a user group comprising of representatives from Children's Services, MTS, Torbay Youth Trust, Eat That

Frog, young people and Paignton Town Community Partnership to ensure provision develops in line with the original vision for the site and enable the community to have a voice within that journey. Torbay Youth Trust recently registered as a Charitable Incorporated Organisation (CIO) having dual registration with the Charities Commission and Companies House. The Trustees combine professional and academic expertise in the field of youth services and the opportunity to grow youth provision both at Parkfield and elsewhere through grant funding that would not otherwise be available to the Council. Under this option the Youth Trust would focus on the growth of youth provision both at Parkfield and elsewhere but without being directly responsible for the premises.

- 2.20 In conclusion, the FMG report highlights opportunities from commercial, community and statutory service use of the Parkfield site which could satisfy the revenue constraints and the aspiration to optimise site usage. However, any option which involved disposal or transfer of the asset would need to be carefully balanced against the proposal to relocate the MTS to Parkfield which would ensure the grant funding conditions continue to be met, off set a potential cost of around £2.4M should a new build be required, avoid the as yet unquantified cost of relocating services in Parkfield House, and meet the needs of particularly vulnerable group of Torbay children and young people. Moreover, the proposed governance arrangements to oversee the development of youth and community usage would ensure that local concerns can be accommodated whilst maintaining the Council's focus and commitment toward children and young people.

### **3. Recommendation(s)/Proposed Decision**

- 3.1 That the proposal to relocate the Medical Tuition Service in MyPlace, Parkfield, Paignton be approved.
- 3.2 That the Director of Children's Services be requested to ensure that parents and service users of the Medical Tuition Service are fully engaged in the implementation of the proposed changes to their service provision.
- 3.3 That the proposal to fund the capital expenditure associated with 3.1 above from any unallocated sums within the existing Children's Services Capital Programme and up to £600,000 of prudential borrowing funded from any future premises savings and any shortfall being included in the 2019/2020 revenue budget be approved.
- 3.4 That the establishment of the Torbay Youth Trust be approved.
- 3.5 That the creation of a Parkfield User Group comprising representatives of young people, the Youth Trust, the Medical Tuition Service, Eat That Frog, Paignton Town Community Partnership, Torbay Community Development Trust, Torbay Community Partnerships and the Overview and Scrutiny Board be approved.
- 3.6 That the Parkfield User Group be established as soon as possible and be asked to consider how the use of MyPlace can be maximised.

### **Appendices**

Appendix 1: FMG Consulting Ltd Options Appraisal of Parkfield Youth Centre

### **Background Documents**

None

## Section 1: Background Information

1.	<p><b>What is the proposal / issue?</b></p> <p>The proposal is to relocate the Medical Tuition Serve (MTS) to the Parkfield (MyPlace) facility.</p>
2.	<p><b>What is the current situation?</b></p> <p>The Parkfield (MyPlace) facility has experienced difficulties in securing and sustaining the revenue funding necessary to match the quality and scale of the facilities it can offer. FMG Consulting Ltd. were asked to explore future options for the site and their Options appraisal document is attached as an Appendix to the Council Report. It identifies a range of options for the site encompassing commercial operation, a community led approach and a co-location model. Their report identifies risks and opportunities with all of these options. The relocation of the Medical Tuition Service is proposed as the option that best meets the needs of a very vulnerable cohort of young people whilst also aligning with the wider vision for Parkfield as a high quality service facility for children and young people. The proposal would avoid potentially significant capital costs associated with the relocation of the MTS whilst also offsetting a significant proportion (circa 50%) of Parkfield's day to day operating costs. The proposal would not involve significant remodelling of the facility or impede the wider use of the site by youth and community groups in a managed and agreed manner.</p>
3.	<p><b>What options have been considered?</b></p> <p>The strengths and weaknesses of the various options for Parkfield are set out within the Options Appraisal completed by FMG Consulting Ltd. which is attached at Appendix 1 to this report.</p>
4.	<p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</b></p> <p>Ambitions: Prosperous and Healthy Torbay Council</p> <p>Principles:</p> <ul style="list-style-type: none"><li>• Use reducing resources to best effect</li><li>• Integrated and joined up approach</li></ul> <p>Targeted actions:</p> <ul style="list-style-type: none"><li>• Protecting all children and giving them the best start in life</li><li>• Promoting healthy lifestyles across Torbay Council</li><li>• Ensuring Torbay remains an attractive and safe place to live and visit</li></ul>
5.	<p><b>How does this proposal contribute towards the Council's responsibilities as corporate parents?</b></p>

	<p>Children and Young People access the MTS are amongst the most vulnerable in Torbay. This proposal will improve their situation and provide for growth capacity particularly for the post 16 years offer.</p>
6.	<p><b>How does this proposal tackle deprivation?</b></p> <p>The proposal will tackle inequalities in the quality of education provision for those children requiring a service from MTS which is currently in unsuitable, unregistered provision.</p>
7.	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>The engagement exercise undertaken by FMG Consulting Ltd provided the opportunity for partners and stakeholders with an interest in the Parkfield site to give their views which in turn have fed into the Options Appraisal attached to this report. This has identified a wide range of opportunities for the site in addition to the proposal set out in this report.</p> <p>In terms of the relocation of the MTS, consultation has been confined to school leadership as the considerations at this stage are confined to Parkfield suitability as a base for the MTS.</p>
8.	<p><b>How will you propose to consult?</b></p> <p>As set out above, FMG completed a soft market test exercise to explore wider opportunities for the future use of the Parkfield site. Parents and service users will be fully engaged as part of the implementation of the proposed changes to their service provision.</p>

## Section 2: Implications and Impact Assessment

<b>9.</b>	<b>What are the financial and legal implications?</b>  The proposal will require around £600k on capital to be funded from prudential borrowing and any unallocated sums within the Children's Services capital programme. Taking this approach would avoid the capital costs associated with either a new build or alternative site for the MTS. The relocation of MTS would also offset the existing premises costs for Parkfield by around 50%.
<b>10.</b>	<b>What are the risks?</b>  Any proposal for the future use of Parkfield will require to meet the DfE's expectations in line with the original grant funding agreement. There is a risk that the proposal will not be approved, however, this is unlikely given the nature of the proposal and the approval of similar co-location models elsewhere.
<b>11.</b>	<b>Public Services Value (Social Value) Act 2012</b>  The proposal does not require a procurement process to commence as the asset will remain an operational service platform for Children's Services.
<b>12.</b>	<b>What evidence / data / research have you gathered in relation to this proposal?</b>  FMG have undertaken an Options Appraisal attached at Appendix 1, within in which a co-location model is considered.
<b>13.</b>	<b>What are key findings from the consultation you have carried out?</b>  The Options Appraisal undertaken by FMG Consulting Ltd identifies a range of options for Parkfield each with its own strengths and weaknesses. It comes to no definitive conclusion on which is the best approach. The co-location model involving the relocation of MTS is proposed as an officer recommendation having due regard to the wider statutory responsibilities on the Council for the Children and Young people of Torbay.
<b>14.</b>	<b>Amendments to Proposal / Mitigating Actions</b>  The proposal to relocate MTS and the Options Appraisal undertaken by FMG Consulting Ltd were considered by the Overview and Scrutiny Committee at its meeting on 11 <sup>th</sup> April 2018. Their recommendations have been reflected within Section 3 of this report.

## Equality Impacts

15	<b>Identify the potential positive and negative impacts on specific groups</b>			
		<b>Positive Impact</b>	<b>Negative Impact &amp; Mitigating Actions</b>	<b>Neutral Impact</b>
	Older or younger people	This proposal will provide a more suitable educational environment for children requiring the Medical Tuition Service.		
	People with caring Responsibilities			No differential impact
	People with a disability	This proposal will provide a more suitable educational environment for children requiring the Medical Tuition Service.		
	Women or men			No differential impact
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			No differential impact
	Religion or belief (including lack of belief)			No differential impact
	People who are lesbian, gay or bisexual	The proposal will enable the LGBTQ group to continue to hold its meetings at the Parkfield site.		

	People who are transgendered	The proposal will enable the LGBTQ group to continue to hold its meetings at the Parkfield site.		
	People who are in a marriage or civil partnership			No differential impact
	Women who are pregnant / on maternity leave			No differential impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)			No differential impact
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			No differential impact
16	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	The proposal supports the wider improvement journey for Children’s Services by providing a suitable site for MTS as opposed to the current unregistered location and contribute to the operating costs of Parkfield MyPlace thereby supporting the development of youth and community provision. The proposal also supports service growth and the development of post 16 provision which is not currently available.		
17	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	None anticipated		



OPTIONS APPRAISAL OF PARKFIELD YOUTH CENTRE  
TORBAY COUNCIL



A  
REPORT  
BY  
FMG CONSULTING LTD

9<sup>th</sup> FEBRUARY 2018



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## 1. Background and Purpose of Report

### Background

- 1.1 In August 2017, following the Council's decision not to proceed with the planning application for the relocation of the Torbay School at Parkfield, the Director of Children's Services reported on the need to explore the future management arrangements for the Parkfield Youth Centre facility.
- 1.2 The report recognised the complexities around the different solutions for the facility including:
  - the Council's statutory responsibilities for providing youth offending services;
  - the broader requirements of meeting the grant funding obligations of the successful Place Makers grant (Myplace); and
  - the Council's agreement with the Torbay Youth Trust to grow youth provision without a corresponding reliance on increased Council funding.
- 1.3 The report also recognised the considerable "head of steam" that had been generated from the planning application process which had generated attention from a wide range of local interested groups in the potential for the facility to be placed in community ownership.
- 1.4 Mindful of the Council's need to bring forward a sustainable longer-term solution for the management of the facility, the report recommended that external support would be required to objectively review and subsequently (if required) procure a management contract with an external body to take responsibility for the day to day operating of the facility, including all the income and operating costs.
- 1.5 Concurrently with this review, further work would be undertaken by the Council to explore the day time use of the site by schools to meet the needs of pupils struggling to engage as well as the potential relocation of the Medical Tuition Service (MTS).

### Changes since the August 2017 Report

- 1.6 Following the submission of the August 2017 report, the following activities have taken place including:
  - a soft market testing exercise has been undertaken to obtain feedback from the market on interest in the project;
  - 'In principle' agreement on the terms of a new youth service management arrangement with Torbay Youth Trust;
  - discussions with schools about the potential use of the site;
  - discussions on the consolidation of children services within the site; and
  - developments on the relocation of the Medical Tuition Service (MTS).

### **The Current Service**

- 1.7 The wider Parkfield site includes Parkfield House which is a Grade 2 listed building and is the base for the Youth Offending Service and the Parkfield Youth Centre facility which is the base for the Council's Youth Service and Young Carers Service and provides circa 25 hours of service delivery per week (mainly evenings and weekends). These two buildings are set within parkland which is open to the public.
- 1.8 The Youth Centre building also houses the Carers South West Service that supports those young people vulnerable to becoming NEET (Not Engaged in Education, Employment or Training). Young people that use the Parkfield Youth Centre report that they value the facility as a place where they feel safe and able to access valuable support from qualified youth practitioners.

### **Restriction and Constraints of the Facility and Site**

- 1.9 The following restrictions apply:
- The National Trust holds a Restrictive Covenant over land known as Parkfield Nurseries covering built structures, fixtures and land and therefore requires legal consent prior to any future works on the site.
  - In 2009, the Big Lottery Fund provided a 'Myplace' grant to the Council to fund the construction of the Parkfield Youth Centre. The grant conditions that remain in force until 2030 and state that: The facility must be open for activities at times that suit young people including late Friday and Saturday night, unless the Big Lottery Fund has provided its prior written consent'.
  - The Council have drawn up an 'In principle' agreement with Torbay Youth Trust to operate the Youth Service for 25 hours per week (from 4.30pm-9.30pm Tuesday to Friday and 10am - 5pm Saturday). The Council would wish to establish a partnership arrangement between any new operator and the Torbay Youth Trust that would provide guidance and added commercial value to the exiting developments.

### **Procurement objectives**

- 1.10 The Council's aim for the Parkfield Youth Centre is to:
- Improve the range of programmes and understand the opportunities for income generation;
  - Understand the appetite for capital investment and growth of the current business and the scope for development of new markets and revenue streams;
  - Further enhance the current levels of community satisfaction with frontline youth services, service quality and flexibility, delivering best value for the Council;
  - Significantly increase the number of those visiting Parkfield Youth Centre and to promote an eclectic offer for community health and well-being, learning and youth development; and
  - Ensure a positive impact on the local economy in terms of economic, social and physical health and well-being.
- 1.11 The Council consider that a sustainable solution for the facility is likely to comprise of a number of elements that together secure the facility in the short term but with the capacity to grow delivery and activity for young people and other members of the community over time.

- 1.12 Income from young people and other community groups using the facilities are likely to be an element of the solution as will be working in collaboration with the Council, local groups, schools and interested individuals and organisations over the longer term to develop a range of day time and evening activities that optimise the use of the asset and create a vibrant and appealing offer.

## 2. Preferred Options

### Parkfield Youth Centre

- 2.1 Having defined the background and the objectives for the project, the options available to Members to develop the site and / or deliver the services, outcomes and benefits have been identified as follows:
- A. Do Nothing
  - B. Co-location of Children Services
  - C. Community Managed
  - D. Commercial Operator
  - E. Asset Transfer
- 2.2 An overview of each option including the service and financial implications and asset utilisation is provided below together with the opportunities and challenges considered related to each option.

### Summary of the Options

- 2.3 The table below highlights some of the key elements of the options.

**Table 2.1 - Summary of the Options**

	Option A	Option B	Option C	Option D	Option E
Protect Torbay Youth Trust 25 Hours	Yes	Yes	Yes	Yes	Possibly
Manage Asset	Youth Service/TDA	Youth Service & Education Departments/TDA	Community Organisation	Commercial Organisation	Transferee
Additional Use outside 25 hours	None	Schools and other sessional users	More than likely Community activities	Commercial and Community Activities	Commercial and Community Activities
Council Control	Direct	Direct	Lease or Contract	Lease or Contract	Lease

## **Option A Do Nothing - Status Quo and providing 25 hours to Torbay Youth Trust**

### ***Overview***

- 2.4 Under this option, the facility will continue to be operated by the Council with technical support from the TDA. The Council will continue to open and close the facility on weekdays and at weekends to allow Torbay Youth Service to provide a range of youth services as part of the proposed agreement with the Council.

### ***Service Implications***

- 2.5 The continuation of the services will result in maintaining the current levels of utilisation of the building. Any increase in attendance levels will be as a result of the actions and programmes developed by the Torbay Youth Trust.

### ***Financial implications***

- 2.6 This Option assumes the current base as the cost of the service (circa £112,000 per annum) and is used to compare the financial implications of the other options included in this report.

### ***Opportunities and Challenges***

- 2.7 Growing the wider use of the facility for use by the community will be dependent on the Council opening the facility outside of the core hours used by the Youth Trust. There is likely to be limited as it will require additional personnel and resource within Children's Services to develop the use of the Centre.

### ***Asset Utilisation***

- 2.8 Given the 'In principle' agreement with the Torbay Youth Trust to manage youth services on behalf of the Council, this option on its own is unlikely to lead to an overall increase in the overall use of the asset unless additional revenue funding is allocated to extend opening hours.

## **Option B - Co-Location of Services- Education/Youth/ Children's Services**

### ***Overview***

- 2.9 This option involves the co-location of a number of Council service providers with resources transferred or shared internally between providers who would take a more active role in the operation and management and utilisation of the facility. A key consideration will be using the site for Medical Tuition Service (MTS) which is currently looking for sites to use. It is estimated that the cost of a new facility is £7 million but a re-modelling of the Parkfield Youth Centre could be as low at £400,000 of capital expenditure (*Source: MTS Site Options Appraisal, TDA. 14 November 2017*)
- 2.10 The programmed time set aside for the delivery of the youth services by the Torbay Youth Trust would need to be examined and if possible maintained with other Council services using the facility outside these core hours to work with schools and others to deliver curriculum activities, MTS and offer community opportunities. The TDA would continue to oversee the maintenance and upkeep of the asset as in Option A above.

### ***Service Implications***

- 2.11 There is some synergy to be gained from co-locating and integrating the work of the Youth Service with Education with existing budgets being transferred or recharged internally to facilitate such a move. The Education Department would gain an additional facility to support their activities during the day time and the Council could save capital and revenue resources from the re-location of the MTS.
- 2.12 Out of hours provision (after 5pm weekdays and at weekends) could accommodate the work of the Youth Trust who will occupy key parts of the building for their activities. Some formal monitoring of the work of the Youth Trust would need to be managed by Children's Services requiring some form of tri-partite agreement to be put in place.

### ***Financial implications***

- 2.13 The MTS scheme is likely to save circa £6.6 million on capital resources. Co-locating services at Parkfield would mean a potential saving of circa £30k to £35k on MTS revenue costs which could be offset against the existing £112k operating costs of the Parkfield facility. Given that the Council is looking at a location for MTS, this could provide a financial saving for the Council.

### ***Opportunities and Challenges***

- 2.14 Subject to the facility being able to be accommodated within the 1,325m<sup>2</sup> and allowing the Council to meet its obligations under the grant funding agreements, covenants and agreement with the Torbay Youth Trust, there is a great opportunity for the Council to provide joint working and quality facilities for delivering statutory services for young people. The key challenge will be to ensure that agreements are in place about who is responsible for the cost of the building, timings of use and daily handover arrangements. Another challenge will be how the facilities are made secure during different uses.

### ***Asset Utilisation***

- 2.15 The co-location of a number of service providers on to the site at different times of the day will increase the utilisation of the facility. In so doing, the option integrates children's services, provides a base from which to anchor the delivery of the Council's statutory obligations towards children and improves utilisation of the site.

### **Option C - Community Managed**

#### ***Overview***

- 2.16 The soft market test revealed a wide range of local groups interested in managing the facility under some form of community agreement. This option therefore reflects that solution.

#### ***Service Implications***

- 2.17 A community organisation would submit proposals to operate and manage the facility on behalf of the Council. The Council could transfer the risk of utilities and maintenance and upkeep to the community stipulating that the agreements in place between the Youth Trust and the terms of the MyPlace grant are honoured.
- 2.18 The Community Management operator would be able to programme and develop the facility in line with existing commitments drawing on support from other local groups and

organisations. This option has been promoted by the Torbay Community Development Trust and Paignton Community Partnership.

### ***Financial implications***

- 2.19 The Council is likely to see the transfer of utility and maintenance costs to the new operator as part of the lease/licence agreement. The future costs of developing the service during the day would rest with the operator. Whilst a community organisation would be eligible for grant funding, it is unclear what level of future financial support the organisation may require from the Council and if they can develop sufficient third-party revenues in the form of income, grants and sponsorship to meet the operational costs of the facility.
- 2.20 A community led organisation is likely to seek additional grant funding to support a range of programmes although without sufficient financial trading history, it is unclear to what extent it may attract supporting investment. As a result, balancing the cost and revenue is likely to weigh heavily on the decisions affecting the programming and utilisation of the facility.

### ***Opportunities and Challenges***

- 2.21 A community run facility may appeal to the Council as it supports local democracy and reflects local interest. A community organisation may apply for external grants to develop programmes and activities that the Council cannot. A community organisation may not have the commercial expertise to make the business sustainable. A community organisation that has no track record of running a facility or of implementing a sustainable business plan may be a challenge to the Council.
- 2.22 A further challenge may be how to restrict any procurement approach or lease arrangement whilst excluding the private sector. Legal advice may be required on this matter.

### ***Asset Utilisation***

- 2.23 The extent to which the asset is utilised under this option will be driven by a mix of programming and pricing. This approach is unlikely to optimise asset utilisation but rather community need.

## **Option D - Commercial Operator**

### ***Overview***

- 2.24 The Council could outsource the operation and management of the facility to a commercial operator. In procuring a suitable operator the Council could include provisions for the transfer of risk associated with utilities, maintenance and future revenues to the operator as part of the contractual arrangement. Like all other options it would have a commitment to protect the hours allocated to the Torbay Youth Trust.

### ***Service Implications***

- 2.25 The Council would retain oversight of the contract but allow the operator commercial freedom to manage the centre and develop the programme, subject to existing commitments but in line with prevailing market conditions.

### ***Financial implications***

- 2.26 The Council would likely see costs savings in its budgets against the other options. A commercial operator would likely bring additional expertise to the development of the

programme with potential increases in the utilisation of the facilities and higher attendances.

### ***Opportunities and Challenges***

- 2.27 A commercial operator is likely to have the expertise to develop programmes that appeal to the local market. They are also the most likely of the options, to have practical experience of running buildings and managing assets through lease or contractual arrangement. The Council may need to satisfy itself of the balance to be had between social and commercial programmes of use and the pricing of activities.

### ***Asset Utilisation***

- 2.28 The soft market test exercise demonstrated that several established commercial operators can see an opportunity and are interested in entering into a concession agreement with the Council. A commercial operator is likely to want to programme the facility so that it optimises income from the facility.

### **Option E Asset Transfer**

#### ***Overview***

- 2.29 The Council could decide that it wants to transfer the ownership of the facility to a third-party organisation. This could be a private person or company or a community asset transfer.

#### ***Service Implications***

- 2.30 The Council could decide to transfer all risks associated with the building to a third-party organisation. The future viability of the building and the services on offer would rest with the third party. The services provided may not cover the 25 hours of Torbay Youth Trust but will likely need to provide some community services to be compliant with the requirements of the funding obligations.

#### ***Financial implications***

- 2.31 The Council could determine a market rent for the facility and in so doing remove the current costs to the Council, although this will be impacted by the funding obligations that could reduce the cash available for rent payments.

### ***Opportunities and Challenges***

- 2.32 Transferring the asset to a third party places the ownership of the facility outside that of the Council for the long term. Concerns with meeting the obligations of the agreement with the Torbay Youth Trust for use of the building; with Myplace in terms of meeting the obligations of grant funding and with the National Trust as landowner may need to be resolved.

### ***Asset Utilisation***

- 2.33 The transfer will likely lead to a focus on net profit or surpluses rather than on the utilisation of the asset. Any increase in building use will be as a consequence of profitable programmes and/or rental streams.

## 3. Procurement Options

### 03

#### Introduction

- 3.1 Should Options C, D or E be pursued, we estimate that the facility operator would look to breakeven from an operational perspective or require a smaller level of subsidy than the existing arrangements (subject to further evaluation of the proposals being submitted). Also, it is anticipated that all the risks of the building will transfer to the operator to manage, including income risk, inflation, utility costs and maintenance costs.
- 3.2 There are several options available to the Council in the procurement of an operating contract or lease to a third party to manage and operate the Parkfield Youth Centre facility including, but not limited to, entering into a contract for services, a service concession agreement or a property lease. The key drivers for the selection of a route may include:
  - the value of the contract
  - the level of risk transferred; and
  - the services that are provided.
- 3.3 Under EU and UK Regulations all public supplies and public service contracts must be procured and comply with these Regulations. However, it is dependent upon the financial value attributed to the contract and the type of service being provided.
- 3.4 Normally a contract that has an annual value more than £181,302 must use the Regulations, although some services (set out in Appendix 3 of the Regulations 2015), including sports, recreation, culture, health and social activities do not have to fully comply with the Regulations, but only where the threshold of £615,278 is exceeded (this is referred to as the Light Touch Regime). Any contract under this annual value for these services may simply follow the Council's own standing orders regarding procurement and anything over this threshold can use the Light Touch Regime.
- 3.5 With substantial transfer of risks, and limited or no deficit funding, the contract may fall under the 2016 Concession Contract regulations, which means that the Council can procure an operator under a Service Concession. This process is less formal than that under the 2015 Regulations. The financial threshold for this over the life time of the contract (measured as turnover) is £4,551,413 from 1<sup>st</sup> January 2018.
- 3.6 Given the options presented, the Council has no additional legal obligations should the Do Nothing or In-House Management options be pursued, other than to comply with its own agreements with the Youth Trust and TDA and the obligations under the grant conditions.
- 3.7 In terms of the Outsourced options presented (Option C and D), the Council has a duty to obtain best value should it decide to outsource the future management of the service or dispose of the asset under a lease. In this scenario, it is likely that, given the value of the contract, the Council will seek to use its own standing orders to procure a contract as it is a service falling within Appendix 3 of the 2015 Regulations and the value falls under the threshold.

- 3.8 Alternately given the potential value of the contract and the risks to be transferred to the operator for the building and services, this transaction may be procured as a Service Concession which again provides a lighter regime in terms of procurement.
- 3.9 In terms of disposing of the asset (Option E), it may use its powers granted to it by the General Disposal Content (England) 2003, where the Council is permitted to transfer Assets of Community interest to a community organisation (such as a Development Trust, a Community Interest Company or a social enterprise) for less than market value (up to a value of £2 million) if it considers it can achieve a local social, economic or environmental benefit.
- 3.10 Under this option interested parties will be required to submit an expression of interest and, if the local authority accepts it, a more detailed business plan will be required to show that the organisation is ready and able to successfully manage the land or building in the long term. The specific form of transfer would depend on the legal structure of the proposed organisation.

## 4. Summary and Recommendations

### Summary

- 4.1 The table sets out a summary of each of the options covering opportunities, challenges, service implications, financial implications and risk.

**Table 4.1 - Summary of Options**

Option	Opportunities	Challenges	Service Implications	Financial Implications	Summary
A. Do Nothing	<ul style="list-style-type: none"> <li>Provides unencumbered access for the Youth Trust to operate under the terms of the proposed agreement with the Council</li> </ul>	<ul style="list-style-type: none"> <li>Limits use of facility to wider community</li> <li>Limits Council in obtaining betterment from transfer of risks associated with operating income and costs.</li> <li>Ongoing revenue cost</li> <li>Council continues to handle the day to day management of the facility.</li> <li>Use of facility is not optimised</li> </ul>	Unlikely to develop further programmes (within current resources) other than that provided by Torbay Youth Trust.	Unlikely to deliver future budget savings with current operating costs remaining static.	Low asset utilisation and unlikely to generate any savings on current revenue budgets

Option	Opportunities	Challenges	Service Implications	Financial Implications	Summary
<b>B.- Co-Location of Services</b>	<ul style="list-style-type: none"> <li>Retains asset to provide Council youth services</li> <li>Provides the option to deliver a range of additional children's services including MTS and Education (EBD)</li> </ul>	<ul style="list-style-type: none"> <li>Future development plans are likely to be hampered by constraints on Council budgets</li> <li>High degree of focus on statutory services and not on wider development of community engagement services.</li> <li>Need to identify budget provision to operate the facility.</li> <li>Need to ensure that grant funding obligations etc can be met.</li> </ul>	Integrates and co-locates collective group of Council partners focused on providing statutory children's services. Likely to improve overall utilisation of the facility.	Will make substantial capital savings if MTS relocates to the building. Additional revenue savings likely through the offset of costs and new income from sessional and school use. Future budgets need to reflect the shared use of the facility with any increase in costs met in full by the Council.	High utilisation throughout the week. Significant potential savings from capital budgets and savings on revenue budgets and predicated on MTS relocating to the site. If the MTS does not relocate, the utilisation may be high but the savings will not be generated at the same level.
<b>C. Community Managed</b>	<ul style="list-style-type: none"> <li>Creates community space which is managed by local people for local people</li> <li>Programmes and pricing reflect and responds to community need</li> <li>May be able to attract external funding in the form of grants</li> </ul>	<ul style="list-style-type: none"> <li>Lack of trading history</li> <li>Unknown capability and expertise in managing maintenance and upkeep</li> <li>Business sustainability of initiatives and plans</li> <li>Establishing suitable Governance arrangements</li> </ul>	Local community focussed services and places direction and sustainability directly in the hands of local group.	Uncertainty as to whether this solution will deliver financial savings or be sustainable	Utilisation is driven by community need which is likely to grow over time. Savings difficult to establish and possible grant funding support may be required.

Option	Opportunities	Challenges	Service Implications	Financial Implications	Summary
<b>D. Commercial Operator</b>	<ul style="list-style-type: none"> <li>• Attracts external expertise to manage facility and develop service offer</li> <li>• Longer lease likely to attract capital investment</li> <li>• Arrangements enable risk transfer of utilities and maintenance and repair responsibilities to contractor.</li> <li>• Development of range of programmes and attractive offers to increase revenues and attendances</li> </ul>	<ul style="list-style-type: none"> <li>• Need for clarity of roles of Youth Trust and new Operator</li> <li>• Requires Council to monitor the contract</li> <li>• Establishing the balance between commercial and social activities</li> <li>• Requires the Council's to relinquish direct control over activity pricing</li> </ul>	Places management of facility fully with commercial partner to “sweat the asset”	May secure competitive market rent in the form of a reduced service fee	Utilisation driven by profit. Profit will be leveraged from a combination of price point and/or usage. Net increases in income likely.

Option	Opportunities	Challenges	Service Implications	Financial Implications	Summary
<b>E. Asset Transfer</b>	<ul style="list-style-type: none"> <li>• Places Council asset in hands of a third party for the long term</li> <li>• Encourages sustainability and service development</li> <li>• Offers the opportunity for leaseholder to attract external funding</li> </ul>	<ul style="list-style-type: none"> <li>• The relationship between the Council, the Youth Trust and new leaseholder</li> <li>• Ensuring the grant conditions are maintained.</li> <li>• Possible legal disputes involving existing covenant with National Trust</li> <li>• Loss of systems for monitoring and reporting on service delivery and business performance.</li> </ul>	Full transfer of asset and operation and site	The Council could transfer its assets to a community organisation (such as a Development Trust, a Community Interest Company or a social enterprise) for less than market value - to achieve a local social, economic or environmental benefit under Community Asset Transfer.	Focus on income generation which likely to create a level of savings on Council budgets. Asset utilisation will only occur where increase in usage is required to meet operating costs of asset.

4.2 **Recommendation**

- 4.3 A variety of options are presented for consideration, but the critical balance is between asset utilisation and the net impact on the Council's budget. These options are below:
- a) Do nothing (Option A); or
  - b) the co-use of the facility as a base for providing a range of children's services with MTS/Education working alongside the current Torbay Youth Trust (Option B); or
  - c) the need to provide an asset from which to increase the community, voluntary and third sector activities (Option C); or
  - d) seeking to optimise and "sweat the asset" and in so doing maximise the financial savings that can be achieved by the Council, whilst meeting the grant and covenant obligations (Option D and E).
- 4.4 In reaching a preferred way forward, Members may wish to consider the need to balance the utilisation of the asset, financial impact on the Council's budgets, overall community benefits and the wider statutory responsibilities the Council has in providing Children's Services.

## Schedule 5 - Scheme of Delegation of Executive Functions to the Executive, Committees of the Executive and Officers

This report is presented to the meeting of Council on 19 April 2018 in accordance with Standing Order C4.2(a) for inclusion in the Council’s Scheme of Delegation (Schedule 5 of Part 3) of the Constitution of Torbay Council.

- The names, addresses and wards of the people appointed to the Executive by the elected Mayor are set out below:

Name	Address	Electoral Ward
Deputy Mayor and Executive Lead Planning and Waste- Councillor Derek Mills	5 Bascombe Close Churston Brixham TQ5 0JR  (01803) 843412 or 07769369651	Churston with Galmpton
Executive Lead for Tourism, Culture and Harbours - Councillor Amil	c/o Town Hall Castle Circus Torquay TQ1 3DR  07815561301	Cockington with Chelston
Executive Lead for Environment – Councillor Vic Ellery	3 Alma Road Brixham TQ5 8QR  (01803) 854928	Berry Head with Furzeham
Executive Lead for Community Services - Councillor Robert Excell	Excell Studio 203 Union Street Torre Torquay TQ1 4BY  (01803) 212377 07811965194	Tormohun
Executive Lead for Customer Services and Town Centre Regeneration – Councillor Richard Haddock	Churston Farm Shop Dartmouth Road Brixham TQ5 0LL  (01803) 845837 07836 584944	St Marys with Summercombe
Executive Lead for Adults and Children – Councillor Julien Parrott	51 Princes Road Torquay TQ1 1NW  (01803) 389624	Ellacombe

Torbay Council – Constitution  
Schedule 5 – Delegation of Executive Functions

<b>Name</b>	<b>Address</b>	<b>Electoral Ward</b>
Executive Lead for Health and Wellbeing – Councillor Jackie Stockman	Winsome Higher Furzeham Road Brixham TQ5 8QP  (01803) 851255	Berry Head with Furzeham

2. The elected 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.

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Elected Mayor Gordon Oliver</p> <p>Executive Lead for Assets, Finance, Governance and Corporate Services, Economic Regeneration and Transformation</p>	<p><b>Transformation:</b> Programme Management Project Management</p> <p><b>Economic Regeneration:</b> TDA Commissioning</p> <p><b>Assets:</b> Asset Management</p> <p><b>Business Services:</b> Events</p> <p><b>Finance:</b> Financial Services – Martin Phillips Creditors Debtors Payments Internal Audit Cashiers Procurement Systems Accountancy</p> <p><b>Governance and Corporate Services:</b> Communications Coroner Governance Support (Democratic and Electoral Services) Registrars Human Resources &amp; Payroll</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Chief Executive/Chief Executive TDA</li> <li><input type="checkbox"/> Director of Corporate Services and Operations</li> <li><input type="checkbox"/> Director of Commercial and Transformation</li> <li><input type="checkbox"/> Head of Financial Services</li> <li><input type="checkbox"/> Executive Head Assets and Business Services</li> </ul>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
Page 78	<p>Corporate Support (Freedom of Information and Performance)                      Legal Services                      Policy and Overview &amp; Scrutiny                      Senior Leadership Team Strategic Support</p> <p><b>Business Development and Administration:</b>                      JOT administrative &amp; Technical Support                      JOT Contract Management:                          Leisure contracts                          Crematorium                          Waste Disposal                          Building Control                          Homes Improvement Agency                          Concessionary Fares                          Analysts</p>	
<p>Deputy Mayor and Executive Lead for Planning and Waste</p> <p>Councillor Derek Mills</p>	<p><b>Planning and Transport:</b>                      Planning Applications, Appeals &amp; Enforcements</p> <p><b>Business Services:</b>                      TOR2 (Commissioning) &amp; Service Delivery</p> <p><input type="checkbox"/> (Twinning)</p> <p><b>Delegated Decisions:</b> Executive functions in absence of Mayor (see paragraph 3(iv) below.</p>	<p><input type="checkbox"/> Director of Corporate and Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Executive Lead for Tourism, Culture and Harbours</p> <p>Councillor Nicole Amil</p>	<p><b>Business Services:</b>                      Harbour Authority                      Resort Services (Beaches)                      Theatres Arts &amp; Museums                      Culture</p> <p><input type="checkbox"/> (Armed Forces Champion)  <input type="checkbox"/> (Heritage Champion)</p> <p><b>Delegated Decision:</b> <i>Tourism</i></p>	<p><input type="checkbox"/> Director of Corporate Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p>
<p>Executive Lead for Community Services</p> <p>Councillor Robert Excell</p>	<p><b>Community Safety:</b>                      Corporate Health &amp; Safety                      Emergency Planning                      Anti-Social Behaviour and Vulnerability (excluding town centres)                      Safer Communities (excluding town centres)                      CCTV &amp; Security</p> <p><b>Business Services:</b>                      Parking Services                      Sports Development</p> <p><b>Transport:</b>                      Local Transport &amp; Strategic Transport                      Highways &amp; Street scene</p>	<p><input type="checkbox"/> Director of Corporate Services and Operations</p> <p><input type="checkbox"/> Executive Head of Assets and Business Services</p> <p><input type="checkbox"/> Executive Head of Community Safety</p>
<p>Executive Lead for Adults and Children</p> <p>Councillor Julien</p>	<p><b>Children’s Safeguarding:</b>                      Early Help                      Targeted Support Services                      Multi Agency Safeguarding Hub</p>	<p><input type="checkbox"/> Director of Adult and Housing</p> <p><input type="checkbox"/> Director of Children’s Services</p>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Parrott</p>	<p>Single Assessment                      Children in Need/Child Protection                      Children Looked After/Care Leavers                      Children with Disabilities                      Fostering                      Adoption                      Independent Reviewing                      Youth Offending Services                      Integrated Youth Support Services                      Quality Assurance                      Professional Support to Torbay Safeguarding Children Board</p> <p><b>Education Learning and Skills:</b>                      Early Years and Childcare                      Pupil Place Planning                      Special Education Needs &amp; Disability                      School Admissions                      School Improvement and Commissioning                      School Transport                      Virtual School                      Children’s Centres</p> <p><b>Adult Services (NHS Trust Provider):</b>                      Adult Mental Health                      Adult Safeguarding                      Care Homes                      Commissioning &amp; Management                      Community Alarms                      Community Equipment                      Domiciliary &amp; Day Care</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Assistant Director of Children’s Safeguarding</li> <li><input type="checkbox"/> Assistant Director Adults Services (NHS Trust Provider)</li> <li><input type="checkbox"/> Director of Public Health</li> </ul>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
	<p><b>Adult Social Care Commissioning:</b>                      Community Engagement                      Healthwatch                      Housing Strategy &amp; Development                      NHS Advisory Service                      Performance Management</p> <p><b>Public Health:</b>                      Domestic Abuse</p>	
<p>Executive Lead for Customer Services and Town Centre Regeneration                      Councillor Richard Haddock</p>	<p><b>Business Services:</b>                      Town Centres</p> <p><b>Customer Services:</b>                      Customer Services &amp; Connections                      ICT                      Library Services                      Revenue &amp; Benefits                      Print &amp; post Room                      Website Support</p> <p><b>Community Safety:</b>                      Anti-Social Behaviour and Vulnerability (town centres only)                      Safer Communities (town centres only)</p> <p><i>Delegated Decision: Regeneration of the Castle Circus area of Torquay</i></p> <p><i>Delegated Decision: contract for housing pathway for single vulnerable adults</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Director of Corporate Services and Operations</li> <li><input type="checkbox"/> Executive Head of Customer Services</li> <li><input type="checkbox"/> Executive Head of Community Safety</li> <li><input type="checkbox"/> Executive Head Assets and Business Services</li> </ul>

Executive Lead	Portfolio/Service Area:	Main Director/Assistant Director/Executive Head/Lead Officer
<p>Executive Lead for Health and Wellbeing</p> <p>Councillor Jackie Stockman</p>	<p><b>Public Health:</b> Health Improvement Strategy and Policy Intelligence</p> <p><b>Housing (shared with Councillor Ellery):</b> Housing Strategy &amp; Development Housing Options Housing Standards</p>	<p><input type="checkbox"/> Director of Public Health</p> <p><input type="checkbox"/> Executive Head of Community Safety</p> <p><input type="checkbox"/> Director of Adults Services and Housing</p>
<p>Executive Lead for Environment</p> <p>Councillor Vic Ellery</p>	<p><b>Business Services:</b> Flood Risk Management (client side) Natural Environment and Parks &amp; Open Spaces</p> <p><b>Community Safety:</b> Food &amp; Safety Licensing &amp; Public Protection Trading standards (DCC)</p> <p><b>Housing (shared with Councillor Stockman):</b> Housing Strategy &amp; Development Housing Options Housing Standards</p>	<p><input type="checkbox"/> Executive Head of Assets and Business Services</p> <p><input type="checkbox"/> Executive Head of Community Safety</p> <p><input type="checkbox"/> Director of Adults Services and Housing</p>

3.
  - (i) The Executive Lead for Customer Services and Town Centre Regeneration (Councillor Richard Haddock) will be responsible for the discharge of all executive functions relating to the regeneration of the Castle Circus area of Torquay as the elected Mayor owns properties in this area and has a pecuniary interest.
  - (ii) The Executive Lead for Customer Services and Town Centre Regeneration (Councillor Richard Haddock) will be responsible for the discharge of all executive functions relating to the contract for housing pathway for single vulnerable adults.
  - (iii) The Executive Lead for Tourism, Culture and Harbours will be responsible for the discharge of all executive functions relating to tourism due to the perceived concerns of the public in respect of the elected Mayor's interests in the tourism sector.
  - (iv) The Deputy Mayor will be responsible for the discharge of executive functions if the elected Mayor:
    - (a) is absent (e.g. on holiday) for a period of time or in cases of urgency where the Chief Executive is satisfied that the elected Mayor cannot be reasonably contacted;
    - (b) is incapacitated through illness; or
    - (c) has a pecuniary interest in any matter requiring determination.
  - (v) If the elected Mayor or the Deputy Mayor (Councillor Derek Mills) are unable to act on a matter requiring a decision then the Chief Executive shall have the power to determine any matter requiring a decision.
4. The elected Mayor has established two Executive Committees namely the Policy Development and Decision Group (Joint Operations Team) and the Policy Development Group (Joint Commissioning Team) which meet in public on a monthly basis in accordance with the Standing Orders – Executive, Committees, Access to Information and Budget and Policy Framework. Their membership and Terms of Reference are included in Schedule 4 – Terms of Reference of the Constitution.
5. No executive functions have been delegated to area committees, any other authority or any joint arrangements at the present time.
6. The elected 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.



**Meeting:** Council

**Date:** 19 April 2018

**Wards Affected:** All Wards

**Report Title:** Investment and Regeneration Fund Update

**Is the decision a key decision?** No

**When does the decision need to be implemented?** ASAP

**Supporting Officer Contact Details:** Steve Parrock, Chief Executive,  
steve.parrock@torbay.gov.uk

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## **1. Proposal and Introduction**

- 1.1 In February 2018, Council approved the Investment and Regeneration Strategy, including a total fund of £200m for schemes which bring economic and financial benefits to Torbay.
- 1.2 As at 16 April 2018, £157.4m of this fund has been invested or committed in a portfolio of ten commercial investments (8 properties and 2 loans).
- 1.3 The current portfolio is expected to bring £8.8m of gross income into the Council in the 2018/19 financial year, which, after provisions for repayment and asset management, is expected to result in £2.8m of net income to support Council services (equivalent to a net yield of 1.8%). This is in line with budget estimates.
- 1.4 The February 2018 update of the Medium Term Resource Plan shows funding gaps of £5.5m in 2019/2020 and £5.4m and £3.8m in the following two years. The Council needs to consider how it can meet these shortfalls in the preparation of its future budget proposals. The Chief Financial Officer will provide a further update on the financial position and performance of the Investment and Regeneration Fund at the meeting.
- 1.5 It can therefore be seen that the financial challenges of the Council are significant, and one of the ways the Council could meet some of the shortfall is to consider increasing the amount of the Investment and Regeneration Fund in order to generate additional income for the Council. Members would need to have regard to the changes in legislation restricting future investments to the Local Enterprise Partnership area or to those investments which demonstrate multiple benefits to Torbay.
- 1.7 The Investment Fund has been extended to include regeneration opportunities but it is very unlikely that these opportunities will contribute to the revenue shortfall forecast in the Medium Term Resource Plan.

## **2. Reason for Proposal**

- 2.1 To provide an update on the Council's Medium Term Financial Plan and performance of the Council's Investment and Regeneration Fund.
- 2.2 Officers need guidance from Full Council whether in principle they are prepared to explore the possibility of enlarging the Investment and Regeneration Fund.

## **3. Recommendation(s) / Proposed Decision**

- 3.1 That the Investment and Regeneration Committee be requested to review the Investment and Regeneration Fund and Strategy and make recommendations to the Council on how it could be amended to assist the Council in meeting its future budget shortfalls, for 2019/2020 and beyond, and enable regeneration investments to be brought forward in 2018/2019.

## **Appendices**

Appendix 1: Investment and Regeneration Fund Dashboard - Exempt

## **Background Documents**

None