

Meeting: Overview and Scrutiny Board

Date: 9 December 2020

Wards Affected: All Wards

Report Title: Peer Review of Torbay Council's Control and Influence over the Torbay Economic Development Company Ltd (TDA)

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1. Purpose of Report

- 1.1 To make available the Local Government Association's (LGA) Peer Review Report on Torbay Council's control and influence of the Torbay Economic Development Company Ltd (TDA).
- 1.2 The report sets out the resulting outline action plan, which will assist the Council and TDA to embrace the opportunities and improvements identified by the LGA.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report help us to deliver the Council's ambition of a thriving economy by enabling the Council and TDA to improve and support the delivery of the work of TDA.
 - 2.2 The reasons for the decision are to make available the LGA's Peer Review Report and to enable the Council and TDA to improve their working relationships, and enable appropriate control and influence from the Council.
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3. Recommendation(s) / Proposed Decision

- (i) that the Local Government Association Peer Review Report (as set out at Appendix 1) and the resulting detailed action plan (as set out at Appendix 2 to the submitted report) be endorsed; and
- (ii) that the implementation of the action plan be monitored by the Overview and Scrutiny Board on a six monthly basis.

Appendices

Appendix 1: Local Government Association Peer Review Report on Torbay Council's control and influence of the Torbay Economic Development Company Ltd (TDA)

Appendix 2: Local Government Association Peer Review Report on Torbay Council's control and influence of the Torbay Economic Development Company Ltd (TDA) – Detailed Action Plan

Supporting Information

1. Introduction

- 1.1 The Local Government Association (LGA) provide Councils with support through peer challenges. Peer challenge is a tool for assisting Councils in identifying areas for improvement. The process involves a small team of local government peers spending time with the Council to provide challenge and shared learning. Peer challenges are not a formal inspection and are designed to complement and add value to the Council's own performance and improvement.
- 1.2 The Cabinet sought a review of how Torbay Council exercises its control and influence of the Torbay Economic Development Company Ltd (known as TDA).
- 1.3 The LGA undertook the review via a combination of desktop analysis of a range of background documentation concerning the establishment of the TDA and its Business Plan ambitions, followed by a series of interviews which included a number of private sector TDA Board Directors, including the Chairman, key TDA officers including the Chief Executive of TDA, key politicians and Council officers. The review was focussed upon governance of the current delivery model.
- 1.4 The Peer Challenge Team considered the following question areas:
 - a) Policy accountability and responsibility.
 - b) Understanding of individuals own personal role in relation of the operation of the TDA Board.
 - c) Governance – Council and TDA Objectives; commissioning; communication and general oversight.
 - d) General understanding of the financial operation/performance measures.
 - e) TDA Board – operational practices.
- 1.5 At the end of their review, the Peer Review Team made a number of recommendations and provided feedback. The full Peer Review Report can be found at Appendix 1. A detailed action plan to respond to the LGA's recommendation has been developed and is attached at Appendix 2.
- 1.6 Further to the publication of the Peer Review Report, discussions were held with a member of the Review Team, to clarify the arrangements for performance management which is carried out by the Audit Committee and not the Overview and Scrutiny Board as is the case for many other local authorities. It was therefore agreed to amend reference to Overview and Scrutiny to Audit Committee in the resulting action plan. However it must be emphasised that Audit Committee can refer any matters for consideration to Overview and Scrutiny, as well as Overview and Scrutiny determining whether they wish to include any relevant matters on their work programme.

2. Options under consideration

- 2.1 Not to endorse the Local Government Association Corporate Peer Challenge Feedback Report and resulting action plan – this is not recommended as the action plan will mitigate the risks outlined below.

3. Financial Opportunities and Implications

- 3.1 The action plan will be delivered within existing resources.

4. Legal Implications

- 4.1 There are no legal implications.

5. Engagement and Consultation

- 5.1 Private sector Board Directors, the Chairman of the TDA, key TDA officers, the Chief Executive of TDA, key politicians and Council officers contributed towards the Peer Review and met the Review Team. The resulting action plan will assist the Council and TDA in making improvement which will ultimately lead to better outcomes for the community.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 No direct impact from the action plan.

8. Associated Risks

- 8.1 The main risk associated with the report is the failure to respond to the recommendations of the Peer Review Team. This may result in the Council or TDA not responding adequately to the issues and challenges they face. The resulting action plan addresses the recommendations in the LGA Peer Review Report.